



County Hall
Cardiff
CF10 4UW
Tel: (029) 2087 2000

Neuadd y Sir
Caerdydd
CF10 4UW
Ffôn: (029) 2087 2000

AGENDA

Committee PLANNING COMMITTEE

Date and Time of Meeting WEDNESDAY, 22 JULY 2020, 1.30 PM

Venue REMOTE MEETING VIA MS TEAMS

Membership Councillor K Jones (Chair)
Councillors Lay, Ahmed, Asghar Ali, Driscoll, Gordon, Hudson,
Jacobsen, Jones-Pritchard, Keith Parry, Sattar and Stubbs

1 Apologies for Absence

2 Declarations of Interest

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

3 Minutes

To approve as a correct record the minutes of the meeting held on the 17 June 2020.

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 19/01012/MJR, Multi Storey Car Park, Stuart Street, Cardiff Bay

5 Development Control Applications

a 19/01930/MJR, Crawshay Court, 6 Curren Road, Butetown

b 20/00361/MJR, 160-166 Strathnairn Street

c 19/03210/MJR, Tramshed, Penderys Street, Grangetown

d 19/01012/MJR, Multi Storey Car Park, Stuart Street, Cardiff Bay,

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- e 19/01083/MJR, Barclay Court, 104-108 Cathedral Road, Riverside
- f 20/00748/MNR, 24 Letty Street, Cathays
- g 20/00748/MNR, Part of Land at Rear of 35 Ely Road, Llandaff
- 6 **Section 257 Town and Country Planning Act 1980: Maelfa**
- 7 **Applications decided by Delegated Powers - June 2020**
- 8 **Urgent Items (if any)**
- 9 **Date of the next meeting - 19 August 2020**

Davina Fiore

Director Governance & Legal Services

Date: Thursday, 16 July 2020

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

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PLANNING COMMITTEE

17 JUNE 2020

Present: Councillor K Jones(Chairperson)
Councillors Lay, Ahmed, Asghar Ali, Driscoll, Gordon, Hudson,
Jacobsen, Jones-Pritchard, Keith Parry, Sattar and Stubbs

58 : APOLOGIES FOR ABSENCE

None

59 : DECLARATIONS OF INTEREST

COUNCILLOR	ITEM	REASON
Driscoll	20/00036/MNR	Ward Councillor

60 : MINUTES

The minutes of the 18 March 2020 were approved as a correct record.

61 : PLANNING COMMITTEE VIRTUAL MEETING PROCEDURES

The received a report for the Council’s Planning Committee to note the changes to its procedural arrangements during the period when normal business operations are disrupted due to government restrictions arising from the current COVID-19 pandemic.

RESOLVED: The Planning Committee AGREED to note changes to its procedural arrangements during the period when normal business operations are disrupted due to government restrictions arising from the current COVID-19 pandemic as set out in Appendix to this report.

62 : PETITIONS

Application no 20/00036/MNR, 28 Hendre Close, Llandaff

In relation to the above the petitioner submitted a statement and the applicant verbally responded.

63 : DEVELOPMENT CONTROL APPLICATIONS

The Committee considered the schedule of development control applications submitted in accordance with the Town and Country Planning Act 1990:

RESOLVED: Pursuant to this Committee’s delegated powers the following development control applications be determined in accordance with the

recommendations set out in the reports of the Director of Planning, Transport and Environment, subject to any further amendments as detailed below and notification be given of the decisions in accordance with Section 70 of the Town and Country Planning Act 1980 or Section 74 of the Planning (Listed Building & Conservation) Act 1980:

APPLICATIONS GRANTED

20/00151/DCH – CYNCOED

1 THE FAIRWAY

Retain alterations as built to approved drawings of planning permission 19/02126/DCH with first floor extension 350mm face of front elevation

16/01839/MJR – ELY

84-86 SEVENOAKS ROAD

Construction of 6X1 bed and 4X2 bed apartments.

APPLICATIONS REFUSED

20/00036/MNR – LLANDAFF

LLANDAFF PRIMARY CARETAKERS HOUSE, 28 HENDRE CLOSE

Change of use from residential (C3) to non-residential institutional (D1) for use as pre-school nursery with conversion of existing garage to play area.

APPLICATIONS DEFERRED

19/01930/MJR – BUTETOWN

CRAWSHAY COURT, 6 CURRAN ROAD

188 Unit Apartment building with ancillary areas parking, public open space, A1/A3 unit(s) and a residents roof terrace.

REASON: Deferred to seek an increase in the cycling parking provision within the application site.”

20/00361/MJR – PLASNEWYDD

160 – 166 STRATHNAIRN STREET

Demolition of existing buildings and construction of 12no. self contained apartments with on site amenity, cycle & refuse stores

REASON: Defer for reasons for refusal regarding Design Policy KP 5 (i) and (x).

64 : APPLICATIONS DECIDED BY DELEGATED POWERS - APRIL 2020 - MAY 2020

Noted

65 : URGENT ITEMS (IF ANY)

None

66 : DATE OF NEXT MEETING - 22 JULY 2020

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COMMITTEE DATE: 22/07/2020

APPLICATION No. **19/01930/MJR** APPLICATION DATE: 11/07/2019

ED: **BUTETOWN**

APP: TYPE: Full Planning Permission

APPLICANT: Urban Centric (Cardiff) Ltd

LOCATION: CRAWSHAY COURT, 6 CURRAN ROAD, BUTETOWN,
CARDIFF, CF10 5TG

PROPOSAL: 188 UNIT APARTMENT BUILDING WITH ANCILLARY AREAS,
PARKING, PUBLIC OPEN SPACE, A1/A3 UNIT(S) AND A
RESIDENTS ROOF TERRACE

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. STATUTORY TIME LIMIT

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. APPROVED PLANS AND DOCUMENTS

The development shall be carried out in accordance with the following approved plans and documents:

- (i) SP495-P00 – Existing Site Plan;
- (ii) SP495-P01 Rev F – Proposed Site Plan;
- (iii) SP495-P02 – Proposed Basement Plan;
- (iv) SP495-P03 Rev D – Proposed Ground and First Floor Plans;
- (v) SP495-P04 Rev B – Proposed 2nd-13th & 14th-19th Floor Plans;
- (vi) SP495-P05 Rev B – Proposed 20th-25th & 26th-27th Floor Plans;
- (vii) SP495-P06 Rev B – Proposed Roof Plan;
- (viii) SP495-P09 Rev B – Proposed Elevation to Curran Road;
- (ix) SP495-P10 Rev C – Proposed Elevation to City Centre;
- (x) SP495-P11 Rev B – Proposed Elevation to Brickworks;
- (xi) SP495-P12 Rev B – Proposed Elevation to Cardiff Bay;
- (xii) SP495-P13 Rev B – Proposed Elevation to Callaghan Square;
- (xiii) SP495-P14 – External Façade Study – Typical Bay;
- (xiv) SP495-P15 – External Façade Study – Cladding;
- (xv) SP495-P100 – Site Location Plan
- (xvi) SP495-P101 – Demolitions Plan
- (xvii) SP495 – Sun Path Analysis_1 9am March and June;
- (xviii) SP495 – Sun Path Analysis_2 9am September and December;
- (xix) SP495 – Sun Path Analysis_3 12pm March and June;

- (xx) SP495 – Sun Path Analysis_4 12pm September and December;
 - (xxi) SP495 – Sun Path Analysis_5 3pm March and June;
 - (xxii) SP495 – Sun Path Analysis_6 3pm September and December;
 - (xxiii) SP495 – Sun Path Analysis_7 10:30am April and October.
 - (xxiv) Bat Survey, Celtic Ecology (July 2017);
 - (xxv) Transport Statement, Vectos, (September 2019).
- Reason: For the avoidance of doubt

3. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

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 CMP shall be adhered to throughout the construction period. The CMP 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 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. MAINTENANCE OF PARKING WITHIN SITE

The proposed car parking and manoeuvring areas shall be laid out in accordance with the details shown on the 'Proposed Site Plan' (drawing no. SP495-P01 Rev F) before the development is brought into beneficial use and shall be thereafter maintained and retained at all times for those purposes in association with the development. Reason: To make satisfactory provision for the parking of vehicles clear of the roads so as not to prejudice the safety, convenience and free flow of traffic.

5. CYCLE PARKING

The resident parking for 200 no. cycles hereby approved shall be provided prior to the beneficial occupation of any apartment and shall be retained in perpetuity. Details of the 7 no. "Sheffield" stands for visitor cycle parking shown on the 'Proposed Site Plan' (drawing no. SP495-P01 Rev F) shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The development shall be carried out in accordance with the approved details and no part of the building shall be occupied until the cycle parking serving the relevant part of it has been constructed.

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

6. HIGHWAY PHOTOGRAPHIC SURVEY

No development shall take place until a photographic survey of the adopted highway adjacent to the site has been submitted to and approved in writing by the Local Planning Authority nor shall any development take place until a scheme of public realm reinstatement works to this highway has also been submitted to and approved in writing by the Local Planning Authority. The scheme shall include but not be limited to the reinstatement/resurfacing as required of the carriageway and footway abutting the site to include surfacing, kerbs, edging, drainage, lighting, lining, signing and street furniture required as a consequence of the scheme. Any reinstatement works deemed necessary by the Local Planning Authority shall be completed prior to the occupation of any part of the development.

Reason: To reinstate the footway/highway and provide an improved pedestrian environment to facilitate safe commodious access to the proposed development in accordance with Policy T6 of the adopted Local Development Plan (2006-2026).

7. TRAVEL PLAN

No part of the development hereby permitted shall be occupied until a residential travel plan promoting walking, cycling, public transport and other alternatives to the ownership and use of the private car; to include details of the Travel Planning representative, incentivising the uptake of sustainable transport options and annual monitoring for a period of up to five years of the effectiveness of the plan, has been submitted to and approved by the Local Planning Authority.

Reason: In the interest of highway safety and sustainability, and to manage the transportation impact of the development on the use of the highway.

8. FOUL DRAINAGE SCHEME

No development shall commence until a foul drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water 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.

9. SURFACE WATER DRAINAGE CONNECTION

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network unless a connection has been otherwise approved by Cardiff Council as a SuDS Approval Body (SAB) under the SAB application process.

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.

10. SAMPLES OF EXTERNAL FINISHES

Prior to their installation the external finishing materials, including those shown on the 'External Façade Studies' (drawing nos. SP495-P14 and P15) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and completed in accordance with the approved details.

Reason: To ensure a high quality finished appearance to the development.

11. SLIDING GATE DETAILS

Prior to its installation, details of the sliding gate to the car park shown on the 'Proposed Site Plan' (drawing no. SP495-P01 Rev F) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and completed in accordance with the approved details.

Reason: To ensure a high quality finished appearance to the development.

12. USE CLASSES (COMMERICAL USE)

The commercial premises hereby approved shall be used only for purposes within Class A1 or A3 of 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) and for no other purpose whatsoever. Any A3 use shall be restricted to coffee shop/café/restaurant type uses where the primary function is the sale and consumption of food within the premises, and for no other A3 Use (including as a bar or other vertical drinking establishment).

Reason: To ensure the amenity of future residents and occupiers of other premises in the vicinity are protected.

13. REFUSE STORAGE FACILTIES

Prior to their construction details of the facilities for the storage of refuse including the bulky refuse storage shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall have regard to the residential refuse storage facilities shown on the 'Proposed Site Plan' (drawing no. SP495-P01 Rev F). The approved facilities shall be provided before the development is brought into beneficial use and shall be thereafter retained for future use.

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

14. HOURS OF OPERATION

No member of the public shall be admitted to or allowed to remain on the commercial premises hereby approved outside the hours of 08:00 to 23:30 on any day.

Reason: To protect the amenities of future residential occupiers and other occupiers in the vicinity of the site.

15. DELIVERY HOURS

There shall be no loading or unloading of delivery vehicles between the

hours of 22:00 and 07:00 hours.

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

16. NOISE MITIGATION

No development other than demolition and remediation works shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that all habitable rooms exposed to mixed sources (external road traffic, rail traffic and plant noise) in excess of 63 dBA Leq 16 hour (free field) during the day (07.00 to 23.00 hours) or 57 dBA Leq 8 hour (free field) at night (23.00 to 07.00 hours) shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 35 dBA Leq 16 hour during the day and 30 dBA Leq 8 hour at night. The approved scheme shall ensure that habitable rooms subject to sound insulation measures shall be provided with acoustically treated active ventilation units. Each ventilation unit (with air filter in position), by itself or with an integral air supply duct and cowl (or grille), shall be capable of giving variable ventilation rates ranging from –

1. an upper rate of not less than 37 litres per second against a back pressure of 10 newtons per square metre and not less than 31 litres per second against a back pressure of 30 newtons per square metre, to
2. a lower rate of between 10 and 17 litres per second against zero back pressure.

No apartment shall be occupied until the approved scheme has been implemented for that apartment.

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

17. EXTERNAL LIGHTING SCHEME

Prior to commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority providing details of external lighting, including the intensity of illumination and predicted lighting contours on the site and boundary. The approved scheme shall be implemented prior to beneficial use and be permanently maintained.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

18. PLANT NOISE

The noise emitted from fixed plant and equipment on the site shall achieve 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, in accordance with policy 2.24 of the deposit Unitary Development Plan.

19. SOUND INSULATION WORKS

No above ground superstructure works shall take place until a scheme of sound insulation works to the floor/ceiling and party wall structures between the commercial unit and residential accommodation have been submitted to and approved in writing by the Local Planning Authority. The approved

scheme shall be implemented prior to occupation.

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

20. FUME EXTRACTION FOR COMMERCIAL USE

If at any time the use of the commercial premises are 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 deodorising filter. Details of the above equipment shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed prior to the commencement of use for the cooking of food and 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 site in accordance with Policy R4 of the adopted Cardiff Local Development Plan (2006-2026).

21. NO TAKEAWAY SALES

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any Order amending or revoking and re-enacting that Order) no sale of hot food for consumption off the premises shall take place from the premises.

Reason: To ensure that the use of the premises does not prejudice the amenities of the area.

22. DETAILS OF LANDSCAPING SCHEME

No above ground superstructure works shall take place until full details of hard and soft landscaping, including the raised planters, have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall be prepared by a qualified landscape architect and shall include:

- A landscaping implementation programme.
- Scaled planting plans
- 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
- Scaled, site specific, tree pit and planter sectional and plan drawings
- Topsoil and subsoil specification (including structural soil media) for all planting types, including soil type parameters, certification in accordance with British Standards, 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

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.

23. LANDSCAPING IMPLEMENTATION

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.

24. FINISHED FLOOR LEVELS

No development other than demolition and remediation works shall take place until details of existing ground levels and proposed finished ground and floor levels have been submitted to and approved in writing by the Local Planning Authority. The finished floor levels of the development shall be a minimum of 7.9 metres AOD. The development shall be carried out in accordance with the approved details.

Reason: These details are not included with the application and are required to ensure an orderly form of development and to satisfactorily safeguard against flood risk.

25. GAS PROTECTION MEASURES

No development shall take place until a scheme to investigate and monitor the site for the presence of gases* being generated at the site or land adjoining thereto, including a plan of the area to be monitored, has been submitted to the Local Planning Authority for written approval.

Following completion of the approved 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 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.

* '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 policy EN13 of the Cardiff Local Development Plan.

26. CONTAMINATED LAND MEASURES – ASSESSMENT

No development shall take place until an assessment of the nature and extent of contamination has been 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 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 in accordance with policy EN13 of the Cardiff Local Development Plan.

27. CONTAMINATED LAND MEASURES - REMEDIATION & VERIFICATION PLAN

No development shall take place until 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 has

been 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 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 policy EN13 of the Cardiff Local Development Plan.

28. CONTAMINATED LAND MEASURES REMEDIATION AND VERIFICATION

The remediation scheme approved by Condition 27 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 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), 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 policy EN13 of the Cardiff Local Development Plan.

29. CONTAMINATED LAND MEASURES – UNFORESEEN CONTAMINATION

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

30. IMPORTED AGGREGATES

Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes. Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

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

31. USE OF SITE WON MATERIALS

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.

32. WIND TUNNEL ASSESSMENT

No development shall take place until a wind tunnel assessment has been submitted to and approved in writing by the Local Planning Authority. The submitted assessment shall include measures, where necessary, to mitigate the effects of wind. The development shall be carried out and completed in accordance with the recommendations of the approved assessment.

Reason: In the interests of pedestrian safety.

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: 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: 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 (NRW) 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 6: That the applicant be advised that the condition regarding works to the adopted highway on Curran Road (Condition 6) and any other works to existing or proposed adopted public highway will be subject to agreement(s) under Section 278 and/or Section 38 of the Highways Act 1980 between the developer and Council.

RECOMMENDATION 7: That the Applicant / Developer be advised of South Wales Police's recommended design and layout principles for designing out crime, set out in their letter of 22 August 2019, forwarded to the Agents acting on behalf of the Applicant.

RECOMMENDATION 8: That the Applicant / Developer be advised of DCWW's advice regarding connections to the public sewer, set out in their letter of 12 August 2019, forwarded to the Agents acting on behalf of the Applicant.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 Full planning permission is sought for the demolition of the existing two-storey buildings and the construction of a 27 storey apartment building (188 no. units comprising 120 1 bed, 66 no. 2 bed, and 2 no. 3 bed totalling 258 no. bedrooms) with ancillary areas, vehicle and cycle parking, a ground/first floor A1/A3 unit, residents' gym, and two resident's roof gardens at Crawshay Court, Curran Road, Butetown.
- 1.2 The ground floor of the building would accommodate a double-height A1/A3 commercial unit which would be located at the north-eastern corner of the building. The commercial unit would have a floorspace of approximately 122 square metres at both ground and first floors, totalling 244 square metres overall.
- 1.3 The proposed building comprises 27 storeys, with a maximum height of approximately 84 metres. A 13 storey 'shoulder' element attached to the south elevation will accommodate a 14th floor roof garden for residents' use which would be approximately 42 metres in height. A second roof garden would be created on the 26th floor.

- 1.4 The building would retain privacy distances of approximately 26 metres to St. Patrick's House to the northwest, approximately 19 metres to Brickworks, to the southwest, and approximately 11 metres to St. Williams House to the east.
- 1.5 In respect of finishes, a dark aluminium curtain walling 'framed grid' with aluminium infill panels together with aluminium curtain walling with slim cappings with clear double glazing would be used. Coloured metal cladding cassettes with 'corten' type appearance, horizontal aluminium louvres, opaque glass panels, brickworks, grey curtain walling with clear glass and galvanised steel frame with inset glass panels would be used.
- 1.6 The site is accessed via Curran Road. 8 no. car parking spaces (including 1 no. disabled space) and 100 no. cycle parking spaces are proposed. Refuse storage facilities are proposed which would be accessed from the southeast elevation with a separate storage areas for bulky and commercial waste adjacent to vehicle access.
- 1.7 A pre-application report has been submitted with the application, together with a Bat Survey, a desk-top Wind Assessment, a Sun-Path Analysis, a Transport Statement, a Transport Statement Addendum and a Flood Consequences Assessment.
- 1.8 The proposals were subject to a screening opinion under the Environmental Impact Assessment Regulations 2017 in May 2019 (ref: SC/19/00006/MJR). Although more than 150 dwellings are proposed, it was the Council's opinion that an Environmental Statement was not required as the impacts of the development were not likely to result in significant effects on the environment, nor was the application site located in a 'Sensitive Area' as defined by the Regulations.
- 1.9 This application was presented to Planning Committee in June 2020 where it was deferred to seek an increase in cycle parking provision for residents. The application has since been amended and now proposes 200 no. secure cycle parking spaces for residents, doubling the provision in the original submission. This additional provision has been secured by omitting the plant room from the ground floor. The amendments also include the enclosure of the cycle parking to make it safe and secure, together with the provision of 7 no. 'Sheffield' stands for patrons of the commercial unit and visitors to the apartments.
- 1.10 The amendments also include an increase to the size of the raised tree planter at the southern end of the site.

2. DESCRIPTION OF SITE

- 2.1 The site comprises approximately 0.13 hectares and currently accommodates two-storey offices in a traditional building with gables and a pitched roof.
- 2.2 The site is generally flat and level.
- 2.3 Immediately east and northwest the site is bordered by 5 storey office development. The 'Brickworks', a residential scheme comprising 102 apartments lies to the southwest.
- 2.4 The site is within 200 metres of Central Station and the Transport Interchange. It is within the Central Business Area and within 350 metres of the Central Shopping

Area.

- 2.5 The site is located within Zone C1 as defined by the Development Advice Map (DAM) referred to in Technical Advice Note 15 (July 2004).

3. **SITE HISTORY**

- 3.1 17/01672/MJR: Permission granted in August 2019 for demolition of existing buildings and construction of 25 storey apartment building (140 no. units) with ancillary areas, parking, A1/A3 unit(s) and resident's roof terrace.
- 3.2 14/01026/DCI: Permission granted in July 2014 for demolition of existing office buildings and redevelopment of the site to provide 6 storey office building with undercroft car parking, open space, and new access from Curran Road.
- 3.3 02/02112/C: Permission granted in November 2002 for conversion of roof void to additional office accommodation and addition of 5 no. dormers.

4. **POLICY FRAMEWORK**

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

- 4.2 Technical Advice Notes (TANs):

11	Noise
12	Design
15	Development and Flood Risk
16	Sport, Recreation and Open Space
18	Transport
21	Waste
23	Economic Development

- 4.3 Local Development Plan (January 2016):

KP2(A)	Cardiff Central Enterprise Zone and Regional Transport Hub
KP4	Masterplanning Approach
KP5	Good Quality and Sustainable Design
KP6	New Infrastructure
KP7	Planning Obligations
KP8	Sustainable Transport
KP10	Central and Bay Business Areas
KP12	Waste
KP13	Responding to Evidenced Social Needs
KP14	Healthy Living
KP15	Climate Change
KP17	Built Heritage
KP18	Natural Resources
H3	Affordable Housing
H6	Changes of Use or Redevelopment to Residential Use
EC3	Alternative Use of Employment Land and Premises
EC4	Protecting Offices in the Central and Bay Business Areas
EN9	Conservation of the Historic Environment
EN10	Water Sensitive Design
EN11	Protection of Water Resources

EN12	Renewable Energy and Low Carbon Technologies
EN13	Air, Noise, Light Pollution and Land Contamination
EN14	Flood Risk
T1	Walking and Cycling
T5	Managing Transport Impacts
T6	Impact on Transport Networks and Services
R6	Retail Development (Out of Centre)
R8	Food and Drink Uses
C1	Community Facilities
C3	Community Safety/Creating Safe Environments
C5	Provision for Open Space, Outdoor Recreation, Children's Play and Sport
C6	Health
C7	Planning for Schools
W2	Provision for Waste Management Facilities in Development

4.4 Supplementary Planning Guidance:

Waste Collection and Storage Facilities (October 2016)

Planning Obligations (January 2017)

Tall Buildings Design Guide (January 2017)

Residential Design Guide (January 2017)

Dumballs Road Area Planning Brief (June 2006)

Food, Drink and Leisure Uses (November 2017)

Green Infrastructure (November 2017)

Managing Transportation Impacts (Incorporating Parking Standards) (July 2018)

Safeguarding Business and Industrial Land and Premises (November 2017)

5. **INTERNAL CONSULTEES RESPONSES**

5.1 The Operational Manager, **Transportation**, makes the following comments:

- (i) The site benefits from a central location and having good links to public transport (intra-city and external). The site, as indicated in the Transport Statement (TS), is well located and "accessible by all modes of transport". The TS also highlights the opportunity to make use of a car club facility (with enterprise having a car club bay within 10 minutes on foot).
- (ii) He notes the submission of an amended Transport Statement to refer to the latest Supplementary Planning Guidance (SPG) which includes up to date car parking and cycle parking standards. He accepts that the car parking provision will be within the maximum permitted as the quantum of car parking (8 spaces, including 1 no. disabled space) complies with the maximum parking allowance in the SPG.
- (iii) In respect of cycle parking, taking account of the proximity of the existing cycle hire facility and the railway station he does not object to the proposal. He notes that the site has 188 flats, therefore the 200 resident cycle parking spaces proposed would exceed one space per flat, however the current SPG requires that a minimum of one space per bedroom is provided. The proposal would therefore be 58 no. cycle parking spaces short. He would support a condition that secures a minimum provision of 200 no. spaces for residents.

- (iv) The applicant also proposes to provide 14 no. cycle parking spaces which would be available for visitors and users of the retail offer. This satisfies the minimum required within the SPG.
- (v) In addition to the on-site cycle parking the applicant proposes to provide, via the section 106 procedure, funding toward extending Cardiff's cycle hire facility.
- (vi) The applicant is proposing to provide a two tiered cycle rack facility to accommodate the cycles. This approach would provide 100 surface level spaces and 100 raised spaces, accessible via a retractable ramp. The proposed facility is considered acceptable as there are sufficient surface level stands to accommodate heavy or awkward sized bicycles.
- (vii) The amended TS states "Resident permit holders parking is present to the north of Curran Road. This parking may provide an appropriate location for parking associated with the A1/A3 commercial unit but it is noted that the bays are controlled (for permit holders only) between 8am to 10pm every day. This limits the parking opportunities to users of the A1/A3 facility." Consideration will need to be given to providing parking opportunity for casual users of the A1/A3 facility.
- (viii) The proposed access, illustrated in the site plan, to the car park is acceptable, with the proviso that the junction with Curran Road is treated like a driveway/ dropped kerb rather than a bell mouth junction.
- (ix) It is assumed that refuse collection will all take place from Curran Road. He seeks confirmation together with access routes for bins illustrated (residential & commercial). It is possible that refuse colleagues will require a short section of dropped kerb to ease access to the rear of the refuse vehicle.
- (x) The amended TS includes details on how deliveries would be undertaken, addressing his previous concerns regarding deliveries to the commercial operation, which may use Curran Road, and home deliveries (be that grocery or others) to residential units. Grocery vehicles are typically 3.5t vehicles.
- (xi) Beyond the proposed parking requirements the proposal appears to be providing:
- A section of land gifted to the LPA to ensure that a footway will be a minimum of 2 metres in width outside the proposed site;
 - The alignment of the kerb opposite the site (adjacent to Lloyds) will be retained and re-instated as required following construction works;
 - The footway outside the site (minimum 2m as above) will be constructed and all kerbing, drainage features, lighting, etc will be re-instated to the appropriate and approved LPA standards;
 - The carriageway of Curran Road will be re-constructed with the inclusion of new speed tables, either side of the development.
- (xii) In addition to the proposed highway works the following additional works would be sought:

- Install a pedestrian crossing at the location of the north/eastern speed table;
 - Improve the footway to the north of the site adjacent to St Patrick's House on Curran Road to provide a suitable pedestrian link to Penarth Road;
 - Provide a cycle access route at the junction between Curran Road and Penarth Road.
- (xiii) A financial contribution of £114,000 is required to construct a 2m footway adjacent to the proposed development and to the junction with Penarth Road (including dropped kerbs to facilitate cycle access from Curran Road to Penarth Road and vice versa), re-instatement of the access to St Patrick's House and installation of a raised 6m table including an uncontrolled pedestrian crossing facility in Curran Road. This contribution would be secured via a Section 106 Agreement.
- (xiv) He notes that the building management will include the provision of a car club for the residential element of the scheme.

- 5.2 The **Operational Manager, Environment (Contaminated Land)**, in reviewing available records, identifies the site as formerly commercial/industrial. 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. This may give rise to potential risks to human health and the environment for the proposed end use. Consequently the inclusion of conditions requiring contamination and ground assessment and any necessary remediation/mitigation are requested.
- 5.3 The proposals include hard landscaping. Should there be any site won recycled material or importation of materials 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. They request the inclusion of the relevant 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 LDP Policy EN13 (Air, Noise, Light Pollution and Land Contamination).
- 5.4 They request the inclusion of relevant 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.
- 5.5 The Council's **Tree Officer** has considered the amended plans showing provision of 6 no. new trees in raised planters. The bigger the planters are the better, so if there is any 'dead space' then the planters should be increased in size. He supports revision F of the proposed site plan showing an increased size to the southern raised planter. The planters will accommodate trees if they remain at their current dimensions, assuming a soil profile depth of minimum 900mm (300mm topsoil, 600mm subsoil) with drainage below. He considers that the smaller bed should support just one large species tree and the larger bed two large species

trees. In this way gross mutual suppression will be avoided and the trees can achieve maximum growth potential and canopy cover. The Root Available Soil Volumes assuming the soil profile above also suit this arrangement. Under-storey shrub planting rather than grass should accompany the trees. He has previously commented on what he considers to be appropriate trees. If there is any intention for the planters to serve a SuDS function then alternative species will need to be considered to some of those he has suggested.

- 5.6 His original comments on the application regarding tree species assumed that the fastigiated hornbeam proposed is *Carpinus betulus* 'Fastigiata', 'Frans Fontaine' or 'Lucas' which would at the density proposed likely result in the medium term in creating a dense, dark 'tree wall.' This would be useful if screening were the aim, but he doesn't see that it is in this case, and one would assume that the most appropriate form of planting here would be with trees that will complement the development in terms of visual amenity and create a pleasant rather than oppressive atmosphere in relation to the adjoining land. Fastigiated hornbeams ultimately form a broad, dense brush shaped crown that admits little light, can support high densities of aphids and other than colouring well in autumn in some cases, offers little return in terms of visual amenity.
- 5.7 He recommended that two large, long-lived, urban tolerant trees with domed but relatively open canopies would be well suited. Suggestions include, *Celtis australis*, *Gleditsia triacanthos* 'Imperial', *Koelreuteria paniculata*, *Pinus sylvestris*, *Quercus phellos* 'Hightower'*, *Zelkova serrata**.
- 5.8 A detailed, upfront landscape scheme should be submitted comprising scaled planting plan, plant schedule, topsoil and subsoil specification, tree pit (planter) section, planting methodology, aftercare methodology and implementation programme.
- 5.9 The **Operational Manager, Waste Management**, advises that 24 no. 1100 litre bulk bins for dry recyclables, 12 no. 240 litre bins for food waste and 24 no. 1100 litre bulk bins for general waste would be required for an amended development of 188 no. units.
- 5.10 Plans need to show the layout of bins within the store. Operatives need to be able to facilitate the emptying of each container without the need to remove other containers. A clear space of 20cm between containers should be provided. The bin provision they have recommended is for the use of the Council's free domestic waste collection service. If fewer bins would be preferred, additional collections can be paid for with the Council's Commercial Collection Team. Another alternative would be to arrange for an external contractor to collect all the waste.
- 5.11 Their requirements are calculated using 140 litres per unit, however she is willing to accept this proposal for fewer bins having seen the layout on the amended plan. She has noted the bulky waste storage area and this is also acceptable. She considers that the commercial waste storage area shown on revision C of the site plan is acceptable too. In a mixed development, a strict separation of waste is required to ensure that commercial waste does not enter the domestic waste stream.
- 5.12 She refers the agent/architect to the Waste Collection and Storage Facilities Supplementary Planning Guidance for further relevant information.

- 5.13 The Council's **Ecologist** notes that the bat survey submitted with the 2017 application has been re-submitted with the 2019 application. Guidance advises that survey information should be no more than 18 months old when decisions based upon that information are made. This is especially the case for mobile species such as bats which can colonise an empty building quickly. However, in this instance he notes that bat activity in the original survey was very low, the buildings are not close to any suitable foraging / commuting habitat, and that NRW have not raised any concerns in their response of 9 August 2019. Therefore he is satisfied that the bat survey need not be repeated provided the Council's bat advisory note is attached to any consent granted.
- 5.14 The proposed development will be subject to the requirement for SuDS approval, and to gain this approval the SuDS must meet six standards, one of which is the biodiversity standard. Therefore any planting associated with SuDS features should demonstrably enhance the biodiversity of the site. If this takes the form of trees and understorey bushes, shrubs etc in rain gardens or similar, then the advice provided by Ed Baker in respect of soil specification and species selection should be implemented. In this context it is also worth noting the Welsh Government's Dear CPO letter dated 23 October 2019 which indicates that all development should seek to secure biodiversity enhancement. The SuDS / landscaping at this site appear to be the most likely opportunities to implement this enhancement.
- 5.15 The **Air Quality Officer** has been consulted on the application. No comments have been received.
- 5.16 The **Noise Pollution Officer** makes the following comments:
- (i) They have concerns about noise affecting this application site. They are currently investigating complaints about plant that is located nearby to the proposed development. They want to support and work with the developer, however, there must be an understanding that there are noise sources from rail, road and plant close-by that could affect future occupants of this proposed scheme.
 - (ii) They consider that no development other than demolition and remediation works should take place until the developer has considered all noise sources that could affect future residents of the proposed development. The developer must submit to and had approved in writing by the Local Planning Authority a noise report that focuses on the potential impacts that rail noise (from Cardiff Central railway station), road noise from Penarth Road and other existing noise sources. For example, local plant (air conditioning noise)) upon the development site.
 - (iii) The report must include any mitigation measures that the acoustic survey and assessment has highlighted as issues.
 - (iv) They recommend that the developer contacts the Local Planning Authority prior to taking any noise measurements to agree monitoring locations with the Local Planning Authority. These must be agreed in writing prior to them being undertaken.
 - (v) The full assessment must include expected noise levels at each level of the proposed building (particularly at higher levels (over 8th floor)) as these

floors will be on the direct line of sight to the railway platforms and lower levels will be closer to the plant noise).

- (vi) The report must give details of mitigation works that are required to provide that all habitable rooms exposed to external road traffic noise in excess of 63 dB LAeq 16 hour (free field) during the day (07.00 to 23.00 hours) or 57 dB LAeq 8 hour (free field) at night (23.00 to 07.00 hours) shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 35 dB LAeq 16 hour during the day and 30 dB LAeq 8 hour and 45 dB L_{Amax,F} at night (with windows and doors closed).
- (vii) The report must give details of mitigation works that are required to provide that all habitable rooms exposed to external railway noise in excess of 66 dB LAeq 16 hour (free field) during the day (07.00 to 23.00 hours) or 59 dB LAeq 8 hour (free field) at night (23.00 to 07.00 hours) shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 35 dB LAeq 16 hour during the day and 30 dB LAeq 8 hour at night and 45 dB L_{Amax,F} at night (with windows and doors closed).
- (viii) The approved scheme shall ensure that habitable rooms subject to sound insulation measures shall be provided with acoustically treated active ventilation units. Each ventilation unit (with air filter in position), by itself or with an integral air supply duct and cowl (or grille), shall be capable of giving variable ventilation rates ranging from –
 1. an upper rate of not less than 37 litres per second against a back pressure of 10 newtons per square metre and not less than 31 litres per second against a back pressure of 30 newtons per square metre, to
 2. a lower rate of between 10 and 17 litres per second against zero back pressure.A central ventilation/extract system or whole house heat recovery system designed to the latest Building Regulations Part F may be installed as an alternative. No habitable room shall be occupied until the approved sound insulation and ventilation measures have been installed in that room.

Reason: To ensure that the amenities of future occupiers are protected.
- (ix) Any private open space shall be designed to provide an area which is at least 50% of the area for sitting out where the maximum day time noise level does not exceed 50-55 dBA Leq 16 hour [free field].
- (x) A post construction (pre- occupation) acoustic survey has to be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details including confirmation that they have achieved internal and external noise levels and ventilation requirements.
- (xi) A light assessment has to be submitted to and approved in writing by the Local Planning Authority. As outlined by my ex-colleague Mr Wayne Best in his email to you dated 15th November 2019:

Sunlight and daylight are valued elements in a good quality living environment. Effective daylighting can reduce the need for electric lighting, while sunlight can contribute towards meeting some of the heating requirements through passive solar heating. Given the size and relative location of this proposed development in relation to surrounding business

and residential premises he has concerns regarding the amount of shadowing this development may cause and a light assessment will be required to ensure that those neighbouring the proposed development will not be adversely affected.

- (xii) The acoustic report should consider the following:
- An initial external noise site risk assessment.
 - A full assessment, including the following:
 - Demonstrating the application of a ‘Good acoustic design process’,
 - Observing ‘Internal noise level guidelines’,
 - Undertaking an ‘External amenity area noise assessment’ (including terraces and balconies and shared amenity space) and
 - Consideration of ‘Other relevant issues’.

5.17 The Council’s **Access Officer** has been consulted. No comments have been received.

5.18 The **Operational Manager, Regeneration**, advises that the Planning Obligations Supplementary Planning Guidance (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	124	£720.51	£89,343.49
2	66	£997.63	£65,843.71
3	4	£1,385.60	£5,542.40
4		£1,718.14	£0.00
5+		£2,106.11	£0.00
TOTALS:	194		£160,729.60

5.19 CIL Regulation 122(2) provides: *A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.*

5.20 In respect of necessity, the Cardiff Planning Obligations 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 a financial contribution. They consider it would be unacceptable to grant planning consent in the absence of such provision.

- 5.21 Concerning direct relationship, 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.
- 5.22 Regarding fairness and reasonableness, contributions 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.
- 5.23 The **Operational Manager, Drainage Division**, has been consulted. No comments have been received.
- 5.24 The **Operational Manager, Parks and Sport**, notes that the DAS states that the developer will create an open space or plaza at ground floor level open to the public, continuous with Curran Road, along with a private roof terrace. Very few details are provided of either. The layout plan shows that a strip of land in front of the building will be gifted to form part of a 2m wide footway along Curran Road. Although this footway will be beneficial, there appears to be only a limited space for the plaza, which would need to be sufficiently open and free of furniture to allow access to the café / retail unit, and on the other side to the car park. The only soft landscape elements are the 2 planters containing trees, for which he agrees with the Tree Officer's comments that there will be insufficient rooting volume for that number of trees, and that these could ultimately shade the public realm area. Therefore he has not included this area in the POS calculation. The roof terrace, although welcome, would need to be substantial to provide amenity for such a large number of residents. He's unclear from the proposals what, if any, discussions have taken place on SuDS drainage. His 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.
- 5.25 The Council's LDP requires provision of a satisfactory level and standard of open space on all new housing developments, or an off-site contribution towards existing open space for smaller scale developments where new on-site provision is not applicable.
- 5.26 Based on the information provided on the number and type of units, he has calculated the additional population generated by the development to be 290. This generates an open space requirement of 0.705 ha of on-site open space based on the criteria set for Housing accommodation, or an off-site contribution of £300,889. 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.
- 5.27 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 1500m, measured from edge

of the site. In the event that the Council is minded to approve the application, he assumes 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 agree use of the contribution, and this will be confirmed at S106 stage. The closest areas of recreational open space are Canal Park, Overstone Court, Callaghan Square and Taffs Mead Embankment.

- 5.28 The **Operational Manager, Economic Development**, advises that the site is well located within the city centre within a five minute walk of Cardiff Central Station and city centre bus routes. The site is also located within the Cardiff Central Enterprise Zone, a zone designated for the attraction of Financial and Professional Services sector companies. The F&PS sector is highlighted as a key sector for Cardiff and Wales employing over 50,000 people within the city. The site is also within the Butetown Ward and therefore within the current assisted area (Tier 2) and therefore attracts discretionary funding as well as further incentives through the Cardiff Central Enterprise Zone schemes. The site is a key regeneration site for the city with proposals progressing to the south through the Dumballs Road residential scheme and also potential redevelopment of the site north of Penarth Road at the back of Central Station.
- 5.29 He is concerned at the continuing change of use requests for office property to residential / student accommodation developments and would oppose a change of use request for the site on Curran Road from office to residential accommodation with the loss of circa 12,500 sq ft of employment space. The Cardiff LDP aims to deliver 40,000 new jobs to 2026 and is one of the fastest growing cities in the UK. To deliver the expected jobs growth in the city it is essential that Cardiff retains its key city centre sites that can deliver the required density and high quality office developments to attract new jobs and investment and retain existing jobs in the city.
- 5.30 If the site were to be progressed as change of use to residential accommodation then he would seek a significant financial contribution. He recognises that mixed use development may be considered appropriate, however if mixed use schemes with a reasonable proportion of business space are not feasible or forthcoming on a particular site within a protected employment area, a planning obligation will be required to compensate for this loss, and mitigate the impact of this change. The Curran Road site office building of circa 12,500 sq ft with the capacity to provide between 100 and 150 jobs and the low rise nature of the site could provide higher densities of employment opportunities, however if the building is lost to a residential use it is unlikely that the site will revert back to an employment site.
- 5.31 A financial contribution is therefore sought to address the concerns relating to the loss of this employment land at a key employment site in the city centre. They request a financial contribution of £23,959. This contribution will form a package of assistance that will help support and develop companies within the Butetown ward and provide further employment opportunities. This figure is equitable to other figures that have been agreed on sites of the same size in other parts of the city. The developer contributions for the loss of employment land will be utilised for Economic Development projects and are calculated from the Council's Planning Obligations SPG.
- 5.32 In line with the LDP, the **Housing Strategy Team**, advises that an affordable housing contribution of 20% of the 188 units (37 units) is sought on this brown-field site.

- 5.33 Their priority is to deliver on-site affordable housing, in the form of affordable (social) rented accommodation, built to Welsh Government Development Quality Requirements (DQR) for purchase by a nominated Registered Social Landlord (RSL) partner at a specified price. Given the proposed design/configuration of the scheme, they would need to understand how any on-site affordable units can meet DQR standards and how any demarcation between the market and the affordable would work in reality. The scheme has to be able to be managed and easily maintained by the Registered Social Landlord.
- 5.34 They would be willing to discuss the delivery of the affordable housing on another site that the applicant may already own or be in the process of purchasing in the vicinity/area of the site. In exceptional cases if it is not possible to deliver the units on site then, as an alternative to on-site provision, they would be willing to enter into discussions with the applicant with regard to providing the affordable housing contribution as a financial contribution in lieu. On that basis they would seek a financial contribution of £2,785,160 (in lieu of 37 units (20%)) which is calculated in accordance with the formula in the Affordable Housing – Supplementary Planning Guidance (SPG) (2017).
- 5.35 The **Chief Schools Officer** advises that current assessments suggest that they would request contributions towards English-medium secondary, Welsh-medium secondary, English-medium primary and special school provision. There would be no request towards Welsh-medium primary at present. Based on the amended plans which reduces the no. of apartments to 188, with a housing mix of 120 no. 1 bed apartments, 66 no. 2 beds and 2 no. 3 beds, they would seek a financial contribution of £150,972.

6. **EXTERNAL CONSULTEES RESPONSES**

- 6.1 **Dwr Cymru Welsh Water** has reviewed the information submitted as part of this application, however they note that a drainage strategy has not been included. As part of the mandatory pre application enquiry, which assessed a development of 140 units, they provided confirmation that sufficient capacity exists in the public sewer network to accommodate the foul only flows from the proposed development. The additional number of flats can be accommodated in the public sewer, however this will limit the amount of surface water that can be conveyed. This new application may now trigger the need for SAB consent under Schedule 3 of the Flood and Water Management Act and this is an opportunity to introduce sustainable drainage features.
- 6.2 They previously recommended that an assessment be undertaken to verify whether sustainable drainage techniques can be utilised for the disposal of surface water. We note that the application form indicates that the preference is to discharge surface water to the mains sewer, however they request further investigations are undertaken and that careful consideration is given to how the site is drained.
- 6.3 They have undertaken a brief site visit and can confirm that a portion of the sewer in Curran Road appears redundant. The proposed point of connection to this sewer will therefore be critical to understanding the impact of the receiving sewer and they advise that this sewer is cleansed prior to any new flow being communicated.
- 6.4 Therefore, if planning permission is recommended, they request that conditions

and advisory notes are included within any subsequent consent. To ensure an adequate mains water supply to service this development, a booster pump will need to be installed and associated watermains laid to the development site. Costs and the future maintenance will be the developer's responsibility.

- 6.5 They also advise that they cannot see a scenario where the drainage strategy will generate an objection or that a solution cannot be found. There is a sewer nearby which connects onto a large diameter sewer so capacity is not an issue. They have not been able to lift the covers to verify the pipe size on the immediate sewer due to the presence of needles etc placing a health and safety risk. They assume that the existing building drains both foul and surface water to the public sewer. As this application triggers the need to submit a SAB application then there is an opportunity to introduce some features to control/limit the volume to be conveyed.
- 6.6 The **South Wales Police Designing Out Crime Officer** has no objection to this development and welcomes the re-development of this part of Cardiff. They welcome residential development as this will enhance surveillance levels. It is vital that all new developments meet best practice standards with regard to design levels to achieve the necessary safety and security standards for residents. It is generally accepted that this is standards of Secured by Design (SBD). In the Design and Access Statement the developers have stated the development *will meet the ethos of Secured by Design (SBD)*, this terminology is not recognised; a development either meets Secured by Design standards or it does not. To meet Secured by Design standards developers need to forward an application to South Wales Police and development be subjected to inspection to ensure such standards are delivered. No such application or request has been made to South Wales Police. To give an example developers stated that there will be secured parking, cycle storage and rubbish areas but fail to provide detail on how this will be achieved, little detail is provided on other key issues such as door security, access control, lighting and CCTV. All these measures would be recommended by Police as necessary elements to create a safe housing environment. They make following recommendations:
- (i) Secure car parking, cycle storage and rubbish areas and any undercroft areas to deter crime, illicit activities and rough sleeping. They recommend this be conditioned;
 - (ii) Details of access control features;
 - (iii) Details of external lighting and lighting of communal areas;
 - (iv) Individual apartment doors to meet specified standards;
 - (v) CCTV be installed to ensure effective management of the building including safety and security issues;
 - (vi) Appropriate risk assessments should be conducted to ensure that adequate fire prevention, warning and evacuation measures are in place;
 - (vii) They strongly recommend developers make contact to ensure development is built to SBD standards which should reduce crime risks by up to 75%.
- 6.7 **CADW**, having carefully considered the submitted information, considers there to be no adverse impact on the scheduled monument Cardiff Castle and Roman Fort (GM171). They therefore have no objections to the proposed development.
- 6.8 Their statutory role in the planning process is to provide the local planning authority with an assessment concerned with the likely impact that the proposal will have on scheduled monuments, registered historic parks and gardens, registered historic landscapes where an Environmental Impact Assessment is required and

development likely to have an impact on the outstanding universal value of a World Heritage Site. They do not provide an assessment of the likely impact of the development on listed buildings or conservation areas, as these are matters for the local authority. It is for the local planning authority to weigh their assessment against all the other material considerations in determining whether to approve planning permission.

- 6.9 Applications for planning permission are considered in light of the Welsh Government's land use planning policy and guidance contained in Planning Policy Wales (PPW), Technical Advice Notes and related guidance. PPW (Chapter 6 – The Historic Environment) explains that it is important that the planning system looks to protect, conserve and enhance the significance of historic assets. This will include consideration of the setting of an historic asset which might extend beyond its curtilage. Any change that impacts on an historic asset or its setting should be managed in a sensitive and sustainable way.
- 6.10 The conservation of archaeological remains and their settings is a material consideration in determining a planning application, whether those remains are a scheduled monument or not. Where nationally important archaeological remains are likely to be affected by proposed development, there should be a presumption in favour of their physical protection in situ. It will only be in exceptional circumstances that planning permission will be granted if development would result in a direct adverse impact on a scheduled monument (or an archaeological site shown to be of national importance).
- 6.11 Technical Advice Note 24: The Historic Environment elaborates by explaining that when considering development proposals that affect scheduled monuments or other nationally important archaeological remains, there should be a presumption in favour of their physical preservation in situ, i.e. a presumption against proposals which would involve significant alteration or cause damage, or would have a significant adverse impact causing harm within the setting of the remains.
- 6.12 The proposed application area is located some 890m south of scheduled monument Cardiff Castle and Roman Fort (GM171). The proposed development, standing some 79 metre high will be visible from the keep of the castle in one of the original key views, looking south towards the mouth of the River Taff. However, the Principality Stadium and the existing BT Stadium House (17storeys high) will be in this view, as will be the proposed Transport Interchange Building. Thus modern high rise buildings are already a significant part of this view and whilst the proposed building will be visible it will, in our opinion, not constitute a significant change to the current setting of the scheduled monument.
- 6.13 **Natural Resources Wales** do not object to the submitted proposal. They note that the Flood Consequences Assessment submitted to support the application appears to be the same as that considered at statutory pre-application consultation stage. As the PAC report does not indicate the development proposal has changed since statutory pre-application consultation stage, their response to the statutory pre-application consultation dated 1st July, in which they confirmed no objection to the proposed development, is still relevant.
- 6.14 They note the submission of a bat survey report by Celtic Ecology dated July 2017 which identified that bats were not using the application site. They have no comments to make.

6.15 **Wales & West Utilities** enclose an extract from their mains records of the area covered by the application together with a comprehensive list of General Conditions for guidance. This plan shows only those pipes owned by Wales & West Utilities in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GT's and also privately owned pipes may be present in this area. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty and the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Wales & West Utilities, its agents or servants for any error or omission. Wales & West Utilities has pipes in the area. Their apparatus may be affected and at risk during construction works. Should the planning application be approved then they require the promoter of these works to contact them directly to discuss their requirements in detail before any works commence on site. Should diversion works be required these will be fully chargeable. There must be no building over any of their plant or apparatus.

7. **REPRESENTATIONS**

7.1 The **Local Member** has been consulted. No comments have been received

7.2 The application was publicised as a major development by press and site notices under Article 12 of the Town and Country Planning (Development Management Procedure (Wales) Order 2012 (as amended).

7.3 **Neighbouring occupiers** have been consulted. No responses have been received.

8. **ANALYSIS**

8.1 This application was previously presented to Planning Committee in June 2020 where it was deferred for officers to seek an increase in the provision of cycle parking for future residents. Amended plans have been received showing a doubling of provision from 100 to 200 spaces for residents on the ground floor with the plant room omitted to accommodate the additional spaces. A two-tier racking system would be installed to provide the parking spaces. The spaces have also been enclosed to improve security.

8.2 Amendments have also been received showing an increase in the size of the raised tree planter at the southern end of the application site in response to the comments of the Tree Officer (see paragraph 5.5).

8.3 The Tall Buildings Supplementary Planning Guidance (January 2017) supplements policies in the Local Development Plan (LDP) (particularly KP5 (Good Quality and Sustainable Design)) and provides advice on the provision of high quality well-designed tall buildings within Cardiff.

Principle of Development

8.3 The application site is located within the boundary of LDP Policy KP2A (Central Enterprise Zone and Regional Transport Hub - Strategic Site), which is allocated for major employment led initiatives, focussing on financial and business services, together with other mixed uses including residential development.

- 8.4 Policy H6 of the LDP (Change of Use or Redevelopment to Residential Use) identifies criteria against which the change of use of previously developed land will be considered, including whether there is an overriding need to retain the existing use of the land and whether necessary community and transportation facilities are accessible or can be readily provided. The 'Dumballs Road' section of the Central Enterprise Zone contains a number of low-density, land-hungry warehouse / business uses, with much of the area being largely under-utilised having regard to its strategic city centre location. The applicant has identified in their Design and Access Statement that there has been a turnover of occupiers since 2006 and that the premises are largely considered to be of an unsuitable design for modern business demands, having been actively marketed during that period.
- 8.5 The principle of residential development is well established within the wider Dumballs Road area and the site is well served by transport links and is close to local amenities. In addition, the proposal incorporates a two-storey commercial unit at the ground floor of the building, which will assist in creating active uses along the Curran Road frontage and in adding vitality to the streetscape throughout the day.
- 8.6 As the site is located outside the Central Shopping Area (CSA) of the City Centre and also falls outside of any designated District / Local Centres as identified within the Local Development Plan, any proposal for a Class A1 (shop) use at this location would have to satisfy the three tests of out-of-centre retail policy. In this regard and given the relatively small scale of the proposed unit (approximately 122 sqm on each floor), an element of convenience retail could be considered acceptable to serve the newly established population and the wider residential community within the surrounding area.
- 8.7 Policy R8 (Food and Drink Uses) of the LDP identifies the Central Business Area as an appropriate location for food and drink uses, subject to amenity considerations. Taking into consideration the relatively small scale of the proposed floorspace, it is anticipated that the unit would operate as a coffee shop / snack bar type use, which would assist in contributing towards the creation of an active streetscape along Curran Road. In order to minimise any potential noise and disturbance to residents located above the ground floor, a condition could be applied to restrict the opening hours of the commercial unit.

Skyline and Key Views

- 8.8 The site is located at a key junction linking Penarth Road with Dumballs Road and Callaghan Square, south of the railway. The existing Brains Brewery to the north is identified for future re-development and the preliminary 'Central Quay' proposals give an indication of how this site could potentially be re-developed. The site is strategically positioned within an area that is likely to be substantially re-developed in the near future.
- 8.9 The amended application is supported by a CGI views from Callaghan Square and Central Station. These viewpoints give confidence that the amended proposals would sit comfortably near this key junction and would create a landmark presence south of the railway, acting as a focal point for the future development of this part of the Central Enterprise Zone. The future redevelopment of the Brains Brewery site may result in the building being read as part of a cluster of tall buildings south of the railway.

Historic Environment

- 8.10 It is noted that CADW, in their assessment of the application, do not object to the proposals and conclude that, although the development will be visible from the keep of Cardiff Castle, it will be viewed in the context of other existing tall buildings and therefore, in their opinion, it will not constitute a significant change to the current setting of the scheduled monument.
- 8.11 It is not considered that the development would result in harm to the St. Mary Street Conservation Area, which is approximately 350 metres north of the site.

Design Proposals

- 8.12 LDP Policy KP 5 (Good Quality and Sustainable Design) contains criteria for assessment of new development proposals to ensure that high quality, sustainable designs occur which positively contribute to the creation of distinctive communities, places and spaces. Such criteria includes, for example, a proposal's response to the local character and context, creating legible development, providing a diversity of land uses, creating distinctive places, providing a healthy environment, and adaptable design. The Tall Buildings SPG expands on these criterion and provides a guide for assessing the acceptability of a tall building proposal to ensure their design and appearance is of exceptional quality.

Mixed Use

- 8.13 The proposed development contains an A1/A3 unit at ground and first floor resulting in a two-storey glazed frontage to the prominent Curran Road elevation. This unit will encourage pedestrian activity around and within the building and help create an active frontage.

Form and Silhouette

- 8.14 A thorough pre-application dialogue between the applicant and Council officers has helped guide the evolution of the design, which has been further enhanced through the amended plans submission during the processing of the application.
- 8.15 Initially, concerns were expressed by officers regarding the scale and massing of the original submission. The amended proposals have responded to the expressed concerns by increasing the height of the building from 25 to 27 storeys, redistributing the arrangement of apartments to introduce a 'shoulder' element to the building design and reducing the number of apartments from 194 to 188 no. The result is a building that is considered to be more slender in appearance with added interest from each elevation.
- 8.16 The form of the amended building is considered to add interest from both close views and long-range views through the use of high quality external finishing materials, articulation, and interest to the top of the building through the creation of a roof garden. As a consequence the amended proposals are considered to create a striking form which will be appreciated from numerous public vantage points.
- 8.17 The proposal will, in the considered opinion of officers, provide a landmark feature that makes a positive contribution to this part of the city centre and will aid legibility. It is considered that the amended proposal successfully creates an elegant and

slender building.

Quality and Appearance

- 8.18 The agent has confirmed the use of dark aluminium curtain walling with aluminium infill panels, coloured metal cladding with a 'corten' type appearance, aluminium louvres, glass panelling, black brickwork, grey curtain walling around a galvanised steel frame with glass panels will help create a robust and elegant finished appearance.
- 8.19 The double height glazing at ground and first floor also will help avoid a 'bulky' feel to the development a street level by adding transparency and a sense of activity.

Street Interface and Impact

- 8.20 The footprint of the proposed building has been moved further south within the site than the previous scheme which was approved in August 2019, though it retains its position creating a frontage onto Curran Road. Vehicle and refuse access would be along the north elevation off Curran Road. The provision of the ground/first floor commercial unit will help provide vibrancy and activity around and within the building, enlivening what is currently a quiet section of Curran Road outside of normal working hours.
- 8.21 The development will create a 'public plaza' outside the building foyer and entrance to the commercial unit. Although no detailed plans have been submitted for this space, conditions are recommended to ensure that an attractive space is created through appropriate soft landscaping and high quality hard landscaping. This will enhance the building's presence at street level. The southern raised planter has been amended to increase potential for additional trees and improve their growing space. The Tree Officer has confirmed he is satisfied with the amended arrangements.
- 8.22 Financial contributions have also been secured following a viability appraisal to carry out public realm improvements adjacent to and north of the application site.
- 8.23 The application is accompanied by desk study wind assessment which recommends that a wind tunnel study is carried out to provide a quantitative assessment of the likely wind loads on the building and the dynamic response of the tower. A relevant condition is attached.

Sustainable Building Design

- 8.24 The building will be constructed to achieve high insulation levels and low water use technologies will be employed.
- 8.25 In respect of future adaptability, the application confirms that the building will be constructed with a frame which will allow for modification and re-use negating the need for total demolition in the event that adaptation for another use occurs.
- 8.26 The two residents' gardens will act as 'rain gardens' and will play a key role in satisfying the SAB credentials of the scheme using filtering layers below planting to throttle and filter the run off from the site.

Amenity Considerations

- 8.27 The site is bounded to the east and northwest by office development five storeys high. Mindful of the proposed separation distances, the relationship with these neighbouring buildings is considered to be acceptable.
- 8.28 The relationship with the 'Brickworks', (currently under construction to the southwest) is also considered to be satisfactory. The minimum distance between the two buildings would be approximately 20 metres (17.2 metres to balconies on part of the Brickworks). This distance is considered to be satisfactory and the privacy and amenities of existing and future occupiers are not considered to be unduly prejudiced by the development.
- 8.29 The submitted sunpath analysis shows that although some shadowing would occur during certain times of the day and at certain times of the year, the impacts would not result in an unacceptable amount of overshadowing for neighbouring occupiers.
- 8.30 The Noise Pollution Officer has expressed concerns regarding the potential for noise pollution from road traffic noise, railway noise (for upper floors) and nearby plant (chiller units in the car park of St. Patrick's House between the application site and the 'Brickworks' development). A condition is proposed to be attached that specifies acceptable noise thresholds during the daytime and at night.
- 8.31 Subject to relevant conditions, the proposals are considered to be in accordance with LDP Policy KP5(x) (Good Quality and Sustainable Design) in that no undue effect on the amenity of neighbouring occupiers would occur and LDP Policy EN13 (Air, Noise, Light Pollution and Contamination) in that no unacceptable harm to health or local amenity would arise.

Transportation

- 8.32 It is recognised that the site is located in a sustainable location within short walking distance of Cardiff's city centre and is well served by public transport, with Cardiff's Central train station opposite together with the future Transport Interchange.
- 8.33 The car parking provision within the site of 8 no. spaces (including 1 no. disabled space) for 188 no. apartments reflects the site's highly sustainable location. It is noted that a car club will be run as part of the building management for the residential scheme.
- 8.34 Current parking standards set out in Supplementary Planning Guidance advocates cycle parking provision of 1 space per bedroom. Whilst the amended details doubles the original provision from 100 no. spaces to 200 no. spaces, a further 58 no. spaces would be required to meet these standards. However, Transport colleagues, being mindful of the site's sustainable location, the close proximity of Central Station, and the availability of cycle hire facilities nearby, have confirmed that they have no objection to the increased provision which guarantees on-site cycle parking at more than 1 space per flat (see paragraph 5.1). A condition is recommended to secure a minimum of 200 no. spaces for residents. He is also satisfied with the provision of cycle parking for visitors and patrons of the commercial premises. A proportion of the overall Section 106 Contribution will be committed to the City's cycle share scheme to promote and enhance active travel (see section 9).

- 8.35 The Transportation Officer is satisfied with the amended transport evidence submitted with the application. He has no objections to the development, subject to relevant conditions and a financial contribution to secure public highway improvements (see Section 9 below). Cardiff Local Development Plan Policy KP6 (New Infrastructure) seeks that new developments will make appropriate provision for, or contribute towards, necessary infrastructure required as a consequence of proposed development, including public realm improvements. In addition, Policy KP2A (Central Enterprise Zone) identifies that developments shall “ensure a consistent approach to the use of high quality street furniture and paving materials.”

Flood Risk

- 8.36 It is noted that the Flood Consequences Assessment accompanying the application concludes that, with a finished floor level of 7.9 metres AOD, the proposed development is not located within the 1% (1 in 100 year) plus 25% for climate change or the 0.1% (1 in 1000 year) annual probability fluvial flood outlines. Based on a lifetime of development of 100 years, the proposed development is predicted to be affected by tidal flooding during the 0.5% (1 in 200 year) plus climate change and the 0.1% (1 in 1000 year) plus climate change tidal flood scenarios for 2119 (undefended). NRW considered this small risk of tidal flooding to be minimal as the Cardiff Bay barrage affords protection and they do not object to the application.
- 8.37 Whilst located in Zone C1, the development forms part of the mixed use regeneration initiative for the area, and satisfies the justification test outlined in Section 6 of TAN 15.
- 8.38 The applicant has been advised of NRW's representations and has been issued with a copy of their response, which makes recommendations for the incorporation of flood resistant/resilient measures into the design and construction of the building. A relevant recommendation is attached. A condition is also proposed to ensure finished floor levels are at least 7.9 metres AOD as per the findings of the assessment.
- 8.39 Mindful of the conclusions of the submitted FCA and the advice received by NRW, it is considered that the risks and consequences of flooding can be acceptably managed in accordance with the guidance contained in TAN15.

Other Considerations

- 8.40 *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.
- 8.41 *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

- 8.42 *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 The following planning obligations have been requested to mitigate any significant adverse impacts of the proposed development and to provide essential, enabling and necessary infrastructure as defined within LDP policies KP6 (New Infrastructure) and KP7 (Planning Obligations):

- (i) £114,000 for Highways and public realm improvements to Curran Road
- (ii) £23,959 for Economic development
- (iii) £300,889 for public open space
- (iv) £150,972 for school places
- (v) £2,785,160 for affordable housing
- (vi) £160,729.60 for community facilities

- 9.2 These requests amount to a total sum of £3,523,709.60.

- 9.3 However, the submission of a viability appraisal during the application process concluded that the development would be unviable were these contributions to be required for the scheme. This appraisal was independently assessed by the District Valuer. It has been agreed with the developer that a sum of £550,000 that could be provided for financial contributions without threatening the scheme's viability. The applicant has agreed to contribute this sum through a Section 106 Agreement which is proposed to be apportioned in the following way:

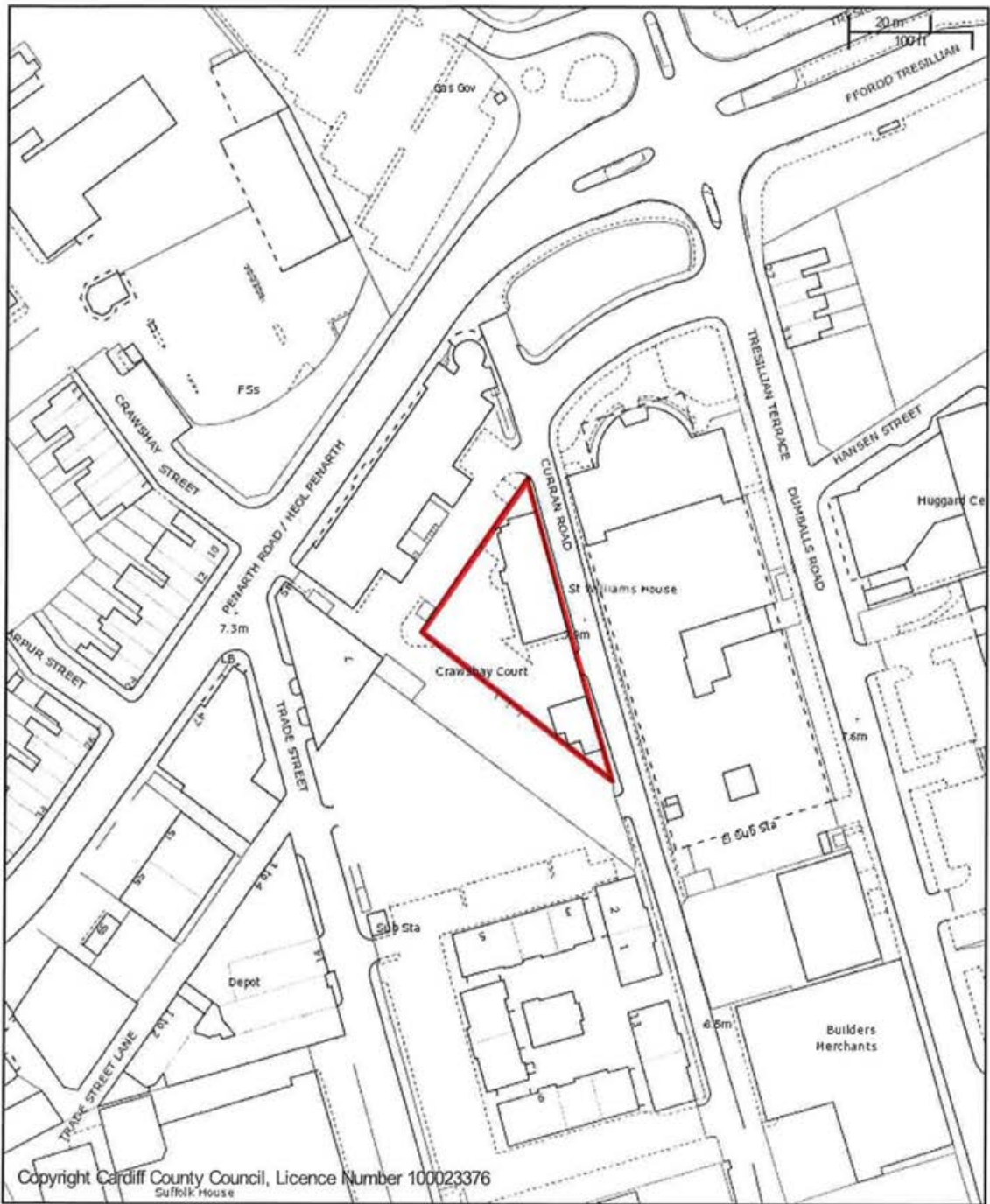
- (i) £114,000 towards public realm enhancements on Curran Road;
- (ii) £18,000 towards an 8 bike stand for the cycle share scheme;
- (iii) £23,959 to help support and develop companies within the Butetown ward and provide further employment opportunities;
- (iv) £150,972 towards new school places;
- (v) £160,729.60 towards improving community facilities;
- (vi) £41,169.70 towards public open space;
- (vii) £41,169.70 towards affordable housing.

- 9.4 To help secure a positive recommendation, the developer has agreed a further viability assessment in the event that construction of the ground floor of the development does not occur within 24 months of the issue of the planning permission to allow the financial contributions to be reassessed and to protect the Council's position.

10. **CONCLUSIONS**

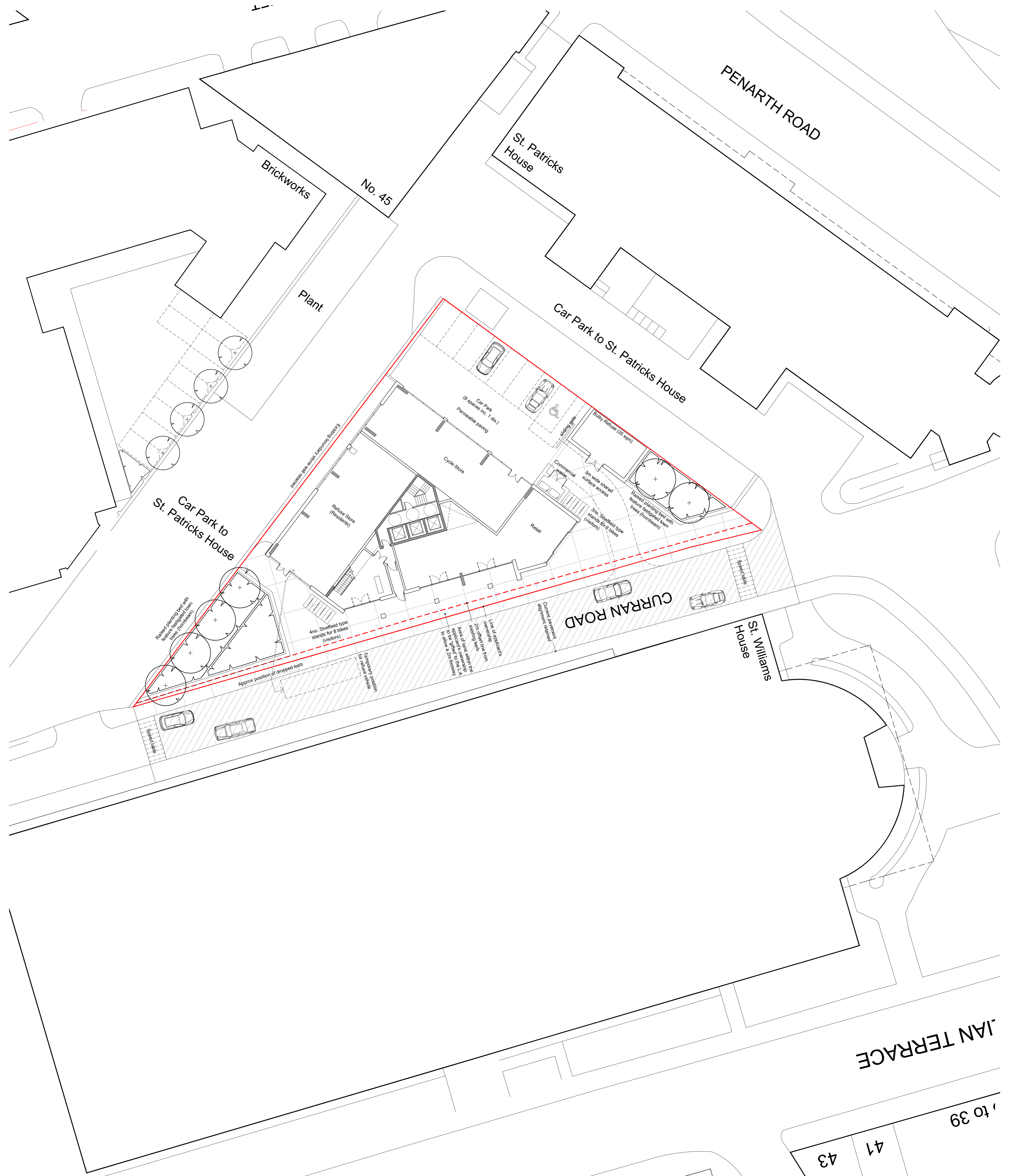
- 10.1 The amended proposals are considered to provide a high quality tall building south of Central Station which will act as a landmark feature near the future regeneration of the Brains Brewery site and the wider Dumballs Road area. Being conveniently located close to Central Station and the Transport Interchange, the building maximises opportunities for travel by sustainable modes. The provision of a commercial unit at ground floor and the provision of a 'public plaza' with tree planting and soft landscaping will enhance this part of Curran Road. The proposals have been assessed against relevant LDP Policies, particularly KP5 (Good Quality and Sustainable Design) and the Tall Buildings Design Guide SPG and has been found to be compliant with their aims, subject to the completion of a legal agreement to secure a range of compensatory measures. It is therefore recommended that permission be granted subject to the completion of a legal agreement to secure the measures identified in Section 9, and relevant conditions.

SITE LOCATION PLAN



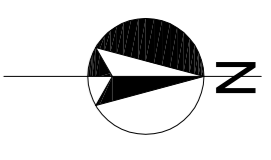
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<p>CHIEF EXECUTIVE Paul Orders County Hall Atlantic Wharf Cardiff CF10 4UW Tel: 029 20872000</p>	<p>City of Cardiff Council Cyngor Dinas Caerdydd</p> 	<p>Title Scale: 1:1250 Date: 6/3/2018 at 12:10 PM Coordinates © Crown copyright and database rights (2014). This copy is produced specifically to supply County Council information NO further copies may be made. Ordnance Survey 100023376 (2014).</p>
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JIAN TERRACE

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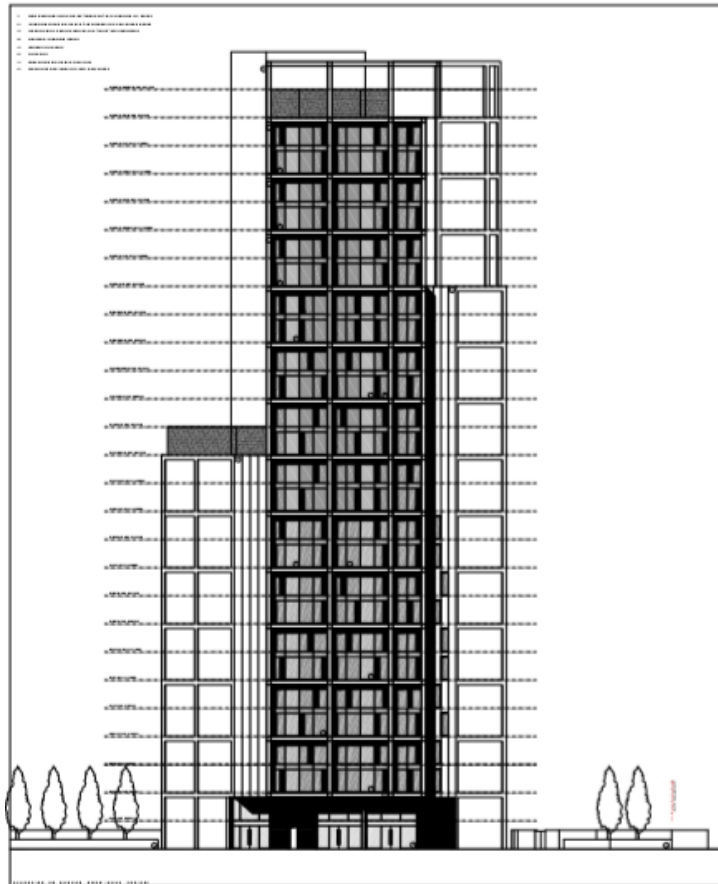
REV F 07.07.20 - Raised planter to the south extended
 REV E 24.06.20 - Disabled car parking space shown
 REV D 19.06.20 - Ground floor layout updated (cycle store) + visitor cycle parking indicated
 REV C 18.02.20 - Commercial refuse indicated
 REV B 21.01.20 - Building footprint amended to reflect changes to floors above ground level
 REV A 16.12.19 - Smaller building footprint; Bully store added; Refuse strategy shown

CWA ARCHITECTS LTD
 CWA Architects, 81 Park Court, Cardiff CF10 2BN
 Tel: +44 (0)202 221202 Fax: +44 (0)202 383897 Email: info@cwaarchitects.co.uk

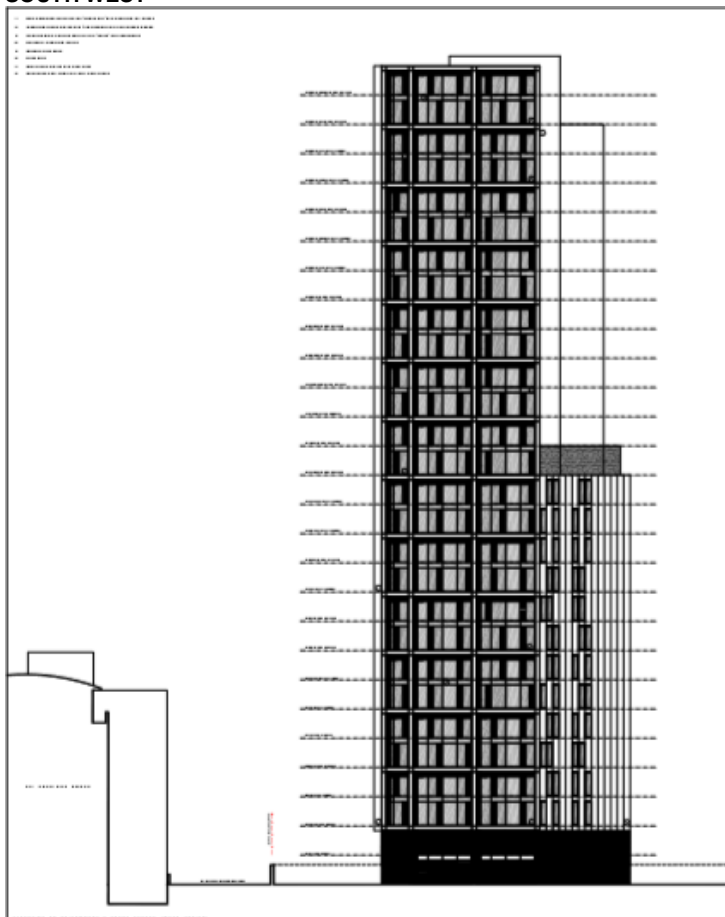
Project Name : Crawshay Court, Curran Road, Cardiff
 Project Ref : SP495
 Drawing Title : Proposed Site Plan
 Drawing Number : SP495 - P01
 Scale : 1:200 @ A1
 Revisions : F
 Drawn by: rb
 Date: July 2019

Elevations

EAST



SOUTH WEST



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LOCAL MEMBER OBJECTIONS

COMMITTEE DATE: 22/07/2020

APPLICATION No. **20/00361/MJR** DATE RECEIVED: 13/02/2020

ED: **PLASNEWYDD**

APP: TYPE: Full Planning Permission

APPLICANT: Mr & Mrs McCloskey
 LOCATION: 160-166 Strathnairn Street, Roath, Cardiff, CF24 3JQ
 PROPOSAL: DEMOLITION OF EXISTING BUILDINGS AND
 CONSTRUCTION OF 12NO. SELF CONTAINED
 APARTMENTS WITH ON SITE AMENITY, CYCLE &
 REFUSE STORES

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

- 1 The development permitted shall be begun before the expiration of three years from the date of this planning permission.
Reason: Planning permission is specifically granted based on the assessed current viability of the development.
- 2 The development shall be carried out in accordance with the approved drawings numbered AL(0)05I; AL(0)06E; AL(0)07G; AL(0)08H; AL(0)09G; AL(90)10H.
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 No development excluding demolition 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 a satisfactory finished appearance to the building, in accordance with Policy KP5 of the Local Development Plan.
- 4 No development excluding demolition 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.

- 5 Prior to occupation of the flats hereby approved, refuse storage shall be provided externally and shall thereafter be retained.
Reason: To secure an orderly form of development and to protect the amenities of the area in accordance with Policy W2 of the Local Development Plan.
- 6 Prior to occupation of the flats hereby approved undercover and secure cycle storage shall be provided to accommodate at least 15 cycles in accordance with drawing numbered AL(90)10H and shall thereafter be retained.
Reason: To ensure that secure and undercover cycle parking facilities are provided to encourage other modes of transport over the private car, in accordance with Policy T5 of the Local Development Plan.
- 7 The first and second floor windows in the south and west elevations 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 in accordance with Policy KP5 of the Local Development Plan.

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: 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 bats are found during works, or if any evidence that bats are using the site as a roost is found, work should cease and Natural Resources Wales should be contacted immediately.

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.

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 4: The applicant is advised that incoming residents will not be eligible to receive resident parking permits in the adjacent streets.

RECOMMENDATION 5: The bin store doors should open outwards with a clear opening of 1.5m.

1. DESCRIPTION OF PROPOSED DEVELOPMENT

- 1.1 This planning application was deferred at the Committee meeting on 17th June 2020 to enable officers to draft reasons for refusal based on the Committee's objections regarding Design. The planning application is reported back for determination, and it should be noted that comments have been received from the Ward Councillors since the Committee meeting, which are contained at Paragraph 7.2. The suggested reasons for Refusal are contained at Paragraph 8.12.
- 1.2 The application seeks planning permission to demolish four adjoining two storey terraced dwellings and a two storey coach house, and construct a new building accommodating 12 flats.
- 1.3 The proposed building would measure approximately 15m long by 10m deep along the Strathnairn Street elevation and approximately 20m long by up to 10m deep along the Cottrell Road elevation. It would have a pitched roof approximately 7m high at eaves and 10m at ridge facing Strathnairn Street, the Strathnairn Street elevation would incorporate a gable projecting 1m forward at its east end approximately 8m high at eaves and 10.5m at ridge. The building would have a pitched roof approximately 7.8m high at eaves and 10.5m at ridge facing Cottrell Road, the Cottrell Road elevation would incorporate a 2.5m step forward towards its south end and a gable projecting 1m forward at its south end approximately 7.7m high at eaves and 10m at ridge. Two 0.8m tall flat roofed dormer window gables are proposed in the Strathnairn Street elevation. The external walls would be finished in red facing brickwork at upper levels, timber boarding and painted render to the ground floor street facing elevations, the roof would be of slates.
- 1.4 A private communal external area would be provided at the rear, accommodating an external amenity area of 65 square metres, and cycle and refuse stores would be accommodated externally at the west side, accessible by all flats externally. Access to the external area would be provided by external side passages from Strathnairn Street and Cottrell Road, both enclosed by 2.3m high gate enclosures.
- 1.5 Internally the accommodation would comprise of four flats at each level. All flats would be accessed via a communal entrance from Strathnairn Street.

2. DESCRIPTION OF SITE

- 2.1 The site comprises four adjoining two storey terraced dwellings on the south side of Strathnairn Street adjacent to the junction with Cottrell Road, and a two

storey coach house on the west side of Cottrell Road.

3. **SITE HISTORY**

- 3.1 19/00017/MNR – planning permission granted for demolition of existing buildings and construction of 10 self contained apartments (7 x 1 bed / 3 x 2 bed) with onsite amenity, cycle & refuse stores.
- 3.2 18/01018/MNR – planning application for demolition of all existing buildings. construction of 9 self contained apartments over 3 storeys, on site refuse & cycle storage facilities, application withdrawn.

4. **POLICY FRAMEWORK**

4.1 Relevant National Planning Guidance:

Planning Policy Wales (Edition 10, 2018)
Technical Advice Note 12: Design

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

Policy KP5 (Good Quality and Sustainable Design)
Policy EN13 (Air, Noise, Light Pollution and Land Contamination)
Policy H3 (Affordable Housing)
Policy T5 (Managing Transport Impacts)
Policy W2 (Provision for Waste Management Facilities in Development)
Policy KP5 (Good Quality and Sustainable Design)

4.3 Relevant Supplementary Planning Guidance

Infill Sites (2017)
Managing Transportation Impacts (Incorporating Parking Standards) 2018.
Waste Collection and Storage Facilities (2016).
Planning Obligations (2017).

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 Transportation – previously advised that the submission has been assessed and is considered to be acceptable in principle subject to the standard cycle parking condition for a minimum of one cycle space per bedroom across the development. The adopted ‘Managing Transportation Impacts (Incorporating Parking Standards)’ Supplementary Planning Guidance allows for a maximum of one car parking space per dwelling (there is no minimum) for residential development in the central area, as such zero on-site provision as applied for is considered to be policy compliant. In considering any possible car parking requirement or moving traffic impact it must be borne in mind that the existing dwellings, to be demolished to accommodate the proposed development, provides a total of 15 bedrooms over four terraced houses (two and three story). In contrast the proposed ten flats are made up of smaller one and two bed units in a stand-alone three storey building, amounting to a total of 15 bedrooms. It

is also noted that there is a detached two storey 'coach house' garage associated with no. 66 Cottrell Road which is capable of being converted into an additional dwelling, potentially adding to the quantum of existing development. The site is also adjacent to a vibrant district centre with easy direct access to a range of shops, services, employment, entertainment, etc. opportunities that such a location affords. The site also has very good access to high frequency bus public transport services, located within 120m on Albany Road, and Cardiff's cycle network. The site is therefore considered to be in an extremely sustainable location in transport terms, reducing the reliance on private car ownership and use of the same for everyday trips. Given the Policy compliant nature of the proposals and sustainable location of the site I would conclude that any objection on parking or traffic grounds would be unsustainable, and any reason for refusal on these basis would not withstand challenge. I therefore have no objection to the application subject to the requested cycle parking conditions and noted recommendations.

- 5.2 Parks Services – Having reviewed the proposals the net increase in accommodation being provided is less than 9 units and therefore this fails below the threshold for an off-site public open space contribution.
- 5.3 Neighbourhood Renewal (Affordable Housing) – In line with the Local Development Plan (LDP), an affordable housing contribution of 20% of the 10 units (2 units) is sought on this brown-field site. Our priority is to deliver on-site affordable housing, in the form of affordable rented accommodation, built to Welsh Government Development Quality Requirements. However, given the proposed design of the scheme, we would be prepared to accept a financial contribution in lieu of on-site affordable housing provision. On that basis of the above, we would seek a financial contribution of £138,852 in lieu of 2 x 1 bedroom apartments) which is calculated in accordance with the formula in the Planning Obligations– Supplementary Planning Guidance (SPG)(2017).
- 5.4 Waste Management – The bin storage area indicated within current site plans is acceptable. Please ensure the refuse storage area is large enough to accommodate the following recommended provisions for 12 flats: Dry Recyclables: 1 x 1100 litre bulk bin & 1 x 660 litre bulk bin; General waste: 1 x 1100 litre bulk bin & 1 x 660 litre bulk bin; Food Waste: 1 x 240 litre bin. Communal bin stores should have double doors that open outward with retainers. Surfaces should be smooth and impervious to permit cleaning and the floor must be laid to create suitable drainage. Adequate lighting must be provided- natural or artificial, and good natural ventilation if completely enclosed. Please note, the collection method utilised by Cardiff Council will likely change in the future which could result in different/more receptacles being required for the storage of waste between collections. In light of this, the bin store areas should allow a degree of flexibility in order to be able to adapt to potential collection changes. 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.

- 5.5 Ecology – previously advised that these buildings are a borderline case with respect to the criteria set out in our SPG, a reasonable approach would be to attach an advisory note to any consent, which warns the applicant of the potential for the presence of bats, and of what to do if bats are found during works. The applicant may take the view that, in order to protect themselves against a potential prosecution resulting from destruction of a bat roost, if one were present, then it would be prudent to seek professional advice and commission a preliminary bat survey.

6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 Welsh Water – We have reviewed the information submitted as part of this application and note that the intention is to drain both foul and surface water to the mains sewer for which we can only comment on the acceptability of the foul water proposal at this stage. In the absence of a surface water strategy in which an assessment is undertaken to explore the potential to dispose of surface water by sustainable means, we cannot support the application in full. Secondly a review of the public sewer record indicates that the proposed site is crossed by a public sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No development (including the raising or lowering of ground levels) will be permitted within 3 metres either side of the centreline of the public sewer. Finally, no new connection shall be made to the 975x600mm in either Strathnairn Street or Cottrell Road. Therefore, request a condition that no development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority.
- 6.2 South Wales Police – Police.uk recorded the following crime figures for the immediate vicinity from August 2019- January 2020: 14 instances of antisocial behaviour; 3 criminal damage and arson; 3 vehicle; 5 public order; 2 bicycle theft; 1 drugs; 1 other theft; 3 burglaries; 1 robbery. Secure by Design principles are recommended with regard to perimeter security, recessed areas, access control, cycle storage, ground floor windows, external doors, lighting, fire risk assessment and parking.

7. **REPRESENTATIONS**

- 7.1 The application was publicised by letter. Objections have been received from the following addresses:
- 66, 84, 114, 150, 152 Strathnairn Street.
 - 26, 138, 146 Cottrell Road.
 - 123, 150, 161 Glenroy Street.
 - 80 Arran Street.
 - 51B Emerald Street.

- 103 Connaught Road.
- 56 Roath Court Road.
- 20B Plasnewydd Place.

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

- a) *Overdevelopment/higher scale than surrounding streets, and increased height to the previous proposal;*
- b) *Effect on the character of the area;*
- c) *Inadequate parking and traffic impact;*
- d) *Loss of privacy/overlooking of adjoining properties;*
- e) *Loss of light to adjoining properties;*
- f) *Loss of historic buildings, the existing buildings could be converted to flats;*
- g) *Loss of family accommodation, there is no need for flats in this area;*
- h) *Faster turnover of tenants;*
- i) *Noise/air pollution during construction;*
- j) *Noise/smell as a result of bin storage;*
- k) *Inadequate cycle parking;*
- l) *Security of adjoining properties;*
- m) *Risk to pedestrians including school children who walk past the site during demolition/construction;*
- n) *Precedent for similar developments within the area;*
- o) *Devaluation of properties and effect on insurance premiums;*
- p) *Impact upon health and wellbeing;*
- q) *Notification/publicity of the new application is not transparent with residents who commented on the previous scheme.*

7.2 Objections have been received from Councillors De'Ath, Lent, McGarry and Wong, they are summarised below :

- Overdevelopment and changes the character of the area
- Proposal does not address key objections from previous submission and again attempts to increase the number of flats to 12
- Proposal significantly increases the height of the proposed development, overlooking gardens to the rear on Glenroy Street and houses on Cottrell Road
- Increased parking which will exacerbate already existing problems.

8. **ANALYSIS**

8.1 Policy

National Planning policy encourages the provision of additional housing stock within previously developed or existing residential land. Paragraph 4.2.17 of Planning Policy Wales states that *'Maximising the use of suitable previously developed and/or underutilised land for housing development can assist regeneration and at the same time relieve pressure for development on greenfield sites.'* Policy KP5 of the Local Development Plan is applicable to all new development and the Infill Sites SPG provides advice and summary with regard to infill development. Explanation of how the proposed development

accords with policy and guidance is provided below.

8.2 Design

Policy KP5 of the Local Development Plan states that *'all new development will be required to be of a high quality, sustainable design and make a positive contribution to the creation of distinctive communities, places and spaces by: responding to the local character and context of the built and landscape setting so that the layout, scale, form, massing, height, density, colour, materials, detailing and impact upon the built and natural heritage are all addressed within development proposals.'* With regard to site redevelopment the Council's Infill Sites SPG paragraph 2.13 advises 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 building line and be of a design which complements the existing street scene.'* Paragraph 3.8 advises that *'Infill development needs to be sensitive to its context.'*

It is considered that the proposed building would respond to the local character and context of the built setting by virtue of its scale, massing and height. It is noted the proposed building would be taller (approximately 1.7m) at ridge heights than the existing buildings facing Strathnairn Street and taller than the previously approved structure (approximately 0.5m facing Strathnairn Street and up to 2m facing Cottrell Road). It is also noted that prior to planning permission 19/00017/MNR being granted a taller building was proposed by a previous application (18/01018/MNR) which was withdrawn following advice that the proposal was likely to be unacceptable. However, whilst the current proposal is higher than the previously approved scheme, it is more visually coherent than the previously withdrawn scheme demonstrating an appropriate hierarchy between the primary and secondary elevations. The secondary elevation facing Cottrell Road would remain appropriately sub-ordinate to the primary elevation facing Strathnairn Street, respecting the street scene of Cottrell Road by having a lower eaves height at the central part of this elevation, and by the inclusion of hipped roof towards its south end featuring a gable end, not dissimilar to the existing coach house.

The proposed height relative to that of the existing buildings is supported, having regard that it would be detached from the existing terrace by 1.2m, and accordingly present itself as a 'bookend' feature to the terrace due to its setting at the end of the terrace. A limited height increase at corner locations is generally supported in this manner. It should be noted that within close proximity is a tall flat roofed building towards the north end of Cottrell Road and buildings with front facing gables towards the south on the east side of Cottrell Road. As such, it is considered that the proposed height would not represent a visually intrusive form that would dominate the area.

The proposed front facing dormer window gables to Strathnairn Street are considered appropriate having regard that they would be of minimal height in relation to the roof slope. The proposed materials are considered appropriate having regard that a mixture of stone, render and brick materials are used within the locality.

Taking the above into account it is considered that the proposal accords with Planning Policy Wales, Policy KP5 of the Local Development Plan and the Council's Infill Sites SPG, which seek good design that responds positively to the character of an area.

8.3 Residential Amenity

The proposed building would be set back from the boundary with no. 158 Strathnairn Street by a similar distance (1.2m) as the existing two storey rear annexe of no. 160 and would project by 1.3m less to the south than the existing two storey annexe. The main element would be set back from the boundary with nos. 153, 155, 157, 159, 161 & 163 Glenroy Street by 10m and the gable end of the element along Cottrell Road would be set away from the southern boundary by a greater distance (1.4m) than the existing two storey coach house which directly adjoins that boundary. In addition, there is an existing single storey garage adjacent to half of the southern boundary and the proposed building would be orientated to the north, therefore should not result in any unacceptable overshadowing to adjoining gardens to the south. The building would be positioned at least 13.5m from the front elevations of existing dwellings on the opposite sides of Strathnairn Street and Cottrell Road similar to the existing front window to window separation distances across the streets, and would not result in unreasonable loss of light in accordance with standard daylighting/overshadowing analysis techniques.

It is noted that the first and second floor south facing windows of the rear elevation would be sited approximately 10m from the boundaries with nos. 153, 155, 157 Glenroy Street and the first and second floor west facing windows of the rear elevation would be sited approximately 9m from the boundary with no. 158 Strathnairn Street. As these distances would be less than the minimum of 10.5m upper level window to boundary specified by the Infill Sites SPG condition 7 is considered necessary to ensure these windows are obscure glazed and non-opening below an internal height of 1.7m.

8.4 Internal/External Space

The internal floor area of all flats satisfies the minimum requirements with the smallest flats having an internal floor area of 45 square metres, and the outlook from all living areas is considered adequate. An adequate external amenity area of approximately 65 square metres would be provided to the rear, accessible by all flats.

8.5 Waste Management

Refuse storage can be satisfactorily accommodated within the external area to the rear without compromising the use/area of the amenity space, and the side entrance/path are of sufficient width for the bins to manoeuvred to the kerb. Condition 5 is considered necessary to ensure the storage area for containers is provided prior to beneficial occupation.

8.6 Transportation

The Managing Transportation Impacts (Incorporating Parking Standards) SPG identifies no requirement for off street parking, and provision of cycle parking at a minimum ratio of 1 space per bedroom. The proposal is therefore considered to be car parking policy compliant with no off street parking spaces. The site is also in a sustainable location near to bus routes. Details of satisfactory secure and sheltered cycle storage have been submitted indicating provision of independently accessible undercover cycle storage. Condition 6 is considered necessary to ensure the cycle storage is provided prior to beneficial occupation and thereafter retained.

8.7 Crime & Disorder

Paragraph 4.11.12 of Planning Policy Wales states that Local authorities are under a legal obligation to consider the need to prevent and reduce crime and disorder in all decisions that they take. Crime prevention and fear of crime are social considerations to which regard must be given by local planning authorities in the preparation of development plans. They should be reflected in any supplementary planning guidance, and may be material considerations in the determination of planning applications. South Wales Police have no objection to the proposal, and have requested various Secured by Design standard security recommendations. The applicant has been made aware of these recommendations. Having regard to the above it is not considered that the proposal would have any unreasonable crime/disorder impact.

8.8 Other Considerations

Further to the request from Housing Strategy for a financial contribution of £138,852 in lieu of on-site affordable housing provision, the applicant has previously undertaken a viability assessment in connection with application 19/00017/MNR which indicated that the contribution would make the scheme unviable. The District Valuation Service has previously carried out an independent review of assessment, which concluded that the scheme is unviable after the provision of the contribution requested. The report concluded that in order for the scheme to have a profit level as low as 5%, without any financial obligation contributions, the scheme would require a substantial reduction from the development costs. As the application proposes a building of the same footprint as the previously approved scheme, only differing in terms of an extended second floor to accommodate two additional flats, it is concluded that the currently proposed scheme would not provide a profit based on the values of the flats previously agreed within the DVS report.

Housing Strategy have been advised of this and accept the findings of the DVS. In light of the above and having regard that the contribution could become viable in the future, a non-standard commencement condition has been imposed requiring development to commence within three years instead of five. It is for the Local Planning Authority to consider whether the failure to provide appropriate mitigations in the form of planning obligations is, in itself, grounds for refusal of planning consent. In this instance, the proposal is considered to be acceptable in planning terms for the reasons discussed above.

8.9 Representations

The representations received from the neighbouring residents are noted. Specific issues are addressed as follows:

- a) Overdevelopment/higher scale than surrounding streets, and increased height to the previous proposal. The proposal is considered acceptable in accordance with Policy KP5 of the Local Development Plan and the Council's Infill Sites SPG as detailed within the design analysis.
- b) Effect on the character of the area. The proposal is considered acceptable in accordance with Policy KP5 of the Local Development Plan and the Council's Infill Sites SPG as detailed within the design analysis.
- c) Inadequate parking and traffic impacts. The proposal is compliant with the Council's adopted Managing Transportation Impacts (Incorporating Parking Standards) SPG with no off street parking provision as detailed within the above analysis and confirmed by Transportation.
- d) Loss of privacy/overlooking of adjoining properties. It is not considered that the proposal would result in any unreasonable loss of privacy or overlooking to adjoining properties as detailed within the amenity analysis, subject to condition 7.
- e) Loss of light to adjoining properties. It is not considered that the proposal would result in any unreasonable overshadowing to adjoining properties as detailed within the amenity analysis.
- f) Loss of historic buildings. The existing buildings are not afforded any protection in planning terms as they are not listed or located within a conservation area.
- g) 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.
- h) Faster turnover of tenants. Not a material planning matter, there is no planning control upon the length of a tenancy.
- i) Noise/air pollution during demolition/construction. Construction noise and dust can be controlled under the Control of Pollution Act 1990.
- j) Noise/smell to adjoining property as a result of bin storage. The location of the bin store is considered acceptable as detailed above.
- k) Inadequate cycle parking: Revised details have been submitted indicating that the minimum required cycle parking spaces cycle storage will be provided, as detailed in the above Transportation analysis.
- l) Security of adjoining properties. The responsibility to enclose the site by

- fencing/hoardings following demolition would rest with the developer, and replacement boundary enclosures are proposed where applicable.
- m) Risk to pedestrians including school children who walk past the site during demolition/construction. The responsibility to enclose the site by fencing/hoardings following demolition would rest with the developer as required by Highways. The parking of vehicles, skips and equipment on the footway/highway during development is not a matter which can be controlled under planning legislation, and would be subject to any necessary permits by the Council's Highways division.
 - n) Precedent for similar developments within the area. All planning applications are considered on their own merit.
 - o) Devaluation of properties and effect on insurance premiums. Not a material planning matter.
 - p) Impact upon health and wellbeing. It is not considered that the proposal would cause 'demonstrable' harm to health and wellbeing. Construction noise and dust would be controlled under the Control of Pollution Act 1990.
 - q) Notification/publicity of the new application not transparent with residents who commented on the previous scheme. Addresses adjoining and opposite the application site were notified by letter on 26/02/2020. Paragraph 12 (5) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 is applicable to a non-major development of this category which states that: the application must be publicised by giving requisite notice— (a) by site display in at least one place on or near the land to which the application relates for not less than 21 days; or (b) by serving the notice on any adjoining owner or occupier. There is no requirement for the Council to notify those who submitted comments on a previous application of a subsequent application if they are not given requisite notice as an adjoining owner or occupier. The Council has therefore complied with the legal obligation to publicise the application by sending letters to adjoining addresses in accordance with the statutory requirement.

8.10 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.

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.

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.

8.11 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.

8.12 If the Committee is minded to refuse the application, the following reasons for refusal are suggested to reflect the concerns expressed at the Planning Committee meeting of 17th June 2020 :

- 1) The development by virtue of its height, massing and scale would be out of keeping with other buildings in the surrounding area and detrimental to the visual character of the area, contrary to policy KP5(i) of the Cardiff Local Development Plan.
- 2) The scale and massing of the development, together with its close proximity to the boundaries with neighbouring properties, would result in an unacceptable overbearing and obtrusive impact which would be detrimental to the amenities of neighbouring occupiers, contrary to policy KP5(x) of the Cardiff Local Development Plan.

9. OTHER CONSIDERATIONS

9.1 *Crime and Disorder Act 1998*

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

9.2 *Equality Act 2010*

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

9.3 *Environment (Wales) Act 2016*

The Environment (Wales) Act 2016 imposes a duty on the Local Authority to seek to maintain and enhance biodiversity in the proper exercise of its functions and in doing so to promote the resilience of ecosystems. It is considered that the proposed development does not have any significant implications for, or effect on, biodiversity.

9.4 *Flood and Water Management Act 2010*

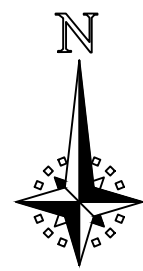
Section 12 (3) of the Flood and Water Management Act 2010 places a duty on risk management authorities (e.g. a county council for the area) to have regard to the national and local strategies and guidance when exercising any other function in a manner which may affect a flood risk or coastal erosion risk. The relevant strategies and guidance have been taken into consideration in the determination of this application.




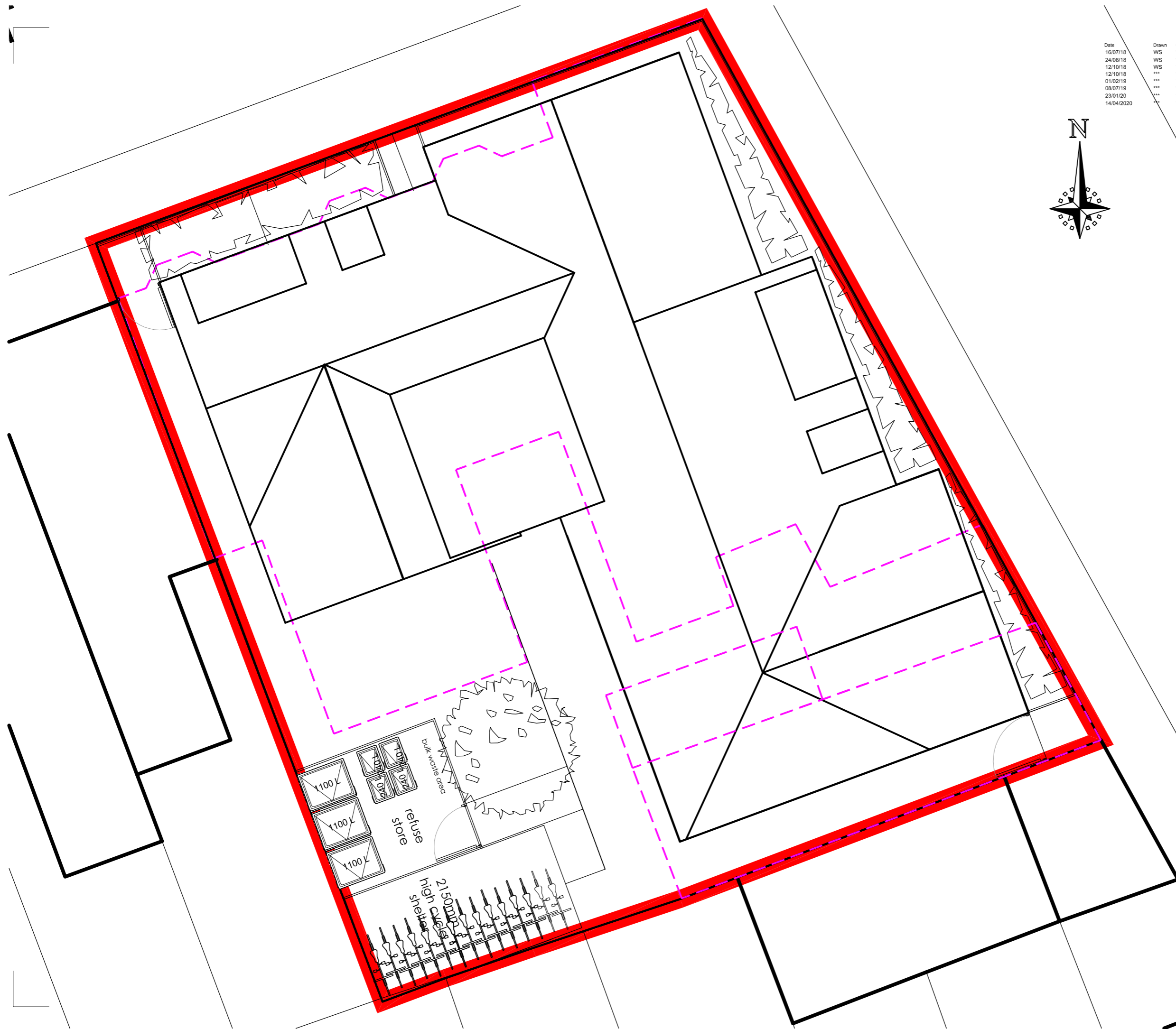
Location Plan
1:250



Location Plan
1:1250



Proposed redevelopment 160-166 Strathnairn Street Roath, Cardiff		Job No. 17_082	Rev.
Title Location Plan		Dwg No. AL(90)01	
Date 06/03/18	Drawn BK	Scale 1:250/1250 @ A3	
 CJ Architects		Town planners Environmental & Urban design	
<small>Unit 1A, Compass Business Park, Pacific Road, Cardiff, CF24 5HL</small>		<small>www.cjarchitects.co.uk tel: 029 20452100</small>	




Date	Drawn	Check	Description
16/07/18	WS	***	Parking changed to amenity space.
24/08/18	WS	***	Roof plan amended
12/10/18	WS	***	Roof plan amended
12/10/18	***	***	Plans updated following planning comments
01/02/19	***	***	Plans updated following planning comments
08/07/19	***	***	Plans updated following planning comments
23/01/20	***	***	Plans updated for planning resubmissions
14/04/2020	***	***	Cycle storage added

Rev.
A
B
C
D
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H



--- Footprint of Original Buildings

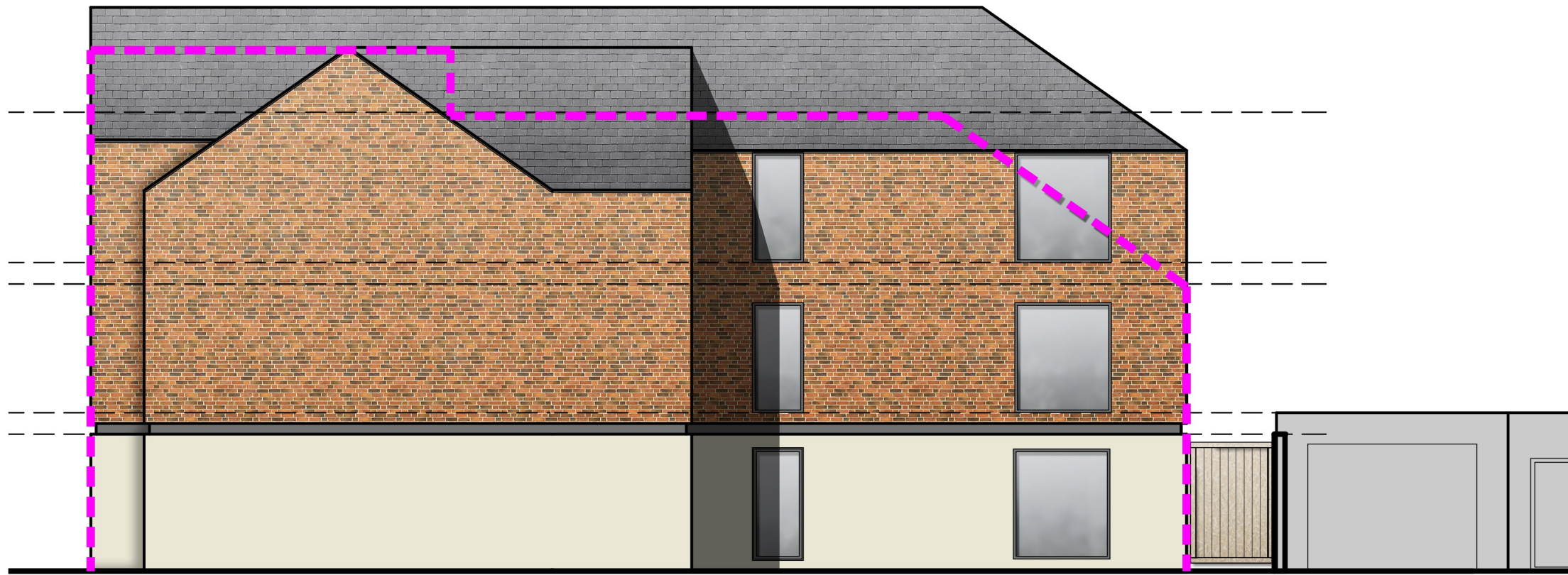
Proposed redevelopment 160-166 Strathnairn Street Roath, Cardiff		Job No. 17_082	Rev. H
Title Proposed Site Plan			
Date	Drawn IWJ	Scale 1:100	
 C2 Architects		Town planners Environmental & Urban design	
<small>Unit 1A, Compass Business Park, Pacific Road, Cardiff, CF24 5HL</small>		<small>www.c2architects.co.uk tel: 029 20452100</small>	

Date	Drawn	Check	Description
06/07/18	***	***	Context added to elevations
14/07/18	***	***	Building reduced in height
24/08/18	***	***	Building reduced in height
19/09/18	***	***	elevations updated following planners comments
12/09/18	***	***	elevations updated following planners comments
01/02/18	***	***	elevations updated following planners comments
23/01/19	***	***	Plans updated for plannign resubmissions

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Strathnairn Street Elevation



Rear of Cottrell Road Elevation

Profile of Approved Building

Proposed redevelopment 160-166 Strathnairn Street Roath, Cardiff	Job No. 17_082	Rev. G
Title Proposed Elevations Sheet 02		
Date	Drawn IWJ	Scale 1:100
 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>

Date	Drawn	Check	Description
06/07/18	***	***	Context added to elevations
14/08/18	***	***	Building reduced in height
24/08/18	***	***	Building reduced in height
19/09/18	***	***	Plans updated following planning comments
12/10/18	***	***	Plans updated following planning comments
01/02/19	***	***	Plans updated following planning comments
18/07/19	***	***	Plans updated following planning comments
23/01/20	***	***	Plans updated for planning resubmissions

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Cottrell Road Elevation



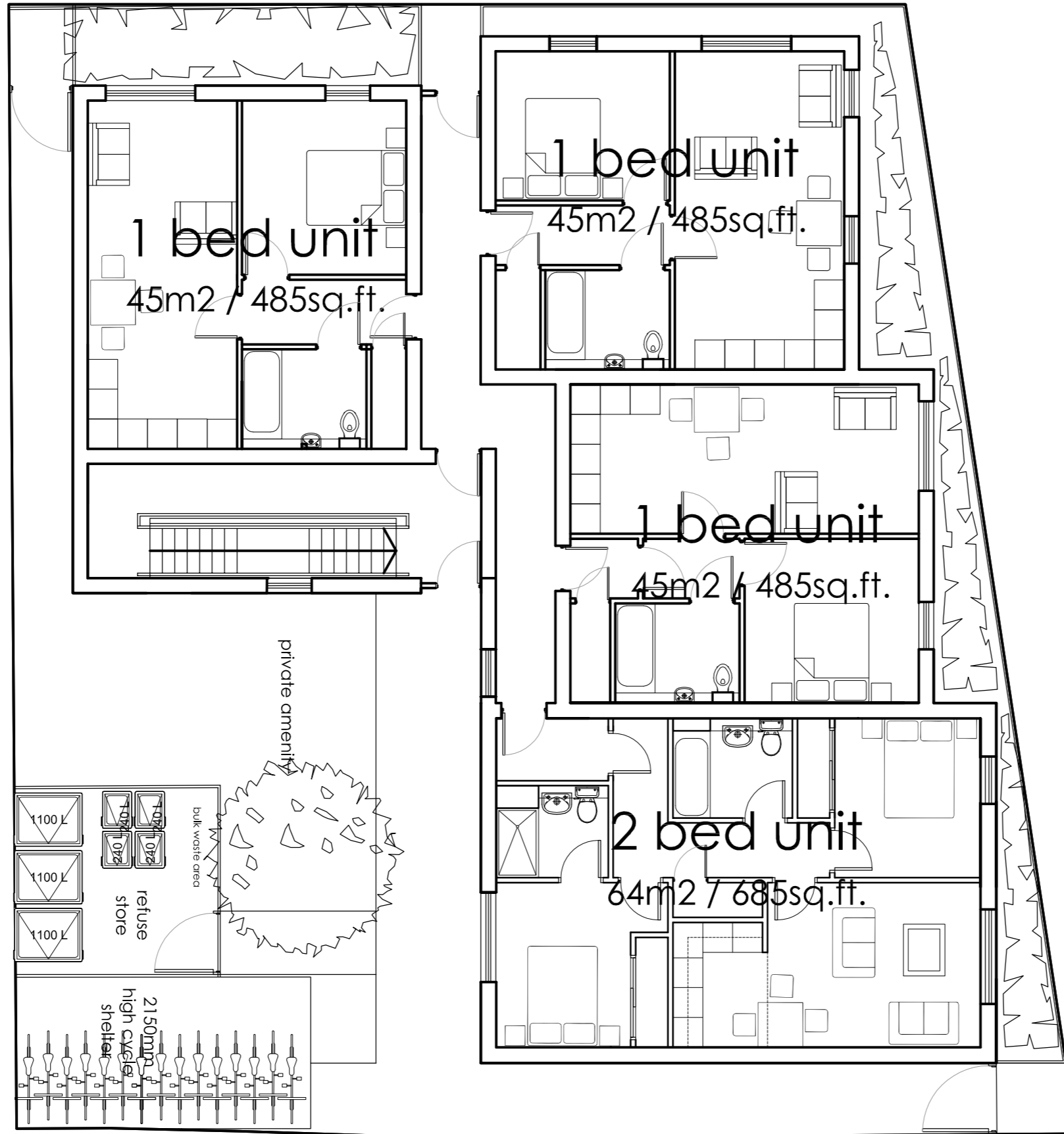
Rear of Strathnairn Street Elevation

Profile of Approved Building

Proposed redevelopment 160-166 Strathnairn Street Roath, Cardiff	Job No. 17_082 Dwg No. AL(0)08 Rev. H	
Title Proposed Elevations Sheet 01		
Date	Drawn IWJ	Scale 1:100
 C2 Architects		Town planners Environmental & Urban design
<small>Unit 1A, Compass Business Park, Pacific Road, Cardiff. CF24 6HL</small>		<small>www.c2jarchitects.co.uk tel: 029 20452100</small>

Date	Drawn	Check	Description
16/07/18	WS	***	Parking changed to amenity space.
19/09/18	WS	***	Plans updated following planning comments
12/10/18	WS	***	Plans updated following planning comments
01/02/19	WS	***	Plans updated following planning comments
01/02/19	WS	***	Plans updated following planning comments
08/07/19	WS	***	Plans updated following planning comments
18/07/19	WS	***	Plans updated following planning comments
23/01/19	WS	***	Plans updated for planning resubmissions
14/04/2020	IJ	***	Additional cycle storage added

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Ground Floor

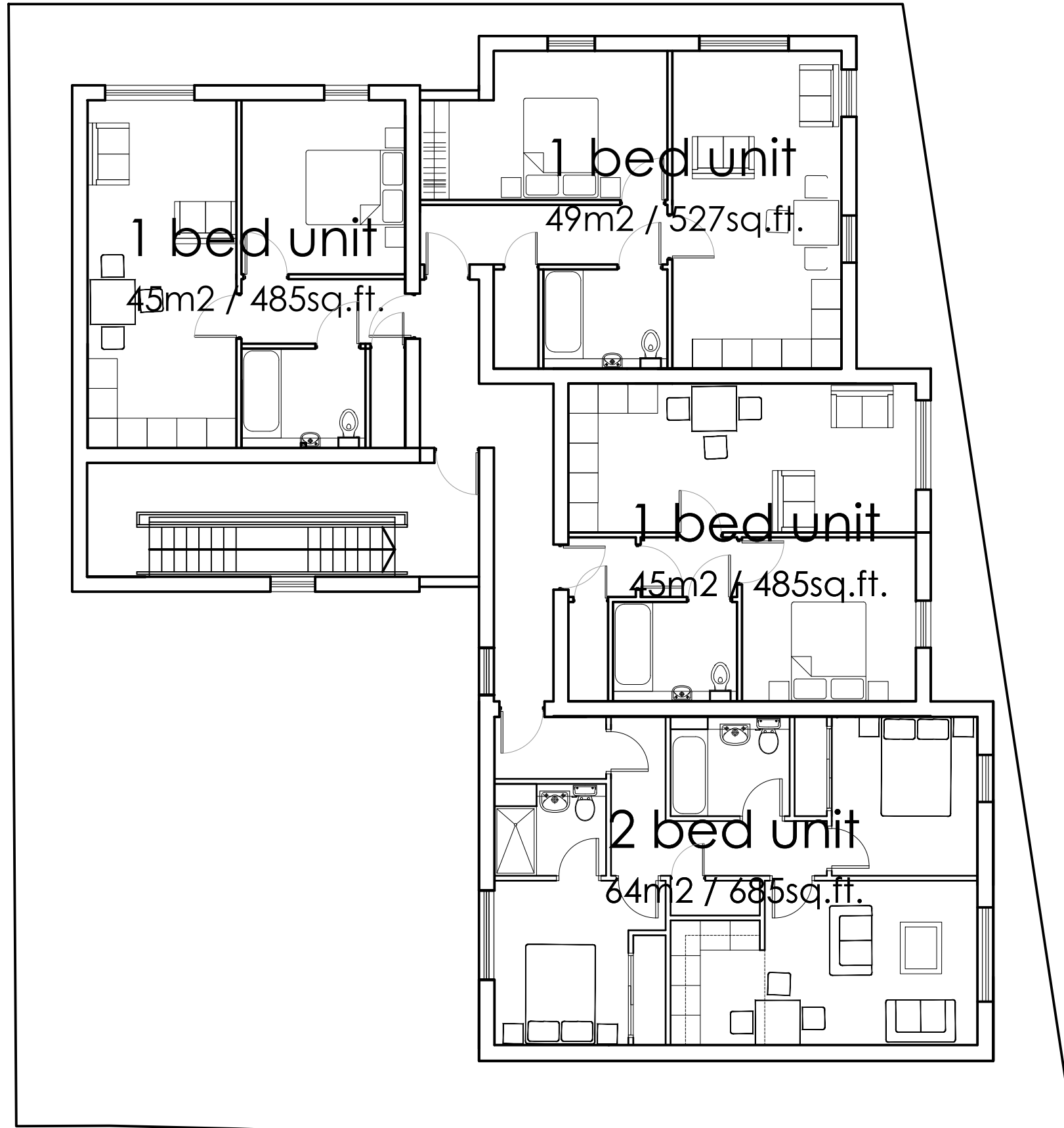
Proposed redevelopment 160-166 Strathnairn Street Roath, Cardiff		Job No. 17_082
Title Proposed Ground Floor Plan		Dwg No. Rev. AL(0)05 I
Date	Drawn	Scale
	IWJ	1:100

Architects · Town planners
Environmental & Urban design

Unit: 1A, Compass Business Park, Pacific Road, Cardiff, CF24 5HL www.cjarchitects.co.uk
tel: 029 20452100

Date	Drawn	Check	Description
19/09/18	***	***	Plans updated following planning comments
12/10/18	***	***	Plans updated following planning comments
01/02/19	***	***	Plans updated following planning comments
18/07/19	***	***	Plans updated following planning comments
23/01/20	***	***	Plans updated for plannign resubmissions

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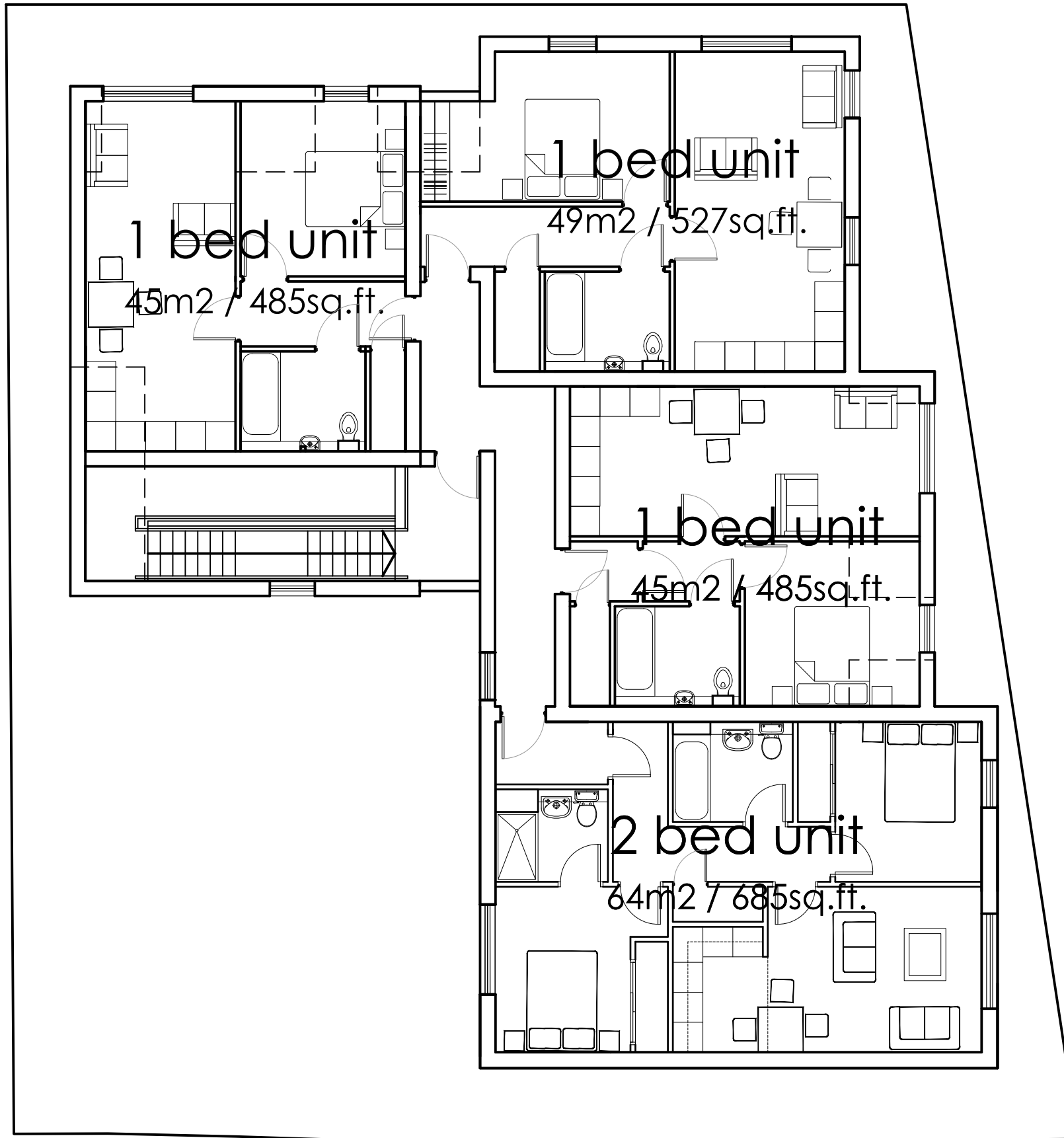


First Floor

Proposed redevelopment 160-166 Strathnairn Street Roath, Cardiff		Job No. 17_082	Rev. E
Title Proposed First Floor Plan		Dwg No. AL(0)06	
Date	Drawn IWJ	Scale 1:100	
 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
24/08/18	***	***	Roof levels dropped, dormers introduced
19/09/18	***	***	Plans updated following planning comments
12/10/18	***	***	Plans updated following planning comments
01/02/19	***	***	Plans updated following planning comments
01/02/19	***	***	Plans updated following planning comments
18/07/19	***	***	Plans updated following planning comments
23/01/20	***	***	Plans updated for planning resubmissions

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Second Floor

Proposed redevelopment		Job No.	17_082
160-166 Strathnairn Street		Dwg No.	AL(0)07
Roath, Cardiff		Rev.	G
Title			
Proposed Second Floor Plan			
Date	Drawn	Scale	
	IWJ	1:100	

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Environmental & Urban design

Unit 1A, Compass Business Park,
Pacific Road, Cardiff, CF24 6HL

www.cjarchitects.co.uk
tel: 029 20452100

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LOCAL MEMBER OBJECTION

COMMITTEE DATE: 22/07/2020

APPLICATION No. **19/03210/MJR** APPLICATION DATE: 13/12/2019ED: **GRANGETOWN**APP: TYPE: **SECTION 73 (VARIATION OF CONDITION)**

APPLICANT: TEG Venues UK Limited
 LOCATION: TRAMSHED, PENDYRIS STREET, GRANGETOWN, CARDIFF, CF11 6QP
 PROPOSAL: VARIATION OF CONDITION 9 OF 15/00225/MJR TO EXTEND HOURS OF OPERATION TO ALLOW 31 NO. EVENTS PER YEAR TO OPERATE UNTIL 03.00

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

1. The use and hours permitted by the variation of condition 9 of 15/00225/MJR, shall be for a temporary twelve (12) month period from the granting of this permission.
 Reason: To enable the Local Planning Authority to assess the effects of the variation at the end of the temporary period, in accordance with para. 5.27 of the Welsh Government Circular 016/2014 'The Use of Planning Conditions for Development Management'.

2. No site works shall be undertaken until the implementation of an appropriate programme of building recording and analysis has been agreed with the local planning authority, and undertaken by a specialist acceptable to the local planning authority and in accordance with an agreed written specification; Thereafter two copies of the building record shall be submitted to and approved in writing by the local planning authority prior to the commencement of works.
 Reason: To adequately record the buildings which are of architectural and cultural significance at a point in time before their further modification in the interests of preserving the historic and cultural environment by record.

Discharge App No: 18/01867/MJR
 Decision Date: 04/08/2015

3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and/or town and country planning General Permitted Development Order 1995 the buildings and land shall only be used for the purposes specified in the application [community store (A1);

café/bar (A3); business incubator units (B1); multi-purpose studios (D1/D2); residential live-work units (C3/B1(a); gallery (D1); and performance hall (D2) potentially used also for conferences and exhibitions of a maximum of 1000 person capacity] ; and for no other purpose (including any other purpose in any provision equivalent to those Classes in any statutory instrument amending, revoking or re-enacting those Orders or as might otherwise be a permitted change of use in or between relevant classes).

Reason: Permission is granted only because of the characteristics peculiar to this proposal. Other uses could prejudice the amenities of the area and have not been considered as part of the development proposed.

Discharge App No: 15/02022/MJR

Decision Date: 22/10/2015

4. There shall be no enlargement or subdivision of the floorspace areas approved for each particular uses within the building:

A1 328m²

A3 433m²

B1 324m²

D1 172m²

D2 996m²

(Including use specific WCs, ancillary plant and stores, but excluding general WCs, lobby, salon, general circulation and external spaces) and 31x C3 or C3 / B1(a) 'live work' units, unless otherwise agreed in writing with the Local Planning Authority.

Reason: Permission is granted on the basis of the intensity and characteristic of uses proposed in the application. Alternative allocations of floorspace or intensity of uses could prejudice the amenities of the area.

5. Prior to the beneficial use of the buildings for the purposes hereby approved, full details of the method and effectiveness of the acoustic containment of the principal performance space shall be submitted to and approved in writing by the local planning authority and shall thereafter be implemented in accordance with the approved details prior to the approved use commencing .

Reason: To ensure that the lowest levels of noise break out from the facility will be achieved and that the use of the venue will not unreasonably detract from the amenities of local residents.

Discharge App No: 15/02142/MJR

Decision Date: 30/12/2015

6. Prior to their implementation, full details of the means of proposed boundary enclosure, including all gates, fences, walls, new doors, and

windows, louvres, roller shutters and additional external; access stairs and platforms, and access controls shall be submitted to and approved by the local planning authority in writing, and thereafter shall be implemented in full accordance with the approved details prior to the beneficial use of the premises for the purposes hereby approved..

Reason: To ensure that new features are appropriate to the character of the building as a listed building, in the interests of visual amenity, and to provide for acceptable levels of safety and security.

Discharge App No: 16/01415/MJR

Decision Date: 21/06/2016

7. The repairs and infilling of external brickwork ; new roof covering and any new drainage goods shall accord with a specification of materials, finishes and samples which shall first have been a submitted to and approved by the Local Planning Authority in writing.

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

Discharge App No: 15/02028/MJR

Decision Date: 22/10/2015

8. No member of the public shall be admitted to or allowed to remain in the Café/ bar/Gallery, outside of the hours of 07.00 to 23.00 Monday to Saturday and 07.00 - 22.30 on Sundays.

Reason: To ensure that the use of the premises does not prejudice the amenities of local residents.

9. No member of the public shall be admitted to or be allowed to remain in the principal performance venue or ancillary food and drink areas hereby approved outside of the hours of 08.00 - 23.00 Mon – Thurs; 08.00 - 00.30 Fri and Sat, and 10.00 - 22.30 on Sundays, apart from the exception of 31 no. late night events which shall operate between the hours of 08.00 - 03.00 (only occurring a maximum of two days per week and during Fridays, Saturdays, Fresher's Week, Halloween and New Years' Eve). The 31no. late night events referred to above shall be undertaken in strict accordance with the Queue Management Plan, discharged under Condition 42.

Reason: To ensure that the use of the premises does not prejudice the amenities of local residents.

10. Prior to the beneficial use of the premises for the purposes hereby approved, the development shall be provided with a system of CCTV capable of evidential quality recording in accordance with a scheme of detail which shall first have been submitted to and approved by the Local Planning Authority in writing. No part of the building shall be put to beneficial use until such time as the CCTV system is operational.

Reason: To discourage criminal or anti-social behaviour and to assist in any prosecutions as may be brought against persons involved in such activities.

Discharge App No: 16/02274/MJR
Decision Date: 17/11/2016

11. The retail facility hereby approved shall not be open to the public after 23.00 Monday to Saturday or after 22.30 on Sundays.
Reason: To ensure that the use of the premises does not prejudice the amenities of local residents.
12. The storage areas for refuse and recycling shall be provided prior to the beneficial use of the buildings for the purposes hereby approved and shall thereafter be retained and maintained for such purposes only.
Reason: To ensure that there are adequate facilities for the storage of commercial and domestic wastes clear of the highway.
13. Notwithstanding the submitted details, the 't' in circle logotype proposed to the western elevations of the principal building and ancillary building facing Clare Road shall not be implemented as a painted finish on the existing brickwork but shall be in the form of a separate panel advertisement attached to the façade of the buildings in accordance with a scheme of detail which shall first have been submitted to and approved by the local planning authority in writing.
Reason: In the interests of the protection of the brickwork and to allow for future change with minimal damage to the building fabric.

Discharge App No: 16/02004/MJR
Decision Date: 07/09/2016

14. Prior to the commencement of any development works a scheme to investigate and monitor the site for the presence of gases* being generated at the site or land adjoining thereto, including a plan of the area to be monitored, shall be submitted to the Local Planning Authority for its approval.

Following completion of the approved monitoring scheme, 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 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 and users.

Discharge App No: 15/01382/MJR

Decision Date: 09/11/2015

15. 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) 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 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.

Discharge App No: 15/01382/MJR
Decision Date: 09/11/2015

16. 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 2006), 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.

Discharge App No: 15/01382/MJR
Decision Date: 09/11/2015

17. The remediation scheme approved by condition x (PC14B above) 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 2006), 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.

Discharge App No: 16/01721/MJR
Decision Date: 30/12/2015

18. 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.

19. 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 and users are not prejudiced.

20. 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 and users are not prejudiced.

21. 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

22. Prior to the beneficial use of the development for the purposes hereby approved, the development shall be provided with a comprehensive scheme of drainage in accordance with details which shall first have been submitted to and approved by the local planning authority in writing. The scheme shall have regard to ensuring that no additional surface water flows will enter the public sewerage system.

Reason: To ensure an orderly form of development and maintenance of the public sewerage system.

Discharge App No: 15/01747/MJR
Decision Date: 13/08/2015

23. No other means of access whatsoever shall be formed or used between the land and any footway or vehicle highway.

Reason: In the interests of the safety of users of the adopted highway.

24. No external plant or ducting shall be installed at the premises until such time as full details of the equipment have been submitted to and approved by the local planning authority in writing.

Reason: In the interests of visual amenity.

25. No part of the development hereby permitted shall be put to beneficial use until a scheme of environmental improvements to the footway and carriageway adjacent to the site, to continue the improvements completed to the east of the site, has been submitted to and approval in writing by the Local Planning Authority. The works should include as required, but not be limited to surfacing, kerbs, edging, drainage, lighting, lining and signing, street furniture, street trees and Traffic Orders as may be required as a consequence of the scheme. The agreed scheme to be implemented to the satisfaction of the Local Planning Authority prior to beneficial use/occupation of the site.

Reason: To facilitate safe and efficient access to and egress from the proposed development by the incoming visitors and residents; and reinstatement of the adjacent public highway in the interests of highway and pedestrian safety.

Discharge App No: 15/01887/MJR

Decision Date: 08/09/2015

26. Prior to the beneficial use of the premises for the purposes hereby approved, an emergency flood management plan detailing the measures and procedures to be undertaken by staff at the facilities in the event of an extreme flood warning, shall be submitted to and approved by the Local Planning Authority in writing. The approved document shall thereafter be available to all future businesses, tenants and owners of the premises upon occupation.

Reason: To ensure that future occupiers and operators are aware of the location of the premises within an area potentially liable to flooding, and that appropriate procedures are in place to manage such an event.

Discharge App No: 15/02244/MJR

Decision Date: 20/10/2015

27. Prior to the beneficial occupation of any of the residential units hereby proposed, a detailed noise assessment and robust scheme of sound insulation measures shall be submitted to and approved in writing by the Local Planning Authority to provide that all habitable rooms exposed to external road traffic noise in excess of 63 Dba Leq 16 hour [free field] during the day [07.00 to 23.00 hours] or 57 dBA Leq 8 hour [free field] at night [23.00 to 07.00 hours] shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 40 dBA Leq 16 hour during the day and 35 dBA Leq 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be provided with acoustically treated active ventilation units. Each ventilation unit (with air filter in position), by itself or with an integral air supply duct and cowl (or grille), shall be capable of giving variable ventilation rates ranging from :

1) an upper rate of not less than 37 litres per second against a back pressure of 10 newtons per square metre and not less than 31 litres per second against a back pressure of 30 newtons per square metre, to

2) a lower rate of between 10 and 17 litres per second against zero back pressure.

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

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

Discharge App No: 15/02142/MJR

Decision Date: 30/12/2015

28. Prior to commencement of works to provide the residential live/work units, a detailed noise assessment and a robust scheme of sound insulation works to the (floor/ceiling) and (party wall) structures between the residential units and commercial units shall be submitted to and agreed by the Local Planning Authority in writing and implemented prior to beneficial occupation.

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

Discharge App No: 15/02142/MJR

Decision Date: 30/12/2015

29. Prior to commencement of works to provide the residential live/work units, a detailed noise assessment and a robust scheme shall be submitted to and approved in writing by the Local Planning Authority to provide that all habitable rooms exposed to external railway noise in excess of 66 dBA Leq 16 hour (free field) during the day (07.00 to 23.00 hours) or 59 dBA Leq 8 hour (free field) at night (23.00 to 07.00 hours) shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 40 dBA Leq 16 hour during the day and 35 dBA Leq 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be provided with acoustically treated active ventilation units. Each ventilation unit (with air filter in position), by itself or with an integral air supply duct and cowl (or grille), shall be capable of giving variable ventilation rates ranging from:

- 1) an upper rate of not less than 37 litres per second against a back pressure of 10 newtons per square metre and not less than 31 litres per second against a back pressure of 30 newtons per square metre, to
- 2) a lower rate of between 10 and 17 litres per second against zero back pressure.

No habitable room shall be occupied until the approved sound insulation and ventilation measures have been installed in that room. Any private open space (excepting terraces or balconies to any apartment) shall be designed to provide an area which is at least 50% of the area for sitting

out where the maximum day time noise level does not exceed 55 dBA Leq 16 hour [free field].

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

Discharge App No: 15/02142/MJR

Decision Date: 30/12/2015

30. Prior to commencement of works to provide the residential live/work units, a detailed vibration assessment and scheme shall be submitted to and approved in writing by the Local Planning Authority to provide that the dwellings are designed and constructed so as to ensure that vibration dose values do not exceed 0.4m/s^{1.75} between 07.00 and 23.00 hours, and 0.26m/s^{1.75} between 23.00 and 07.00 hours, as calculated in accordance with BS 6472:1992, entitled "Guide to Evaluation of Human Exposure to Vibration in Buildings", [1Hz to 80Hz]. The dwellings shall be constructed in accordance with the approved scheme.

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

Discharge App No: 15/02142/MJR

Decision Date: 30/12/2015

31. Arrival, departure, loading or unloading of delivery vehicles should only take place between the hours of 08.00 - 16.00 on any day.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

32. Fixed plant noise shall not realise a noise nuisance or exceed an upper dBA limit to be confirmed by the Local Planning Authority further to the submission and approval of a noise assessment undertaken in accordance with BS 4142: 2014 (or any British Standard amending or superseding that standard).

Reason: To ensure that the amenities of occupiers/users of other premises/property within the development and within the vicinity are protected.

Discharge App No: 15/02142/MJR

Decision Date: 30/12/2015

33. Prior to amplified music being played in or any system of public address being used in the performance space, the cinema or any other areas within the complex, a detailed noise report must be submitted to the Local Planning Authority which will demonstrate a robust scheme of sound insulation to prevent the output of such systems from affecting the amenities of any noise sensitive receptors. The scheme must be submitted and approved in writing by the Local Planning Authority prior to implementation and thereafter implemented as approved prior to the playing of amplified music or use public address within the complex .

Reason: To ensure that the amenities of occupiers/users of other premises/property within the development and within the vicinity are protected.

Discharge App No: 15/02142/MJR
Decision Date: 30/12/2015

34. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification) no sale of hot food for consumption off the premises shall take place from the premises.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

35. 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-odourising 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 that the amenities of occupiers of other premises in the vicinity are protected.

36. Prior to beneficial occupation, the development shall be provided with a scheme of secure resident, staff and visitor cycle parking, in accordance with a scheme of detail which shall first have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the development being put into beneficial use and thereafter the cycle parking spaces shall be retained and shall not be used for any other purpose.

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

Discharge App No: 15/02245/MJR
Decision Date: 30/12/2015

37. No part of the development hereby permitted shall be operated until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals and targets together with a timetable to limit or reduce the number of single occupancy car journeys to/from the site, and to promote travel by sustainable modes that are acceptable to the Local Planning Authority. The Travel Plan shall include the name and contact details of the person

who will operate and coordinate the implementation of the plan on behalf of the Owner, and the plan shall be implemented in accordance with the timetable set out therein. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually to the Chief Transportation Officer.

Reason: To ensure an orderly form of development and to encourage alternative modes of travel.

Discharge App No: 15/01838/MJR

Decision Date: 08/09/2015

38. The performance venue shall be operated in accordance with an Operational Management Plan, which shall first have been submitted to and approved in writing by the local planning authority. The plan shall thereafter be re-submitted to the Local Planning Authority for review, once every three months within the first year of operation and once every six months for two years thereafter and the venue shall operate in accordance with the most currently approved plan.

Reason: To retain an effective control over the development in the interests of the amenities of residents living near to the site.

Discharge App No: 15/01857/MJR

Decision Date: 09/11/2015

39. In situations where doors and ground floor windows are located adjacent to the public footway, such features shall be constructed/installed in such a way that they can only open inwards to the building, not outwards over the adjacent public footway.

Reason: In the interests of pedestrian safety.

40. Prior to commencement of development a scheme of construction management shall be submitted to and approved by the Local Planning Authority, to include details of construction traffic routes, site hoardings, site access, contractor parking 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.

Discharge App No: 15/01165/MJR

Decision Date: 01/06/2015

41. Prior to the beneficial use of the building for the purposes hereby approved, the applicant shall provide, and be responsible for the future servicing of, a number of strategically placed litterbins within the demise of the complex, which shall thereafter be retained.

Reason: To mitigate against the potential for any increase in street litter in the interests of public amenity.

42. Prior to the implementation of condition 9 of application ref. 15/00225/MJR (as amended by application ref. 19/03210/MJR), a

Queuing Management Plan shall be submitted to, and approved in writing by the Local Planning Authority. This will include all aspects associated with the queuing of patrons prior to the event commencing; the exit of patrons following the event and their swift dispersal. The scheme will ensure that queuing does not take place on Pendyris Street, but along Clare Road back underneath the railway bridge.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 Permission is sought for the variation of condition 9 of planning permission 15/00225/MJR, in order to allow 31 events per year to operate between the hours of 08:00 and 03:00.
- 1.2 The hours of operation are presently restricted under Condition 9 of planning permission 15/00225/MJR, which reads:
- 1.3 *No member of the public shall be admitted to or be allowed to remain in the principal performance venue or ancillary food and drink areas hereby approved outside of the hours of 08.00 - 23.00 Mon – Thurs; 08.00 - 00.30 Fri and Sat, and 10.00 - 22.30 on Sundays. Reason: To ensure that the use of the premises does not prejudice the amenities of local residents.*
- 1.4 The application does not seek to alter the operational hours of the existing condition, rather it proposes additional wording to state that 31no. events until 03:00 hours to can take place each calendar year (occurring only during Fridays, Saturdays, Fresher’s Week, Halloween and New Year’s Eve). These events will be DJ-led in the genres of pop music, disco and funk and electronic music.
- 1.5 An updated Management Plan has been provided as part of the submission, which sets out the process that would be required to enable an event to take place for the extended hours of operation. The points have been summarised as follows:
 - All tickets shall be available to be purchased in advance online. A limited amount shall be available to be purchased on the door.
 - The event details shall be set out on the Tramshed website at least 30 days in advance and the applicant will have continual dialogue with local residents to update them on their events and answer any queries.
 - The Police shall be notified and provided with an operating schedule 30 days prior to the event, to enable dialogue between the parties and to address any potential concerns.
 - The applicant will keep an up to date record of the schedule of the late night events in order to ensure that the number of events can be managed and does not exceed the permitted number during a calendar year.
 - The events will be restricted to 18+ only, with alcohol being served until 02:30 and the music turned off at 03:00.

- Security will be increased to provide a 1:50 (security/public) ratio and a medical team will be on site throughout the events. Leading up to the end of the event, security staff will be positioned to enable clientele to leave the venue in an efficient and appropriate manner, staying on site until all clientele have left the venue and surrounding area.
- Egress from the building will be via the main entrance only with taxi services managed to pick up clientele only on the corner of Clare Road and Pendyris Street.
- Signage shall be placed around the venue to remind clientele to be respectful of residents when leaving the premises. This will be reinforced by security staff.

1.6 The updated Management Plan as outlined above was also submitted as part of the requirements for the current premises license, which the applicant has held since 12th November 2018. This enables the venue to operate a total of 21 events per year (including New Year's Eve) until 03:00. The applicants are currently in the process of extending this to 31 events, to tie in with the subject planning application proposal. The issue of a premises license is not a material planning consideration.

1.7 No external changes are proposed as part of this application.

2. **DESCRIPTION OF SITE**

2.1 The application site known as 'The Tramshed' lies on the junction of Clare Road (A4119) and Pendyris Street and comprises a mixed-use development featuring a music and arts performance hall/venue (Use Class D2), a community store (A1), cafes/bars (A3), business incubator units (B1), multi-purpose studios (D1/D2), residential live/work units (C3) and a gallery (D1). The music and arts venue and the associated external courtyard area form the subject part of the site and are situated to the west of the site. The total site area is 0.67ha.

2.2 The Tramshed music and arts venue has a capacity of up to 1000 people, and includes a 40 seater cinema. It is split over two levels, with the performance hall being located at ground floor level, surrounded by ancillary rooms. To the west of the performance hall are food and drink areas, an external seating area, a sub-station, WCs, cellar and office rooms and the lobby. To the east of the hall are more WC's, a stage store, scenery dock and a plant room. At first floor level is a balcony and seating area, the cinema room and additional ancillary rooms. To the rear (north) is a linear servicing yard, forming an expanse of hard surfacing.

2.3 Beyond the music and arts venue to the east lies the entrance and foyer to the work/live residential units, followed by the café and business incubator units. The multi-purpose studio and community store lie further to the east, on the opposite side of the site. Directly above the café and to the east of the venue lies 31x duplex residential live/work units, with the bedrooms lying at mezzanine level. Figure 3 and 4 shows that the residential units are separated from the performance hall by a 5.3 metre distance (width of one room), which acts as an

acoustic buffer space between the residential units and the performance space. The venue has its own separate acoustic enclosure and a dense concrete enclosure for the main auditorium inside. This was built as part of ref: 15/00225/MJR, to mitigate against potential noise nuisance and disturbance to nearby residences. An Operational Management Plan was conditioned as part of the aforementioned application. This indicates measures which the venue staff should undertake to ensure that issues of potential congregation or loitering on perimeter footways are appropriately managed. It also ensures that operators and patrons have due regard to amenity of residential occupiers in Pendyris Street and the surrounds.

- 2.4 Whilst the site is not located within a conservation area, the Tramshed buildings are Grade II listed. The buildings were built in 1902 for the Clare Road depot for Cardiff's tram services central workshops and were then converted into a bus depot in 1942 and closed to trams in August 1946. In 2015, they were subject to a change of use application and converted into the current mixed-use development (ref: 15/00225/MJR). The buildings appear as a long multi-gabled Edwardian building, built of red brick, slate roofs, stone copings and kneelers. The whole development comprises eleven gables with louvred oculi. The western side features an external seating/standing area enclosed by a brick wall and a linear service yard lies to the rear of the building (north). Directly outside of the site is a pedestrian build out at the junction of Clare Road and Pendyris Street, which features 6x Sheffield cycle stands, a number of pedestrian bollards and a roadside advertising poster drum. Opposite the site on Pendyris Street is a zebra crossing to Clare Road.
- 2.5 The site is within easy walking distance to the city centre and the city's main railway and bus services with pedestrian routes provided beneath the railway at both ends of Pendyris Street. It is approximately 180 metres to the west of the River Taff and abuts the Cardiff railway mainline on its northern boundary. The Liberty Park student housing complex lies immediately to the east along Pendyris Street and can accommodate 334 students in 70 cluster flats. On the southern side of Pendyris Street opposite the site, are residential apartment blocks located around the junction with Mardy Street. Cwrt Pendyris sits directly opposite the performance venue and houses 25 flats. The surrounding area to the south is generally residential other than Clare Road (to the west) and Tudor Road (to the north), which have a mix of shops and commercial uses. In close proximity to the south lies the Rabbaniah Islamic Cultural Centre Mosque on Clare Road and the Shree Swaminarayan Hindu Temple on Mardy Street.

3. **SITE HISTORY**

- 15/00225/MJR – Planning permission granted on 22nd April 2015 for the change of use and conversion of the former tram shed to create a mixed use scheme comprising a community store (A1), cafes/bars (A3), business incubator units (B1), multi-purpose studios (D1/D2), residential live/work units (C3), gallery (D1) and performance hall (D2), access and servicing arrangements, sub-station and associated works. (15/00226/MJR; associated Listed Building Consent, granted on 3rd June).

- 15/01857/MJR – Permission granted on 8th September 2015, for the discharge of Condition 38 (Operational Management Plan) of planning application 15/00225/MJR.
- 17/01744/MJR – Application currently under consideration for the erection of a four storey office building (Class B1a) with an undercroft vehicle delivery access and associated works. (17/01745/MJR; associated Listed Building Consent).

4. POLICY FRAMEWORK

4.1 The following national planning policy and guidance is considered to be of particular relevance:

4.2 Planning Policy Wales (PPW) (Edition 10, December 2018)

4.3 The following Technical Advice Notes (TANs) are relevant:

- TAN 11: Noise (October 1997)
- TAN 13: Tourism (October 1997)
- TAN 23: Economic Development (February 2014)

4.4 The following local planning policy and guidance is considered to be of particular relevance:

4.5 Cardiff Local Development Plan 2006-2026:

- C3 Community Safety/ Creating Safe Environments
- EN13 Air, Noise, Light Pollution & Land Contamination
- R8 (Food and Drink Uses)

4.6 Supplementary Planning Guidance:

The following Supplementary Planning Guidance (SPG) is of relevance:

- Food, Drink and Leisure Uses (2017)

5. INTERNAL CONSULTEE RESPONSES

5.1 **Pollution Control (Noise)**: Officers have raised no objection, subject to the following conditions being attached to the planning permission:

1. *Prior to commencement of variation of condition 9 of 15/00225/MJR, a scheme shall be submitted to, and approved in writing by, the Local Planning Authority to provide a Queuing Management Plan. This will include all aspects associated with the queuing of patrons prior to the event commencing; the exit of patrons following the event and their swift dispersal. The scheme will ensure that queuing does not take place on Pendyris Street, but along Clare Road back underneath the railway bridge.*

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

2. *The use and hours permitted by the variation of condition 9 of 15/00225/MJR, shall be for a temporary twelve (12) month period from the granting of permission.*

Reason: To enable the local planning authority to assess the effects of the variation at the end of the period with regard to any fresh application that may be submitted.

- 5.2 The Pollution Control Officer notes the concerns raised by residents and provides the following information:

“Having carried out a search on our database for the information requested, I can confirm there have been 6 service requests (two of which were duplicates related to the same events) relating to noise from the venue:

- *06/18: noise from people leaving the venue late at night*
- *05/19: noise from venue music and noise from people leaving the venue late at night (people drunk; shouting etc.)*
- *07/19: noise from loud music and PA system*
- *09/09: noise from people cueing on Pendryis Street for 3 hours prior to event (smashing of bottles; sitting on cars etc).*

- 5.3 **Transportation:** The Transport Officer has raised no direct transport concerns with the proposed amended wording of the condition and does not consider that the additional 31 events until 03:00 would cause any additional traffic/parking concerns than the earlier finishes. The Officer notes that there have been objections regarding traffic enforcement, but states that the hours of operation do not tie in with the general hours of enforcement. As such, the Transport Officer does not consider that the wording of the condition would materially alter the current transport conditions, and therefore raised no objection.

6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 **Police Architectural Liaison:** South Wales Police submitted comments on 2nd July 2020 stating that they agree in full with Pollution Control’s recommendation to apply a 12 month temporary permission. Whilst they have concerns with the extended hours, due to many incidents occurring in the locality, they are unable to demonstrate that the incidents link to the operations of the Tramshed performance venue. South Wales Police state that if the applicant can demonstrate in the next twelve months that they are able to manage their patrons appropriately, then they will not raise an objection to any subsequent application.

7. **REPRESENTATIONS**

- 7.1 Neighbouring properties have been notified with additional publicity undertaken by site notices. A total of 56 letters of representation have been received; 36

letters of objection, including objections from the landlord and a joint objection from Councillor Thorne, Councillor Lister and Councillor Sattar. 20 letters of support have been received from residents and from an Event Operator who works with the Tramshed music and arts venue. The representations are summarised below:

7.2 36 letters of OBJECTION have been received from residents, summarised as follows:

- Club/DJ/student events not appropriate within residential and mostly family occupied neighbourhood; adversely affecting the nature, character and its liveability. 23:00 deadline for live music is acceptable.
- Existing detrimental impact on residential amenity to the occupiers within the Tramshed live/work residential units, the dwellings along Pendyris Street and the surrounding streets in terms of noise, crime and disorder; intoxicated groups of people leaving/gathering outside the venue and the associated anti-social behaviour (shouting, violence, use of recreational drugs, urinating and vomiting on street, littering in front gardens and on street, vandalising local buildings and cars).
- Existing issues with noise/vibration from within Tramshed apartments from the performance hall.
- Performance artists swearing on the microphone within external seating area.
- Noise and light pollution from flashing lights/police sirens and cars beeping horns.
- Existing disturbance from Liberty Living Student Accommodation, which will be exacerbated.
- Late night events until 03:00 hours result in more crime and disorder.
- Banks won't lend against properties in building due to venue, situation to be exacerbated.
- The Operation Licence should comply with the original planning conditions, not vice versa.
- Increased traffic and parking concerns, parking permit holder spaces regularly being used illegally.

7.3 Ward councillors have been notified; a joint OBJECTION from Councillor Thorne, Councillor Lister and Councillor Sattar has been written as follows:

“Our reasons for the objection are that this facility is next to and opposite residential homes, prior to Lockdown the venue was having a detrimental effect on the wellbeing of those residents. We have met with the license holder and accept that he has done everything possible to minimise the impact but nevertheless the problems still occur.

1. Queues

Queues before the event there are queues along Pendyris street, generally lasting over an hour and often past midnight. These queues are rowdy, with the attendees often already drunk, shouting, drinking and causing a general nuisance even before they get into the event. We have also received complaints from residents who live within the Tramshed development in that

they feel intimidated if they need to enter or leave the building during these times. The Tramshed do their best to steward these queues, but residents say that this does not alleviate the noise and the intimidation they experience.

2. Loud Music/Noise

The club music is played very loudly, the beat of the music is audible within the Tramshed apartments and the flats opposite. Added to that is the continuous noise from cars and taxis when people are attending and leaving at different times and then once the event has finished the problem gets even greater.

3. Anti-Social Behaviour

When People dispersing after the night club's close at 3am people (both male and female) are often people urinating in peoples gardens and on their cars in the wider area beyond Pendyris Street and particularly Mardy Street, and some even continue street drinking for up to 45 minutes after the events causing further noise.

4. Litter

The litter left after the late night events is also a major problem. The venue claim that they litter pick after these events, but the Tramshed's plastic cups, along with condoms, underwear and broken glass bottles pushed under the wheels of cars and are very much present after each event.

We have a number of residents who live within the Tramshed development who have reached the point where they feel they need to sell their home and have had difficulty finding buyers because of the problem.

When planning committee first approved the application for the Tramshed, committee and residents, who were present, were given to understand that the event would be the type which would attract 40 to 50 year olds but since then they have introduced DJ acts which attract a much younger element and groups who very often arrive at the venue and are already very much inebriated and only concerned with their own pleasure and have no care or respect for the neighbourhood".

7.4 The landlord has raised an OBJECTION, providing the following comments:

"We fully endorse and support a thriving music/ venue scene in the city and feel that the original Licence to 11 pm is appropriate. When we built the scheme we had huge community consultation regarding this matter and we stated that as a company we will never allow any opening after 11PM as the community had grave concerns with regards to the anti-social behaviour, police presence, nightclub experience until 2-3am etc. We feel we must object strongly to the proposal to ensure the local residents and those living inside the Tramshed (many who have experienced huge and significant issues with the late night drum and bass nightclub experience) can enjoy their local surroundings. We want a safe, well run facility for all and especially for the local community".

7.5 Asbri Planning Consultants, on behalf of the landlord has raised an OBJECTION, providing the following comments:

“During the consideration and determination of the original planning permission for the Tram Shed development (Ref: 15/00225/MJR) DS Holdings undertook detailed consultation with the local community in relation to the proposals.

As part of these discussions legitimate concerns were raised by the local community over the operation of the performance venue – not just in terms of how it would operate but the opening times. Accordingly condition 9 of the planning permission (the subject of the above application) which controls the opening times of the performance venue was agreed and attached “to ensure that the use of the premises does not prejudice the amenities of local residents”. In addition, the key considerations of the Operational Management Plan for the performance venue required by condition 38 of the planning permission were discussed and agreed with member of the local community prior to the permission being granted.

Policy EN13 of the Cardiff LDP relates to noise pollution. It states that: Development will not be permitted where it would cause or result in unacceptable harm to health, local amenity, the character and quality of the countryside, or interests of nature conservation, landscape or built heritage importance because of air, noise, light pollution or the presence of unacceptable levels of land contamination.

The supporting text to the policy, at paragraph 5.176 notes that the purposes of the policy are: “to ensure that: Developments that would generate unacceptable levels of air, noise or light pollution are appropriately located and controlled”.

In addition paragraph 5.181 states that: “Noise can have a harmful impact on people’s health and quality of life. Developments such as housing, schools and hospitals can be particularly sensitive to noise”.

In terms of the local context there are residential dwellings with the Tram Shed building itself, as well as immediately opposite the performance venue. Accordingly, this is why the hours of operation allowed under condition of the planning permission as currently drafted are considered acceptable. To propose an extension to these is akin to introducing a different ‘use’ from that of a live music venue (which was proposed as part of the planning application in 2015) to a nightclub type operation in a residential area on almost a weekly basis.

Accordingly, the proposed variation of condition will result in unacceptable impact to residential amenity contrary to the provisions of Policy EN13 of the LDP and should be refused”.

7.6 19 letters of SUPPORT have been received from residents, summarised as follows:

- Crucial for long-term viability of venue to adapt to changing times, especially post lockdown, which has had a profound impact on the hospitality and

- entertainment industry.
- The nightlife industry is crucial for the local economy in terms of jobs for local people working inside or around venues, food vendors, taxi services, food & drink suppliers, security staff etc.
 - Essential to attract a wide variety of performance artists to Cardiff, which will enhance the local culture.
 - The impact between closing at 12:30 compared to 03:00 hours is minor.
 - The venue attracts law abiding citizens who care for their community. The DJ led culture is part of Grangetown and wider Cardiff community and should be preserved.

7.7 An Events Operator for a series of national concerns and conceptual events that work's with the Tramshed performance venue SUPPORTS the application and made the following comments:

"The venue is purpose built, meticulously operated, maintained and in my experience - always goes above and beyond their call of duty to create a safe environment for guests and staff alike.

Tramshed has always been a very well run business, but like any business - it needs to adapt to changing times in order to continue its operations successfully. From my understanding the venue operators have always worked closely with the licensing department and react promptly to deal with any concerns raised from local residents. I'm sure you are aware of the plight of music venues and event spaces around the UK, Cardiff of course is no different. The profound impact this is having on the hospitality and entertainment industry is impossible to ignore, but more so the detrimental effect this is having on the attractiveness of locations for young professionals, university admissions and members of the general population. Thereover, the nightlife industry contributes to the economy in the form of jobs for local people working inside or around venues, food vendors, taxi services, food & drink suppliers, security staff, the list goes on.

In my personal experience of hosting events at Tramshed, we initially had to operate to strict closing times of around 1am. Upon our return the following year, we were granted access to a late license allowing us to close much later. Despite the later operating times, we experienced no difference in the clientele, their demographic, their attitude or their behaviour. The venue operates in the same way regardless of opening times to protect local amenities and in actual fact, is able to thrive more so as the later times allow more of your local residents and tourism guests to attend events.

Late licenses are always crucial for venues to success, but not more so than ever - in the wake of Coronavirus and the inevitable crippling affect this will have on local economies. Can Cardiff really afford to lose another industry and all the jobs and businesses that benefit from its operation?"

7.8 In response to the objections outlined above, the agent has provided the following response:

“Tramshed have been operating at these premises since Oct 2015 having taken over the lease of this purpose built entertainment venue. They successfully operate a number of venues in addition to this one across the UK, and for each venue they have a track record of working in collaboration with the local authorities and police to ensure that these events are managed to the highest possible standard. Under the current planning permission, the applicant is allowed to operate the venue up to 12.30am every Friday and Saturday. These events are managed by a committed and highly competent management team who regulate their customers in and out of each events.

The current planning application seeks to enable them to operate up to 31no. events per calendar year (including New Year’s Eve) up to 3am. These would be DJ led events in the genres of pop music, disco & funk and electronic music. They have already been granted a premises licence to operate up to 21no. events per calendar year (and are in the process of extending this to tie in with the current planning application). These events are essential to enable the applicant to continue to operate a viable business, in an industry that currently finds itself in ever challenging times (which are hitting live music venues very hard across the UK).

Security would be increased during these events to provide a 1:50 (security/public) ratio and a medical team would be on site throughout the nights. Leading up to the end of the event, security staff would be positioned to enable customers to leave the venue in an efficient and appropriate manner, staying on site until all customers have left the venue and surrounding area.

The proposals have generated significant letters of representation in support of the proposal which demonstrates how valuable this venue is to the wider community. It is also acknowledged that a number of letters of objection have been submitted following the submission of this planning application, citing their concerns with respect of the potential disruption that the extended hours of operation would have on their quality of life. The majority of these letters of objection appear to be from residents who live within the apartments that were constructed as part of this mixed use development and would have therefore been fully aware of the nature of entertainment venue (which can already lawfully operate until 12.50am on weekend) that they would be moving next to in advance. Concerns have also been raised about the perceived impact of crime and antisocial behaviour in the area which they believe is the consequence of the operation of this venue, however the updated consultation response from the Police confirms that any criminal activity in the surrounding area has not been found to be directly linked to the customers of the venue (or indeed has resulted in any spike during the nights when events at the TramShed have been held). In fact, following the outbreak of the Coronavirus, the venue has temporarily closed down and it is understood that the number of criminal incidents recorded within the immediate surrounding area has not materially changed during these times.

It should be noted that prior to the submission of this planning application to vary the operational hours, the applicant had received only a handful of complaints from residents or through the EHO, and where issues have been

raised the EHO will attest that the applicant has worked proactively in order to seek to resolve these issues. Indeed no objections were raised by individual members of the public when the applicant first applied for the premises licence to be extended to enable 21 late opening events (despite that process involving a public consultation process).

The applicant has a good working relationship with local community organisations (including Where I'm Coming From - a monthly open mic night for Women in the BAME community; SGT Peppers - a new 'music for mental health' event and Immersed! - an annual event which Tramshed run alongside the University of South Wales in aid of Teenage Cancer Trust. Alongside the larger events, Tramshed also run monthly 'Local Sessions' which focus on local bands and acts from Cardiff and the surrounding area.) and is always looking to improve their management of the premises, particularly in respect of the dispersal of customers in order to avoid potential nuisance to local residents. Indeed, the extended operating hours would result in the dispersal rate of its customers being spread out to enable a steady flow of customer leaving the premises over a longer period of time, and such events are in fact easier to manage than events where customers leave on mass over a shorter and more concentrated period of time (as is the case with the current planning permission).

The applicant operates a robust Queue Management Plan with the vast majority of its customers booking tickets for these late opening events in advance. This includes a suitably designed queuing system along Clare Road, which Tramshed switched from Pendyris Street, in consultation with the police, residents and councillors, with security and medical staff available on site to quickly resolve any incidents, including egress from the premises. The team also go above and beyond in regards to keeping Pendyris Street clean and litter free during and after the events have finished. The applicant is required to inform the Licencing Team of a late night event 31 days in advance and any incidents are recorded and an End of Night report is produced after every event. Their management systems are constantly under review, in close collaboration Police and the Council, and with regular collaboration with the local community. It has been demonstrated that the imposition of a condition requiring this recommendations of the Queue Management Plan to be implemented would be entirely enforceable.

The applicant is willing to accept an existing 12 month temporary planning permission (as recommended by the Police and the EHO) in order to give the Council the comfort to support a permanent planning approval in a year's time.

In summary, Tramshed has been acknowledged by the authorities as one of the best operated venues in Cardiff with a small amount of incidents for the size of the establishment, frequency of trade and the footfall of guests it experiences. They are a proactive team that makes the safety of their guests and comfort of the residents are priority. At all times they have dealt with any complaints received and have proven that they are a valued member of the Grangetown community. The management team are well trained, diligent and passionate about the venue and the community with the majority being

residents themselves. The effects of the current pandemic on venues across the country is already well known and Tramshed is no exception to this. By granting the planning application you are protecting jobs within the community and giving Tramshed the ability to bounce back once venues are allowed to reopen. With this opportunity the team at Tramshed will be able to plan a course for the future to keep the venue sustained until the event, music and hospitality industry can return to normal”.

- 7.9 The Licencing Solicitor who has represented the interests of The Tramshed for the last 3 years, made the following comments (please note that these comments were made prior to South Wales Police’s final comments):

“We should point out the following:-

- *The Environmental Health Officer has not objected to any of the applications to vary the premises licence under the licensing act or the application for planning. The EHO is the statutory expert on amenity in planning terms, and public nuisance in licensing terms.*
- *The police officer who has raised issue with the planning application has not had any detailed contact with the operator, whereas the police licensing officers have.*
- *The police licensing team were content once the decision to vary had been granted in 2018 to agree to the extension from 20-30 occasions per year for extended hours, whilst modernising conditions on the premises licence.*
- *There appears to be a lack of consistency between the police licensing officer and the officer who has raised issues with the planning application.*

My understanding from the planning consultants retained in this matter is that the environmental health officer has recommended that the application is agreeable to on an initial temporary planning grant for 1 year. We wonder in the circumstances whether there is merit in the police licensing officers and the officer who has raised representation to the grant of planning discussing this as the licensing officers have a detailed knowledge of the running of the premises”.

8. **ANALYSIS**

- 8.1 The main material considerations in the determination of this application are the impact on:

- a. Residential Amenity
- b. Crime and Disorder
- c. Traffic and Parking

a. Residential Amenity

- 8.2 Cardiff Local Development Plan (2006-2026) Policy EN13 states that development will not be permitted where it could cause or result in harm to local amenity. The supporting text to the policy, at paragraph 5.176 notes that the purposes of the policy are ‘to ensure that: Developments that would generate unacceptable levels of air, noise or light pollution are appropriately located and

controlled'. Further, paragraph 5.181 states that: *'Noise can have a harmful impact on people's health and quality of life. Developments such as housing, schools and hospitals can be particularly sensitive to noise'*.

- 8.3 Paragraph 5.3 of the Food, Drink and Leisure Uses Supplementary Planning Guidance (2017), notes that *'D2 Uses have the potential to harm the amenity of the surrounding area, by giving rise to or exacerbating problems relating to litter and refuse, noise and disturbance'*. The paragraph goes on to state that *'Consideration will be given to whether a proposal, either alone or cumulatively with other existing and proposed similar uses will create an adverse effect on the amenity of local residents'*.
- 8.4 The application has received a number of objections from residents, ward members and the landlord, with regard to the existing impact that the late night events (that operate until 03:00 hours) have had on residential amenity. The objections consider that these DJ led events are not appropriate within a residential and mainly family occupied area. Residents from within the Tramshed development have stated that they can hear the music from their apartments and the music sometimes causes their apartments to vibrate. There has also been an objection claiming that a performance artist was heard swearing on the microphone from within the external seating area. There have been further objections regarding the noise from patrons accessing and leaving the site, the noise and light pollution from police car sirens, and cars and taxis beeping their horns outside of the venue. Neighbouring residents have noted that the excessive noise at street level from attendees of the Tramshed, has meant that they are unable to open their windows during warmer weather.
- 8.5 The landlord notes that during the consideration and determination of the original planning permission for the change of use of the Tramshed (ref: 15/00225/MJR), legitimate concerns were raised by the local community regarding the opening hours and operation of the performance venue. Condition 9 was therefore implemented to ensure that the use of the premises would not prejudice the amenity of local residents. Condition 38 was also applied to ensure that the venue would be operated in accordance with an Operational Management Plan. The landlord considers the existing planning conditions appropriate. They also consider that the proposal is akin to introducing a different 'use' from that of a live music venue to a nightclub type operation, in a residential area on almost a weekly basis.
- 8.6 The agent has responded to these objections by noting that the majority of the objections appear to be from Tramshed residents, who would have been aware of the nature of performance venue (which can already lawfully operate until 12.30am on Fridays and Saturday) when buying the apartment. They also note that the Council's Pollution Control team have only received six complaints from residents since 2018 (refer to para. 5.2) and that the applicant has worked proactively to seek to resolve these issues. An example being the movement of the queue from Pendryis Street to Clare Road, to avoid the close proximity to residential amenity. Finally, the agent states that the late night events are essential to ensure that the applicant can continue to operate a viable business, in an industry that currently finds itself in ever challenging times.

- 8.7 Notwithstanding the objections, Pollution Control have raised no objection to the application, subject to the implementation of two planning conditions; the first being a temporary 12 month permission and the second being a Queue Management Plan along Clare Road. The agent notes that the submitted Management Plan already includes a suitably designed queueing system along Clare Road. However further information will be required to ensure that the queue does not harm neighbouring amenity, to try and address the objections raised. Therefore, a new condition has been incorporated accordingly (see condition 42).
- 8.8 Officers note that the site is located on the fringe of the city centre in an area that is primarily residential in character. Whilst the objections are noted, there is no technical objection to the proposal that supports the concerns raised. Given this conflicting information, it is considered that a temporary planning permission is reasonable to allow the Local Planning Authority to consider the matters raised on objective evidence of harm. This will essentially work as a trial period, before considering a permanent application after the 12 month period. Where there is doubt whether a proposal would conflict with policy, paragraph 5.27 of the Welsh Government Circular 016/2014 *'The Use of Planning Conditions for Development Management'* states; *'Where an application is made for permanent permission for a use which may be 'potentially detrimental' to existing uses nearby, but there is insufficient evidence to enable the authority to be sure of its character or effect, it might be appropriate to grant a temporary permission in order to give the development a trial run, provided that such a permission would be reasonable having regard to the capital expenditure necessary to carry out the development.'*
- 8.9 Officers have concerns regarding the potential for 31 events to take place within a clustered period, i.e during Fresher's Week, which could potentially mean that an event could take place for 14 consecutive days. As such, Condition 9 has been amended to limit the number of late night events to a maximum of two events per week. With regard to the objection that the application will be akin to a change of use, the 12 month permission will act as a trial to prove whether this is the case. Nevertheless, it should be noted that a nightclub and performance venue both fall under Use Class D2 and so would not require the submission of a change of use application.

b. Crime and Disorder

- 8.10 Paragraph 3.11 of Planning Policy Wales Local (Edition 10, December 2018), states that *'Local authorities are under a legal obligation to consider the need to prevent and reduce crime and disorder in all decisions that they take. Crime prevention and fear of crime are social considerations to which regard should be given in the preparation of development plans and taking planning decisions. The aim should be to produce safe environments that do not compromise on design quality in accordance with the cohesive communities well-being goal'*.
- 8.11 A number of objections have been raised regarding the anti-social behaviour linked with the existing events that operate until 03:00 hours. The objections

note that drunken behaviour has caused a general nuisance before, during and after the events. It begins whilst attendees gain access to the venue, whilst queuing along Pendyris Street. Objections have also been raised regarding attendees dispersing and gathering outside of the venue, which has resulted in anti-social behaviour in the form of shouting, violence, urinating/vomiting on street, littering and the use of recreational drugs on the surrounding streets. In addition, objections have noted that certain genres of music that are linked to the 03:00 hour events have caused increased violence and littering on the streets.

- 8.12 The agent disputes these claims and notes that sufficient safeguards are already in place. They state that the applicant already runs a Queuing Management Plan, which includes a suitably designed queuing system along Clare Road, which was switched from Pendyris Street, in consultation with the police, residents and councillors. This includes security, and medical staff available on site to quickly resolve any incidents, including egress from the premises. The agent also notes that the events team go above and beyond in regard to keeping Pendyris Street clean and litter free during and after the events have finished. Following the outbreak of the Coronavirus, the venue has temporarily closed down and the agent states that the number of criminal incidents recorded within the immediate surrounding area has not materially changed during these times.
- 8.13 It should be noted that the Planning and Licensing departments consider differing matters and thresholds, e.g planning considers theoretical harm to amenity whilst, licensing consider evidential harm under key areas. Nevertheless the agent notes that when the applicant first applied for the premises licence to be extended to enable 21 late opening events, no objections were raised by individual members of the public, despite that process involving a public consultation process. This claim has also been echoed by the Tramshed Licencing Solicitor who represented the Tramshed venue at the licensing sub-committee on 6 April 2018, to allow the additional late opening events. The Solicitor refers to the notice of decision of the licensing sub-committee. Critically, the decision states: *"We feel that the evidence provided by South Wales Police relates to the live music/grime events and we note there have not been any complaints regarding the 34 DJ led club nights that have taken place. We are satisfied that the applicant runs the premises in a responsible manner with few incidents. We have accepted the applicant's submission that the DJ led club nights do not have the same problems with incidents or dispersal as the standard live music events"*. As such, this decision highlights that the DJ led events, that are the subject of this application, resulted in fewer problems than the events allowed in accordance with Condition 9.
- 8.14 South Wales Police have raised concerns with the proposal regarding incidents in the vicinity of the Tramshed venue. However, their updated response confirms that any criminal activity in the surrounding area has not been directly linked to the attendees of the venue. As such, they have agreed with the Pollution Control recommendation to propose a 12 month permission, which

will allow the Tramshed to demonstrate that they are able to manage their patrons appropriately.

c. Traffic and Parking

- 8.15 Officers note that objections have been raised stating that the events at the Tramshed performance venue have resulted in an increase in traffic and parking concerns, with parking permit holder spaces regularly being used illegally. The Transport Officer has raised no objection to the proposal on highway grounds and does not consider that the additional 31 events until 03:00 hours will cause any additional traffic/parking concerns than the earlier finishes. Further, it is not considered that the events until 03:00 hours will result in parking permit holder spaces used illegally, as the proposed hours of operation do not tie in with the general hours of parking enforcement.

9. **CONCLUSION**

- 9.1 In light of the above, it is considered that the recommendation to issue a temporary 12 month permission goes some way to addressing the concerns raised. This will allow the Local Planning Authority to consider the matters raised on objective evidence of harm, before considering any permanent application after the 12 month period. Where there is doubt whether a proposal would conflict with policy, paragraph 5.27 of the Welsh Government Circular 016/2014 '*The Use of Planning Conditions for Development Management*' states that; '*Where an application is made for permanent permission for a use which may be 'potentially detrimental' to existing uses nearby, but there is insufficient evidence to enable the authority to be sure of its character or effect, it might be appropriate to grant a temporary permission in order to give the development a trial run, provided that such a permission would be reasonable having regard to the capital expenditure necessary to carry out the development*'. For the reasons detailed above, the application is recommended for approval on a temporary basis, subject to conditions.

- 9.2 The amended Condition 9 will read as follows:

No member of the public shall be admitted to or be allowed to remain in the principal performance venue or ancillary food and drink areas hereby approved outside of the hours of 08.00 - 23.00 Mon – Thurs; 08.00 - 00.30 Fri and Sat, and 10.00 - 22.30 on Sundays, apart from the exception of 31no. late night events which shall operate between the hours of 08.00 - 03.00 (only occurring a maximum of two days per week and during Fridays, Saturdays, Fresher's Week, Halloween and New Years' Eve). The 31no. late night events referred to above shall be undertaken in strict accordance with the Queue Management Plan, discharged under Condition 42.

Reason: To ensure that the use of the premises does not prejudice the amenities of local residents.

10. **LEGAL CONSIDERATIONS**

- 10.1 *Crime and Disorder Act 1998*: Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that a temporary permission would allow the Local Planning Authority to consider, based on evidence if there would be any significant or unacceptable increase in crime and disorder and harm to residential amenity as a result of the proposed decision.
- 10.2 *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.
- 10.3 *Wellbeing of Future Generations (Wales) Act 2016*: Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

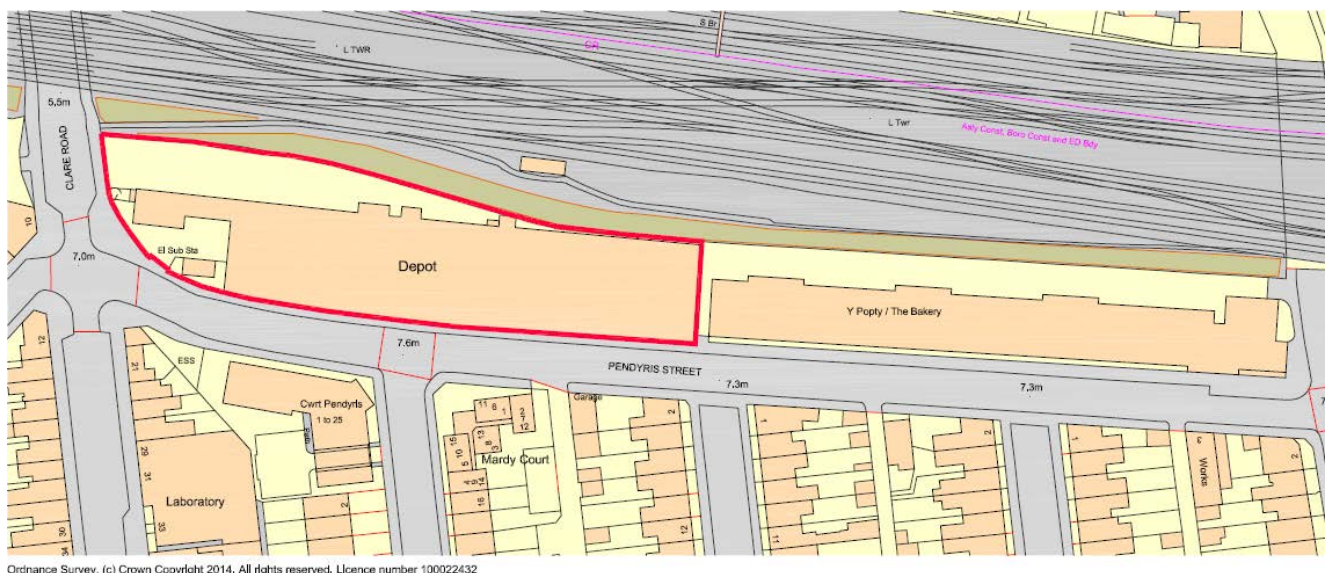


Figure 1: Site location plan.

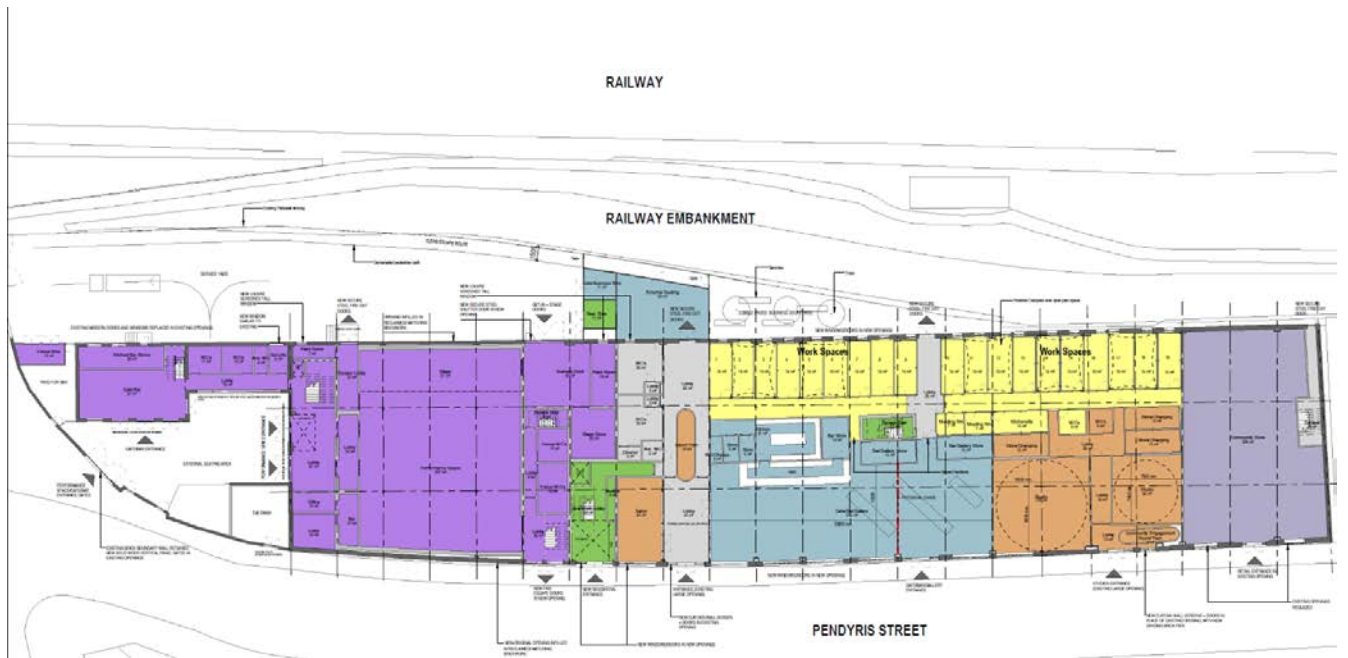


Figure 2: Ground floor plan.

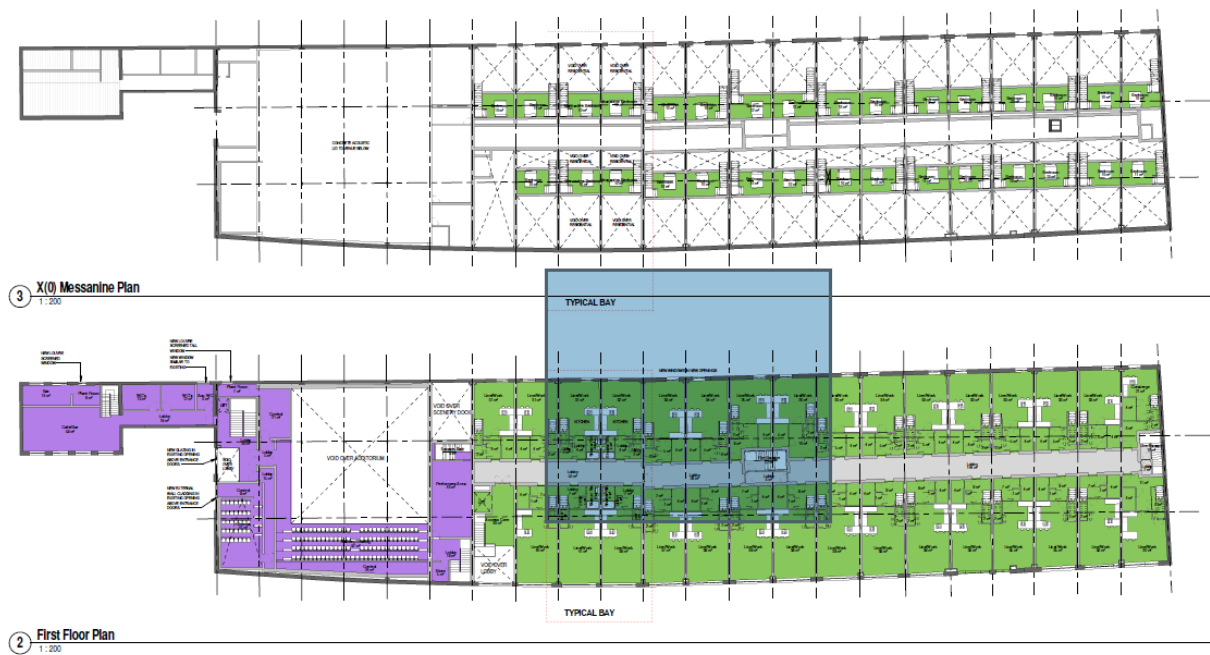


Figure 3: The first floor and mezzanine floor plans demonstrate the proximity of the live/work residential units to the performance and arts hall.

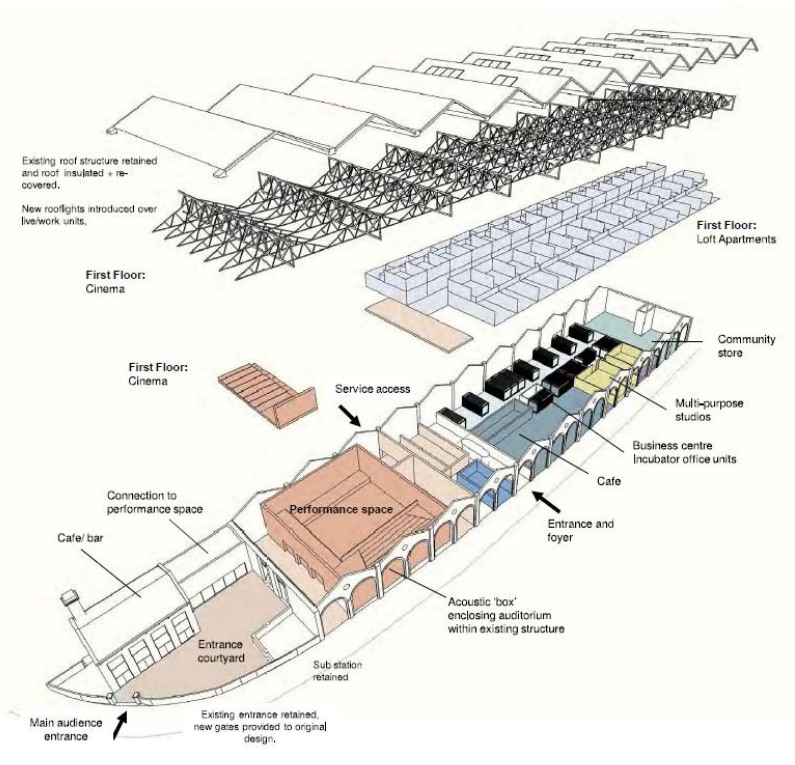


Figure 4: An exploded axonometric drawing shows the layout of the Tramshed mixed-use development.

PETITION AND LOCAL MEMBER OBJECTION

COMMITTEE DATE: 22/07/2020

APPLICATION No. **19/01012/MJR** APPLICATION DATE: 09/04/2019ED: **BUTETOWN**

APP: TYPE: Full Planning Permission

APPLICANT: Schrodgers UK Real Estate Fund

LOCATION: MULTI STOREY CAR PARK, STUART STREET, CARDIFF BAY, CARDIFF, CF10 5BW

PROPOSAL: EXTENSION AND ALTERATION OF EXISTING MULTI-STOREY CAR PARK, RECONFIGURATION OF CAR PARK LAYOUT, REVISED/ADDITIONAL ENTRANCE AND EXIT POINTS, BICYCLE HUB FACILITY, LANDSCAPING AND ASSOCIATED WORKS

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

1. The development permitted shall be begun before the expiration of five years from the date of this planning permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans:

Drawing Reference**Drawing Title**

- | | |
|---------------------------|---------------------------------|
| • MQC-ASL-00-00-DR-A-0001 | Site Location Plan |
| • MQC-ASL-00-00-DR-A-0010 | Existing Ground Floor Plan |
| • MQC-ASL-00-01-DR-A-0011 | Existing First Floor Plan |
| • MQC-ASL-00-ZZ-DR-A-0050 | Existing Elevations |
| • MQC-ASL-00-ZZ-DR-A-0020 | Existing Site Sections A, B & C |
| • MQC-ASL-00-ZZ-DR-A-0021 | Existing Site Sections D & E |
| • MQC-ASL-00-00-DR-A-0100 | Proposed Ground Floor Plan |
| • MQC-ASL-00-01-DR-A-0101 | Proposed First Floor Plan |
| • MQC-ASL-00-02-DR-A-0102 | Proposed Second Floor Plan |
| • MQC-ASL-00-03-DR-A-0103 | Proposed Third Floor Plan |
| • MQC-ASL-00-ZZ-DR-A-0120 | Proposed Site Sections A,B & C |

- MQC-ASL-00-ZZ-DR-A-0121 Proposed Site Sections D & E
- MQC-ASL-00-ZZ-DR-A-0150 Proposed Elevations
- MQC-ASL-00-00-DR-L-0900 Rev P1 External Works General Arrangement

Reason: For the avoidance of doubt.

3. *Material Specification:* Notwithstanding condition 2, prior to the construction of any external walls and/or roofs on site, details (which shall include a schedule of materials and finishes) shall be submitted to and approved in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter maintained

Reason: To ensure an acceptable form of development, in accordance with Policy KP5 of the adopted City of Cardiff Local Development Plan (2006-2026).

4. *Architectural Detailing:* Prior to commencement of any construction work, a scheme showing the architectural detailing of the buildings shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into beneficial use until the approved scheme is implemented.

Reason: To ensure a satisfactory finished appearance to the development, in accordance with Policy KP5 of the adopted City of Cardiff Local Development Plan (2006-2026).

5. *Revised Access and Adjacent Highway Works:* Prior to commencement of development detailed schemes for the provision of the revised access arrangements to Stuart Street, entry and exit, and New George Street, exit only northbound, are to have been submitted to and agreed in writing with the LPA. The schemes shall include, but not be limited to, details of surfacing, kerbs, edging, drainage, lighting, lining, signing, street furniture, landscaping and traffic Orders as may be required as a consequence of the development. The approved schemes shall thereafter be implemented in accordance with the agreed details prior to beneficial occupation of the development.

Reason: To facilitate safe and orderly access to and egress from the development and the reinstatement of the adjacent public highway in the interests of highway and pedestrian safety in accordance with policy T5 of the adopted City of Cardiff Local Development Plan (2006-2026).

6. *Construction Environment Management Plan:* Prior to commencement of development a Construction Environment Management Plan (CEMP) shall be submitted to and approved by the Local Planning Authority to include details of construction traffic routes, site hoardings, site access, wheel washing facilities, storage of plant and materials, parking of contractors vehicles, details of how dust and dirt emissions will be controlled and monitored, how pollution risks to controlled waters will be managed during

the works, and a scheme for recycling/disposing of waste resulting from demolition and construction works. The construction of the development shall be managed strictly in accordance with the scheme so approved.

Reason: In accordance with Policies EN11, EN13 and T5 of the adopted City of Cardiff Local Development Plan (2006-2026), in the interests of highway safety and public amenity and to prevent pollution of the water environment.

7. *Cycle Parking*: Prior to commencement of development details showing the provision and layout of the cycle parking hub/spaces is to be submitted to and approved in writing by the LPA. The approved scheme shall be implemented in accordance with the agreed details prior to beneficial occupation of the development.

Reason: To ensure adequate provision is made for the secure parking of bicycles, in accordance with policy T5 of the adopted City of Cardiff Local Development Plan (2006-2026).

8. *Floodlighting Scheme*: Prior to commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority to provide that:
- (i) Light into neighbouring residential windows generated from the floodlights shall not exceed 10 Ev (lux) (vertical illuminance in lux).
 - (ii) Each floodlight must be aligned to ensure that the upper limit of the main beam does not exceed 70 degrees from its downward vertical.
 - (iii) The floodlighting shall be designed and operated to have full horizontal cut-off and such that the Upward Waste Light Ratio does not exceed 5%.

The submitted scheme shall include an isolux diagram showing the predicted illuminance in the vertical plane (in lux) at critical locations on the boundary of the site and at adjacent properties.

The approved scheme shall be implemented prior to beneficial use and be permanently maintained.

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

9. *Ground Gas Protection*: Prior to the commencement of any development works a scheme to investigate and monitor the site for the presence of gases* being generated at the site or land adjoining thereto, including a plan of the area to be monitored, shall be submitted to the Local Planning Authority for its approval.

Following completion of the approved monitoring scheme, 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 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 users is not prejudiced, in accordance with Policy EN13 of the adopted City of Cardiff Local Development Plan (2006-2026).

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

The report of the findings shall include:

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

(ii) 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 / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2017), 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, in accordance with Policy EN13 of the adopted City of Cardiff Local Development Plan (2006-2026).

11. *Contaminated Land Measures – Remediation & Verification Plan:* Prior to the commencement of the development a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. 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 / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2017), 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, in accordance with Policy EN13 of the adopted City of Cardiff Local Development Plan (2006-2026).

12. *Contaminated Land Measures – Remediation & Verification:* The remediation scheme approved by condition 11 above 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 / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2017), 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, in accordance with Policy EN13 of the adopted City of Cardiff Local Development Plan (2006-2026).

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

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, 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 adopted City of Cardiff Local Development Plan (2006-2026).

14. *Imported Aggregates:* Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical

or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

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

15. *Use of Site Won Materials:* 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 users is not prejudiced, in accordance with Policy EN13 of the adopted City of Cardiff Local Development Plan (2006-2026).

16. *Landscaping:* Prior to the occupation of the development hereby permitted, landscaping details shall be submitted to and approved in writing by the Local Planning Authority. These details shall include a scaled planting plan (trees should be depicted at their likely ultimate branch spreads), plant schedule, topsoil and subsoil specification (based on a soil assessment in accordance with the Soils and Development TGN), tree pit section and plan view, planting methodology, aftercare methodology and implementation programme and evidence to confirm that services, including drainage, will not conflict with planting.

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, in accordance with Policy KP5 of the adopted City of Cardiff Local Development Plan (2006-2026).

17. *Drainage Scheme:* Notwithstanding the submitted detail, 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, in accordance with Policies EN10 and EN11 of the adopted City of Cardiff Local Development Plan (2006-2026).

18. *Management strategy:* Prior to the use of the development hereby permitted, a full management strategy shall be submitted to and approved in writing by the local planning authority. The use hereby permitted shall thereafter be operated in accordance with the approved details. The submitted details will include the following:

- a) Details of security measures and lighting.
- b) Details on how the car park and cycle hub will be staffed, maintained and managed.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected, in accordance with Policy KP5 of the adopted City of Cardiff Local Development Plan (2006-2026).

RECOMMENDATION 2: The highway works conditions and any other works to existing or proposed adopted public highway are to be subject to an agreement under Section 38 and/or Section 278 Highways Act 1980 between the developer and the Local Highway Authority

RECOMMENDATION 3: The applicant is advised to liaise with South Wales Police and contact Jon Brown; 01656 655555 ext: 29248, Jon.Brown@south-wales.pnn.police.uk).

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

- (i) determining the extent and effects of such constraints;
- (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates/ soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site;

- Unprocessed / unsorted demolition wastes.
- Any materials originating from a site confirmed as being contaminated or

- potentially contaminated by chemical or radioactive substances.
 - Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and
- (iii) the safe development and secure occupancy of the site rests with the developer.

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

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

RECOMMENDATION 5: 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. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

RECOMMENDATION 6: 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 7: On the 7th January 2019, Schedule 3 of the Flood and Water Management Act 2010 was enacted. This affects all new developments where the construction area is of 100m² or more. Cardiff Council is aware that your application for planning permission was validated after the recent legislative change in which Schedule 3 of the Flood and Water Management Act was enacted and therefore may be subject to surface water drainage proposals under the SAB application process. It is recommended that the developer engages in

consultation with the Cardiff Council SAB team, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features.

To arrange discussion regarding this please contact:
SAB@cardiff.gov.uk

If you require further information please review:
<https://www.cardiff.gov.uk/ENG/resident/planning-and-suds/suds-approval-body/>

Or, alternatively you can review the legislation set by Welsh Government here:
<https://gweddiill.gov.wales/topics/environmentcountryside/epq/flooding/drainage/>

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 Full planning permission is sought to extend and alter the existing multi-storey car park and the associated external ground floor parking area to the north. This will involve the addition of two new decks on top of the existing structure, a four storey extension to the rear (north east), new stair and lift cores, a reconfigured car park layout with revised entrance/exit points, a bicycle hub facility and other associated works.
- 1.2 The proposals will result in an additional 9,897sqm of floorspace, providing a further 310 car parking spaces (including 20 electric charging spaces) and 52 cycle parking spaces. This is demonstrated in the tables below:

	Ground (Level 0 - internal) (m ²)	Ground (Level 0 - external) (m ²)	First (Level 1) (m ²)	Second (Level 2) (m ²)	Third (Level 3) (m ²)	Total (m ²)
Existing	3,810	1,941	3,810	0	0	9,561
Proposed	4,569	1,182	4,569	4,569	4,569	19,458
Difference	+759	-759	+759	+4,569	+4,569	+9,897

Table 1: Existing and proposed floorspace.

Type of Parking	Ground (Level 0)	First (Level 1)	Second (Level 2)	Third (Level 3)	Total
Standard	140 (-54)	147 (-6)	157 (+157)	158 (+158)	602 (+257)
Disabled	32 (+15)	0 (=)	0 (=)	0 (=)	32 (+15)
Parent & Child	0 (-10)	9 (+9)	9 (+9)	10 (+10)	28 (+18)
Electric Charging	10 (+10)	10 (+10)	0 (=)	0 (=)	20 (+20)
Total	182 (-38)	166 (+13)	166 (+166)	168 (+168)	682 (+310)
Cycle	60 (+56)	0 (=)	0 (=)	0 (=)	60 (+56)

Table 2: Proposed parking summary.

- 1.3 The addition of two new decks above the existing car park structure, will increase the overall height of the building (excluding the lift cores) by 6.5 metres, to a total height of 10.5 metres. The proposed four storey extension to the north east of the site, will extend over the existing external ground floor parking area. This will measure the same height as the two additional decks, but will project 15.8 metres deep to the north and 41.1 metres wide (the width of the existing building will not be increased). The minimum separation distance to the northern boundary will be 10.9 metres, with this distance increasing as the boundary runs diagonally away from the building. The top deck will be open air. New stair cores will be added to the north, south-east corner and western elevations and will measure 12.5 metres high. Adjoining the south eastern stair core will be a cycle parking hub. This will provide an additional 56 cycle parking spaces, all at ground floor level, and will include secure storage facilities and space for a pop-up maintenance shop.
- 1.4 The existing brickwork at ground floor level will be replaced by an extruded metal mesh. On the southern elevation along Stuart Street, the remainder of the façade at first, second, and third floor level will comprise undulating vertical aluminium fins. A profiled finish will run until the stair cores to the east and west, after which the profiled aluminium fins will not undulate and will be a flatter profile on the northern elevation. The new stair cores will be clad in living green walls, except for the northern stair core which will be constructed of concrete. Proposed hard and soft landscaping is proposed around the site.

Movement

- 1.5 The car park layout will be reconfigured with the existing entrance/exit fronting Stuart Street being realigned and segregated to provide two entry/exit points along Stuart Street. The first being a centrally located two lane entry point with a single exit lane provided 19 metres to the east on the same elevation. A new two lane exit point is proposed to the north east of the site, exiting out onto New George Street, facilitating both left and right turns. With regard to pedestrians, the four existing access points will remain, but will include external stair cores on the north, east and western elevations. Two pedestrian lifts providing access to all the decks will be provided beside the eastern stair core. The existing internal ramps will be maintained but vehicular circulation will be modified to allow for efficient manoeuvring of vehicles.

2. DESCRIPTION OF SITE

- 2.1 The application site forms a triangular plot covering an approximate area of 0.80ha. It comprises an existing fully operational multi-storey car park with an external ground floor parking area to the north. The car park was granted permission in August 1999 (ref: 98/00834/C).
- 2.2 The site lies to the north west of the Mermaid Quay estate, approximately 2 km south of Cardiff City Centre and directly above the Butetown Tunnel (A4232), which runs diagonally in a south west to north east direction. The site is bounded to the south by Stuart Street, which features Techniquest, a science

and technology learning centre. This building is located to the south west and is currently undergoing construction work for an extension to provide additional exhibition space (ref: 18/02513/MJR). Also on the opposite side of Stuart Street, lies two five storey and three storey apartment buildings and a two storey restaurant building. Stuart Place road runs between these buildings and provides access to the Mount Square public house. Adjoining the site to the east is the single storey Council owned Butetown Tunnel control room/pumping station with New George Street and the Mermaid Quay shopping and leisure estate beyond. To the north lies a number of two storey residential dwellings in Louisa Place. Bound to the west is Adelaide Street, with Mount Stuart Primary School situated on the opposite side of the road.

- 2.3 Whilst the site is not located within a conservation area, the Pierhead Conservation Area lies immediately to the south, with the boundary running centrally along Stuart Street. There are two Grade II listed buildings located on the opposite side of Stuart Street; the former Pilotage House building (and its associated railings) and the currently vacant Big Windsor building directly to the south, which was recently granted permission for its change of use from a restaurant across all floors to provide two commercial units at ground floor level and apartments on the floors above (ref: 18/02957/MNR and 19/02958/MNR).
- 2.4 The site is located within the Central and Bay Business Area (Policy KP10) of the adopted Cardiff Local Development Plan (LDP). It is also located within a C1 Flood Zone (served by flood defences) as defined on Welsh Government's TAN15 Development Advice Map.

Car Park

- 2.5 The car park structure has two decks with an open air first floor and measures 4.4 metres high, 115 metres wide and 35 metres deep. The building has a white painted steel structural frame with painted blue brick/timber infill elements. The external ground floor car park lies to the north and features a low brick wall along the northern boundary with planting and semi-mature trees adjacent to it. There is also planting found along the western boundary and parts of the southern boundary.
- 2.6 The vehicle entrance and exit points lie on Stuart Street and there are four pedestrian entrances; two on Adelaide Street to the west, one on New George Street to the north east and one on Stuart Street to the south. An external staircase is located to the south east of the site which provides pedestrian access to the first floor and links to the pelican crossing on the corner of Stuart Street/New George Street into the wider Mermaid Quay estate.
- 2.7 The car park currently operates an Automatic Number Plate Recognition ticketless entry system. There are a total of 372 existing car parking spaces, which are summarised below:

Type of Parking	Ground floor level	First Floor Level	Total
Standard	192	153	345
Disabled	17	0	17

Parent & Child	10	0	10
Electric Charging	0	0	0
Total	219	153	372

Table 3: Existing parking summary.

- 2.8 The site also has 4 cycle parking spaces. 10 loop stands and 8 'Next Bike' stands are found adjacent to the north east boundary of the site on the corner of New George Street.

3. **SITE HISTORY**

- 98/00834/C – Planning permission granted on 02/08/1999 for a two storey car park

4. **POLICY FRAMEWORK**

- 4.1 The following national planning policy and guidance is considered to be of particular relevance:

- 4.2 Planning Policy Wales (PPW) (Edition 10, December 2018)

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

- TAN 4: Retail and Commercial Development (November 2016)
- TAN 11: Noise (October 1997)
- TAN 12: Design (March 2016)
- TAN 13: Tourism (October 1997)
- TAN 15: Development and Flood Risk (July 2004)
- TAN 18: Transport (March 2007)
- TAN 23: Economic Development (February 2014)
- TAN 24: The Historic Environment (May 2017)

- 4.4 The following local planning policy and guidance is considered to be of particular relevance:

4.5 **Cardiff Local Development Plan 2006-2026:**

- KP5 Good Quality and Sustainable Design
- KP7 Planning Obligations
- KP8 Sustainable Transport
- KP9 Responding to Evidenced Economic Needs
- KP10 Central & Bay Business Areas
- KP15 Climate Change
- KP17 Built Heritage
- C3 Community Safety/ Creating Safe Environments
- EN9 Conservation of the Historic Environment
- EN10 Water Sensitive Design
- EN11 Protection of Water Resources
- EN13 Air, Noise, Light Pollution & Land Contamination
- EN14 Flood Risk

- T1 Walking & Cycling
- T4 Regional Transport Hub
- T5 Managing Transport Impacts
- T6 Impact on Transport Networks and Services
- T9 Cardiff City Region 'Metro' Network

4.6 Supplementary Planning Guidance:

The following Supplementary Planning Guidance (SPG) is of relevance:

- Access, Circulation and Parking Requirements (2010)
- Green Infrastructure Consultation Draft (2017)
- Managing Transportation Impacts (Incorporating Parking Standards) (July 2018)
- Planning Obligations (2017)
- Waste Collection and Storage Facilities (2016)

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 **Transportation:** The Operational Manager (Transportation) makes the following comments: The submitted proposal is for the extension and alteration of the multi-storey car park at Stuart Street, Cardiff Bay, primarily to provide an increase of 310 car parking spaces, up from an existing 372 to proposed 682 spaces.
- 5.2 The extension and alteration of the car park will see the number of disabled bays on site increased to 33, the number of dedicated parent & child spaces increased to 28, the introduction of 20 electric vehicle charging points and the addition of 56 cycle spaces. The proposed cycle spaces (existing + additional) are to be provided in a dedicated cycle hub in the south east corner of the building, with a total of 80 spaces (including 6 cycle lockers), flexible workshop space, staff welfare and improvements to the pedestrian accessibility of the building.
- 5.3 The site is located within the Bay Business Area (BBA) of the adopted Cardiff Local Development Plan and situated at the edge of Cardiff Bay. The existing car park on Stuart Street is well situated to intercept vehicles traveling from the west of the city on the A4232, prior to them entering the wider Bay area, and is located within close walking distance of a number of leisure facilities/destinations. The location of the car park is also situated on existing public transport routes that connect to the City Centre and further afield, as well as being in close proximity to existing cycle routes/facilities and on-street cycle hire.
- 5.4 The application is supported by a Transport Assessment (TA) and while we do not have any major concerns with the underlying methodology, there is some concern why the assessment is restricted to a Bank Holiday, with no account made for weekday peaks or the weekends which can already be busy with commuter and visitor traffic respectively.

- 5.5 Whilst the flows into/out of the car park itself may be higher on a Bank Holiday, the surveys show that at the other study junctions the flow in the PM peak is higher than that on the Bank Holiday, even having accounted for the development traffic; suggesting that the PM peak at least should have been assessed. Similarly, from the daily flows from the SDR count the indications are that Saturdays are also busy, the Saturday single peak being at least as busy as that of the weekday PM, ideally for completeness this should have also been considered.
- 5.6 Notwithstanding, overall on the basis of what has been provided, all assessed junctions appear to continue to operate within capacity with the addition of development traffic and accounting for background traffic growth. Nevertheless Transportation would have liked to have been assured that the same is true for the AM, PM and Saturday peaks.
- 5.7 Surveys undertaken to inform the TA identify that during normal weekday conditions the car park reaches an average maximum occupancy of circa 50% and as such operates well within capacity. The survey results suggest there is also little weekday impact on the highway network, with only a small amount of traffic queuing within the eastbound protected right turn. It also is noted that the car park operates a ticketless entry system, so vehicles do not have to wait/stop to collect a ticket as they enter the car park. It is however noted that some identifiable queuing occurred during the surveyed August Bank Holiday, this being associated with the car park being over capacity and vehicles having difficulty finding spaces/waiting despite the car park full signs being displayed.
- 5.8 However as noted above the TA has not considered weekday PM or weekend peak traffic movements at the tested junctions, movements which are known to be higher than the surveyed Bank Holiday movements, and as such it is anticipated that there will be some negative impact during these peaks that the Council considers it necessary to mitigate.
- 5.9 Personal Injury Accident (PIA) data obtained from Cardiff Council and reported in the TA reveals 6 Slight and 2 serious accidents within the assessment area, with only 1 of the slight incidents occurring in close proximity to the site. The close proximity incident is not directly related or attributed to the use of the car park, involving a vehicle and pedestrian at an adjacent crossing.
- 5.10 However what the PIA data does reveal is 1) a cluster of 4 slight accidents at the junction of James Street and Adelaide Street, 2 involving a vehicle and pedestrian, and 2 involving a vehicle and cyclist; and 2) that all recorded incidents, including the 2 serious, involve a vehicle and a vulnerable road user (pedestrians young and old, and cyclists). As with the close proximity incident, while none of the incidents are directly attributable to use of the car park, any increase in background traffic will generally have the effect of increasing the likelihood of such incidents happening in the future.
- 5.11 The car park's existing access/egress to Stuart Street is proposed to be altered to facilitate a two vehicle entry in a side by side formation, with the lanes separated by kerbing. It is suggested that this will enable more efficient entry to

the car park, by separating eastbound and westbound traffic into separate lanes. Access will also continue to be controlled by ANPR ticketless entry, with pay on foot prior to exit.

- 5.12 Vehicle egress will be facilitated by the provision of two new exits, with the Stuart Street exit repositioned to the east of the current location. This new position will provide more efficient egress to the network during normal operating conditions, as it is located further away from the entry position thereby minimising conflict. Separation of the access/egress positions will also provide improved visibility between pedestrians travelling along Stuart Street and vehicles exiting the car park.
- 5.13 A second vehicle egress is proposed at the north east corner of the car park onto New George Street in the location of the existing gated pedestrian access/egress. Pedestrian access/egress will be maintained under the new arrangement by the provision of a new 2m footway that will run parallel to the proposed car park egress. The TA advises that it is anticipated that this new northern egress will be generally used for left turning traffic only, but that due to the reported difficulty of engineering a highway layout that is self-enforcing, a layout that can accommodate both movements has been submitted.
- 5.14 However in-line with mitigation proposals discussed elsewhere in these comments, the Council would look to progress a junction design for the new northern egress that only accommodated left turn movements onto New George Street, supported with white lining, signage and a traffic Order. As confirmed in the submitted TA this minor alteration to the proposals will not adversely impact the operation of the car park, however it will assist operation of the bus gate mitigation, as well as provide an improved pedestrian and public transport environment on New George Street.
- 5.15 In addition to the vehicle access arrangements, the TA advises three of the four existing pedestrian access points will remain as existing. The current north-west pedestrian access (Adelaide Street) will become an 'emergency exit only', and new external stairways will be created on the western and northern elevations, providing additional spaces internally. A new stairway will be created for the south east corner area with the addition of lifts.
- 5.16 Other than changes noted to the number and type of parking spaces, and access/egress arrangements discussed, the operation and use of the extended car park will follow a similar layout to the original, subject to necessary changes to the internal directional lining/signing required as a consequence of the submitted proposals.

Mitigation

- 5.17 In light of the capacity sensitivity of the Butetown Tunnel to traffic and the consequential impact this has on the strategic highway network of the A4232, Central Link and PDR; along with managing the peak impact of the use of the car park on the surrounding highway network, it is proposed that part time ANPR bus gates are established on Stuart Street to the east of the car park

exit, and Adelaide Street north of its junction with Stuart Street. The bus gates would operate on a part time basis and be used to manage local peak time access to/egress from the A4232 to ensure highway safety. The bus gates would not prohibit access to the car park, but would ensure that at traffic sensitive times the combined existing traffic plus development traffic did not compromise safety on the surrounding highway network.

5.18 The bus gates are required to mitigate impacts:

- Minimise the impact of queuing through the A4232 westbound tunnel;
- Minimise the impact of queuing back onto the A4232 from the eastbound off-slip;
- Minimise impact on bus services from potential delays resulting from queuing associated with the increased car park capacity;
- Minimise the potential increased collisions where there is already a cluster at the James Street/Adelaide Street junction near Mount Stuart Primary School.

5.19 To support the operation of the bus gates an additional traffic control CCTV camera is required on Stuart Street, located to provide a clear view of the A4232 on/off slips and Stuart Street, areas which are not adequately covered by existing CCTV provision.

5.20 In addition to the above traffic management matters a contribution is sought towards the implementation of Active Travel improvements in the vicinity of the site, in the form of improved cycling and walking facilities in the Cardiff Bay area, including improvements to the Bay Trail and access to Mermaid Quay.

Planning conditions

5.21 In the event the Council is minded to grant planning permission the following conditions are sought to ensure an orderly and compliant form of development:

- Details of the Revised Access and Adjacent Highway Works:
- Construction Management Plan:
- Cycle Parking:

S106 contributions

5.22 A financial contribution of £250,000 is sought to assist in the mitigation of the impact of traffic on the adjacent highway network, in the form of:

- Improvements to walking and cycling in the vicinity of the site, including provision of improvements to infrastructure associated with the Bay Trail and active travel connections to Mermaid Quay.
- The provision of 2 part time ANPR bus gates, one each on Adelaide Street and Stuart Street, to manage the movement of traffic on the adjacent

highway network and particularly to/from the A4232 slip roads to the west of the Butetown tunnel. The contribution is required in the interest of highway safety on the roads in the vicinity of the site and tunnel/A4232 traffic interaction with vehicles using the slip roads.

- The supply and installation of a pole mounted joint traffic management/crime prevention CCTV camera on Stuart Street. In the interest of traffic management and highway safety on the roads in the vicinity of the site and the tunnel/A4232/merging traffic using the slip roads.

- 5.23 The highway works conditions and any other works to existing or proposed adopted public highway are to be subject to an agreement under Section 38 and/or Section 278 Highways Act 1980 between the developer and the Local Highway Authority.
- 5.24 While the application may not be entirely in accordance with the spirit of current policy, the proposed bus gate mitigation, along with the CCTV provision, are intended to assist with the management of vehicle access to the Bay and limit impact on the A4232 (Tunnel safety) from the existing + development traffic. Along with addressing more generally traffic impact/safety in the Bay area to the north of the site and the adjacent school. The proposed mitigation strategy (bus gate operation) will not impact operation of the car park itself and will be limited to peak hours (+ school peak hrs) and subject to ongoing review.
- 5.25 The concept of restricting through movements in the Bay is not new, and has been regularly discussed in relation to development over a number of years, with this principle being identified as a key component of the management of development impact on both the strategic and local highway network.
- 5.26 **Contamination:** Activities associated with its current use as a car park may have caused the land to have become contaminated and therefore may give rise to potential risks to human health and the environment. 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.
- 5.27 Should there be any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use.
- 5.28 Therefore conditions and informative statements in accordance with CIEH best practice have been recommended to ensure that the safety of future users is not prejudiced in accordance with Policy EN13 of the Cardiff Local Development Plan. The following standard conditions have been recommended; ground gas protection, contamination land measures (assessment, remediation and verification plan and unforeseen contamination),

imported aggregates and use of site won materials. A contamination and unstable land advisory note has also be included.

- 5.29 It should be noted that requesting these conditions is normal procedure for sites with commercial/industrial history. The ground gas assessment is routinely included for developments with enclosed/ occupied elements to the structure sited within 250m of several historical landfills. The remainder of the conditions requested are normal procedure for sites with commercial/industrial history.
- 5.30 **Pollution Control (Air Quality):** Officers have examined the application and the supporting document, and there does not appear to be evidence to oppose the application.
- 5.31 An Air Quality Assessment (AQA), prepared by Jones Lang LaSalle and dated 20/12/2018, has been undertaken to ascertain the likely air quality impacts associated with the proposed development through its construction and operational phases.
- 5.32 For the construction phase, a medium risk has been identified with respect to dust as a result of demolition and construction phase activities. 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 by the Local Planning Authority (LPA) prior to the development proceeding.
- 5.33 For the operational phase, the report utilises detailed dispersion modelling to depict whether existing and future residents will be made susceptible to any adverse changes in air quality levels, particularly focusing upon transport derived nitrogen dioxide (NO₂) and particulate matter (PM₁₀ & PM_{2.5}). For operational purposes, in order to determine potential impacts to air quality as a result of increased traffic movements associated with the development, the air quality modelling considers an understanding for a baseline scenario (2017) and a projected year of opening scenario (2023). The modelling adopts best practise guidance and considers worse case predictions by performing conservative assumptions.
- 5.34 The AQA concludes that the overall effect of the proposed development, in terms of road traffic impacts, will be 'not significant'.
- 5.35 Table 20 of the AQA outlines the projected change to annual mean air quality levels (NO₂) with the proposed scheme in place for an opening year of 2023 (With Scheme). Utilising EPUK & IAQM guidance, as displayed by the matrix in Table 9, the level of significance, in terms of the amount of % change to the air quality levels is classified. As documented, three existing sensitive receptor locations will be subjected to a slight adverse impact for annual mean NO₂ levels, for a proposed year of opening 2023. These three receptors are considered as residential, situated on Louisa Place. Although a slight adverse impact is projected, it is noted that the portrayed levels do not breach air quality objectives for NO₂; the highest projected annual average figure for NO₂ predicted as 27.6 µg/m³ at receptor H13.

- 5.36 It is recognised that the proposal does look to encourage and facilitate the uptake of OEV & ULEV with the installation of relevant infrastructure. This is recognised as good practise.
- 5.37 As the submitted AQA demonstrates that the proposal will cause the potential for adverse impact to air quality, this does cause additional burden to resources within Shared Regulatory Services/Cardiff Council, and as such additional air quality monitoring will be needed to review air quality levels, at an increased resolution, particularly for NO₂ levels. In order to provide a more detailed understanding for air quality in the area and gather further evidence in terms of supporting air quality datasets it is suggested that an investment is made in automatic and non-automatic monitoring capabilities. The proposed indicative costing for such capabilities would total a cost of £21,000 exc VAT. It is proposed that this sum of £21,000 be raised by a means of S106 agreement.
- 5.38 **Pollution Control (Noise): Road Traffic Noise:** Officers reviewed the Noise Assessment Report, prepared by Clarke Saunders and dated 20/11/2018 and have requested a number of issues that require clarification: Additional information has been submitted by the applicant. No adverse representations have been received and two conditions have been recommended; a floodlighting scheme and construction site noise.
- 5.39 **Trees:** For a development of this scale, a detailed upfront landscaping scheme is to be expected, comprising scaled planting plan (trees should be depicted at their likely ultimate branch spreads), plant schedule, topsoil and subsoil specification (based on a soil assessment in accordance with the Soils and Development TGN), tree pit section and plan view, planting methodology, aftercare methodology and implementation programme.
- 5.40 Some indicative landscaping details are provided on the external works plan, but this is insufficient alone. The proposal to densely plant small, rosaceous tree species to the rear is noted and whilst a percentage of such planting is supported, and is necessary given the limited space and need to avoid over-dominance, excessive planting of rosaceous trees may lead to catastrophic pest and disease outbreaks, so consideration should be given to other species such as *Acer pensylvanicum*, *Amelanchier* spp., *Cornus* spp., and *Euonymus europaeus* 'Red Cascade' to increase diversity.
- 5.41 The loss of a street tree and lack of provision to mitigate this loss or provide for new street trees generally is disappointing, and every effort should be made to accommodate street trees that will help to gobble up pollutants and soften the frontage onto Stuart Street. Potential street trees include *Ginkgo biloba* 'Fastigiata', *Liquidambar styraciflua* 'Slender Silhouette', *Ulmus* 'Columella' and *Ulmus* 'Vada'.

6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 **Police Architectural Liaison:** South Wales Police make a number of security-related recommendations. An advisory note has been included.

- 6.2 **Welsh Water (WW)**: WW have reviewed the information submitted as part of this application with particular focus on the Drainage Strategy Statement CC1897, prepared by Cambria (not dated). The report suggests that the requirement to submit an application under Schedule 3 of the Flood and Water management Act is not required, however it is suggested that this is given further consideration. Investigations could consider what measures can be introduced to reduce the overall volume of surface water discharging off site through the introduction of sustainable drainage methods. WW request that further work is undertaken to investigate the existing off site connection to confirm the eventual discharge and whether this is into the combined sewer or surface water sewer.
- 6.3 WW were previously consulted as part of the mandatory Article 2D Pre Planning enquiry in which they made the applicants aware of the presence of a large diameter public combined sewer which runs along the northern boundary of the development site. They state that they provided specific advice to ensure that the building is located 6 meters away from the public sewer to avoid any additional loading and to maintain sufficient access for them to carry out their duties to repair and maintain the public sewer network. WW state that it is unclear whether this advice was addressed as part of the PAC report and the drawings appear to show the proposed extension would conflict with their advice.
- 6.4 WW have requested a drainage scheme condition and an advisory note.
- 6.5 **Natural Resources Wales (NRW)**: The planning application proposes less vulnerable development (car park). NRW's Flood Risk Map, which is updated on a quarterly basis, confirms the site to be entirely within Zone C1 of the Development Advice Map (DAM) contained in TAN15 and the 0.5% (1 in 200 year) and 0.1% (1 in 1000 year) annual probability tidal flood outlines.
- 6.6 NRW consider the risk of tidal flooding to the proposed development is negligible, as the site benefits from the presence of the Cardiff Bay Barrage. This operates in a flood risk capacity, providing significant protection to Cardiff from tidal flood risk. Therefore, NRW have no further comment regarding tidal flood risk in this instance and raise no objection.

7. REPRESENTATIONS

- 7.1 The application was subject to a 21-day consultation period, being advertised by press and site notices as a major application.
- 7.2 A petition of objection has been submitted by Councillor Ebrahim, with 214 signatures. The petition was submitted on grounds of *'as nearby residents, we object to enlarging the Mermaid Quay car park on Stuart Street. This would lead to more traffic, worsening local problems of noise, congestion and air pollution (including to children at Mount Stuart Primary School). It would overshadow local homes'*.

7.3 Nine objections were received, on the following summarised grounds:

- *Concerns that the application is contrary to policy*
- *Road safety concerns and increase in traffic*
- *Existing vehicle access from Harbour Point Apartment's garage onto Stuart Street is poor due to Blue Badged parked vehicles, and this will be worsened*
- *Further access concerns from Stuart Place with increased traffic (lorries currently have to reverse onto Stuart Street)*
- *Refuse concerns*
- *Loss of daylight/sunlight, privacy, undue sense of enclosure to neighbouring dwellings*
- *Increase in noise pollution*
- *Climate change emergency and pollution (CO2 emissions) concerns, especially considering proximity to school*
- *Possible structural damage to neighbouring dwellings*
- *No details on visibility from proposed egress points*

7.4 Five letters of support have been received, on the following summarised grounds:

- *Car park busy during weekends, essential that visitors can park with new development from Everyman Cinema, Techniquet extension, Military Museum and Arena*
- *New façade enhances the building's appearance*

7.5 Cllr Ebrahim objected on 08/05/2019, on the following summarised grounds:

- *Concerns with overlooking, loss of privacy, overshadowing and loss of light to neighbouring dwellings. Residents in immediate vicinity will be affected, especially Stuart Street, Louisa Place and Adelaide Street*
- *Concerns with the size of the extension and the impact it will have on the local area (especially children from the local schools), in terms of air quality and noise from the rise in traffic*
- *Limited space surrounding the existing car park for construction vehicles during construction*

8. ANALYSIS

8.1 The main material planning factors to be considered are:

- Whether the proposed land use is acceptable
- Whether transportation impacts can be managed
- The impact upon heritage assets
- Whether the proposal is of an acceptable design
- The impact upon the amenity of neighbouring occupiers

Proposed land use

8.1 The proposal is for the extension and alteration of the existing multi-storey car

park, provide an additional 310 car parking spaces and 52 cycle parking spaces. The site is located within the Bay Business Area (BBA) of the adopted Cardiff Local Development Plan.

- 8.2 Situated at the edge of Cardiff Bay, the existing car park is well situated to intercept vehicles traveling from the west of the city prior to them entering the core of the bay area. It is located within close walking distance of a number of leisure facilities/destinations and is situated along public transport routes that connect to the wider bay area and the city centre. These are considerations in determining the acceptability of this proposal.
- 8.3 The Local Development Plan and Managing Transport Impacts SPG (July 2018) identify the need to facilitate transfer between transport modes and to encourage the use of sustainable transport. In this regard, the applicant has identified that as part of this application, a financial contribution of £250,000 will be provided towards undertaking improvements to the pedestrian environment along Stuart Street, carrying out cycling improvements in the vicinity of the site / along the wider Strategic Cycle Network and improving local facilities for public transport users.
- 8.4 In addition to the above, the extension and alteration of the car park will see the number of disabled bays on site increased to 33, the number of dedicated parent/child spaces increased to 28 and the introduction of 20 electric vehicle charging points. The proposal will also include the provision of a dedicated cycle hub with 60 spaces (including 6 cycle lockers and associated facilities) and improvements will be made to the pedestrian accessibility into the building.
- 8.5 Taking into consideration that the proposal is an extension to an existing established use, that it includes the introduction of electric vehicle charging facilities, improvements to disabled and parent/child parking, and that it will contribute towards the provision of improved pedestrian, cycling and public transport facilities in the surrounding area, the application is, on balance, considered acceptable from a land use policy perspective.

Whether transportation impacts can be managed

- 8.6 Policy KP8 of the Local Development Plan (LDP) states:

Development in Cardiff will be integrated with transport infrastructure and services in order to:

- i. Achieve the target of a 50:50 modal split between journeys by car and journeys by walking, cycling and public transport.*
- ii. Reduce travel demand and dependence on the car;*
- iii. Enable and maximise use of sustainable and active modes of transport;*
- iv. Integrate travel modes;*
- v. Provide for people with particular access and mobility requirements;*
- vi. Improve safety for all travellers;*

- vii. *Maintain and improve the efficiency and reliability of the transport network;*
- viii. *Support the movement of freight by rail or water; and*
- ix. *Manage freight movements by road and minimise their impacts.*

Without mitigation, the submitted application fails to adequately meet the tests set out in i, ii, iii, iv and vii above.

- 8.7 The purpose of this Policy is to ensure that developments are properly integrated with the transport infrastructure necessary to make developments accessible by sustainable travel modes and achieve a necessary shift away from car-based travel. The significant expansion of existing standalone car parking in Cardiff Bay, in an area that is congested at peak times, already well catered for in terms of public car parking and served by sustainable transport, does not support these principles and objectives.
- 8.8 In addition to the above, the adopted Managing Transportation Impacts (Incorporating Parking Standards) SPG provides guidance on the number of parking spaces relating to development based on type/floorspace. The submitted proposal does not include any enabling development or additional floorspace beyond the car park itself, and as such there is no proposed development to generate the additional parking sought by the application.
- 8.9 Notwithstanding the above, it is noted that this proposal is for the extension of an existing car park in an area that has seen significant growth in leisure and tourism development since its original construction some 20 years ago. The bay is host to the Wales Millennium Centre, the recently consented extension to Techniquest, the Everyman Cinema in Mermaid Quay and numerous national and international events. For the above reasons, and acknowledging the additional traffic control, safety and support of public transport services provided by the S106 funding; along with the on-site and off-site active travel improvements, it is considered that there is, on balance, sufficient mitigation to overcome any policy objection in this instance.

The impact upon heritage assets

- 8.10 The proposal is for a multi storey car park just outside the Pierhead Conservation Area and within the setting of two grade II listed buildings. The proposed structure will be visible from the Graving Docks – an important and iconic element within the Conservation Area.
- 8.11 The Conservation Area is typified by a combination of buildings of different heights and different periods with a range of materials visible throughout. Therefore the principle of increasing the height of the existing car park outside the conservation area to 3 storeys is not regarded as having a negative impact on the conservation area's character. The building's materials and location outside the conservation area should ensure that it is not too dominant when glimpsed from the Graving Docks.

- 8.12 The proposal is also not considered to impact on the significance of the two listed buildings in the vicinity. Buildings of an equivalent height and in a varied material palette are already within the setting of the listed buildings and it is not felt that the proposed will affect how the heritage assets will be experienced.

Whether the proposal is of an acceptable design

- 8.13 The existing car park is squat and prominent within the street scene. It is noted that the design of the existing building includes some features to enliven the frontage (round windows/views into the car park/rhythmic setbacks/material changes). The resulting overall effect is marginally better than a solid mass.
- 8.14 The proposed scheme introduces 2 additional storeys, and some changes to the internal arrangements for circulation, including an access point in the NE. The scheme includes a green wall at the pedestrian access point to the west as well as a cycle hub to the east. The facade includes a solid/mesh base with graphics applied along its extent and also an aluminium grille along the rest of the façade, modelled to create visual relief.
- 8.15 The scheme adds additional mass and interest to what is currently a poor building. The introduction of fins to break up the mass of the building, the introduction of a green wall and more interest at street level through the introduction of a more animated frontage are all welcomed.
- 8.6 The introduction of large graphics on the building is not considered an overall enhancement in this location. The introduction of fins onto large bland buildings is a common method of creating interest from afar, say for people driving past. It is noted that the aluminium will create more life when compared with concrete although it is suggested that some further ideas for colour should also be explored, to break up the mass and add more interest as well as create some greater variety along the primary frontage.
- 8.7 The development has been considered in terms of potential overshadowing, overlooking and any overbearing relationship upon neighbouring properties and is considered acceptable. However, details of how these facades will be treated should be carefully considered to ensure that they maintain visual interest when viewed from a domestic setting.
- 8.8 For the above reasons, Conditions have been recommended to address any impact from neighbouring properties from light pollution as well as conditions requiring further details of materials and architectural details.

The impact upon the amenity of neighbouring occupiers

- 8.9 The addition of two new decks above the existing car park structure, will increase the overall height of the building (excluding the lift cores) by 6.5 metres to a total height of 10.5 metres. The proposed four storey extension will project 15.8 metres deep to the north. The northern boundary runs diagonally away from the car park structure, so the shortest separation distance between neighbouring properties will be 10.9 metres.

- 8.10 Officers note that objections have been raised in terms of loss of daylight, sunlight, overshadowing and the overbearing nature of the proposal to the neighbouring residents. The dwellings that lie in closest proximity are 11 Adelaide Street, 4-7 Louisa Place, and 20-21 Louisa Place, however consideration is also given to the commercial properties on the opposite side of New George Street and Stuart Street, and the residential units within Harbour Point and the proposed residential units that will be delivered as part of the conversion of the Big Windsor building.

Overbearing

- 8.11 No. 11 Adelaide Street is the nearest residential property to the north. The footprint of the car park adjacent to No. 11 will not change, however the height will be increased by 6.5 metres. The dwelling does not feature any south facing windows at first floor level and so will have a less direct view of the car park at its closest points. The shortest separation distance from the dwelling's rear boundary to the car park structure will be 11 metres and the views will be screened in part by planting. Therefore it is not considered that the additional height will not result in any undue sense of enclosure or will be overbearing to these neighbouring occupiers.
- 8.12 Whilst the properties on Louisa Place have first and second floor south facing windows facing the site, the dwellings have existing views of the car park and of taller buildings located behind (Harbour Point and Techniquet). The closest point of the proposed car park structure to the boundaries of these dwelling is 10.9 metres, with the distance increasing considerably as the boundary runs diagonally to the site. The site is within an urban context and the separation distances are considered sufficient in order to not appear overbearing to these dwellings. The addition of the planting along the boundary will further reduce the visual impact.
- 8.13 At it's closest points, the car par structure will be approximately 20 metres from Unit 9 Mermaid Quay, 19 metres from the Pilotage Building and 15 metres from Techniquet. These distances are considered sufficient for the urban context and to ensure that the increased height of the building will not be overbearing to the commercial buildings to the east, south east and south. Whilst officers acknowledge that the structure will become more prominent from the windows within the north facing flats within Harbour Point and the Big Windsor building, the flats currently overlook the car park and the additional increase in height with a 15 metre separation is not considered to be significantly adverse.

Daylight, Sunlight and Overshadowing

- 8.14 The application has been supported by a Daylight and Sunlight Assessment, prepared by 'eb7'. This has assessed the potential daylight and sunlight implications using the Building Research Establishments guidance 'Site layout planning for daylight and sunlight: a guide to good practice' (BRE, 2011) and the BS8206-2:2008. This states that if a proposed development falls beneath a 25 degree angle when measured perpendicular from the centre point of the

relevant neighbour's window, the light is unlikely to be adversely affected and no detailed analysis is required. 4-7 Louisa Place, 20-21 Louisa Place, Harbour Point and the Big Windsor building, all passed the 25 degree test. The test however found that 11 Adelaide Street was close enough to the car park structure to require detailed analysis.

- 8.15 The only windows within 11 Adelaide Street that overlook the proposed development, serve a conservatory on the ground floor. The conservatory windows were therefore assessed against the Vertical Sky Component (VSC) test. The results of the test showed that the mean retained level of VSC for the conservatory is 36.5%, which is in excess of the BRE target of 27%. As such, the conservatory will continue to experience high levels of daylight.
- 8.16 In terms of overshadowing, the assessment has considered the impact on the front and rear garden of 11 Adelaide Street, and the rear gardens of 4-7 Louisa Place. The BRE guidance suggest that for a space to be well-sunlit it should receive two or more hours of sunlight to at least 50% of its area. The results show that the gardens will continue to receive at least two hours of sunlight to at least 50% of their area.
- 8.17 In light of the above, all the properties have been assessed against the BRE guidance and the proposed development is considered acceptable in terms of the impact it will cause on the neighbouring occupier's daylight, sunlight, and overshadowing.

Light Pollution

- 8.18 Solid upstands are to be retained and some added to prevent light overspill by blocking out head lights from vehicles when manoeuvring within the car park. Whilst there will be modest safety lighting inside the car park, the applicant confirms that this will be carefully controlled and managed to prevent light overspill from the car park, in order for it not to impact on neighbouring occupiers' living conditions.

Consideration of objections not addressed above

- 8.19 Paragraphs 8.1 to 8.18, paragraphs 5.1 to 5.41 and the recommended conditions and obligations contained within the report address the objections and representations received.

9. PLANNING OBLIGATIONS

- 9.1 National Policy and CIL regulations outline the legal requirements for a valid Planning Obligation. Policy KP7 is also relevant and the Council's position reflects careful consideration of the national and local planning policy framework, together with relevant guidance contained within the Council's Supplementary Planning Guidance (SPG).
- 9.2 The following obligations have been requested and agreed with the applicant:

9.3 **TRANSPORT:** A financial contribution of **£250,000** is sought to assist in the mitigation of the impact of traffic on the adjacent highway network, in the form of:

- Improvements to walking and cycling in the vicinity of the site, including provision of improvements to infrastructure associated with the Bay Trail and active travel connections to Mermaid Quay.
- The provision of 2 part time ANPR bus gates, one each on Adelaide Street and Stuart Street, to manage the movement of traffic on the adjacent highway network and particularly to/from the A4232 slip roads to the west of the Butetown tunnel. The contribution is required in the interest of highway safety on the roads in the vicinity of the site and tunnel/A4232 traffic interaction with vehicles using the slip roads.
- The supply and installation of a pole mounted joint traffic management/crime prevention CCTV camera on Stuart Street. In the interest of traffic management and highway safety on the roads in the vicinity of the site and the tunnel/A4232/merging traffic using the slip roads.

9.4 **AIR QUALITY MONITORING:** Additional air quality monitoring will be needed to review air quality levels, at an increased resolution, particularly for NO₂ levels. The proposed indicative costing for such capabilities would total a cost of **£21,000** exc VAT.

9.5 The total planning obligations requested amount to **£271,000**

9.6 It is considered that the above section 106 Heads of Terms fully satisfy the requirements of Circular 13/97 Planning Obligations and the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations, and this offer is recommended to members of Planning Committee.

10. **CONCLUSION**

10.1 For the reasons it is recommended that planning permission be granted, subject to the recommended conditions and relevant parties entering into a s106 agreement.

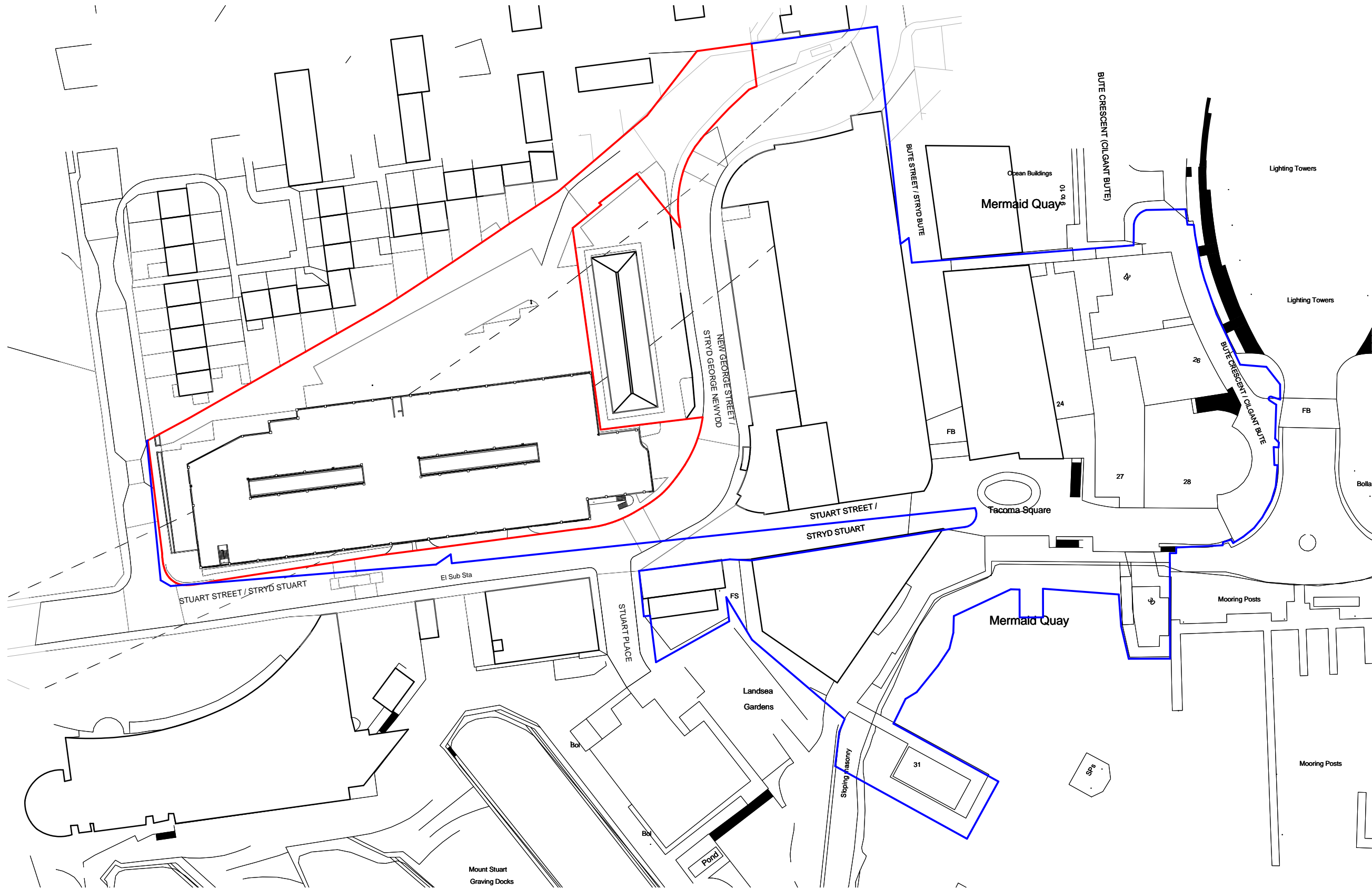
11. **LEGAL CONSIDERATIONS**

11.1 *Crime and Disorder Act 1998:* Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

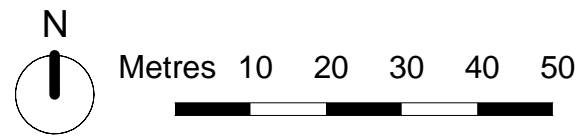
11.2 *The Equality Act 2010* identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or

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.

- 11.3 *Wellbeing of Future Generations (Wales) Act 2016*: Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.
- 11.4 *Statutory pre-application public consultation*: The statutory pre-application public consultation was carried out in accordance with legislation and is considered acceptable.



— Site Boundary
— Land within applicant's ownership



Rev	Description	Drawn	Checked	Date Issued

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 Status PLANNING

Austin-Smith:Lord LLP
 Architects Designers Planners
 Landscape Architects
 one Dunleavy Drive
 Cardiff
 CF11 0SN
 t +44 (0)2920 225 208
 e cardiff@austinsmithlord.com
 Drawings and models powered by
 Austin-Smith:Lord LLP BIM using AutoDesk Revit

Austin-Smith:Lord
 Project Mermaid Quay - Car Park
 Description Site Location Plan
 Job No. _____ Drawing No. _____ Revision _____
 Project Number MQC-ASL-00-00-DR-A-0001

COMMITTEE DATE: 27/07/2020

APPLICATION No. **19/01083/MJR** APPLICATION DATE: 18/04/2019

ED: **RIVERSIDE**

APP: TYPE: FULL

APPLICANT: KESTREL DEVELOPMENTS

LOCATION: BARCLAY COURT, 104-108 CATHEDRAL ROAD,
PONTCANNA, CARDIFF CF11 9LP

PROPOSAL: PROPOSED CONVERSION OF BARCLAY COURT FROM A
RESIDENTIAL HOME TO 18 APARTMENTS (USE CLASS C3),
INCLUDING INTERNAL AND EXTERNAL ALTERATIONS,
ACCESS, CAR PARKING AND ALL OTHER ASSOCIATED
WORKS

RECOMMENDATION 1: That, subject to the unilateral undertaking submitted to the Council being acceptable to the Council's solicitor, to provide contributions in lieu of on- site provision of Public Open Space and Affordable Housing, and Transportation improvements as detailed in section 9 of this report, that planning permission be **GRANTED** subject to the following conditions:

1. APPROVED PLANS

The development shall be completed in accordance with the following approved plans

19-045- 003 - PROPOSED SITE PLAN	REV E
19-045- 008 - PROPOSED GROUND AND FIRST FLOOR	REV I
19-045 - 009 - PROPOSED SECOND & ROOF PLAN	REV G
19-045 - 010 - PROPOSED FRONT ELEVATION	REV E
19-045 - 011 - PROPOSED SIDE ELEVATION	REV F
19-045 - 012 - PROPOSED REAR ELEVATION	REV G
19-045 - 013 - PROPOSED COURTYARD VIEW 1	REV G
19-045 - 014 - PROPOSED COURTYARD VIEW 2	REV H
19-045 - 015 - PROPOSED CONTEXT ELEVATIONS	REV F
19-045 - 022 - DORMER DETAILS	REV A
19-045 - 023 - COURTYARD PLANS AND ELEVATIONS	REV H

Reason: For the avoidance of doubt.

2. TREE PROTECTION

With immediate effect from the date of the granting of planning permission, no excavations shall take place; materials or wastes be stored, or vehicles or plant be parked/sited under the canopy spread of any tree, [including the canopy spread of trees located outside the

application site which cross over the application site boundary] without the written consent of the Local Planning Authority.

Such written consent will be considered only on the basis of the submission of:

- An Arboricultural Method Statement (AMS) detailing the methods to be used to prevent loss of or damage to retained trees within and bounding the site, together with any existing structural planting.

The AMS shall include details of site monitoring of tree protection by a qualified arboriculturist, undertaken throughout the development. 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 AMS and TPP shall be prepared in accordance with the current British Standard 5837.

Reason: As an absolute and immediate prohibition of any works which may affect the health of trees in the area which make a contribution to the character of the conservation area and to enable the Local Planning Authority to assess the effects of the development and proposals on existing trees and landscape; the measures for their protection; and to monitor compliance and to make good any future losses in accordance with Policy KKP 16 and EN8 of the Adopted City of Cardiff Local Development Plan.

3. INTERNAL NOISE LEVELS

Prior to beneficial occupation, unless agreed otherwise by the Local Planning Authority In writing, an acoustic report shall be provided to the Local Planning Authority confirming that all habitable rooms (principal living spaces and bedrooms) are not subject to noise levels (measured internally) in excess of 40 dBA Leq 16 hour during the day and 35 dBA Leq 8 hour at night.

Reason: To ensure that the amenities of future occupiers are protected in accordance with policy EN13 of the adopted Cardiff Local Development Plan.

4. MECHANICAL VENTILATION

All habitable rooms (principal living spaces and bedrooms) fronting Cathedral Road shall be provided with a mechanical ventilation unit.

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 fronting Cathedral Road shall be occupied until mechanical ventilation measures which comply with the above have been installed.

Reason: To ensure that occupants of accommodation fronting Cathedral Road have an option to ventilate their accommodation without the need to open windows fronting the highway in accordance with Policies KP5 and EN13 of the Adopted Cardiff Local Development Plan. .

5. EXTERNAL DUCTING COWLS AND VENTS

Any ducting, cowl or vent necessary to achieve the mechanical ventilation required by condition 4, shall, as far as is practical, be routed internally and any/all external elements provided in strict accordance with details of design, location and finished appearance which shall first have been submitted to and approved by the local planning authority in writing.

Reason: To ensure that the mechanical and electrical installations do not detract from the character and appearance of the building, or the Cathedral Road Conservation Area in accordance with Policy EN9 of the Adopted Cardiff Local plan.

6. PARTY WALL AND FLOOR INSULATION

Unless otherwise agreed by the Local Planning Authority in writing, prior to beneficial use of the flats hereby approved, all party walls and floors in the buildings shall be insulated to mitigate against the passage of sound in accordance with a scheme of detail which shall first have been submitted to and approved by the Local Planning Authority in writing.

For the avoidance of doubt, this condition relates to all party walls and floors between flats; and any party walls with adjoining property.

Reason: to ensure for the amenity of occupiers of the flats approved; and occupiers/users of the adjacent property, in accordance with Policy EN13 of the Adopted Cardiff Local Development Plan.

7. REFUSE STORAGE

The refuse storage facility indicated on the approved plans shall be implemented prior to the occupation of the approved flats and shall thereafter be so maintained.

The store must be capable of accommodating :

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

and be accessible by level or shallow incline hard surfaced routes to any refuse collection vehicle to/from refuse collection vehicles.

Reason: To ensure for adequate facilities for the storage of commercial wastes in accordance with Policy W2 of the Adopted Cardiff Local Plan.

8. CONTAMINATED LAND MEASURES – UNFORESEEN CONTAMINATION

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

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.

9. IMPORTED SOIL

Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be

imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

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

10. IMPORTED AGGREGATES

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

Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

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

11. USE OF SITE WON MATERIALS

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. LIGHTING

Prior to beneficial occupation, the development shall be provided with a scheme of safety/security lighting, to include, but not be limited to access points, main doorways and porch areas, car parking area and pathways in accordance with a scheme of detail which shall first have be submitted to and approved in writing by the local planning authority.

Reason: To provide safe and secure access for residents in accordance with policy KP5 of the Cardiff Local Development Plan.

13. LANDSCAPING

The hard/soft landscaped area indicated on the approved plan shall be implemented in accordance with a landscaping scheme which shall first have been submitted to and approved by the Local Planning Authority in writing; the submitted details shall include

- Scaled planting plan.
- Plant Schedule.
- Topsoil and subsoil specification.
- Tree pit section and plan view showing root available soil volumes per tree.
- Planting methodology.
- Aftercare methodology.
- Implementation programme.
- Hard/Loose surfacing schedule.
- Evidence to show that planting won't conflict with services, including drainage.

The scheme shall thereafter be implemented in the first available planting season further to first beneficial occupation of the flats approved.

Reason: To ensure that an appropriate high quality landscaping scheme is implemented in a timely manner in accordance with policy KP5 and EN9 of the Adopted Cardiff Local Development Plan. .

14. LANDSCAPING PRESERVATION

If within 5 years following implementation, any trees, or planting die, or become diseased, or (in the opinion of the Local Planning Authority) are dying and considered likely to die, they shall be replaced with new trees/plants in accordance with a planting specification, methodology and timeframe to be agreed with the Local Planning Authority prior to replacement.

Reason: To ensure for the establishment and maintenance of a quality landscaping scheme for the benefit of the occupants and character and appearance of the conservation area in accordance with policy KP5 and EN9 of the Adopted Cardiff Local Development Plan.

15. MATERIALS AND FINISHES

Prior to beneficial occupation, the development shall be completed in accordance with a palette of materials and finishes which shall first have been submitted to and approved by the Local Planning Authority in writing.

Reason: To ensure all new external materials and finishes are appropriate to the local context and architectural character of the building which makes a positive contribution to the character and appearance of the Cathedral Road Conservation Area in accordance with policies KP5 and EN9 of the Adopted Cardiff Local Development Plan.

16. CYCLE STORE

The cycle store indicated on the approved plans shall be implemented prior to first beneficial use of the approved flats, and shall thereafter be so maintained.

Reason: To encourage and provide for travel by sustainable modes now and in the future in accordance with the aims of Policy T1 of the Adopted Cardiff Local Development Plan.

17. Any new / replacement / modified windows or doors shall be of a specification and design which shall first have been submitted to and approved in writing by the local planning authority.

Reason: To ensure that any new / replacement / modified windows or doors will preserve and enhance the character and appearance of the Cathedral Road Conservation Area in accordance with policy EN9 of the Adopted Cardiff Local Development Plan

18. Prior to beneficial occupation of the development, the area of the removed infill between No.'s 104 and 106 Cathedral Road shall be made good in accordance with a scheme of detail and methodology of works which shall first have been submitted to and approved by the Local Planning authority in writing.

Reason: To ensure that any making good will preserve and enhance the character and appearance of the Cathedral Road Conservation Area in accordance with policy EN9 of the Adopted Cardiff Local Development Plan

19. Prior to beneficial occupation of the development, the three apex gable roof dormer extensions fronting Sophia Walk must be completed in accordance with a scheme of architectural detailing which shall first have been submitted to and approved by the Local Planning Authority in writing.

Reason: To ensure that the form and finish of the dormer extensions matches as closely as possible the character of a roof extension of the period of the construction of the main property and contributes positively to the character of the Cathedral Road Conservation Area in accordance with policy EN9 of the Adopted Cardiff Local Development Plan.

RECOMMENDATION 2 : That the developer be advised that 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 developer be provided with a copy of the comments of Natural Resources Wales, and of the Police Architectural Liaison Officer, but be reminded that any measures they are minded to pursue in respect of flood defences or security may require approval as part of the details required to be submitted in discharge of conditions, or may in themselves require a separate planning permission and should be discussed with the Local Planning Authority prior to execution.

RECOMMENDATION 4 : That the developer be advised that any new connections to the public sewerage system will require the approval of Welsh Water Dwr Cymru; and any modification to surface water discharges from the building may require the approval of the Council as the Sustainable Drainage Authorising Body and should ensure that all proposed drainage systems have secured all necessary approvals.

RECOMMENDATION 5 : That the developer be advised that :
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 6 : That the developer be advised that the development may require the approval of the Council as the Sustainable Drainage Authorising Body (SAB Approval); and that enquiry should be made with the Council's drainage division in this regard.

1. DESCRIPTION OF PROPOSED DEVELOPMENT

- 1.1 Planning permission is sought for the change of use of three adjoining properties on Cathedral Road, which were formally used as a nursing home, into 18 No. flats. The development includes for the removal of substantial previous additions to the properties, and for the adaptation of the existing buildings, including the use and extension of their rear annexe roof voids for habitable accommodation.
- 1.2 The works include for a shared amenity space, a 16 ½ space vehicle parking area and separate cycle storage/amenity facilities.
- 1.3 The roof adaptations include for the provision of three rear apex roof projections to the NW facing roof slopes of No. 104 and 108 Cathedral Road (6 projections total) together with the provision of 8 rooflights across all three properties.
- 1.4 The fabric to be removed includes for the demolition of a non original two storey link between 104 and 106 Cathedral Road, lower level infilling between those two properties, and the removal of a ground floor extension to the rear of 108 Cathedral Road.
- 1.5 A pedestrian access would be reinstated between 104 and 106 Cathedral Road.
- 1.6 The proposals have been subject to long term negotiation with case officers and multiple amendments; the amended plans now before Committee confirm that there is no longer any proposal to enlarge the rear wings of the property as originally proposed.
- 1.7 Other than in respect or the proposed apex dormer roof extensions, the plans return the properties to the arrangement which existed as originally constructed.

2. DESCRIPTION OF THE SITE AND AREA

- 2.1 The application site is within a traditional Victorian/Edwardian Street characterised by principally semi-detached 'villas' , primarily finished in stone laid in thin courses with Bathstone detailing to quoins, laid as banding, and to window surrounds and bays. Most properties are designed with a projecting rear annexe as mirrored semi-detached pairs.
- 2.2 The application site consists of three buildings, 104 being the northern half of a pair of villas, with a three sided, two storey parapet bay window below a an

apex gable, and 106 and 108 being a semi-detached pair, but more unusually having an arrangement of asymmetrical, rounded, two storey bay windows, under scalloped gables.

- 2.3 The buildings are 'locally listed' as being of local architectural merit, but do not meet the criteria to be recognised as buildings of National Significance. i.e. they are not statutory 'Listed' buildings, and are not protected by any additional regulatory controls.
- 2.4 108 Cathedral Road is bounded by a service lane to the northwest, 'Sophia Walk'. This access joins another lane to the north east which divides the rear of properties on Cathedral Road from Sophia Gardens which is enclosed by a tall stone wall. Properties between 42 and 108 Cathedral road historically had very long rear gardens. Many of these gardens have been divided to allow for separate 'coach house' developments to be formed to the rear. This is true of the application site, and also of nearby properties at 84,90-92, 94-96 and 98-100 Cathedral Road. These are now addressed as numbers 70 to 98 Sophia Walk.
- 2.5 108 Cathedral Road retains 60m of its originally 85 m long plot length. The remaining 25m now forming the curtilage boundary of 98 Sophia Walk, one of a pair of two storey semidetached dwellings with a central undercroft access located to the rear.
- 2.6 To the Northwest (opposite the 108 Cathedral Road side boundary) Sophia Walk abuts the side boundary of 110 Cathedral Road which is of similar character to the application buildings, but which is built on a shorter plot (as are all properties up to number 192 Cathedral Road) to allow for the construction of the more modest two storey terraced side streets between Dyfrig St and Teilo Street. Sophia Walk to the NW of the application site thereafter abuts rear garden boundaries of properties to the southern side of Dyfrig Street. These typically present single storey domestic garage / outbuildings to the lane.
- 2.7 Cathedral Road is a Conservation Area; and the application buildings are typical of those which make up the principal character of the area.
- 2.8 The buildings are recognised as being of Local architectural merit, but are not Statutory 'Listed' buildings.
- 2.9 The area is in the C1 flood zone (benefiting from flood defence infrastructure).

3. PLANNING HISTORY

09/00917 Installation of fume extraction equipment to rear of premises. Granted Aug. 2009.

01/00155 New boundary wall between care home and Mews development to rear Granted Mar. 2001

00/01974 Extension Granted Dec. 2000

99/01852 Demolition rear garage/erection 2 Mews cottages. Granted Mar. 2000.

4. POLICY FRAMEWORK

National Planning Policy

Planning Policy Wales (10th Ed, 2018)

Ch6. Distinctive and Natural Places

The Historic Environment

WG Technical Advice Note(s)

- Technical advice note (TAN) 2: planning and affordable housing – June 2006
- Technical advice note (TAN) 12: design – March 2016
- Technical advice note (TAN) 15: development and flood risk – July 2004
- Technical advice note (TAN) 24: the historic environment – May 2017

Local Planning Policy

Cardiff Local Development Plan 2006-2026

KP5: GOOD QUALITY AND SUSTAINABLE DESIGN

KP7: PLANNING OBLIGATIONS

KP8: SUSTAINABLE TRANSPORT

KP15: CLIMATE CHANGE

KP16: GREEN INFRASTRUCTURE

KP17: BUILT HERITAGE

H2: CONVERSION TO RESIDENTIAL USE

H3: AFFORDABLE HOUSING

H6: CHANGE OF USE OR REDEVELOPMENT TO RESIDENTIAL USE

EN9: CONSERVATION OF THE HISTORIC ENVIRONMENT

EN14: FLOOD RISK

T1: WALKING AND CYCLING

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

W2: PROVISION FOR WASTE MANAGEMENT FACILITIES IN
DEVELOPMENT

Supplementary Planning Guidance

- Flat Conversions (March 2019)
- Food, Drink And Leisure Uses (November 2017)
- Green Infrastructure SPG :
- Protection And Provision Of Open Space In New Developments

- Planning obligations (January 2017)
- Residential Extensions And Alterations
- Waste Collection & Storage Facilities (October 2016)

5. INTERNAL CONSULTEE RESPONSES

5.1 The Operational Manager (Traffic and Transportation)

Notes that the existing car parking area would be enlarged to include the garden of No. 104 and suggests that the traffic movements associated with the new flats would likely be greater than that of the former care home. On this basis £10,000 is requested as a contribution to allow for the resurfacing, signing and lining of Sohia Walk in the area of the car park access.

The reinstatement of a pedestrian access from the car park to the building entrances on Cathedral Road (between 104 and 106 Cathedral Road is welcomed.

29 cycle spaces (one per bedroom) would be required to meet current guidelines and would need a minimum horizontal footprints of 0.5m and not all be of the vertical/semi-vertical type.

It is not considered that street lighting needs to be introduced on the lane as a result of this development.

5.2 The Operational Manager (Waste Management)

Future site plans need to show the full bin provision, as specified below, can be accommodated within the store, with sufficient space around each receptacle (0.2m on all sides, 0.5m at the front of bulk bins to allow the lifting of the lid). Please ensure the refuse storage area is large enough to accommodate the following recommended provisions for 45 apartments:

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

Please note, the collection method utilised by Cardiff Council will likely change in the future which could result in different/more receptacles being required for the storage of waste between collections. In light of this, the bin store areas should allow a degree of flexibility in order to be able to adapt to potential collection changes. (We are currently trialling a separate glass collection in certain areas).

A designated area for the storage of bulky waste is now a compulsory element of all communal bin stores. The City of Cardiff Council offers residents a collection service, for items which are too large to be disposed of in general waste bins (i.e. fridges, televisions, mattresses etc.). There must be a designated area where these items can be left, with appropriate access to allow Council collection crews to remove. This area will prevent unwanted waste

being left in the communal bin store or other areas, thereby improving the aesthetics of the site

Communal bin stores should have double doors that open outward with retainers. Surfaces should be smooth and impervious to permit cleaning and the floor must be laid to create suitable drainage. Adequate lighting must be provided- natural or artificial, and good natural ventilation if completely enclosed.

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. The maximum distance we expect crews to pull bins is 25m if the distance from the bin store to the refuse vehicle is further than this then a collection point near the access would have to be designated and details of who would be responsible for moving the bins to and from the collection point would need to be provided.

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.

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

5.3 **The Operational Manager (Parks and Sport)**

5.4 Suggests that the establishment of permanent residential flats, as compared to the former care home use, will generate an increased usage of public parks and amenities. As such the conversion to residential use would generate a requirement a financial contribution in lieu of the provision of public open space as part of the development. Current supplementary Planning Guidance and POS calculator would indicate that a contribution of £ 30,400 would be required to achieve policy compliance .

5.5 **The Operational Manager (Housing)**

Notes that no affordable housing units are proposed as part of the conversion, and would therefore require a financial contribution in lieu of such provision to support affordable housing needs elsewhere in the City.

The Housing Manager calculates that a contribution of £224,924 would be required to meet policy/supplementary planning guidance calculations in this instance.

5.6 **The Operational Manager (Flood & Coastal Risk Management)** has been consulted, no representations have been received.

5.7 **The Council's Ecologist** has been consulted. No representations have been

received.

5.8 Shared Regulatory Services (Contaminated Land)

In reviewing available records and the application for the proposed development, the site has been identified as a former residential home. Contamination is not known at this site, however the potential for this cannot be ruled out. I would therefore advise the use of the 'unforeseen contamination' condition.

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

Shared Regulatory Services would request 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:

CONDITIONS

PC14D. CONTAMINATED LAND MEASURES – UNFORESEEN CONTAMINATION
PC15A IMPORTED SOIL
PC15B IMPORTED AGGREGATES
PC15C USE OF SITE WON MATERIALS and
ADVISORY INFORMATIVE R4

5.9 Shared Regulatory Services (Pollution Control)

The pollution control manager has been consulted. No comments have been received.

6. EXTERNAL CONSULTEE RESPONSES

Welsh Water Dwr Cymru

On the assumption that there will be no alterations to the existing drainage arrangement and that there will be no net increase in surface water generated we have no objection to the above application.

A water supply can be made available to serve this proposed development. The developer may be required to contribute, under Sections 40 - 41 of the Water Industry Act 1991, towards the provision of new off-site and/or on-site water mains and associated infrastructure. The level of contribution can be calculated upon receipt of detailed site layout plans which should be sent to the address above.

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.

6.1 Natural Resources Wales

Recognising the particular nature of this application, we have no objection to the proposals.

6.2 Flood Risk

As you are aware, the application site lies entirely within Zone C1, as defined by the Development Advice Map (DAM) referred to in Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Our Flood Map information, which is updated on a quarterly basis, confirms the site to be within 1% (1 in 100 year) and the 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the River Taff, a designated main river.

6.3 This application presents an opportunity to raise awareness of the flood risk to the current/ future occupiers of the property, incorporate flood resistance/resilience measures into the refurbishment works, and make provisions for flood warning and emergency access/ egress. To aid your decision making, you may wish to ask the applicant to submit an FCA. Alternatively, the Applicant may decide to undertake an FCA for their own benefit.

6.4 The criteria for the FCA, which should normally be undertaken by a suitably qualified person carrying an appropriate professional indemnity, are given in Section 7 and Appendix 1 of TAN15. The FCA should be appropriate to the scale and nature of the development being proposed. If the building and/or access/egress routes are shown to flood during events up to and including a predicted 0.1% flood event, the FCA should propose suitable and appropriate mitigation measures to reduce the effects and consequences of flooding.

6.5 Flood resistance/resilience measures that could be incorporated into the development include flood barriers on ground floor doors, windows and access points, implementation of suitable flood proofing measures to the internal fabric of the ground floor, and locating electrical sockets/components at a higher level above possible flood levels. Appropriate measures and advice is set out in the ODPM publication 'Preparing for Floods and information from CIRIA (www.ciria.org/flooding) and the Environment Agency websites (www.environment-agency.gov.uk click on 'flood' in subjects to find out about, and then 'floodline'). Please be aware that "Flood Resistance" measures i.e. prevention of floodwaters entering a building, are only recommended in situations where the flood depths do not exceed 600mm.

6.6 We suggest you consult other professional advisors (e.g. Emergency Planners, Emergency Services, Building Control) on the acceptability of proposals and on matters we cannot advise on, such as, emergency plans, procedures and measures to address structural damage that may result from flooding. Please note, we do not normally comment on or approve the adequacy of flood emergency response and procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users.

6.7 Further Advice to Applicant

6.8 We recommend you consider the future insurability of this development now. Although we have no involvement in this matter we would advise you to review the Association of British Insurers published a paper, 'Climate Adaptation: Guidance on Insurance Issues for New Developments', to help you ensure any properties are as flood proof as possible and insurable. The paper can be found via <http://www.abi.org.uk/content/contentfilemanager.aspx?contentid=24988>

6.9 Bats (European Protected Species)

6.10 We recommend you seek the advice of your in-house ecologist to determine if there is a reasonable likelihood of bats, a European Protected Species, being present within the application site. If so, in accordance with Technical Advice Note 5: Nature Conservation and Planning (paragraph 6.2.2) a bat survey may be required.

The survey should be carried out in accordance with 'Bat Surveys; Good Practice Guidelines 3rd Edition' published by the Bat Conservation Trust 2016.

We therefore have no comments to make on the application, as submitted, with regards to bats. Please consult us again if any survey undertaken finds that bats are present at the site and you require further advice from us.

6.11 Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our website. 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. We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents relevant to their development. Please refer to our website for further details.

6.12 South Wales Police

South Wales Police have no objection but feel the design and access statement / planning statement failed to explain how community safety issues were to be addressed through design. As a result South Wales Police make the following recommendations:

- 1 All individual flat entrance doors comply with PAS24 2016 standards reason *to prevent burglary*.
- 2 Any communal entrance doors serving flats should be fitted with audio-visual access control features reason *to prevent unauthorised entry*.

- 3 Any private or rear parking / communal garden areas need to be protected by secure 1.8m min walling/fencing/gating reason *to prevent burglary and theft.*
- 4 Cycle storage should be provided in a secure enclosed cycle storage structure reason *to prevent cycle theft.*
- 5 There should be external utility meter reading facilities at the front building elevations reason *to prevent distraction type offences.*
- 6 All external communal areas should have adequate lighting including access pathway to rear flat (min average of 10 lux for parking area) reason *to prevent crime and provide personal safety.*
- 7 The entrance off the rear parking to courtyard between flats 4 and 5 should be gated (min 1.8m) if there is no gate on rear entrance to prevent access to hidden area and bedroom windows reason *prevent burglary and invasion of privacy.*
- 8 At the front of development design has created a hidden alleyway alongside flat 2, this needs to be gated (min 1.8m) to prevent unauthorised access reason *to prevent burglary and invasion of privacy.*
- 9 The courtyard area with planters at front should be adequately lit (min 10 lux average) reason *to prevent crime and enhance personal safety.*
- 10 There should be appropriate risk assessments carried out to ensure adequate fire prevention, warning and evacuation measures are in place reason *to preserve life.*
- 11 South Wales Police recommend that the development is built to Secured by Design standards which have been proven to reduce crime risk by up to 75% further information on Secured by Design can be found on www.securedbydesign.com

6.13 Cardiff Civic Society

Cardiff Civic Society wishes to object to the number of dwellings proposed by Kestrel Developments in their conversion of Barclay Court, Cathedral Rd from a care home to a residential complex.

We believe that 21 dwellings represents an unacceptable overdevelopment of the site. Cathedral Rd is already hugely congested, and 21 further households will add unreasonable pressure to an area that is at capacity now. Adding so many households to the region, with their associated vehicles, will also create a significant amount of pollution in an area of Cardiff that is currently close to the legal limit for 'nox' pollution.

Cardiff Council is already being sued by Client Earth due to its failure to provide clean air for its citizens, and cannot afford to have further law suits on this matter.

It is clear that the developer is putting profit before the health of the community with this proposal. Cathedral Rd is also a Conservation Area, and overdevelopment of this nature is contrary to the spirit of conservation.

The Civic Society maintained its objection in respect of the latest amended plans consultation.

7 REPRESENTATIONS

7.1 The application was advertised by way of neighbour notification letters, site notices and advertisement in the local press. Those who made representations were also consulted on amended plans.

7.2 Neighbour Representations

7.3 A Neutral comment in respect of the condition of Sophia Walk has been received from the occupier of 112 Cathedral Road.

7.4 Objections have been received from 102 (Owner Occupier); 102 (Dental Practice); 105; and 110 Cathedral Road; 98; 94; 92 and 86 Sophia Walk; and from 100 Clive Road.

7.5 The reasons for objection are cited as

- inadequate parking space proposed;
- inadequate site capacity for car parking;
- likely resulting adverse impact on access to Sophia Walk and surrounding streets for refuse/service/emergency vehicles and patients.
- No resident parking scheme in operation in the area.
- Further degradation of poor surfacing condition of Sophia Walk by construction traffic and future increased vehicle movements
- Impact on the front garden and Acer trees
- Loss of outlook
- Loss of privacy/overlooking
- Loss off sunlight
- Contrary to Policy H6 and KP5, KP17 and EN9
- Construction Traffic (Amenity)
- Extension scale
- Extension design
- Roof extension design
- Not in keeping with Conservation Area
- Out of accord with PPW as does not preserve historic character
- Adverse impact on local businesses
- The majority of works have been completed

8. **ANALYSIS**

8.1 **EIA**

The development has been screened in respect of the T&CP Environmental Impact Assessment Regulations (Wales) 2017 and found not to constitute EIA Development / be likely to have such significant environmental effect as to require the submission of an Environmental Statement to allow the Local Planning Authority to determine this application.

8.2 **Principal Matters**

The principal matters for consideration are the impact of the extensions on the Character and Appearance of the Cathedral Road Conservation Area; and the impact of the development on the amenity of neighbours.

8.3 **Land Use**

The application site falls within the settlement boundary as defined by the LDP Proposals Map and has no specific designation or allocation.

The surrounding area is primarily residential in nature.

The premises were formerly used as a residential care home. The application has therefore been assessed against Policy H6: [Change of Use or Redevelopment to Residential Use].

Policy H6 permits the change of redundant premises or redevelopment of redundant previously developed land for residential use where:-

- i. There is no overriding need to retain the existing use of the land or premises and no overriding alternative local land use requirement;
- ii. The resulting residential accommodation and amenity will be satisfactory;
- iii. There will be no unacceptable impact on the operating conditions of existing businesses;
- iv. Necessary community and transportation facilities are accessible or can be readily provided or improved; and
- v. It can be demonstrated that the change of use to a more sensitive end use has been assessed in terms of land contamination risk and that there are no unacceptable risks to the end users.

The care home is no longer in use and given the character and context of the area, being predominantly residential and located in a highly sustainable location in close proximity to a range of local services and facilities, including Cathedral Road Local Centre and Cardiff City Centre facilities and being well served by public transport, the application raises no land use policy concerns.

8.4 Good Quality and Sustainable Design

Scale and Massing

Further to revision, amended plans confirm the scheme is now essentially limited to the building envelope of the property as originally constructed. No extensions other than the apex dormer roof projections are proposed. The various substantial non original extensions are removed to be replaced by a courtyard/garden amenity area, and an access pathway reintroduced between 104 and 106 Cathedral Road. This package of works is very welcome, from both a design and conservation perspective.

Amenity of future occupiers

In respect of space standards, The proposed accommodation meets Supplementary Planning Guidance criteria in respect of advisory floorspace standards for the number of bedrooms proposed in each of the flats ranging from the smallest 1 bed flat at 40m² to the largest 3 bed flat at 80m².

The conversion utilises the roof space within the rear annexe wings to provide additional second floor level accommodation. The rear annexe wings of 104 and 106 Cathedral Road face each other at a distance of approximately 6m and the design seeks to mitigate any privacy issues by relating vertical glazing within three apex dormer roof projections at 104 Cathedral Road to four slightly offset in-plane rooflight windows at 106 Cathedral road, these are set into the roofs and provide a separation distance of approximately 7.5m. Given the context, angle of view and positioning of the roof projections/rooflights this is considered to afford an acceptable level of privacy between opposite occupants in the given context, as it is no different or better than the relationship existing between annexe windows at lower levels, or in many other instances in the area.

Also given that the accommodation is market housing, it would be a buyers choice whether this relationship was considered acceptable.

Conversion of existing building

Further to removal of the non-original extensions, which is welcomed, the overlooking relationships within the inner courtyard of the properties are as existing, and as exhibited between many detached and semi-detached pairs of properties along the road consistent with their original build. Although the privacy relationships do not conform with the 10.5m / 21m separation distances between habitable room windows for new build houses suggested in the Council's SPG for residential design, the relationships are considered appropriate and consistent with established relationships in the area.

The flats would be required to achieve a minimum level of sound insulation between adjacent units and adjacent property under current Building Regulations requirements.

8.5 Amenity of residents of nearby properties

Density

In respect of density, the amended drawings indicate a reduction in the overall number of flat units proposed to 18 Total. These comprise,

9x	1 bedroom units
7x	2 bedroom units
2x	3 bedroom units

This would provide a total 29 bedrooms / 20 double beds and 9 single beds. Although it is exceptionally unlikely that each bed would be occupied to capacity, this would provide an absolute maximum of 49 sleeping spaces.

It is noted that a comparison was raised by one of the objectors on an earlier version of the plans to that of the former care home, which it is understood was licensed for 39 residents.

As such when taking into consideration levels of staffing, and general levels of occupation of multi bedroom flat units, it is not considered likely that there would be a discernible difference in terms of levels of occupation between that of the former care home use and the residential scheme as amended.

Privacy

In respect of privacy to residents of adjacent properties. The rear annexe projection of 108 Cathedral Road would face the rear annexe projection of 110 Cathedral road at a distance of approximately 10.8m. Both property annexes contain large windows as existing. The provision of additional apex dormer windows to the northern roof slope of 108 Cathedral Road above the existing windows but at a distance of approximately 11.8m is not considered to unduly impact on the existing relationship between the two properties.

The distance between the rear bay windows within the application property and the Boundary/window plane of the properties in Sophia Close to the rear is approximately 38m and 50m respectively. There is not considered to be any adverse privacy relationship at this level of separation.

Noise

The expected noise/activity levels emitted from the proposed flats is not considered likely to be materially different to that emitted from the care home. To achieve Building Regulations compliance, the premises will need to be adequately insulated to mitigate against noise transference between flats and between adjoining properties.

8.6 Historic Environment

Policies KP17 and EN9 apply

Specific objections to the design of the larger extensions originally proposed are noted, however these have now been removed from the scheme at the planning officer's request.

Specific objection to the roof projection proposals from neighbours on historic environment grounds remain.

It is noted that three of the centrally ridged roof gable presentations would be inward facing and not highly visible from public land. It was considered whether the pitch of the roofs might be increased to appear more Victorian, but this would increase the overall height of the roof projections, and the current proposal was therefore considered to provide an acceptable balance of height and massing.

Although Victorian and Edwardian properties often included skylights in their design, a proliferation of rooflights was not characteristic of the period of construction. In this respect the placement of rooflights on roof slopes less easily viewed from public land is considered appropriate and acceptable, and the use of apex dormers on slopes with a greater public view more appropriate.

The impact of the presentation of a further three apex dormers to the NW facing annexe roof slope of 108 Cathedral Road, toward the Sophia Walk access lane/side elevation of 110 Cathedral Road has been considered. The gables would be visible from the Sophia Gardens end of the access lane, but would not be visible from Cathedral Road, as the annexe wings are set far back into the return of the main building. As this is the case, the gables are not considered to adversely impact on the character or appearance of the area as experienced from the principal highway.

The Gables would also be visible across rear gardens if viewed from Dyfrig Street, at a distance of circa 45m. At this distance the gables are not considered to be overly domineering features, and are not in any event uncharacteristic of many features on the rear of buildings in the area, nor if considered against historic apex gable projections which define the character of some terraces, such as Dyfrig Street itself. As this is the case the apex dormer projections are not considered unduly harmful to the character of the area. A condition relating to the architectural detailing of the gables is also recommended to attempt to ensure that the gables have an appropriately historic character. The planning Officer is aware that the carcass of the gables has been erected in recent weeks, and the agent advised that this is both premature and at risk, and may require revision to achieve appropriate detailing.

Façade changes to Cathedral Road.

The proposals to remove the infill between 104 and 106 Cathedral Road are generally welcomed. The works will require cleaning and making good of the returns of the infill at upper levels. The retention of the arched opening at ground

floor level, whilst not thought original, is not objectionable.

Overall, the removal of the infill and rear extensions to the application properties and their effective replacement with a small number of roof extensions in secondary planes of the buildings is considered to have a neutral impact in terms of the historic environment which policies KP17 and EN9 of the LDP seek to preserve.

The execution/making good of these works can be controlled by condition.

8.7 Tree preservation/protection

A large street tree is located on the footway in front of 108 Cathedral Road; and a large TPO tree exists within the front garden of 102 Cathedral road which has a canopy overhanging 104 Cathedral road and potentially both have root structures which may extend into the application site. There is also a group of young maple trees within the front garden of the application site.

The Council's tree officer has commented that whilst the development does not appear to impact on any trees directly, harm could result to trees on third party land, It would seem reasonable therefore to seek the establishment of protective fencing during construction works to ensure no storage or excavations are undertaken under the canopy spreads of these trees.

The Tree Officer has suggested standard Tree Protection / Arboricultural Method Statement conditions be applied, and this can be accommodated and would take effect from the time any planning permission were granted .

8.8 Sustainable Transport

Policies KP8, and T1 apply, the above policies seek to direct development to sustainable locations and where modes of travel which are more sustainable than combustion engine vehicles are practical and encouraged.

The site is in a very sustainable location for residential use, being within metres of the Cathedral Road district centre and its shopping offers and amenities; and also within easy walking distance of the Canton shopping area and the town centre; and also to city wide and national transport interchanges located there and within Sophia Gardens.

Neighbour objections citing a lack of car parking space for residents is noted, but not concurred with. The revised scheme provides for a mix of 16 car parking spaces, room for a motorcycle, and 29 cycle spaces. This is considered acceptable in this location where local services and facilities can easily be accessed by walking. The Car parking ratio of a maximum of one parking space per unit is also confirmed as policy compliant.

Further objection comments suggest that the development will effect an increased demand for already inadequate available on street car parking spaces in the surrounding area. It is accepted that there is a potential to this,

however the existing levels of demand is evident and will likely make potential residents reassess their need for a car as well as the appropriateness of the property if they only deem property with a dedicated car parking facility a necessity. There is nothing to suggest however that the 16 space allocation for 18 units in a city centre location is an inadequate provision.

Service Vehicle Access Difficulties

Objection has been raised on the basis that the development will exacerbate existing access difficulties for service and emergency vehicles caused by increased demand for car parking spaces in Sophia Walk and the surrounding streets. Sophia Walk and surrounding streets are noted to be adopted highways with existing traffic orders and finite capacity. Any breach of traffic orders, or obstruction of the highway would be a matter for traffic / law enforcement officers. There is nothing inherent in the proposals which would suggest that conversion of the property to flats would be more likely to exacerbate any access or manoeuvring difficulties for service vehicles in the lane.

Highway Improvements

The Transportation Officer's comments are noted as is the request for a financial contribution toward improvement works to Sophia Walk. Neighbour comments and objections have also stated concern over the impact of the development on the condition of the lane in terms of potential damage caused by construction vehicles and generally in respect of potentially increased usage.

The applicant has agreed to the payment of £10,000 to offset any necessary highway works.

The Planning Officer has noted however that the lane is an adopted highway and falls to be maintained by the Council through general revenues. Although the surface condition of the lane is not perfect, and poor in places, it is not considered that any increased usage of the lane as might occur as a consequence of the development would warrant the payment of a financial contribution to the Local Authority.

However In respect of the potential for the development to cause damage to the lane as a consequence of the movement of construction vehicles, the request for a commuted payment toward resurfacing of the highway is considered to meet relevant planning tests of relevance reasonableness and proportionality.

8.9 Walking and Cycling

The scheme has been altered to provide a covered cycle storage facility between No's 104 and 106 Cathedral Road. The storage facility benefits from passive overlooking by residents and is positioned in an area generally screened from view of the General public. The agent confirms that the scheme will accommodate 29 cycle spaces in accordance with Supplementary Planning Guidance ratios. This can be secured in perpetuity by means of condition.

8.10 Climate Change/Flooding

Policies KP15 and EN14 apply. The area has flooded historically, but is well established residential area of the City and has for many years also benefitted from additional flood defences to the Taff River.

The application site lies entirely within Zone C1, as defined by the Development Advice Map (DAM) referred to in Technical Advice Note 15: Development and Flood Risk.

General residential usage is classified as a highly vulnerable use; but there is evidently precedent of the property being used for care home purposes by arguably persons of even greater vulnerability than is proposed immediately prior to this application proposal. It would therefore be perverse to consider such a use unacceptable in principle in these properties.

It is noted that NRW confirm no objection to the proposal but rather unusually suggest that as it is located within the 1% (1 in 100 year) annual probability fluvial flood outlines of the River Taff, that the application presents an opportunity to raise awareness of the flood risk to future occupiers of the property, to incorporate flood resistance/resilience measures into the refurbishment works, and make provisions for flood warning and emergency access/ egress in the event of an extreme flooding event.

As such the applicant was reasonably requested to undertake a flood consequences assessment/plan.

The assessment confirms that TAN 15 indicates (para 6.2) that new development should only be permitted within zone C1 if determined by the planning authority to be justified in that location against relevant criteria.

The relevant criteria are as follows:

- i. Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; or
- ii. Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region; and
- iii. It concurs with the aims of PPW and meets the definition of previously developed land; and,
- iv. The potential consequences of a flooding event for the particular type of development have been considered.

The conclusion of the assessment is that the site complies with the criteria outlined in TAN 15 in regard to justification for the location of development. In that it is located in a residential settlement boundary within the LDP; it conforms with the definition of previously developed land and critically that the site level

(approximately 8.0m AOD) is above the impounded water level of 7.5 m and should protect the development in all but an extreme flooding event.

The planning officer is therefore satisfied that the applicant is aware of the potential for flooding and has the opportunity to consider implementing flood defence measures into the fabric of the building; and to advise future occupiers of the potential for flooding accordingly. This is reflected in a secondary recommendation of this report and the development considered justified in this location on this basis.

8.11 Affordable Housing

Policy H 3 in combination with the Council's adopted Supplementary Planning Guidance would require 20% of the accommodation provided in a brownfield conversion to be provided as affordable accommodation.

The Housing Managers comments are noted and also the request for a financial contribution in lieu of on-site affordable housing provision.

The developer has been advised of this but has indicated that the scheme is not able to support such a contribution along with other contributions requested. The developer has provided a viability appraisal to confirm this, but has also suggested a contribution which they would offer to try and achieve some of the Council's Planning Policy Objectives as outlined in section 9 of this report.

8.12 Provision Of Open Space

Policy C5 applies and seeks to ensure an appropriate level of public open space is provided in new build development and in residential conversions. Where no provision of Public Open Space can be made on site, a financial contribution is sometimes acceptable in lieu of such provision calculated against the formulae provided in the Council's Adopted Supplementary Planning Guidance. The Parks Officer has confirmed that a financial contribution would be acceptable in this instance in order of £30,400.

The developer has been advised of this but has indicated that the scheme is not able to support such a contribution along with other contributions requested. The developer has provided a viability appraisal to confirm this, but has also suggested a contribution which they would offer to try and achieve some of the Council's Planning Policy Objectives as outlined in section 9 of this report

8.13 Waste Management Facilities

Policy W2 applies. The scheme makes adequate provision for waste storage in the form of a bin store located adjacent to the vehicle access to the property off Sophia Walk. The capacity and location appear policy compliant and the storage facility can be required and maintained by means of condition.

8.14 Other Matters Raised By Objectors

- *No resident parking scheme in operation in the area.*

Residents may approach the Transportation Department to enquire as to the potential for the implementation of a resident parking scheme at any time, and any request would be considered on its merit.

- *Loss of outlook*

As amended the scheme would realise a lesser mass of building than existing and would not impact on outlook from neighbouring residences.

- *Loss of sunlight.*

In comparison with previous iterations, this scheme would have very little impact on shadow casts to surrounding properties, given that the dormer projections do not exceed the ridge of the annexe roofs.

- *Construction Traffic (Amenity)*

Generally acceptable levels of nuisance as maybe caused by construction activities are regulated by Section 60 of the Pollution Control Act 1974. This would apply as it is applied to all development in the city. There is nothing in the scheme to suggest that the context would warrant departure from the regulations as generally applied.

- *Adverse impact on local businesses*

This objection was lodged in respect of suggested impact on levels of available car parking space for operators and clients of local businesses. As indicated elsewhere in the report, the development proposes an acceptable level of off street parking for the development proposed. Short term on street parking is available locally, and public transport options are available. The development is not considered likely to have such an adverse effect on local business operations as to warrant the refusal of permission.

- *The majority of works have been completed*

It is understood that refurbishment works to the properties have been ongoing for some time. Members are advised that Internal remodelling would not in itself require planning permission; however an Officer of the department confirmed in mid-June that external alterations which require planning permission had been undertaken to 108 Cathedral Road. The applicant has been advised that these works are entirely at risk and would be subject to consideration of enforcement action should planning permission not be obtained. If this were to be the case, Members are advised that the works would have to be considered to be causing demonstrable harm to warrant the service of an enforcement notice.

- *Development will add to/be affected by 'nox' pollution levels.*

Air quality is a concern of the Local Authority who are working to improve levels in worst affected areas of the City. In this particular instance, this area of Cathedral Road is not in an air quality management area. The development is for residential use in a number of buildings previously used for residential use. The development will accommodate 16 car parking spaces over three plot widths and will replace, on the basis of photographic record, 8 previous spaces provided over 2 plot widths. This is a relatively small increase in potential off street car parking capacity, and unlikely to significantly impact on nox levels. It is also hoped that given the sustainable location, that occupiers would also choose more sustainable modes of travel in this location, irrespective of off street car parking provision.

Cathedral Road is a busy road, but in this location does not become congested outside of peak hours, It is also not subject to traffic light control, or traffic movement limitations in the area immediately outside of the application premises and so would not ordinarily see traffic stopped or waiting with engines running as might take place at major junctions or interchanges, and residents would not be subject to elevated nox levels as are more typical in such locations.

A recommendation to refuse planning permission for a flatted development in place of a former care home use on air quality grounds is therefore not considered justifiable in this instance.

- *Overdevelopment is contrary to the spirit of conservation.*

The development as amended is not considered to constitute overdevelopment

9. **Section 106 Matters**

- 9.1 The Developer has been advised of the requests for contributions to be made in respect of Highway Improvements, Affordable Housing and Public Open Space totalling £ 265,324 but has indicated that the scheme is not sufficiently viable to meet these requests.
- 9.2 The developer agreed to provide the sum of £10,000 requested by the Transportation Officer for improvement works to Sophia Walk.
- 9.3 As such the developer was asked to submit a viability appraisal and to pay the Council's costs in acquiring an independent assessment of the submitted figures by the District Valuer. This has been undertaken and confirmed by the District Valuer who concludes that the scheme will only achieve a breakeven point at much reduced profit expectation of 12% (20 % being the normally aspired margin) where no contributions would be paid.
- 9.4 Further to this the Planning officer has enquired whether the developer might make some contribution toward the Council's Planning Policy Objectives, and

the developer in recognising the Council's Objectives has offered a payment of £40,000 [total], agreed to be paid in two stages (upon sale of the 9th and 18th units or in any event within 2 years of the date of any planning permission as may be granted, whichever is the sooner). The applicant had also agreed to a much reduced period in which to implement any permission for the change of use, being 18 months as opposed to 5 years, to provide assurance that the development would be implemented within a reasonable timescale of the valuation. However as works have progressed in the intervening period this would seem somewhat academic.

- 9.5 Such obligations are offered by means of a legally binding Unilateral Undertaking.
- 9.6 Given the above, in consideration of the District Valuer's conclusions, and in respect of the currently elevated costs of development and uncertain future market, It is the Planning Officer's recommendation that the Committee accept the £40,000 financial contribution on the terms indicated
- 9.7 For member's information. If £10,000 were ring-fenced for highway improvements, a pro-rata allocation of the remaining £30,000 against the other two service area requests would equate to an allocation of :

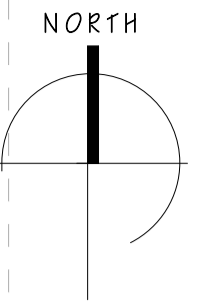
Affordable Housing	£ 26,425
Public Open Space	£ 3,575
Highway Improvements	£ 10,000

The service areas concerned have confirmed their agreement to these allocations should committee be minded to approve the development as recommended.

10. **Conclusion.**

The proposal as amended/limited by condition, results in the sustainable and efficient use of a redundant care home for residential purposes and with an acceptable balance of building modifications which have due regard to the special interest of the Conservation Area and neighbouring amenity.

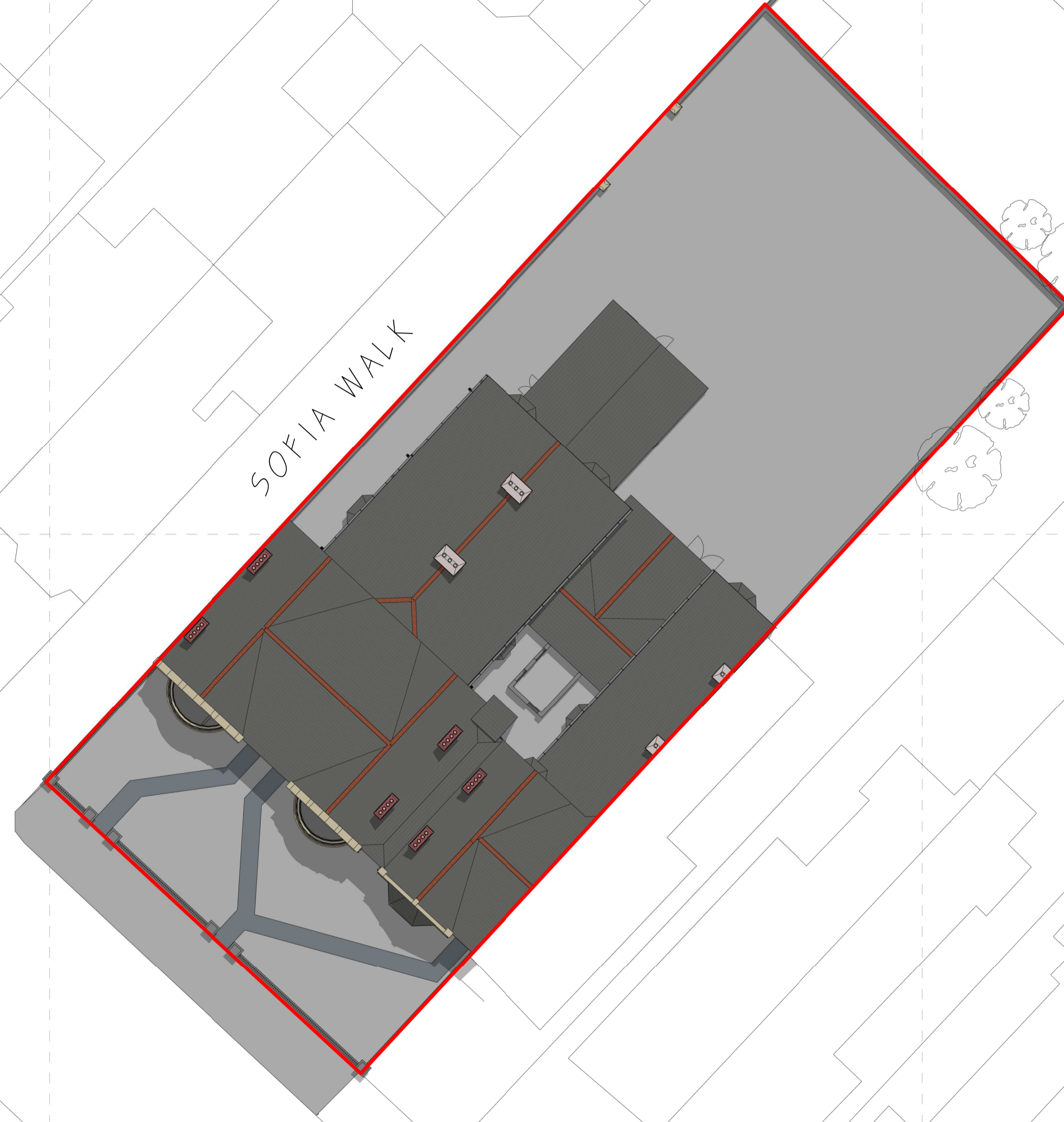
The Granting of Planning Permission subject to the acceptance of a legally binding unilateral undertaking; and appropriate conditions as indicated is recommended.



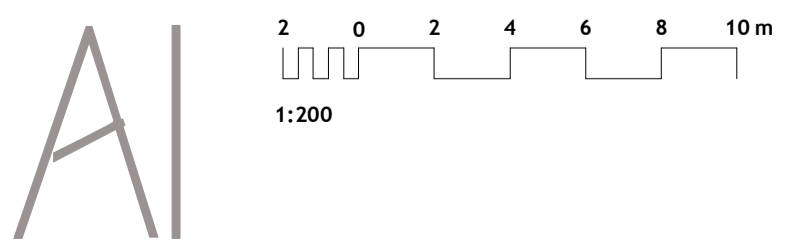
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SOFIA WALK

CATHEDRAL ROAD



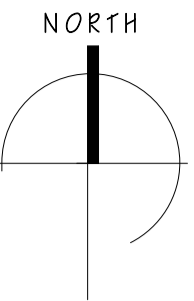
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Drawn: PP

Job Ref: 19/045
Project: 104-108 CATHEDRAL ROAD
PONTICANNA, CARDIFF

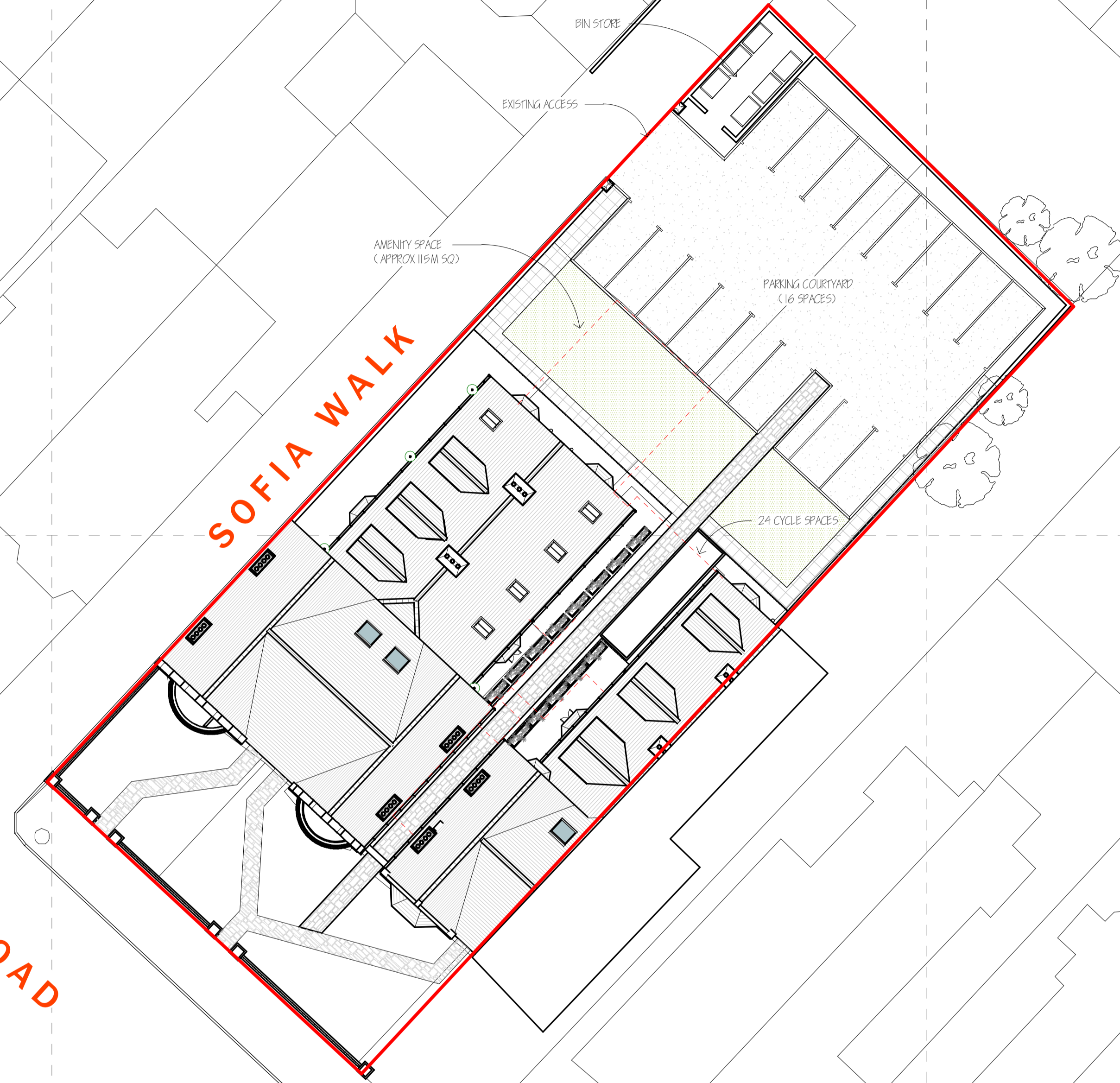
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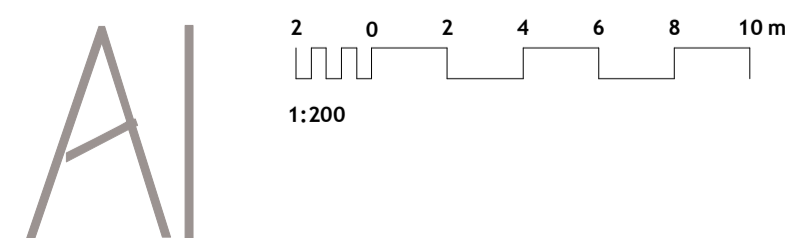
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SOFIA WALK

CATHEDRAL ROAD



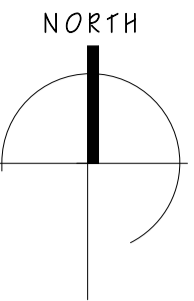
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Drawn: PP

Job Ref: 19-045
Project: 104-108 CATHEDRAL ROAD
PONTICANNA, CARDIFF

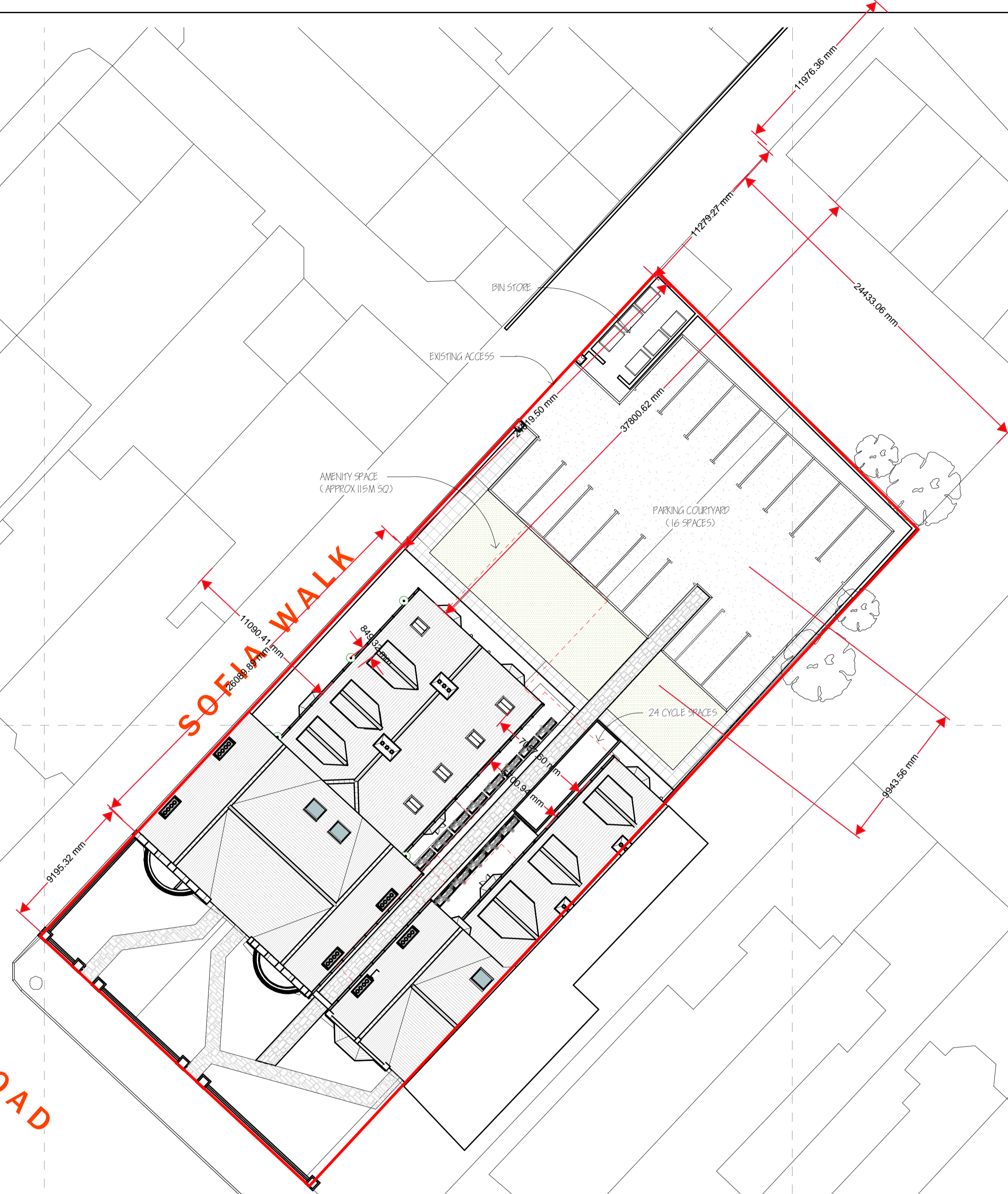
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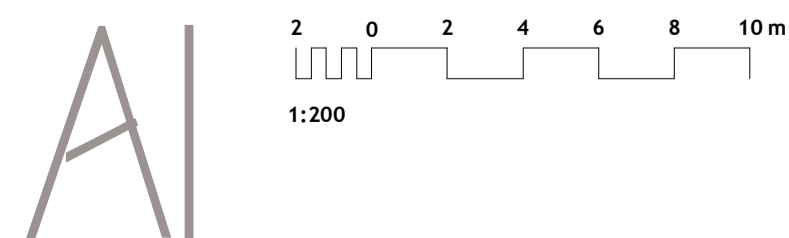
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CATHEDRAL ROAD

SOPIA WALK



PROPOSED SITE PLAN
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Drawn: PP

Job Ref: 19-045
Project: 104-108 CATHEDRAL ROAD
PONTICANNA, CARDIFF

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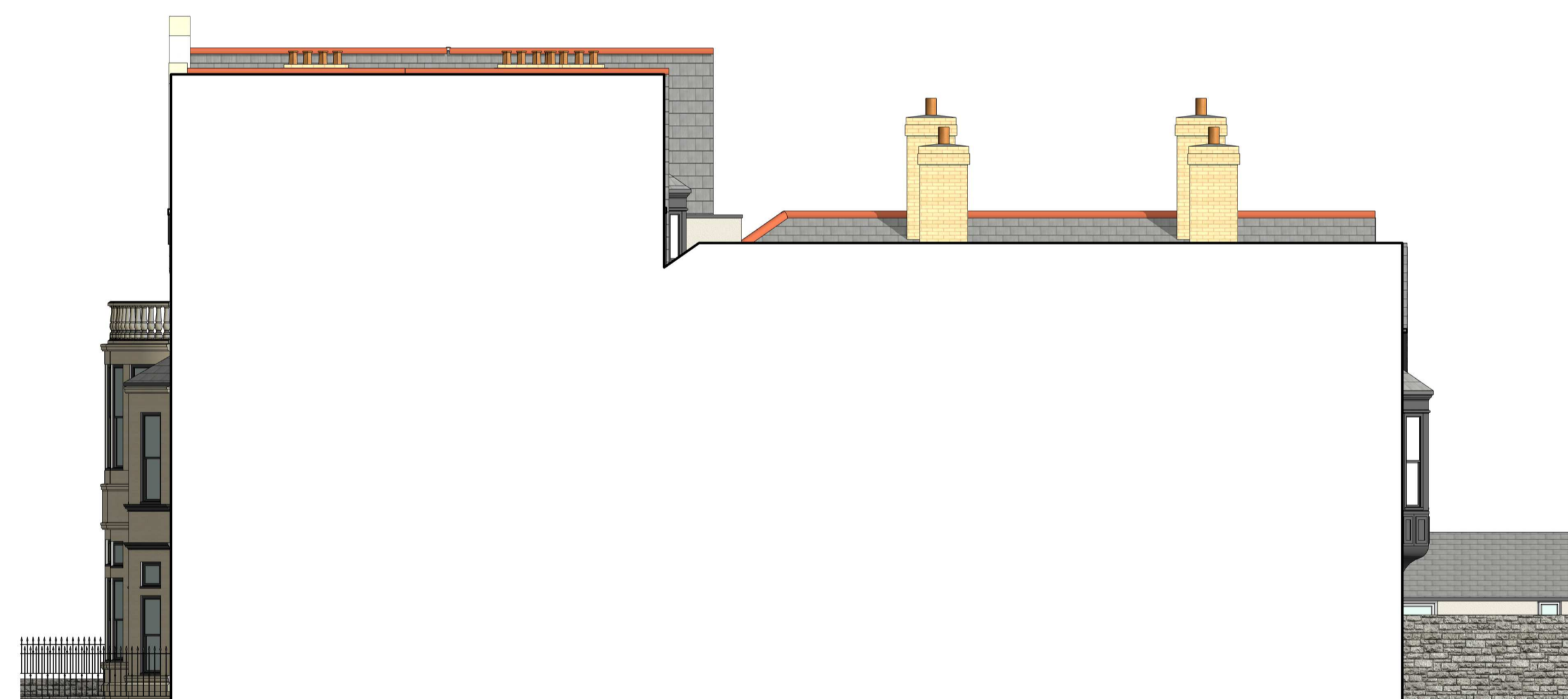
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03 EXISTING REAR ELEVATION
1:100



04 EXISTING SIDE ELEVATION
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AI

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Rev:
Scale: 1:100
Date: 27.03.19
Drawn: PP

Job Ref: 19/045
Project: 104-108 CATHEDRAL ROAD
PONTICANNA, CARDIFF

PRELIMINARY	TENDER	
PLANNING	● CONSTRUCTION	
DESIGN	AS BUILT	



0 | PROPOSED FRONT ELEVATION
1:100

A3

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 Drawn: PP

Job Ref: 19-045
 Project: 104-108 CATHEDRAL ROAD
 PONTCANNA, CARDIFF

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1:100

A3

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 Drawn: PP

Job Ref: 19-045
 Project: 104-108 CATHEDRAL ROAD
 PONTCANNA, CARDIFF

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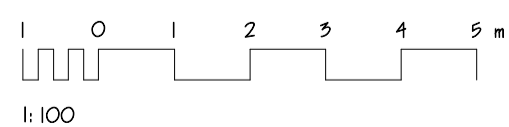


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02 | PROPOSED FIRST FLOOR PLAN
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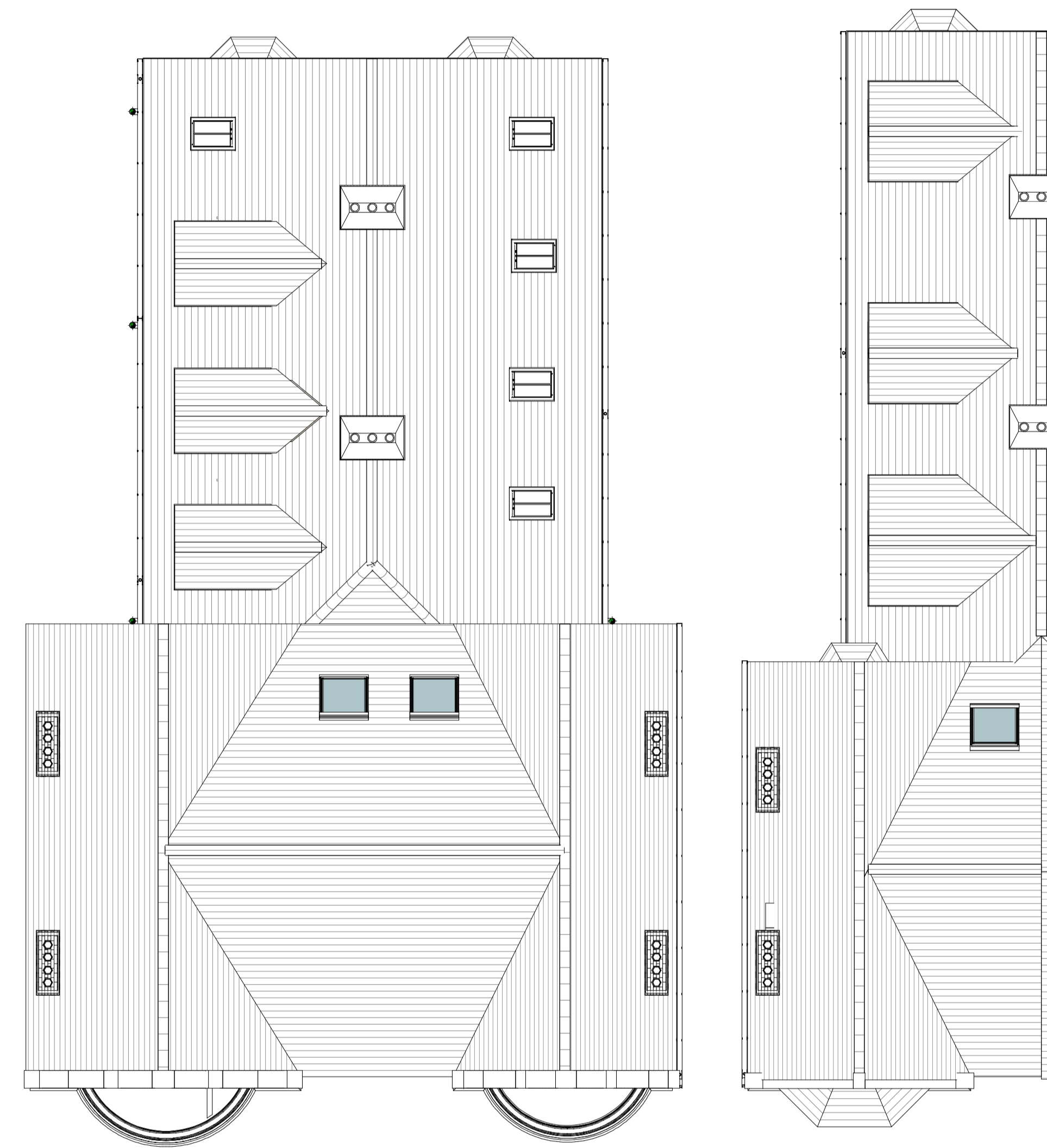
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 Drawn: PP

Job Ref: 19-045
 Project: 104-108 CATHEDRAL ROAD
 PONTICANNA, CARDIFF

PRELIMINARY	TENDER	
PLANNING	● CONSTRUCTION	
DESIGN	AS BUILT	



01 | PROPOSED SECOND FLOOR PLAN
1:100



02 | PROPOSED ROOF PLAN
1:100

AI

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 Rev: A
 Scale: 1:100
 Date: 27.03.19
 Drawn: PP

Job Ref: 19-045
 Project: 104-108 CATHEDRAL ROAD
 PONTICANNA, CARDIFF

PRELIMINARY	TENDER	
PLANNING	● CONSTRUCTION	
DESIGN	AS BUILT	

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LOCAL MEMBER OBJECTION

COMMITTEE DATE: 22/07/2020

APPLICATION No. **19/03179/DCH** APPLICATION DATE: 06/12/2019

ED: **CATHAYS**

APP: TYPE: Householder Planning Permission

APPLICANT: MS BAHROTOLOOM
 LOCATION: 24 LETTY STREET, CATHAYS, CARDIFF, CF24 4EL
 PROPOSAL: RETENTION OF GROUND FLOOR SIDE/REAR
 EXTENSION & PROPOSED FIRST FLOOR EXTENSION
 AND ALTERATIONS TO EXISTING C4 HOUSE OF
 MULTIPLE OCCUPANCY

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:
 - CED5/3/a - Proposed 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 any wall in the first floor side elevations facing 22 and 26 Letty Street.
 Reason: To ensure that the privacy of adjoining occupiers is protected in accordance with Policy KP5 of the Cardiff Local Development Plan 2006-2026.
4. The materials to be used in the construction of the external surfaces of the first floor extension hereby permitted shall match those used on the existing building.
 Reason: To ensure the external materials harmonise with the existing building in the interests of the visual amenity of the area in accordance with Policy KP5 of the Cardiff Local Development Plan 2006-2026.
5. Within one month of the date of this approval 6 cycle parking spaces, as indicated on the approved site layout plan (plan no CED 5/3/a) shall be provided within the property and shall retained thereafter.

Reason: To ensure that secure cycle parking facilities are provided to encourage other modes of transport over the private car.

6. Within one month of the date of this approval, a refuse storage area as indicated on the approved site layout plan shall be provided within the curtilage of the property. The refuse storage area shall be retained thereafter.
Reason: To secure an orderly form of development and to protect the amenities of the area in accordance with Policy W2 of the Cardiff Local Development Plan 2006- 2026.
7. No more than 6 occupants shall reside at this property at any one time.
Reason: For the avoidance of doubt as the permission hereby granted relates to the use of the property as a C4 HMO.
8. Within one month of the date of this approval, the rear boundary enclosure shall be erected as indicated on the approved site layout plan (plan no CED5/3/a) and shall be retained thereafter
Reason: : To secure an orderly form of development and to protect the amenities of the area in accordance with Policy W2 of the Cardiff Local Development Plan 2006- 2026.

RECOMMENDATION 2: That the applicant be 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 applicant's ownership.

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.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 Full planning permission is sought for the retention of a single storey side extension and proposed first floor rear extension.
- 1.2 The submitted plans show the single storey side extension is approximately 2.2m wide, 5.7m deep and 3m high with sloping roof (approx. 2.3m to eaves level). The first floor rear extension is to be 5.2m long, 3.2m wide and 5.2m high with a pitched roof.
- 1.3 Internally the property accommodates two bedrooms, three bathrooms, kitchen/lounge and dining area and cycle storage area on the ground floor. The first floor contains five bedrooms and a WC.

- 1.4 The proposal would facilitate the use of the property as a 6 bed House of Multiple Occupation. The Use class of the property would remain as C4.

2. **DESCRIPTION OF SITE**

- 2.1 The application site comprises a two-storey end of terrace property on the junction of Letty Street and Fanny Street. The existing property consists of a 4 bedroom House of Multiple Occupation (C4 Use Class), with a single and two-storey existing rear annexe. To the side elevation is an existing single storey extension, which is to be retained as part of this application.
- 2.2 The area is a primarily residential which consists of mainly two-storey terraced dwelling houses with an area of vacant land to the rear of the site with a flat roofed detached infill dwelling-house beyond.
- 2.3 The site is not within a Conservation Area, nor within an area of Flood Risk.

3. **SITE HISTORY**

Application No : 19/02794/MNR
Proposal : SINGLE STOREY EXTENSION TO THE HMO AND THE
CREATION OF 2NO. 1 BED FLATS
Application Type: FULL
Decision : Withdrawn
Decision Date : 22/10/2019

4. **POLICY FRAMEWORK**

National Planning Policy

- *Planning Policy Wales (10th Ed) 2018*
- *Technical Advice Note 12: Design*
- *Technical Advice Note 21: Waste*
- *Development Management Manual*

Cardiff Local Development Plan 2006-2026 (2016)

- *Policy KP5 (Good Quality and Sustainable Design)*
- *Policy T5 (Managing Transport Impacts)*
- *Policy W2 (Provision for Waste Management Facilities in Development)*
- *Policy EN10 (Water Sensitive Design)*

Supplementary Planning Guidance

- *Managing Transportation Impacts (Incorporating Parking Standards) SPG 2018*
- *Residential Extensions and Alterations (2017)*
- *Waste Collection and Storage Facilities (2016)*
- *House of Multiple Occupation (2018)*

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 The Operational Manager (Transportation) – Advise that details submitted are satisfactory and advise no objection subject to insertion of condition 5.
- 5.2 The Operational Manager, Waste Management - State that the storage of waste and recycling within the amenity area at the rear of the property has been noted and is considered acceptable.

The property will require the following for recycling and waste collections:

- Bespoke bags equivalent to 140 litres 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.

6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 None

7. **REPRESENTATIONS**

- 7.1 Councillors Merry, Weaver and Mackie, object for the following summarised reasons :
- i) Application is incomplete - application refers to retention of ground floor extension yet no dates for works starting or completed.
 - ii) New partition walls cut across windows in contravention of guidance.
 - iii) Remaining amenity space would not sufficient.
 - iv) Outlook/loss of privacy to adjoining neighbours.
 - v) Overdevelopment of site.
 - vi) Ask that Cycle store be used as described and not as an additional bedroom.
 - vii) First floor extension will have an unneighbourly impact.
 - viii) Ask for application go before planning committee and a site visit is undertaken.

- 7.1 Neighbouring occupiers have been consulted. No responses have been received.

8. **ANALYSIS**

- 8.1 The key issues are the effect of the proposal upon the character and appearance of the area and on the living conditions of neighbours
- 8.2 There is no change of use associated with this application as use Class C4 allows for between 3 and 6 people to live together in tenanted accommodation without the need for planning permission. As such the only issue for this application is the impact the extensions will have upon the character and appearance of the area and on the living conditions of neighbours.

- 8.3 Although the application site is located where the existing concentration of HMOs within 50m exceeds the threshold applied when considering applications involving changes of use to new class C4 or Sui Generis HMOs, it should be noted that the application does not propose a change of use to a Class C4 or Sui Generis HMO. Whilst planning permission has not been granted for use of the property as a Class C4 HMO, it would be unreasonable to suggest that the lawful use of the property would not fall within use class C4 as prior to the introduction of use class C4 on 25th February 2016 planning permission was not required to use the property as a small HMO for up to 6 persons. Evidence has been obtained indicating that use of the property as a 4 person HMO began prior to 25th February 2016, which would fall within use Class C4. Whilst the total amount of bedrooms would still fall within use class C4 as specified by the Town and Country Planning (Use Classes) (Amendment) (Wales) Order 2016. The proposal will not result in the loss of family accommodation as the use of the property already falls within use class C4. In this particular instance the proposal has also been assessed against the HMO SPG in respect of amenity space provision and as a result of the minimum standard for 6 persons will be met.
- 8.4 The proposed rear first floor extension and single storey side extension to be retained are considered acceptable in regards to their scale and design and will not prejudice the general character of the area. The single storey extension is of a modest size and sited in a 'side-return' between the site and no. 26 Letty Street, adjoining the existing rear annexe of that property. The submitted plans show that the rear first floor extension does not exceed beyond the footprint of the existing annexe and does not project above the roofline of the existing rear annexe. The dwelling is a 'book-end' of the terrace and it is not an unusual addition for these properties in the surrounding area and it would not prejudice the privacy or amenities of the adjoining neighbours.
- 8.5 The scale of the development and its relationship with the existing dwelling and that of neighbouring properties is considered acceptable. The submitted plans show the two-storey element of the extension would project up to footway with Fanny Street and be sited approximately 2.2m from the boundary with no. 26 Letty Street. The single storey side extension abuts the boundary with no. 26 Letty Street, with an eaves height of approx. 2.4m high, however it does adjoin the existing rear annexe of no.26, so would have minimal impact upon the amenities of the adjoining neighbours. It is considered that the proposal would not be overbearing or generally unneighbourly which would justify concern for the Local Planning Authority.
- 8.6 With regard to garden space, the proposal has been assessed in accordance with the 'Residential Extensions and Alterations' Supplementary Planning Guidance' and the House of Multiple Occupation which states, "*A minimum of 25 square metres of an appropriate shape and siting should be retained, although this figure is dependent upon the individual context and size of the house and garden.*" Approximately 27 square metres of garden area would be retained to the rear of the property and this would exceed the minimum requirement for amenity space provision in this regard and this is accomplished by extending the existing space into land under the control of the applicant and providing a new boundary

enclosure (see condition 8) .

8.7 Subject to conditions, it is not considered that the proposal would prejudice the privacy of neighbours. The submitted plans show that no windows are to be inserted into the side elevations of the extensions proposed and it is considered necessary to ensure that no windows are inserted into these elevations in the future, so as to protect the privacy of adjoining neighbours (see condition 3). The plans also show the provision of a first floor rear window, which is sited approximately 4m from the rear boundary, however, the land adjoining is vacant land with no development within it and beyond this is the flank wall of an existing dwelling house approx. 11m away.

8.8 In regard to comments received from the Ward Councillors, would comment as follows;

- i) Application as submitted in considered acceptable in regard to the details submitted
- ii) Noted, these works appear to have done in relation to the internal works relating to the existing use of the property as a HMO and are not controlled under planning legislation.
- iii) The submitted plans show that sufficient amenity space would be available for occupiers that exceeds the minimum requirements of the HMOSPG.
- iv) See para 5.8
- v) The proposal is not considered to be an overdevelopment of the site as there is sufficient space remaining within the plot, with sufficient amenity space is available for occupants
- vi) See conditions 5 and 6
- vii) See para 5.6
- viii) Request is noted.

8.9 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.

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.

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.

- 8.10 Having regard to the policy context above, the proposal is considered acceptable and planning permission is recommended subject to conditions.

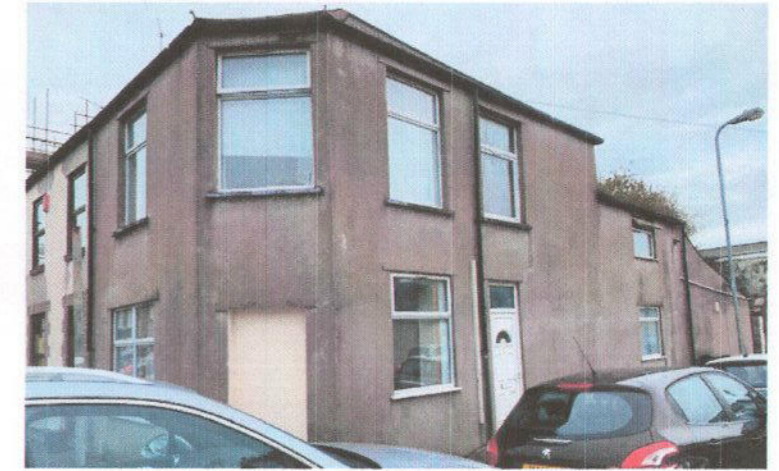


SITE LOCATION PLAN 1:1250

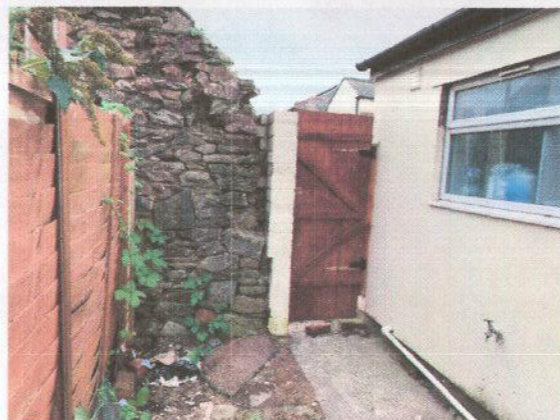
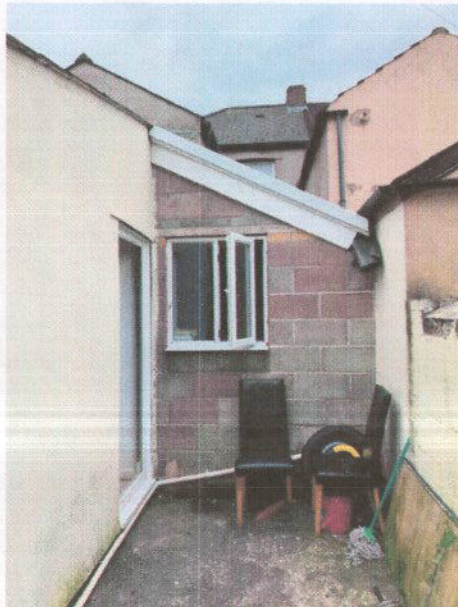
NORTH



**DEVELOPMENT AT
24 LETTY STREET
CARDIFF**

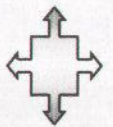


EXISTING ELEVATIONS



19/03/179 *TP*

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

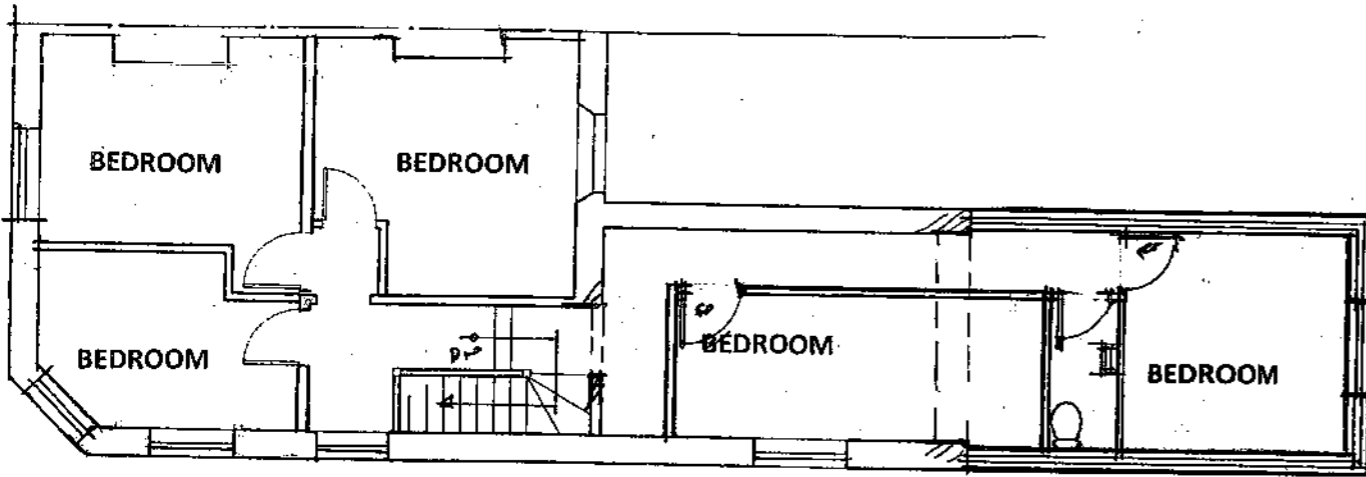
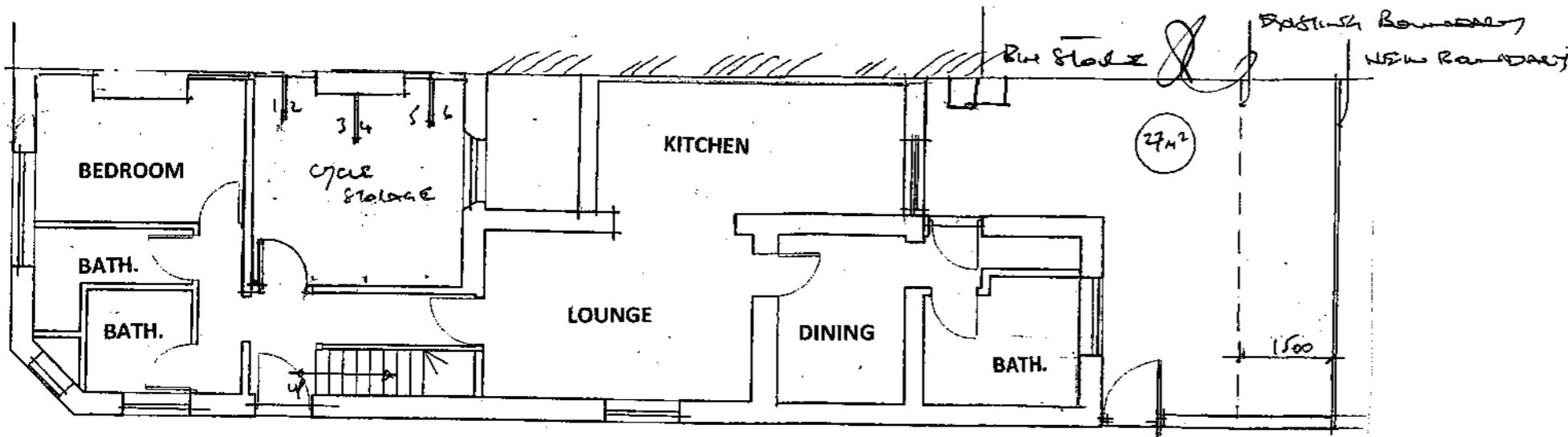


REVISIONS	DATE	REVISIONS	DATE

**DEVELOPMENT AT
24 LETTY STREET
CARDIFF**

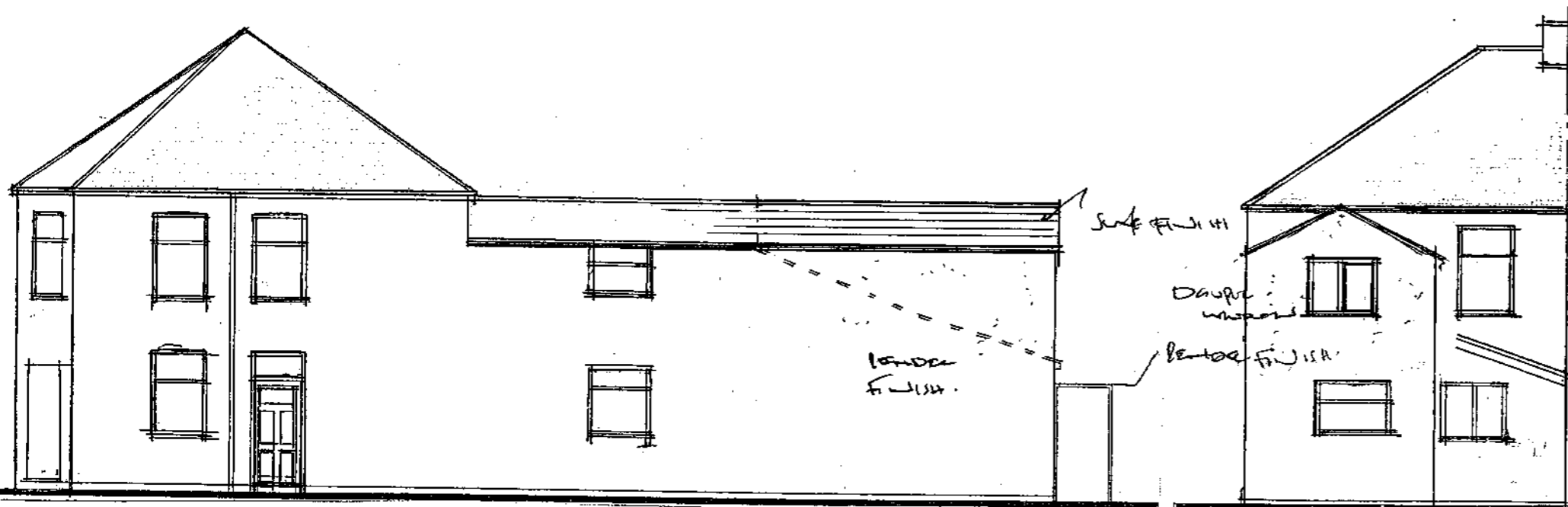
DATE NOV 2019

PLAN NO: CED5/1



GROUND & FIRST FLOOR
PROPOSED 1:100 at A3

SIDE & REAR ELEVATIONS
PROPOSED 1:100 at A3



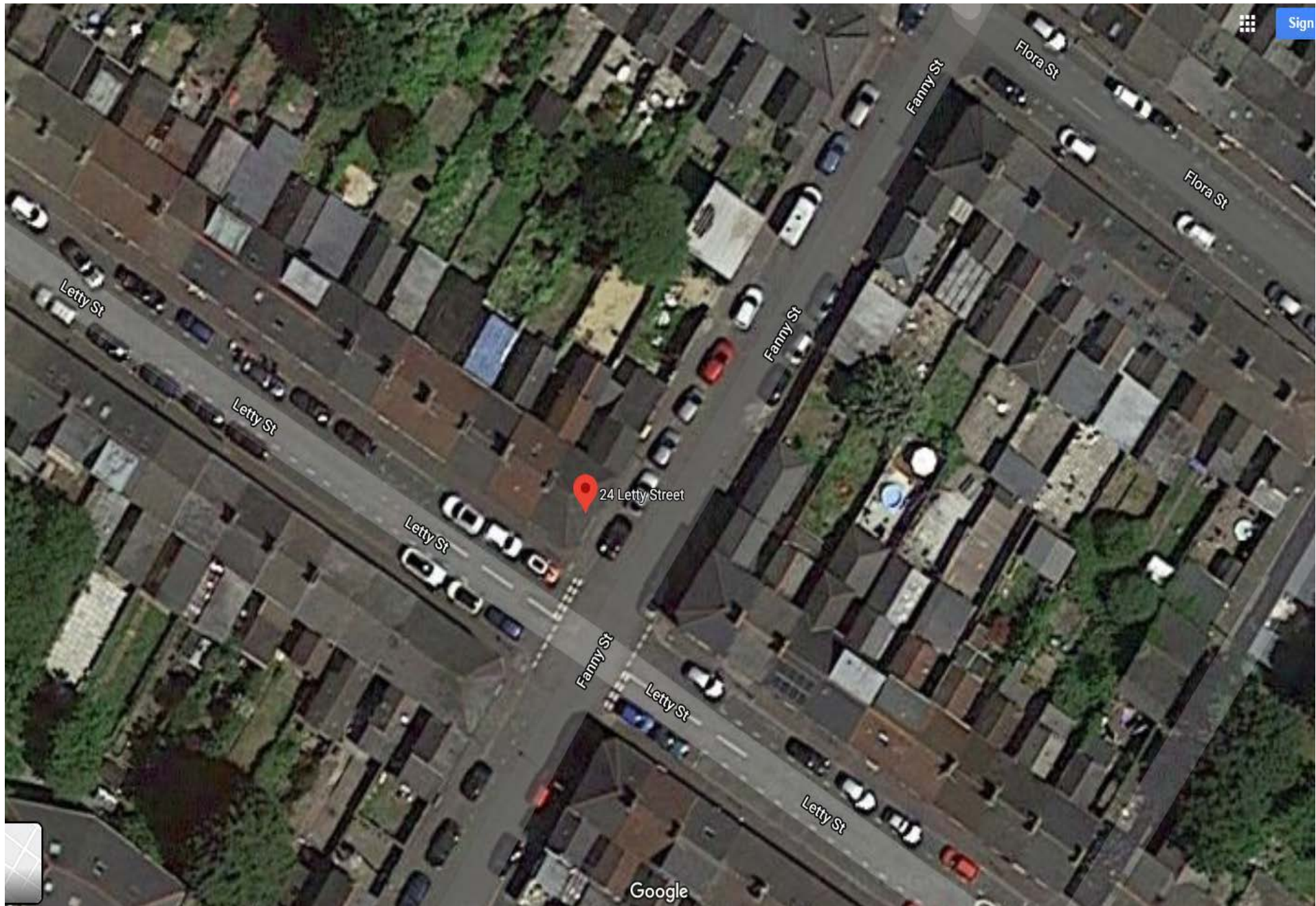
DTB DESIGN
TEMPLE COURT 13a CATHEDRAL ROAD
CARDIFF CF11 9HA
TEL 029 2035 0365



FOR PLANNING PURPOSES ONLY			
REVISIONS	DATE	REVISIONS	DATE
12/3/20	(2)	TR Low	

**DEVELOPMENT AT
24 LETTY STREET
CARDIFF**

DATE NOV 2019 PLAN NO. CED513/a



24 Letty Street

Sign

Google

LOCAL MEMBER, AS AND MP OBJECTIONS

COMMITTEE DATE: 22/07/2020

APPLICATION No. **20/00748/MNR** APPLICATION DATE: 18/05/2020

ED: **LLANDAFF**

APP: TYPE: Full Planning Permission

APPLICANT: Home UK (Cardiff) Ltd

LOCATION: PART OF LAND AT REAR OF 35 ELY ROAD, LLANDAFF, CARDIFF, CF5 2JF

PROPOSAL: CONSTRUCTION OF A ONE BEDROOM, TWO STOREY DWELLING

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

1. The proposed development, due to its siting in close proximity to the rear elevation of 35 Ely Road and to the rear amenity space of 33 Ely Road, would be un-neighbourly and overbearing upon those properties, contrary to policy KP5(x) of the Cardiff Local Development Plan and Cardiff Supplementary Planning Guidance "Infill Sites" (November 2017).
2. The development would be prejudicial to the amenities of the occupiers of 37 Ely Road in that it would result in the garden of that dwelling being overlooked, causing loss of privacy, contrary to policy KP5(x) of the Cardiff Local Development Plan and Cardiff Supplementary Planning Guidance "Infill Sites" (November 2017).
3. The proposed dwelling would be accessed only via an unlit rear access lane, which would be a hostile, inconvenient and insecure environment for residents and their visitors, contrary to policies KP5(v) and C3 of the Cardiff Local Development Plan and Cardiff Supplementary Planning Guidance "Infill Sites" (November 2017).
4. The proposed development would provide an insufficient amount of useable private outdoor amenity space for the residents of the dwelling and would result in an unacceptable reduction in the amount of useable private outdoor amenity space for residents of 35 Ely Road, to the detriment of residential amenity and contrary to policy KP5(x) of the Cardiff Local Development Plan and Supplementary Planning Guidance "Cardiff Infill Sites" (November 2017).
5. The proposed development would provide an insufficient amount of useable private outdoor amenity space for the residents of the dwelling and would result in an unacceptable reduction in the amount of useable

private outdoor amenity space for residents of 35 Ely Road, to the detriment of residential amenity and contrary to policy KP5(x) of the Cardiff Local Development Plan and Supplementary Planning Guidance “Cardiff Infill Sites” (November 2017).

1. DESCRIPTION OF PROPOSED DEVELOPMENT

- 1.1 The application is for full planning permission for a two storey, one bedroom, detached house measuring 6.6m wide x 5.4m deep x 7.5m tall. The house would have a hipped roof with plain roof tiles and the walls would be finished in white render. There would be no windows in the rear (east facing) elevation. A 2m wide enclosure to the north side would provide space for the storage of bins and bicycles. The internal space would comprise a living room and kitchen on the ground floor with a single bedroom with ensuite bathroom above. There would be a small external balcony in the south facing elevation, accessed from the bedroom. The balcony would abut the southern boundary of the application site, the gap between the side of the house and the boundary being approximately 50cm.
- 1.2 The house would be around 28m from the highway on Ely Road. Sole access to the site would be from Ely Road via the side of no. 35 onto an existing unadopted access lane which also leads to the rear of houses on St Michael’s Road to the south and provides access into an area of woodland/waste ground between the rear of houses and flats on St Michael’s Road and Ely Road.
- 1.3 The building would be located between 3.5m and 5.5m from the single storey extension at the rear of 35 Ely Road, which lies to the north/north-west.

2. DESCRIPTION OF SITE

- 2.1 The application site is partly a small enclosed amenity space and partly an area of hard surfacing located to the rear of no. 35 Ely Road, a property containing five flats, located at the western end of a long row of Victorian/Edwardian terraced, three storey properties known as Bannits Apartments which are angled to face the junction of Ely Road and Western Avenue and which have an area of enclosed car parking to the front. To the west of the application site, on the opposite side of the access lane, is a large two storey semi-detached house. To the east the application site abuts the rear amenity space of 33 Ely Road, a property which contains three flats. To the south is an area of overgrown land containing trees, beyond which, approximately 35m away, the access lane curves to the east and follows the rear boundaries of houses on St Michael’s Road.

3. SITE HISTORY

- 3.1 None.

4. **POLICY FRAMEWORK**

4.1 *Cardiff Local Development Plan 2006-2021:*

KP5 (Good Quality and Sustainable Design);
KP13 (Responding to Evidenced Social Needs);
KP15 (Climate Change);
KP16 (Green Infrastructure);
EN8 (Trees, Woodlands and Hedgerows);
EN10 (Water Sensitive Design);
T5 (Managing Transport Impacts);
C3 (Community Safety/Creating Safe Environments);
W2 (Provision for Waste Management Facilities in Development).

4.2 *Supplementary Planning Guidance:*

Waste Collection and Storage Facilities (October 2016); Cardiff Residential Design Guide (January 2017); Cardiff Infill Sites (November 2017); Green Infrastructure (November 2017); Managing Transportation Impacts (Incorporating Parking Standards) (2018).

4.3 *Planning Policy Wales (Edition 10 – December 2018):*

2.2 All development decisions, either through development plans policy choices or individual development management decisions should seek to contribute towards the making of sustainable places and improved well-being.

3.4 Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales.

3.6 Development proposals must address the issues of inclusivity and accessibility for all.

3.7 Developments should seek to maximise energy efficiency and the efficient use of other resources (including land), maximise sustainable movement, minimise the use of non-renewable resources, encourage decarbonisation and prevent the generation of waste and pollution. An integrated and flexible approach to design, including early decisions regarding location, density, layout, built form, the choice of materials, the adaptability of buildings and site treatment will be an appropriate way of contributing to resilient development.

3.8 Good design can help to ensure high environmental quality. Landscape and green infrastructure considerations are an integral part of the design process. Integrating green infrastructure is not limited to focusing on landscape and ecology, rather, consideration should be given to all features of the natural environment and how these function together to contribute toward the quality of places.

3.9 The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations.

3.11 Local authorities are under a legal obligation to consider the need to prevent and reduce crime and disorder in all decisions that they take.

3.21 The planning system must consider the impacts of new development on existing communities and maximise health protection and well-being and safeguard amenity.

4.1.31 Planning authorities must ensure new housing, jobs, shopping, leisure and services are highly accessible by walking and cycling.

4.1.34 New development must provide appropriate levels of secure, integrated, convenient and accessible cycle parking and changing facilities. As well as providing cycle parking near destinations, consideration must also be given to where people will leave their bike at home.

4.1.36 Planning authorities must direct development to locations most accessible by public transport. They should ensure that development sites which are well served by public transport are used for travel intensive uses, such as housing, jobs, shopping, leisure and services, reallocating their use if necessary.

4.1.52 Planning authorities must require good standards of car parking design, which do not allow vehicles to dominate the street or inconvenience people walking and cycling. Car parking should be overlooked by surrounding properties, to provide natural surveillance.

4.1.53 Parking standards should be applied flexibly and allow for the provision of lower levels of parking and the creation of high quality places.

4.2.2 The planning system must:

- identify a supply of land to support the delivery of the housing requirement to meet the differing needs of communities across all tenures;
- enable provision of a range of well-designed, energy efficient, good quality market and affordable housing that will contribute to the creation of sustainable places; and
- focus on the delivery of the identified housing requirement and the related land supply.

4.2.22 Planning authorities will need to ensure that in development plans and through the development management process they make the most efficient use of land and buildings in their areas. Higher densities must be encouraged on sites in town centres and other sites which have good walking, cycling and public transport links.

4.2.23 Infill and windfall sites can make a useful contribution to the delivery of housing. Proposals for housing on infill and windfall sites within settlements should be supported where they accord with the national sustainable placemaking outcomes.

5.12.9 Adequate facilities and space for the collection, composting and recycling of waste materials should be incorporated into the design and, where appropriate, layout of any development as well as waste prevention measures at the design, construction and demolition stage.

6.2.5 The quality of the built environment should be enhanced by integrating green infrastructure into development through appropriate site selection and use of creative design. With careful planning and design, green infrastructure can embed the benefits of biodiversity and ecosystem services into new development and places, helping to overcome the potential for conflicting objectives, and contributing towards health and well-being outcomes. Landscaping, green roofs, grass verges, sustainable urban drainage and gardens are examples of individual measures that can have wider cumulative benefits, particularly in relation to biodiversity and the resilience of ecosystems as well as in securing the other desired environmental qualities of places.

6.4.5 Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity.

6.4.24. The particular role, siting and design requirements of urban trees in providing health and well-being benefits to communities, now and in the future should be promoted as part of plan making and decision taking.

6.4.25 Planning authorities should protect trees, hedgerows, groups of trees and areas of woodland where they have ecological value, contribute to the character or amenity of a particular locality, or perform a beneficial and identified green infrastructure function.

6.6.18 The provision of SuDS must be considered as an integral part of the design of new development and considered at the earliest possible stage when formulating proposals for new development.

4.5 *Technical Advice Note 12 - Design (March 2016):*

5.11.2 Development proposals, in relation to housing design should aim to:

- create places with the needs of people in mind, which are distinctive and respect local character;
- promote layouts and design features which encourage community safety and accessibility;
- focus on the quality of the places and living environments for pedestrians rather than the movement and parking of vehicles;
- avoid inflexible planning standards and encourage layouts which manage vehicle speeds through the geometry of the road and building;
- promote environmental sustainability features, such as energy efficiency, in new housing and make clear specific commitments to carbon reductions and/or sustainable building standards;
- secure the most efficient use of land including appropriate densities;
- consider and balance potential conflicts between these criteria.

5.11.3 The design of housing layouts and built form should reflect local context and distinctiveness, including topography and building fabric. Response to context should not be confined to architectural finishes. The important contribution that can be made to local character by contemporary design, appropriate to context, should be acknowledged.

6.16 The appearance and function of proposed development, its scale and its relationship to its surroundings are material considerations in determining planning applications and appeals. Developments that do not address the objectives of good design should not be accepted.

5. **INTERNAL CONSULTEE RESPONSES**

5.1 *Transportation:*

The proposal is for a 1-bedroom dwelling on land to the rear of no. 35, which is apparently used for refuse storage for the nearby flats. There is a driveway/hard-standing area that leads through from Ely Road adjacent to the side of the flats, and which would adjoin the proposed dwelling. It is not clear what the proposed car parking situation would be for the new dwelling, and whether it would be able to access the rear area. However, as we work to maximum parking standards, no provision is required. The addition of a (potential) additional traffic movement is not anticipated to result in any material impact. An indicative area for cycle parking is shown to the north-east of the actual dwelling. This is too small to be able to accommodate a cycle, especially drawn as it is parallel to the back wall it would be very difficult to manoeuvre

into. It is not clear the extent to which pedestrians could comfortably access the property in the hours of darkness. It appears to be around 30m from the existing light on Ely Road to the front of the property, and it may be necessary for additional street lighting to be provided, although this is not dealt with in the application. There are some transport concerns based on the information submitted.

5.2 *Waste Strategy & Minimisation Officer:*

The proposed location for the storage of waste and recycling has been noted and is acceptable.

6. **EXTERNAL CONSULTEES RESPONSES**

6.1 None.

7. **REPRESENTATIONS**

7.1 The application has been advertised by neighbour notification. 6 individual objections have been received, plus objections from Mark Drakeford MS & Kevin Brennan MP, Councillors Sean Driscoll and Philippa Hill-John, and the Llandaff Society. Objections to the proposal are made on the following grounds:

- 1) Adverse impact on wildlife, particularly birds and bats. Construction work may disturb bats, which are regularly seen in the area. This happened recently when trees were felled on the site.
- 2) The development may result in the loss of trees, which would be detrimental in terms of the need to reduce the impacts of climate change. There is a protected oak tree on the adjacent land, the root system of which could be damaged by construction work. At the beginning of this year a large number of trees were felled in the lane, which also affected nesting birds and a bat colony. Overhanging branches have also been cut from neighbours' trees without any explanation.
- 3) Security of the site needs to be addressed – fly tipping in the lane is a nuisance and a health hazard, and there have been incidents of prowlers reported to the police. Building on the site will not solve these problems and increasing the number of people in the area will exacerbate problems of refuse and vermin.
- 4) The development will block natural light from the current ground floor and first floor flats.
- 5) The development will further reduce the amount of outdoor amenity space available for existing residents, who already have very little space and suffer from poor air quality. The area would be better planted and made into a communal garden, for the benefit of tenants, wildlife and the general environment.
- 6) Lack of parking for residents of the development. There is already insufficient parking space for the existing flats and the addition of another house will compound the problem.
- 7) Increased hazards due to more traffic pulling out onto the dangerous Ely

- Road/Western Avenue junction.
- 8) Ely Road is used as a route for schoolchildren to walk to school. Increased construction traffic would put these pedestrians in danger.
 - 9) The development would be detrimental to neighbours as the dwelling would be right up against the wall of the adjoining communal garden.
 - 10) The house would overlook 37 Ely Road.
 - 11) The development may be part of a future plan to force the council to open up the rest of the site for development.
 - 12) The design of the proposed dwelling is out of keeping with the appearance of the existing terrace.

7.2 The Llandaff Society objects on the grounds of:

- 1) Overdevelopment of the plot - construction of this house would remove most of the "garden" of Flat 2 as well as the 3 walls of its former garage. It would front onto a bin storage area for a number of the flats. Car parking would be accommodated on the already congested forecourt .
- 2) Inadequate amenity space and removal of amenity space from another property - approving this application would not align with the Council's duty under the WFGA. Following our experience of Covid 19, the Planning system should ensure that every household has access to their own useable outdoor amenity space.
- 3) The development could prejudice access needed to allow appropriate redevelopment of the adjacent derelict land, which has been a nuisance to residents in the surrounding properties for decades.

7.3 Councillors Sean Driscoll and Philippa Hill-John request that the application comes before the planning committee for determination and a site visit is made, if conditions allow. They object to the development for the following reasons:

- 1) The proposal is contrary to supplementary planning guidance Infill Sites. Para. 2.11- Tandem development.
 - The development has a detrimental effect on the amenity of neighbouring occupiers. Therefore Tandem development is unacceptable.
 - Loss of green Garden Space. Existing house has been left with a reduced amenity space.
 - Detrimental impact on the character of residential amenity.
 - Insufficient amenity distance between existing house and proposed dwelling.
 - The proposed building will result in an incongruous visual addition, which will impact the surrounding buildings, by virtue of its siting and appearance.
- 2) The proposal is contrary to Policy KP5 (Good Quality and Sustainable Design):
 - The proposal does not respond to the local character of the built and landscape setting.
 - The proposed building will by virtue of its height and massing will be overbearing on the surrounding buildings

- The proposed building by virtue of its positioning will be overlooking rear gardens and amenity space of neighbouring properties
 - There is very little detail of design and access statements to the proposed development.
 - There is a lack of detail on proposals for pedestrian access to and from the site.
 - No detail of presentations for waste collection
 - No proposals for lighting the pedestrian access.
 - Overdevelopment of plot.
- 3) In light of the continued Anti-Social Behaviour and crime from this location which is causing continued disruption to the local community we question whether this is a suitable location for this type of accommodation. Prior to any decisions whether by delegated powers or indeed planning committee, we respectfully request that the views of the local police be sought.
- 4) We note that 33 Ely Road is in the ownership of Cadwyn Housing Association. This proposal will impact significantly on their property, their tenants and any future occupiers. We request that Cadwyn be notified directly of the proposals.
- 5) If the planning department were minded to grant planning permission, we would ask that the permission be conditioned so that permitted development rights be removed. We would also strongly request that the area to the side between properties 35 and 37 Ely Road should be conditioned so that it can never be used as an access point by motorised vehicles at any time whatsoever (except for emergency vehicles) to protect the amenity of residents at No 37 and 39 Ely Road, any future occupiers, also any future occupiers of the proposed dwelling.

7.4 Mark Drakeford MS and Kevin Brennan MP object to the proposals as follows:

We are writing to register an objection to the above referenced planning application, following representations made to us by local residents in the Llandaff ward of the Cardiff West constituency.

This properties at 15-35 Ely Road have all had significant development in recent years and are now converted into flats. This has vastly increased the occupancy of the terrace and the site has become densely populated. Construction of a further dwelling at the site would be overdevelopment.

The increased number of residents has led to an increased amount of traffic at the Ely Road / Western Avenue junction and has increased demand for onsite parking. The site is now very busy with vehicles and the additional of another residence would worsen this.

Although the character of the Victorian terrace (15-35 Ely Road) has been altered significantly since due to the conversions, the style of the proposed

development is out of keeping with the style of the terrace as it is today, as well as the style of other nearby properties.

The plot proposed for this development is currently used as a refuse area for the adjacent properties, which would be lost if the construction were to go ahead. The application makes reference to fly tipping in this location, but construction of new dwellings is not the most appropriate way to prevent fly tipping.

There are mature trees in the immediate vicinity of the proposed development, which would be threatened by construction work taking place so close to them.

The maximum occupancy of the proposed development is too small to offer any significant contribution to Cardiff Council's aim of increasing the supply of affordable housing in the city in order to meet the demands of our growing population, and therefore its potential benefit to the wider community cannot outweigh its negative elements.

8. **ANALYSIS**

- 8.1 The application site lies within an established residential area and there are no objections to the principle of residential development. However, there are a number of concerns regarding the design and siting of the proposed dwelling.
- 8.2 Whilst the proposed building constitutes backland development and would not be easily seen from the street, its design should nevertheless be adequate for the site and its immediate context. Paragraph 2.3 of the Supplementary Planning Guidance (SPG) "Infill Sites" (2017) states that: *'All development must be of good design and make a positive contribution to the adjacent townscape/landscape. This should come about following a clear vision for the project identified after a detailed analysis of what is appropriate for the context. The design response may be expressed in a number of ways but should always make a positive contribution to the context of the area.'*
- 8.3 The design of the proposed house is not considered acceptable in this context and would not make a positive contribution to the area. The windows, doors and roof design are not balanced within the overall facade, nor similar to that found in the vicinity, as required by paragraph 3.13 of the "Infill Sites" SPG (*'The fenestration of new developments should complement the size, proportions, design and rhythm of detailing of neighbouring properties. The roofline should include appropriate design and pitch of roofs, ridge height, eaves level, and notice taken of any other relevant details in the street scene.'*) The scale of the building is also of concern: whilst it would be smaller than the buildings on the site frontage (which is acceptable for backland development) it would not be of a scale appropriate for a building so close to the rear of the existing property and would not reflect the characteristics of the type of backland development that might be expected in such an area, i.e. smaller scale "coach houses" or outbuildings located at the end of a long garden.
- 8.4 Paragraph 2.9 of the Supplementary Planning Guidance "Infill Sites" (2017)

states that: *'Any proposals within backland sites should reflect the characteristic scale of backland development within the local area. As a general rule, backland development should be a subservient form of development (lower than the front facing properties). The design of backland development must be based on a clear understanding of the effects that this type of development has on character and residential amenity. Problems that can occur which must be avoided, or minimised to an acceptable level, are:*

- *Loss of privacy and spaciousness.*
- *Loss of daylight.*
- *Inadequate access.*
- *Loss of green/garden space.*
- *Enclosure of public utility services.*
- *Loss of car parking.*
- *The prejudicing of future development through piecemeal development.*
- *Poor aspect onto 'inactive' frontages or rear lanes.'*

- 8.5 In this case, the proposal fails to adequately address issues of the effect on residential amenity as well as character. The development would result in an unacceptable loss of spaciousness and outdoor amenity space at the rear of 35 Ely Road, which would be detrimental to residents of that property, and would appear overbearing and oppressive when viewed from the rear garden of 33 Ely Road. This is contrary to the requirements of the "Infill Sites" SPG, which are that *'Existing houses affected by new development should maintain reasonable garden sizes (both front and back), appropriate to house and surrounding area. Properties which have contributed land for backland or infill development must not be left without reasonable and useable gardens or parking spaces where they already have them'*(para. 4.8) and *'To safeguard the amenity of existing residents, proposals must not result in unacceptable harm regarding the level of overbearing, overshadowing or overlooking of neighbouring properties.'* (para. 4.11)
- 8.6 The development would also fail to provide an acceptable standard of amenity for residents of the proposed dwelling. Paragraph 3.5 of the "Infill Sites" SPG states: *'Infill, backland and site redevelopment must result in the creation of good places to live. This needs to be demonstrated through the quality of internal living space; private amenity space; and through adherence to principles relating to access, security, and legibility.'* Paragraph 4.1 states: *'Any infill, backland or site redevelopment must consider both the new and future occupiers' amenity, as well as the amenities available to neighbouring residents.'*
- 8.7 This proposal does not provide acceptable outdoor amenity space for residents: the space to the side would measure only around 11 square metres, would be north facing and would be immediately adjacent to the rear of 35 Ely Road. This would not provide an appropriate space for sitting out, clothes drying etc. The south-facing balcony would not provide an acceptable alternative as it would have an area of only 1.5 square metres (approx.). Also, the space indicated for the storage of bicycles would not be large enough for its intended purpose, although this could be amended to an acceptable size. The requirements of the "Infill Sites" SPG are that *'All new residential dwellings, as well as existing*

dwellings affected by the development, should maintain useable and appropriate external amenity space. This space should be integrated within the design proposals and not just be 'left over space' after planning.' (para. 4.2), 'It should be demonstrated that the size and type of external amenity space is appropriate to the type of development and to the urban grain of the area' and 'Houses and ground floor flats that will serve as family accommodation should include enclosed and secure private amenity areas. Such amenity areas should measure at least 10.5m in depth or 50m² overall but generally reflect that which is characteristic of the surrounding area.' (para. 4.5).

- 8.8 The safety and security of future residents is also of concern: the only access to the house would be from Ely Road via an unlit lane, the house being around 25m from the highway and 30m from the nearest street light. This issue has not been addressed in the application, and paragraph 2.8 of the "Infill Sites" SPG states that *'Development proposals accessed primarily by rear lanes are unlikely to be supported unless it can be demonstrated that the pedestrian access arrangement (street lighting, highway safety and surveillance) and living conditions (light, outlook, overlooking and quality of amenity space) would be acceptable.'*
- 8.9 With regard to the objections received (which are set out in section 7 of this report):
- 1) Bats and nesting birds are protected by law, separate to planning legislation, and, should the planning application be approved, suitable conditions relating to the timing of site clearance could be imposed and the developer would be reminded that disturbance to bats and damage to / destruction of their breeding sites and resting places are criminal offences and that it is also an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built.
 - 2) The nearest protected tree is around 35m from the application site and would not be affected by the development. The other trees are not protected by Tree Preservation Orders and could be felled or pruned without the need for the Council's permission. Nesting birds and bats are protected by other legislation. The application site is an area of hard surfacing and does not extend into the 'woodland' – the only trees that may be affected would be on the site boundary, and these could be protected from inappropriate pruning via a planning condition if necessary.
 - 3) Development of the site could result in a reduction in fly tipping and anti-social behaviour as the lane would be overlooked. However, this does not constitute overriding grounds for approving the application as security could be improved by other means. The introduction of one further house would not increase the population of the area to any noticeable extent and would have no discernible impact on refuse and vermin problems.
 - 4) The windows of the first floor flats would not be significantly affected by the development as they would be far enough away; however, the adjacent ground floor rear extension receives light from the south and would be adversely affected, given the close proximity of the proposed dwelling.

- 5) The issue of amenity space is discussed earlier in this report. The site is privately owned and the Local Planning Authority must consider the acceptability of the development that has been applied for, irrespective of whether others may prefer an alternative scheme.
- 6) The Council's adopted parking guidelines as set out in the SPG "Managing Transportation Impacts (Incorporating Parking Standards)" (2018) do not require any car parking spaces to be provided for this development, and the Transportation officer has raised no concerns with regard to this issue.
- 7) The view of the Transportation officer is that the addition of a (potential) additional traffic movement is not anticipated to result in any material impact.
- 8) Should the application be approved, a construction management condition could be used if necessary to control the timing of construction traffic accessing the site to avoid times of day when schoolchildren would be in the vicinity.
- 9) The development would be considered to be overbearing due to its location close to the boundary with the neighbouring property and this issue is discussed earlier in this report.
- 10) The first floor windows of the proposed house would face towards the rear garden of 37 Ely Road at a distance of around 10 metres. This is closer than the minimum of 10.5m advised in the "Infill Sites" SPG for habitable rooms overlooking rear gardens and constitutes a potential reduction in privacy. The SPG states: *'New developments should allow for adequate privacy for the occupiers of the proposed buildings as well as for neighbouring properties. Normally, a minimum of 21m should be maintained between principal windows to habitable rooms. However, it may be possible to achieve privacy with a combination of separation distance; appropriate position and aspect of habitable rooms; screening; building orientation; window positioning, size and style of window and placement of gardens. Design proposals will need to demonstrate how an adequate level of privacy has been provided for habitable rooms within each dwelling. The minimum overlooking distance from a habitable room window to a garden area of a separate dwelling should be 10.5m. Relying on obscurely glazed windows or non-opening windows is not a preferred means of achieving privacy.'* (para. 4.9)
- 11) Any future planning applications would be determined on their individual merits taking into account national and local planning policies and guidance, and the fact that a house had been constructed in this location would not make it any more likely that future applications would be approved.
- 12) The issue of design is discussed earlier in this report.

8.10 In response to the objections of the Llandaff Society:

- 1) The loss of amenity space and the issue of parking are discussed above. Should the application be approved, an alternative site for bin storage for the flats could be identified or an enclosure provided.
- 2) Outdoor amenity space is discussed above. The goals of the Wellbeing of Future Generations Act will be taken into consideration when this applications is determined: any statutory body carrying out a planning

function has a duty to exercise those functions in accordance with the principles of sustainable development. The Covid-19 pandemic has made it more desirable for households to have their own outdoor amenity space but at present there are no planning policies or regulations compelling developers to provide such space in all cases, and each proposal has to be determined in the light of current policies and guidance.

- 3) There is no history of planning permission having been applied for in respect of the adjoining land and no current planning applications. It would not be necessary to develop the land in order to resolve a nuisance problem.

8.11 With regard to the points raised by Councillors Sean Driscoll and Philippa Hill-John:

- 1) The proposals fail to comply with a number of the requirements set out in the Infill Sites SPG, and these are discussed above.
- 2) Issues of design, impact on amenity, pedestrian access and overdevelopment are considered above. The quality of the design and access statement is not relevant as such statements are required only for major developments. The Waste management officer raised no concerns regarding presentations for waste collections.
- 3) The issue of crime and anti-social behaviour is considered earlier in this report.
- 4) When notified of applications, neighbours are asked to let the owner of the property (if not themselves) know about the proposals. In this case a neighbour indicated that Cadwyn Housing Association were going to make representations but they do not appear to have done so.
- 5) Suitable conditions removing permitted development rights could be imposed should the application be granted. However, the area between 35 and 37 Ely Road is not within the application site and third parties may have a legal right of access, therefore it would not be possible to control access via a planning condition as suggested.

8.12 The matters raised by Mark Drakeford MS and Kevin Brennan MP regarding overdevelopment, traffic, the appearance of the proposed dwelling, fly tipping and trees are considered above. The point regarding affordable housing is also noted. However, the application does not state that the property is proposed to be affordable accommodation.

8.13 In conclusion, the proposed development is considered unacceptable in terms of its adverse impact on the amenities of neighbouring residents, the lack of adequate outdoor amenity space and cycle storage, the safety of future residents of the dwelling and the design of the building, and it is recommended that planning permission be refused.

9. **OTHER CONSIDERATIONS**

9.1 *Crime and Disorder Act 1998*

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of

the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

9.2 *Equality Act 2010*

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

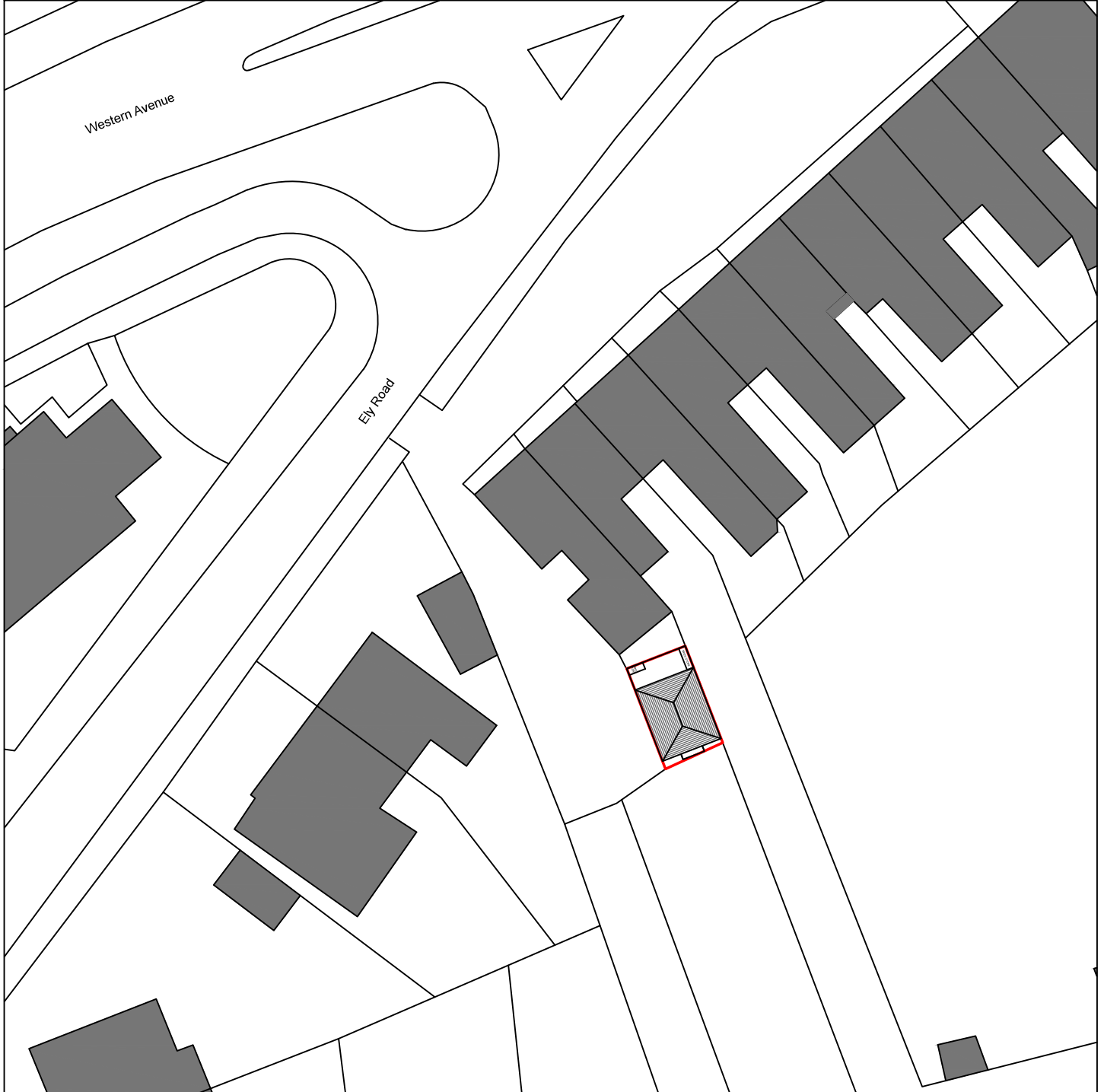
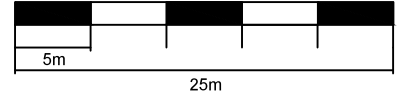
9.3 *Environment (Wales) Act 2016*

The Environment (Wales) Act 2016 imposes a duty on the Local Authority to seek to maintain and enhance biodiversity in the proper exercise of its functions, and in doing so to promote the resilience of ecosystems. It is considered that there would be no adverse implications for, or effect on, biodiversity as a result of the proposed decision.

9.4 *Well-being of Future Generations (Wales) Act 2015*

The Well-being of Future Generations (Wales) Act 2015 places a duty on the Welsh Ministers (and other public bodies) to produce well-being objectives and take reasonable steps to meet those objectives in the context of the principle of sustainable development. The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act), has been considered and account has been taken of the ways of working set out at section 5 of the WBFG Act in the determination of this application, and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the well-being objectives referred to in section 9 of the WBFG Act.



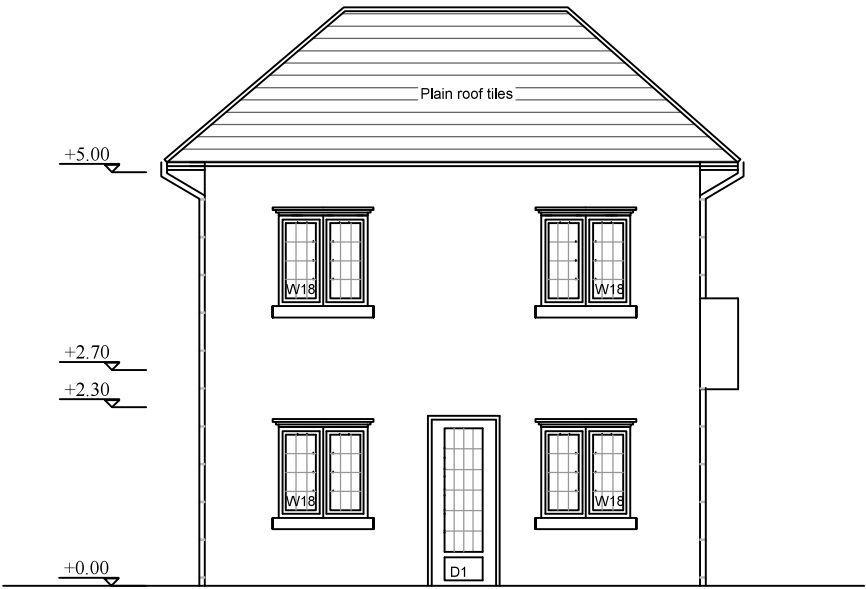


35 ELY ROAD, CF5 2JF CARDIFF
BLOCK PLAN

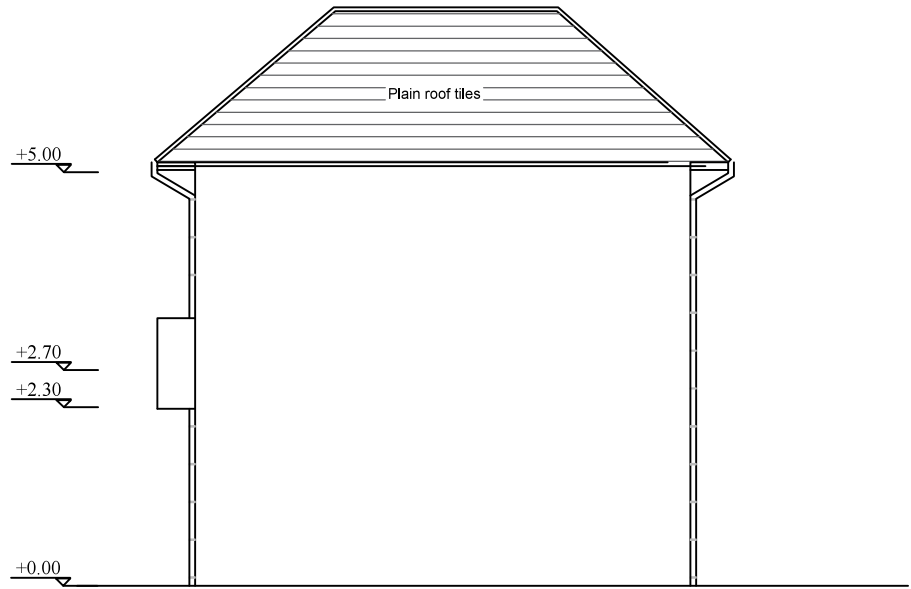
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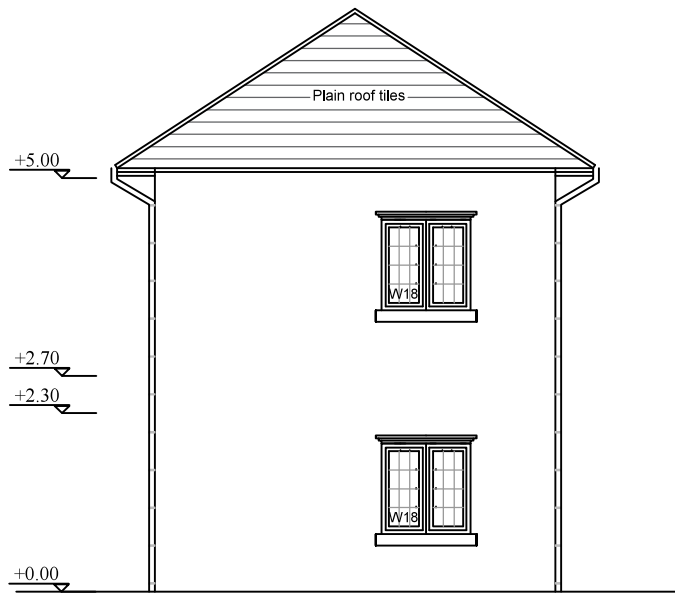
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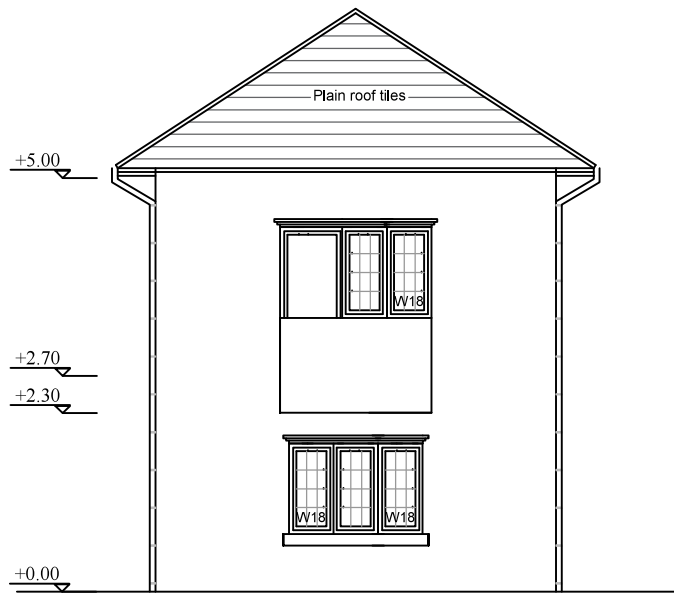
Front Elevation



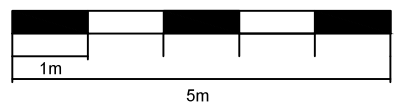
Rear Elevation



Side Elevation

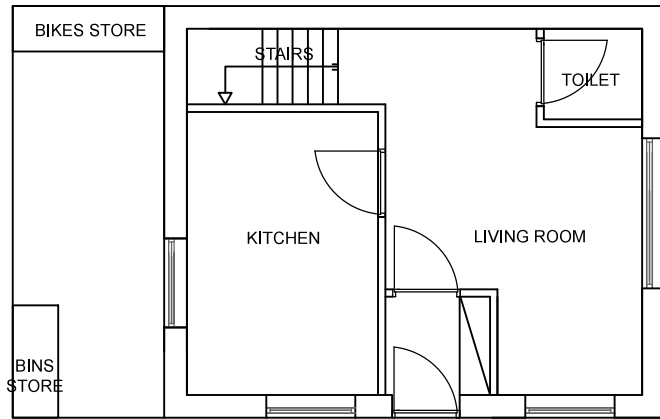


Side Elevation

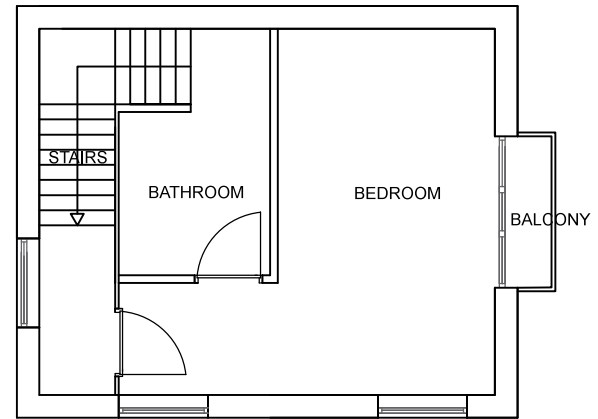


35 ELY ROAD, CF5 2JF CARDIFF
ELEVATIONS

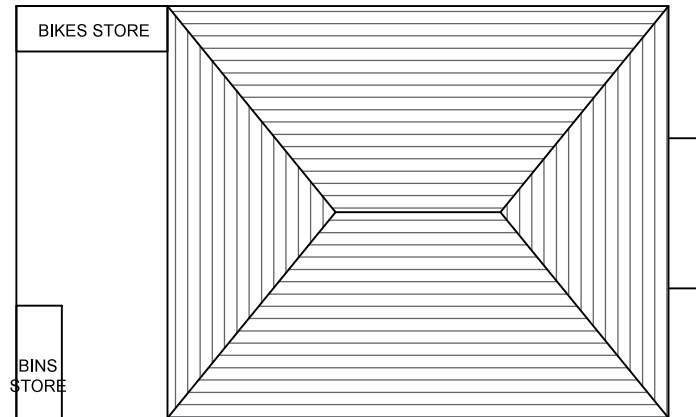
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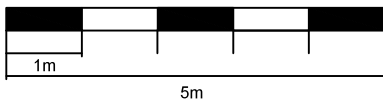
GROUND FLOOR



FIRST FLOOR



ROOF PLAN





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**CYNGOR CAERDYDD
CARDIFF COUNCIL**



PLANNING COMMITTEE:

22 July 2020

**REPORT OF THE DIRECTOR OF PLANNING, TRANSPORT &
ENVIRONMENT**

**Stopping Up/Diversion Order, Section 257 Town and Country Planning Act
1980, Maelfa Development Site**

Reason for this Report

1. Section 257 of the Town and Country Planning Act 1990 provides that the Council may by order authorise the stopping up or diversion of any footpath if it is satisfied that it is necessary to do so in order to enable development to be carried out

Background

2. The path is to be diverted in accordance with Planning Application 19/0160MJR to enable Development at the Maelfa site in a scheme initiated by Neighbourhood Regeneration.
3. The proposed development will require the stopping up of a section of adopted highway footpath crossing the car park and open space. A new path will be created following a similar route direction around the perimeter of the development. The surrounding open space will be landscaped creating a more pleasant and amicable route for the public to use and enjoy.
4. Housing Officers confirmed during the submission of the Section 257 application, that the new building will remain Council owned, therefore the adopted highway in front of the building and entrance into the building will be retained.
5. During the initial consultation process, Parks Officers confirmed they would liaise with the developer to ensure the new footpath created will tie in with existing infrastructure.

Issues

6. The proposed development has had planning consent, however, in order for this development to proceed, there is a requirement to stop up the adopted highway which will be built on.
7. This application process also ensures the public's right to use and enjoy the footpath is retained.
8. There are no known issues as no objections to the application have been received and all statutory and non-statutory consultees are in agreement for this application to proceed.

Local Member consultation (where appropriate)

9. Written consultation was sent on 2 June 2020 and no objections or concerns were received by the consultees.
 - Pentwyn Ward Members:
 - Cllr Joe Carter;
 - Cllr Frank Jacobsen;
 - Cllr Dan Naughton; and
 - Cllr Emma Sandrey
 - Adjacent landowners - Cardiff Council Housing is the landowner and adjacent landowner is Cardiff Council Parks Department
 - Utilities:
 - Virgin;
 - BT Openreach;
 - Welsh Water; and
 - Western Power
 - Users groups:
 - Ramblers;
 - Auto Cycle Union;
 - British Horse Society;
 - Byways and Bridleways Trust;
 - Open Spaces Society;
 - Cycling UK; and
 - Welsh Trail Riders Association

Reason for Recommendations

10. To enable the proposed Development in accordance with Planning Application 19/0160 MJR and maintain a public path, in an enhanced environment in line with the proposed Development.
11. 109 metres of the former path is to be stopped up and replaced by 140 metres of path gently meandering in a leafy glade.

Financial Implications

12. None. The applicant has made a commitment to cover legal costs of the Order.

Legal Implications (including Equality Impact Assessment where appropriate)

13. None

HR Implications

14. None.

RECOMMENDATIONS

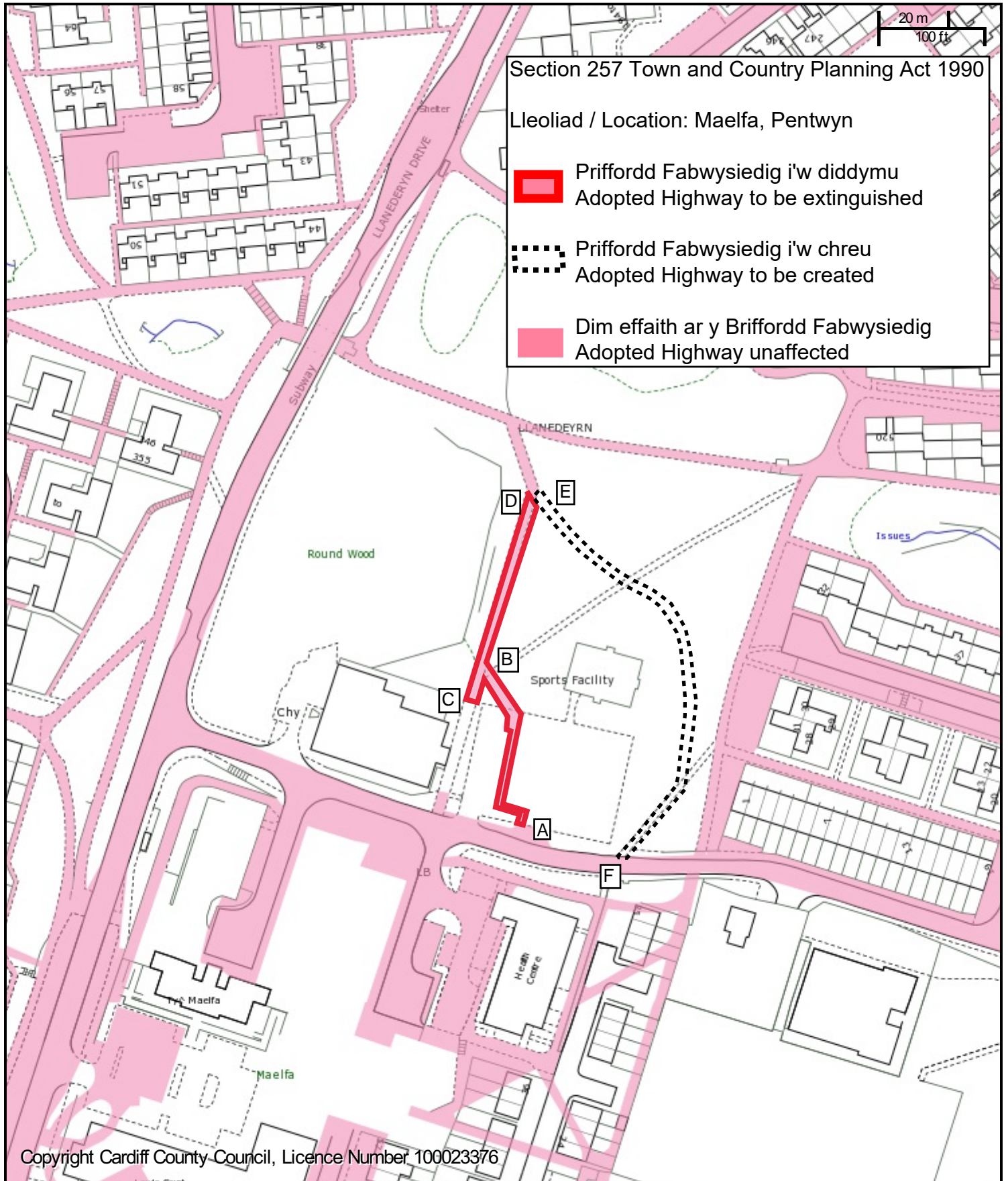
Planning Committee to approve the Section 257 Diversion Application to allow the Public Rights of Way Team to instruct Legal Services to process the Legal Order

ANDREW GREGORY
DIRECTOR PLANNING, TRANSPORT & ENVIRONMENT
25 June 2020

The following appendices are attached:

- Appendix A - Stopping up Map – Maelfa
- Appendix B - Maelfa Development Site Plan

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CHIEF EXECUTIVE

Neuadd y Sir, Glanfa'r Iwerydd
CAERDYDD CF10 4UW
Tel: 029 20872088

County Hall, Atlantic Wharf
CARDIFF CF10 4UW
Tel: 029 20872087

Cyngor Caerdydd

Cardiff Council



Maelfa Stopping Up

Scale: 1:1500

Date: 15/4/2020 at 14:02 PM

Coordinates:

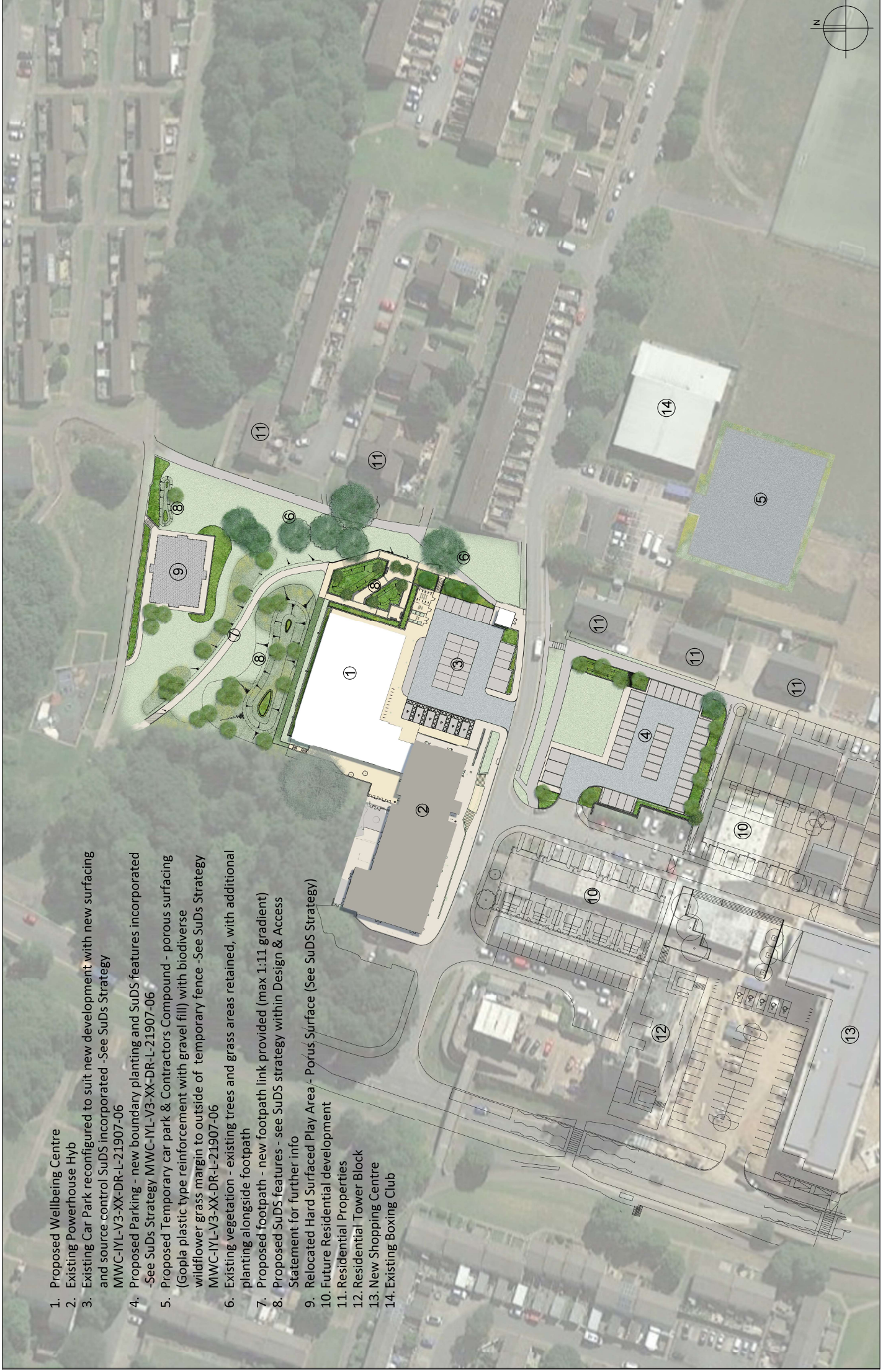
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1. Proposed Wellbeing Centre
2. Existing Powerhouse Hyb
3. Existing Car Park reconfigured to suit new development with new surfacing and source control SuDS incorporated - See SuDS Strategy MWC-1YL-V3-XX-DR-L-21907-06
4. Proposed Parking - new boundary planting and SuDS features incorporated - See SuDS Strategy MWC-1YL-V3-XX-DR-L-21907-06
5. Proposed Temporary car park & Contractors Compound - porous surfacing (Gopla plastic type reinforcement with gravel fill) with biodiverse wildflower grass margin to outside of temporary fence - See SuDS Strategy MWC-1YL-V3-XX-DR-L-21907-06
6. Existing vegetation - existing trees and grass areas retained, with additional planting alongside footpath
7. Proposed footpath - new footpath link provided (max 1:11 gradient)
8. Proposed SuDS features - see SuDS strategy within Design & Access Statement for further info
9. Relocated Hard Surfaced Play Area - Porus Surface (See SuDS Strategy)
10. Future Residential development
11. Residential Properties
12. Residential Tower Block
13. New Shopping Centre
14. Existing Boxing Club



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Applications decided by Delegated Powers between 01/06/2020 and 30/06/2020

Total Count of Applications: 157

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>
20/00537/MJR	04/03/2020	CCHA	DISCHARGE OF CONDITIONS 15 (DEMOLITION METHOD STATEMENT) AND 16 (CONSTRUCTION MANAGEMENT PLAN) OF 17/02902/MJR	LONGCROSS HOUSE, LONGCROSS STREET, ADAMSDOWN, CARDIFF, CF24 0JW	97	False	Full Discharge of Condition	09/06/2020
20/00925/MJR	22/05/2020	McLaren Property	PROPOSED ALTERATIONS TO THE EXTERNAL CLADDING OF THE UPPER FLOOR AREAS - PREVIOUSLY APPROVED UNDER 15/02268/MJR	BLOCK A THE FITZALAN, FITZALAN ROAD, ADAMSDOWN	13	True	Permission be granted	04/06/2020
20/01049/MJR	03/06/2020	Crosslane Student Developments (Howard Gardens) Ltd	INTERNAL AND EXTERNAL ALTERATIOIS TO PLANNING PERMISSION 17/02618/MJR	LAND AT HOWARD GARDENS, ADAMSDOWN	27	True	Permission be granted	30/06/2020

<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>
20/00578/MNR	05/03/2020	Mr David Kitchen	CONVERT FOUR BEDROOM DWELLING INTO 2NO. SELF CONTAINED FLATS WITH LOFT CONVERSION WITH REAR DORMER AND ALTERATIONS	24 BRADLEY STREET, ADAMSDOWN, CARDIFF, CF24 1PE	95	False	Permission be granted	08/06/2020
20/00264/MNR	11/02/2020	Engenie Ltd	DISCHARGE OF CONDITION 3 (WORKS DESIGN PACK) OF 18/02639/MNR	LAND AT HOWARD PLACE, ADAMSDOWN, CARDIFF	112	False	Full Discharge of Condition	02/06/2020
20/00275/MNR	20/02/2020	Iqbal	REPLACEMENT OF CENTRE WINDOW TO 2NO FLATS TO PROVIDE FOR EMERGENCY ESCAPE AND THE PROVISION OF SECONDARY GLAZING	64 NEWPORT ROAD, ADAMSDOWN, CARDIFF, CF24 0DF	113	False	Permission be granted	12/06/2020

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>
20/00883/MJR	04/05/2020	Opto Property Group	DISCHARGE OF CONDITION 16 (AIR QUALITY ASSESSMENT) OF 19/02684/MJR	1 EAST BAY CLOSE, ATLANTIC WHARF, CARDIFF, CF10 4BA	44	True	Full Discharge of Condition	17/06/2020
20/00855/MJR	04/05/2020	East Bay Cardiff Limited	DISCHARGE OF CONDITION 14 (ACOUSTIC ASSESSMENT) OF 19/02684/MJR	1 EAST BAY CLOSE, ATLANTIC WHARF, CARDIFF, CF10 4BA	51	True	Full Discharge of Condition	24/06/2020
20/01018/MJR	02/06/2020	Opto Property Group	DISCHARGE OF CONDITION 10 (AGGREGATES) OF 19/02684/MJR	1 EAST BAY CLOSE, ATLANTIC WHARF, CARDIFF, CF10 4BA	1	True	Full Discharge of Condition	03/06/2020
20/01019/MJR	02/06/2020	Opto Property Group	DISCHARGE OF CONDITION 11 (CONTAMINATION) OF 19/02684/MJR	1 EAST BAY CLOSE, ATLANTIC WHARF, CARDIFF, CF10 4BA	1	True	Full Discharge of Condition	03/06/2020
20/00880/MJR	22/05/2020	Cardiff Community Housing Association	REMOVAL OF EXISTING TIMBER CLADDING AND REPLACEMENT WITH NON-COMBUSTIBLE TIMBER EFFECT CLADDING TO CLOSELY MATCH THE ORIGINAL CEDAR - PREVIOUSLY APPROVED UNDER 04/01946/C	JUNCTION LOCK, ROATH BASIN, COMMERCIAL DOCK AND PIERHEAD STREET, BUTETOWN, CARDIFF	13	True	Permission be granted	04/06/2020
20/00999/MJR	26/05/2020	Ronson	DISCHARGE OF CONDITIONS 3 (ARCHITECTURAL DETAILING), 4 (MATERIAL SAMPLES), 5 (ENVIRONMENTAL IMPROVEMENT SCHEME), 7 (CONSTRUCTION MANAGEMENT PLAN), 8 (DRAINAGE SCHEME), 10 (GASES), 11 (CONTAMINATION) AND 12 (REMEDIATION SCHEME AND VERIFICATION PLAN) OF 18/03002/MJR	ABERDARE HOUSE, MOUNT STUART SQUARE, BUTETOWN, CARDIFF, CF10 5FJ	10	True	Full Discharge of Condition	05/06/2020

<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>
20/00389/MNR	21/02/2020	DEPOT	DISCHARGE OF CONDITION 3 (CCTV DETAILS) OF 19/02321/MNR	LYNDONS SCAFFOLDING, WILLIAMS WAY, BUTETOWN, CARDIFF, CF10 5DY	101	False	Full Discharge of Condition	01/06/2020
20/00692/MNR	20/03/2020	Brew Monster	CHANGE OF USE FROM CLASS A3 RESTAURANT TO A CLASS A3 CRAFT BREWER PUB AT GROUND FLOOR OF THE OCEAN BUILDINGS	OCEAN BUILDINGS, BUTE CRESCENT, CARDIFF BAY, CARDIFF, CF10 5AY	83	False	Permission be granted	11/06/2020

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>
20/00541/DCH	04/03/2020	JOYCE	TWO STOREY SIDE EXTENSION WITH SINGLE STOREY EXTENSIONS TO FRONT AND REAR	1 HERITAGE DRIVE, CAERAU, CARDIFF, CF5 5QD	110	False	Planning Permission be refused	22/06/2020
20/01043/DCH	03/06/2020	Duffin	INCREASE THE WIDTH OF EXTENSION AND INCLUDE EXTRA SKYLIGHT - PREVIOUSLY APPROVED UNDER 19/02966/DCH	6 BRANWEN CLOSE, CAERAU, CARDIFF, CF5 4NE	8	True	Permission be granted	11/06/2020
20/00820/DCH	19/05/2020	Beker	REAR SINGLE STOREY EXTENSION	7 HEOL EBWY, CAERAU, CARDIFF, CF5 5EB	34	True	Permission be granted	22/06/2020

<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/20/00011/MNR	31/01/2020	Heron Foods Ltd	NEW SIGNS	SITE OF THE CAERAU, BISHOPSTON ROAD, CAERAU, CARDIFF, CF5 5DZ	140	False	Permission be granted	19/06/2020

20/00434/MNR	20/02/2020	Cardiff Council	SINGLE STOREY EXTENSIONS TO EXISTING TY GWYN ANNEX (FORMER TRELAI YOUTH CENTRE) CREATING 3NO. ADDITIONAL CLASSROOMS AND OFFICE SUITES/SPACES AND TO FORM A CONNECTING JOIN BETWEEN TY GWYN SCHOOL AND THE ANNEX BUILDING. COMPLETED WITH EXTERNAL AMENITIES	FORMER TRELAI YOUTH CENTRE, BISHOPSTON ROAD, CAERAU, CARDIFF, CF5 5DY	105	False	Permission be granted	04/06/2020
19/03156/MNR	03/12/2019	Aldi Stores Limited	VARIATION OF CONDITION 3 OF 16/00298/MNR TO THE FOLLOWING: THERE SHALL BE NO ARRIVAL, DEPARTURE, LOADING OR UNLOADING OF VEHICLES BETWEEN THE HOURS OF 2200 AND 0600 MONDAY TO SATURDAY AND 2100 AND 0700 ON SUNDAYS AND BANK HOLIDAYS	ALDI FOODSTORE LTD, TRESEDER WAY, CAERAU, CARDIFF, CF5 5NU	204	False	Planning Permission be refused	24/06/2020

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>
20/00603/DCH	10/03/2020	Jones	REAR SINGLE STOREY FLAT ROOF EXTENSION	21 PENCISELY RISE, CANTON, CARDIFF, CF5 1DX	111	False	Permission be granted	29/06/2020
20/00665/DCH	19/03/2020	richards	SINGLE STOREY SIDE/REAR EXTENSION	48 LANSDOWNE AVENUE WEST, CANTON, CARDIFF, CF11 8FT	83	False	Permission be granted	10/06/2020
20/00451/DCH	25/02/2020	Wmffras	DEMOLITION OF REAR SINGLE LEAN-TO STRUCTURE AND CONSTRUCTION OF NEW REAR SINGLE STOREY EXTENSION	9 VICTORIA PARK ROAD WEST, CANTON, CARDIFF, CF5 1EZ	111	False	Permission be granted	15/06/2020

<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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19/02328/MJR	23/08/2019	Ely Mill Development Company	RESERVED MATTERS IN RESPECT OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOR 125 RESIDENTIAL DWELLINGS IN PHASE B2, PART PHASE C AND PART PHASE E APPROVED UNDER 18/01190/MNR	PHASE B2, PART PHASE C AND PART PHASE E, FORMER PAPER MILL ARJO WIGGINS, SANATORIUM ROAD, CANTON	300	False	Permission be granted	18/06/2020
19/02811/MJR	08/11/2019	Hamaa LTD	WORKS TO FACILITATE CONVERSION, ALTERATION & EXTENSION OF DISUSED APARTMENTS ABOVE THE CORPORATION HOTEL INTO USABLE APARTMENTS	THE FORMER CORPORATION HOTEL, 188 COWBRIDGE ROAD EAST AND 9 LLANDAFF ROAD, CANTON, CARDIFF, CF5 1GW	217	False	Permission be granted	12/06/2020
19/02810/MJR	08/11/2019	Hamaa LTD	CONVERSION, ALTERATION & EXTENSION OF ROOMS ABOVE THE CORPORATION HOTEL INTO USABLE APARTMENTS INC DETACHED NEW RESIDENTIAL BUILDING TO THE REAR AND CONVERSION OF 9 LLANDAFF ROAD FROM ONE DWELLING TO TWO FLATS	THE FORMER CORPORATION HOTEL, 188 COWBRIDGE ROAD EAST AND 9 LLANDAFF ROAD, CANTON, CARDIFF, CF5 1GW	216	False	Permission be granted	11/06/2020
20/00717/MJR	16/04/2020	Lovell Partnerships Ltd	AMENDMENTS TO APARTMENT BLOCKS A3 & A4 - PREVIOUSLY APPROVED UNDER 16/01340/MJR	FORMER ARJO WIGGINS, OLD MILL BUSINESS PARK, SANATORIUM ROAD, CANTON, CARDIFF	49	True	Permission be granted	04/06/2020
<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>
20/00538/MNR	09/03/2020	Lone	CONVERSION OF PART GROUND FLOOR AND FIRST FLOOR INTO A FLAT AND DUPLEX FLAT WITH A NEW SHOPFRONT TO PROVIDE SEPARATE ACCESS AND ALTERATIONS TO THE REAR	402 COWBRIDGE ROAD EAST, CANTON, CARDIFF, CF5 1JJ	101	False	Planning Permission be refused	18/06/2020
20/00817/MNR	24/04/2020	Rees	PARTIAL DISCHARGE OF CONDITION 6 (GAS) OF 15/00824/MNR	PART OF LAND AT 108 LANSDOWNE ROAD, CANTON, CARDIFF, CF5 1PW	63	False	Full Discharge of Condition	26/06/2020

20/01140/MNR	15/06/2020	Threipland	DISCHARGE OF CONDITIONS 5 (CONSTRUCTION METHOD STATEMENT) AND 6 (CONSTRUCTION SITE DUST) OF 19/02805/MNR	29 EGERTON STREET, CANTON, CARDIFF, CF5 1RF	7	True	Full Discharge of Condition	22/06/2020
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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>
20/00624/DCH	25/03/2020	Jeffreys	GROUND FLOOR EXTENSION REAR DORMER AND VELUX	16 FLORA STREET, CATHAYS, CARDIFF, CF24 4EP	90	False	Permission be granted	23/06/2020
20/00258/DCH	04/02/2020	Winter	DEMOLITION OF EXISTING TWO STOREY EXTENSION AND CONSTRUCTION OF PART SINGLE PART DOUBLE STOREY REAR EXTENSION WITH REAR DORMER LOFT CONVERSION	28 THESIGER STREET, CATHAYS, CARDIFF, CF24 4BN	125	False	Permission be granted	08/06/2020
20/00651/DCH	19/05/2020	Lauwerys	REAR SINGLE STOREY EXTENSION AND GARDEN FLOOR LEVEL RAISED TO MATCH GROUND LEVEL	22 HIRWAIN STREET, CATHAYS, CARDIFF, CF24 4JH	34	True	Permission be granted	22/06/2020
<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>
20/00766/MJR	01/04/2020	Cardiff University	DISCHARGE OF CONDITIONS 4 (WINDOW DETAILS), 5 (HISTORIC FABRIC METHOD STATEMENT) AND 7 (HOT ASPHALT WORKS) OF 19/02823/MJR	BUTE BUILDING, KING EDWARD VII AVENUE, CATHAYS PARK, CARDIFF, CF10 3NB	69	False	Full Discharge of Condition	09/06/2020

20/00898/MJR	01/05/2020	Rightacres Property Company Limited	DISCHARGE OF CONDITIONS 3 (MATERIAL SAMPLES) AND 4 (ARCHITECTURAL DETAILS) OF 19/03052/MJR	SITE OF FORMER MARLAND HOUSE AND NCP CAR PARK, CENTRAL SQUARE, CITY CENTRE, CARDIFF, CF10 1PF	49	True	Full Discharge of Condition	19/06/2020
20/00950/MJR	14/05/2020	Cardiff University	DISCHARGE OF CONDITIONS 3 (ROOFLIGHT DETAILS) AND 6 (METHOD STATEMENT) OF 19/02823/MJR	BUTE BUILDING, KING EDWARD VII AVENUE, CATHAYS PARK, CARDIFF, CF10 3NB	35	True	Full Discharge of Condition	18/06/2020
20/00741/MJR	19/06/2020	Cardiff University	DISCHARGE OF CONDITION 3 (GAS PROTECTION) OF 18/2019/MJR	LAND AT SENGHENNYDD ROAD, CATHAYS, CARDIFF	5	True	Partial Discharge of Condition (s)	24/06/2020
<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>
20/00870/MNR	12/05/2020	Hoare	NEW SHOP FRONT TO EXISTING RETAIL UNIT	125 QUEEN STREET, CITY CENTRE, CARDIFF, CF10 2BJ	41	True	Permission be granted	22/06/2020
19/03329/MNR	30/12/2019	Vidler	GROUND FLOOR REAR EXTENSIONS, REAR DORMER AND CONVERSION TO FOUR FLATS	69 WOODVILLE ROAD, CATHAYS, CARDIFF, CF24 4FX	165	False	Permission be granted	12/06/2020
20/00395/MNR	17/02/2020	Glaister	CHANGE OF USE OF GROUND FLOOR/BASEMENT OF EXISTING BACKPACKERS HOSTEL TO CLASS A3 RESTAURANT/BAR & TAKEAWAY - ACCESS TO HOSTEL FROM ST MARY STREET TO BE RETAINED TO FIRST, SECOND & THIRD FLOORS	109 ST MARY STREET, CITY CENTRE, CARDIFF, CF10 1DX	112	False	Permission be granted	08/06/2020
20/00514/MJR	27/02/2020	Ministry of Justice	REMOVAL AND REPAIR OF ALL FLAT ROOFS, REPAIR OF EXISTING PITCHED SLATE ROOFS, REPAIRS TO EXISTING CHIMNEYS AND RAINWATER GOODS	LAW COURTS, KING EDWARD VII AVENUE, CATHAYS PARK, CARDIFF, CF10 3NL	105	False	Permission be granted	11/06/2020

20/00406/MNR	20/02/2020	Demipower LTD	VARIATION OF CONDITION 2 OF PLANNING PERMISSION 19/00413/MNR IN RELATION TO OPENING HOURS AND PUBLIC ADMITTANCE	112 ST MARY STREET, CITY CENTRE, CARDIFF, CF10 1DX	111	False	Permission be granted	10/06/2020
20/00469/MNR	18/03/2020	LaSalle Investment Management	VARIATION OF CONDITION 2 OF 18/02479/MNR WITH REGARD TO APPROVED PLANS AND THE DESIGN AND SIZE OF THE WINDOWS ONTO TABERNACLE LANE	33 ROYAL ARCADE, CITY CENTRE, CARDIFF, CF10 1AE	75	False	Permission be granted	01/06/2020
20/00548/MNR	02/03/2020	Lysaght	ROOF LEVEL DEVELOPMENT TO CREATE THREE SELF CONTAINED FLATS WITH INCREASED HEIGHT AND EXTERNAL ALTERATIONS AND ACCESS STAIR OFF REAR OF 7A HIGH STREET	CROWN COURT, 1 DUKE STREET, CITY CENTRE, CARDIFF	91	False	Permission be granted	01/06/2020
20/00628/MNR	12/03/2020	EURANGLO CARDIFF LIMITED	EXTENSION TO THE GROUND FLOOR TO CREATE 3NO. NEW FLEXIBLE USE UNITS (CLASSES A1/A2/A3) AND NEW RECEPTION AREA	SOUTHGATE HOUSE, WOOD STREET, CITY CENTRE	81	False	Permission be granted	01/06/2020
20/00098/MNR	17/01/2020	Piazza Estates Ltd	VARIATION OF CONDITIONS 2, 3 AND 4 OF 13/00383/DCI TO PROVIDE USE AS A CAFE/ RESTAURANT (A3), TO EXTEND THE OPENING HOURS TO 08:00 AND 22:00 AND ALLOW FOR THE USE OF COMMERCIAL COOKING/EXTRACTION EQUIPMENT	83 CATHAYS TERRACE, CATHAYS, CARDIFF, CF24 4HT	139	False	Permission be granted	04/06/2020
20/00430/MNR	21/02/2020	ELLERMAN	PROPOSED CONSTRUCTION OF A SINGLE DWELLING WITH ON SITE PARKING, AND PRIVATE AMENITY SPACE	LAND TO THE REAR OF 14, QUEEN ANNE SQUARE, CATHAYS PARK	104	False	Permission be granted	04/06/2020
20/00265/MNR	11/02/2020	Engenie Ltd	DISCHARGE OF CONDITION 3 (FULL DETAILED DESIGN PACKAGE) OF 19/01700/MNR	OUTSIDE UNITED REFORM CHURCH, WINDSOR PLACE, CITY CENTRE	112	False	Full Discharge of Condition	02/06/2020
20/00266/MNR	12/02/2020	Engenie Ltd	DISCHARGE OF CONDITIONS 3 (FULL DETAILED DESIGN PACKAGE) OF 19/1702/MNR	OUTSIDE CROWN BUILDINGS, KING EDWARD VII AVENUE, CATHAYS PARK	111	False	Full Discharge of Condition	02/06/2020

20/00318/MNR	10/02/2020	Ahmed 2005 Family Settlement	RETENTION OF 9 BEDROOM HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS USE CLASS)	92 MISKIN STREET, CATHAYS, CARDIFF, CF24 4AR	113	False	Permission be granted	02/06/2020
20/00857/MNR	19/05/2020	The Shah Pension Scheme	ALTERATIONS TO THE FRONT ELEVATION FACADE OF 11 AND 12 CHURCH STREET. ALTERATIONS TO THE ROOF WITH DORMER ROOF EXTENSIONS AND FIRST AND SECOND FLOOR REAR EXTENSION TO 12 CHURCH STREET	11-12 CHURCH STREET, CITY CENTRE, CARDIFF, CF10 1BG	34	True	Permission be granted	22/06/2020
20/01040/MNR	03/06/2020	Mr & Ms Griffiths	DISCHARGE OF CONDITIONS 8 (DESK STUDY REPORT), 9 (REMEDICATION SCHEME), 10 (VERIFICATION REPORT) AND 11 (CONTAMINATION SCHEME) OF 19/02664/MNR	REAR OF 23 SALISBURY ROAD, CATHAYS, CARDIFF, CF24 4AA	8	True	Full Discharge of Condition	11/06/2020

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20/00470/DCH	28/02/2020	Jones	SINGLE STOREY REAR EXTENSION	23 TREM Y COED, ST FAGANS, CARDIFF, CF5 6FA	97	False	Permission be granted	04/06/2020
20/00481/DCH	02/03/2020	Wallace	FLAT ROOF DORMER EXTENSION TO SIDE ELEVATION	6 CLOS-Y-CWARRA, ST FAGANS, CARDIFF, CF5 4QT	112	False	Permission be granted	22/06/2020
20/00939/DCH	20/05/2020	Vaughan	VARIATION OF CONDITION 3 OF 20/00615/DCH TO AMEND THE WORDING RELATING TO MATERIALS USED	26 MAES-Y-NANT, CREIGIAU, CARDIFF, CF15 9EJ	21	True	Permission be granted	10/06/2020

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>
20/00700/DCH	18/03/2020	Elias	SINGLE STOREY REAR EXTENSION	1 WOODLAND CRESCENT, CYNCOED, CARDIFF, CF23 6BU	85	False	Permission be granted	11/06/2020
20/00555/DCH	05/03/2020	Zou & Jiang	TWO STOREY SIDE EXTENSION TO PROVIDE NEW LIVING/ KITCHEN PLUS TWO NEW BEDROOMS/ ENSUITES AT FIRST FLOOR	45 HOLLYBUSH ROAD, CYNCOED, CARDIFF, CF23 6TZ	102	False	Permission be granted	15/06/2020
20/00724/DCH	31/03/2020	Stinton and McMillan	SINGLE STOREY SIDE EXTENSION	86 BLACK OAK ROAD, CYNCOED, CARDIFF, CF23 6QX	71	False	Permission be granted	10/06/2020
20/00849/DCH	19/05/2020	Jain	ALTERATIONS TO PROPOSED WINDOWS AND DOORS, CONVERSION OF GARAGE TO LIVING AREA AND THE ADDITION OF A CANTILEVERED PORCH AND SINGLE STOREY GARDEN SHEDS TO SIDE ELEVATION - PREVIOUSLY APPROVED UNDER 19/01966/DCH	149 RHYD Y PENAU ROAD, CYNCOED, CARDIFF, CF23 6PZ	34	True	Permission be granted	22/06/2020
20/00369/DCH	03/06/2020	Denton Powell	MINOR ALTERATIONS TO THE MATERIALS USED IN THE CONSTRUCTION OF THE SIDE CONSERVATORY - PREVIOUSLY APPROVED UNDER 19/02712/DCH	15 HEOL ESGYN, CYNCOED, CARDIFF, CF23 6JT	20	True	Permission be granted	23/06/2020

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20/00785/MNR	16/04/2020	British Telecom PLC	INSTALLATION OF ADDITIONAL LOUVRE VENTILATION	TELEPHONE EXCHANGE, THREE ARCHES AVENUE, CYNCOED, CARDIFF, CF14 0NU	55	True	Permission be granted	10/06/2020

20/00901/MNR	19/05/2020	Christ Church	ALTERATIONS TO EXTERNAL FINISHES - PREVIOUSLY APPROVED UNDER 17/02132/MNR	CHRIST CHURCH PARISH CHURCH, LAKE ROAD NORTH, ROATH PARK, CARDIFF, CF23 5QN	30	True	Permission be granted	18/06/2020
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ELY

<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>
20/00755/DCH	18/05/2020	Upton	PROPOSED SINGLE STOREY SIDE EXTENSION INCLUDING ALTERATIONS TO DRIVEWAY AND REPLACEMENT OF EXISTING WALL WITH A NEW FENCE	5 MANSELL AVENUE, ELY, CARDIFF, CF5 4TB	35	True	Permission be granted	22/06/2020

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>
19/02977/DCH	14/11/2019	Wigham	SINGLE STOREY EXTENSION	TUDOR LODGE, PWLLMELIN ROAD, FAIRWATER, CARDIFF, CF5 2NH	209	False	Permission be granted	10/06/2020

<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>
PRNO/20/00001/MNR	10/05/2020	Cardiff Council	DEMOLITION OF 1NO. SINGLE STOREY, DOUBLE HEIGHT BRICK BUILT BUILDING WITH A COMBINATION OF TILED PITCHED ROOF AND FLAT ROOFS AND 1NO. RESIDENTIAL BUNGALOW WITH TILED, PITCHED ROOF	FAIRWATER SOCIAL & ATHLETIC CLUB, PLAS MAWR ROAD AND THE BUNGALOW, 51 FERRIER AVENUE, FAIRWATER, CARDIFF	27	True	Permission Required	10/06/2020

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>
20/00410/DCH	19/02/2020	Ballson	DEMOLITION OF EXISTING LEAN TO SIDE/REAR EXTENSION AND CONSTRUCTION OF REAR AND SIDE SINGLE STOREY WRAP AROUND EXTENSION AND REAR FLAT ROOF DORMER EXTENSION. REMOVAL OF PORCH CANOPY TO FRONT ELEVATION AND DEMOLITION OF REAR GARAGE AND CONSTRUCTION OF DETACHED STUDY/OFFICE AREA	7 INGLEFIELD AVENUE, GABALFA, CARDIFF, CF14 3PY	117	False	Permission be granted	15/06/2020

<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>
20/00636/MNR	16/03/2020	MSA Properties	CONVERSION OF 232 WHITCHURCH ROAD & GROUND FLOOR OFFICE OF 234 WHITCHURCH ROAD INTO 3NO. FLATS	232-234 WHITCHURCH ROAD, GABALFA, CARDIFF, CF14 3ND	100	False	Permission be granted	24/06/2020

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>
A/20/00033/MNR	01/05/2020	MCDONALD'S RESTAURANTS LTD	THE INSTALLATION OF 4NO. NEW DIGITAL FREESTANDING SIGNS AND 1NO. 15" DIGITAL BOOTH SCREEN	MCDONALDS, CARDIFF BAY RETAIL PARK, FERRY ROAD, GRANGETOWN, CARDIFF, CF11 0JR	53	True	Permission be granted	23/06/2020

20/00351/MNR	04/03/2020	Bari Holdings Ltd	VARIATION OF CONDITION 2 (APPROVED PLANS) OF 19/00550/MNR TO ENABLE RE-CONFIGURATION OF DORMERS	33 CLARE ROAD, GRANGETOWN, CARDIFF, CF11 6QP	98	False	Permission be granted	10/06/2020
A/20/00035/MNR	19/05/2020	Suzuki G.B PLC	NEW SIGNS	WHITE DOVE GARAGES, HADFIELD ROAD, LECKWITH, CARDIFF, CF11 8WD	20	True	Permission be granted	08/06/2020

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>
20/00602/DCH	09/03/2020	Pritchard	GROUND FLOOR SIDE/REAR EXTENSION TO PROVIDE SEMI INDEPENDENT LIVING ACCOMMODATION	51 HEOL POWIS, BIRCHGROVE, CARDIFF, CF14 4PG	91	False	Permission be granted	08/06/2020
20/00596/DCH	24/03/2020	LESLIE	HIP TO GABLE EXTENSION WITH REAR DORMER	15 MAES-Y-COED ROAD, HEATH, CARDIFF, CF14 4HA	78	False	Permission be granted	10/06/2020
20/00364/DCH	13/02/2020	Mrs Claire Bell	SINGLE AND TWO-STOREY REAR EXTENSION	108 KING GEORGE V DRIVE NORTH, HEATH, CARDIFF, CF14 4EH	113	False	Permission be granted	05/06/2020
20/00920/DCH	07/05/2020	Sykes	DEMOLITION OF EXISTING SINGLE STOREY REAR EXTENSION AND DETACHED GARAGE AND CONSTRUCTION OF SINGLE STOREY REAR AND SIDE EXTENSION	13 ST GOWAN AVENUE, HEATH, CARDIFF, CF14 4JX	46	True	Permission be granted	22/06/2020
20/00808/DCH	18/05/2020	Morris	DEMOLITION OF EXISTING REAR SINGLE STOREY LEAN-TO EXTENSION AND BAY WINDOW AND CONSTRUCTION OF REAR SINGLE STOREY EXTENSION	14 DRYBURGH AVENUE, BIRCHGROVE, CARDIFF, CF14 4QN	35	True	Permission be granted	22/06/2020

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19/02940/MNR	06/11/2019	WILLIAMS	CONVERSION TO 5 FLATS IN TOTAL. EXISTING FLAT UNALTERED. COMMERCIAL ELEMENT INTO 4 FLATS - THE PROPOSED DEVELOPMENT	31 ST ANTHONY ROAD, HEATH, CARDIFF, CF14 4DF	215	False	Permission be granted	08/06/2020
20/00134/MNR	23/01/2020	Chowdhury	REMOVAL OF CONDITION 3 OF 14/00920/DCO TO ENABLE THE SALE OF HOT FOOD FOR CONSUMPTION OFF PREMISES	109-111 CAERPHILLY ROAD, BIRCHGROVE, CARDIFF, CF14 4QA	130	False	Permission be granted	01/06/2020
20/00587/MNR	05/03/2020	Stokes	DEMOLITION OF EXISTING DWELLING AND DETACHED GARAGE AND CONSTRUCTION OF NEW-BUILD DETACHED BUNGALOW	2 HEOL NEST, WHITCHURCH, CARDIFF, CF14 1SY	111	False	Permission be granted	24/06/2020
20/00885/MNR	20/05/2020	FLG Community Group	VARIATION OF CONDITION 2 OF 19/00252/MNR TO ALLOW AMENDMENT OF DRAWING NUMBERS TO LLWGAR18-1B, 2B, 3B & 4B	LLWYNFEDW GARDENS PARK, LLWYNFEDW GARDENS, BIRCHGROVE	33	True	Permission be granted	22/06/2020
20/01059/MNR	05/06/2020	Silver Crescent Estates Ltd.	REMOVAL OF CONDITIONS 16, 17 & 18 AS THEY REFER TO THE REQUIREMENT TO COMPLY WITH THE CODE FOR SUSTAINABLE HOMES - PREVIOUSLY APPROVED UNDER 13/02254/DCO	220-221 KING GEORGE V DRIVE EAST, HEATH, CARDIFF, CF14 4ER	13	True	Permission be granted	18/06/2020

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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>
20/00704/MJR	20/03/2020	Cardiff Council	DISCHARGE OF CONDITION 9 (SOILS) OF 18/01545/MJR	LAND ON THE EAST SIDE OF THORNHILL ROAD AND NORTH OF M4, LISVANE, CARDIFF	98	False	Full Discharge of Condition	26/06/2020

19/02157/MJR	13/08/2019	Ghaffar	RETROSPECTIVE PLANNING APPLICATION FOR ALIGNED ACCESS ROAD TO DWELLING, PARKING AND TURNING AREA, NEW POND AT SOUTH-EAST CORNER OF SITE TO FORM LANDSCAPE FEATURE AND ECOLOGICAL ENHANCEMENT, PERIMETER TRACK, GROUND RE-PROFILING AND LANDSCAPE WORKS	PENTWYN FARM, GRAIG-LLWYN ROAD, LISVANE, CARDIFF, CF14 0RP	304	False	Permission be granted	12/06/2020
20/00850/MJR	22/04/2020	Cardiff Council	MINOR ALTERATIONS TO SITE AND GENERAL ARRANGEMENT PLANS PREVIOUSLY APPROVED UNDER 18/01545/MJR	LAND ON THE EAST SIDE OF THORNHILL ROAD AND NORTH OF M4, LISVANE, CARDIFF	51	True	Permission be granted	12/06/2020

<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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20/00103/MNR	20/01/2020	Parochial Church Council of St Denys Church, Lisvane	DEMOLITION OF EXISTING TWO STOREY BUILDING AND DETACHED GARAGE, AND ERECTION OF TWO STOREY BUILDING COMPRISING PARISH OFFICE, MEETING ROOMS AND ANCILLARY FACILITIES FOR ST DENYS CHURCH	7 CHURCH ROAD, LISVANE, CARDIFF, CF14 0SJ	142	False	Permission be granted	10/06/2020
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Amended plans rec'd 06/03/20

20/00745/MNR	18/05/2020	Woods Property Group (Whitchurch) Ltd	VARIATION OF CONDITIONS 2 AND 10 OF 19/00998/MNR TO SUBSTITUTE DRAWINGS AND ALTER DESIGN OF WINDOW AND OPENING LIGHTS	WESTWINDS, 4 HEOL Y DELYN, LISVANE, CARDIFF, CF14 0SQ	42	True	Permission be granted	29/06/2020
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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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20/00592/DCH	06/03/2020	PMG Cardiff Ltd	SINGLE STOREY SECOND FLOOR REAR EXTENSION AND REMOVAL OF EXISTING CHIMNEYS	FLAT 3, 96 FIDLAS ROAD, LLANISHEN, CARDIFF, CF14 0NE	101	False	Planning Permission be refused	15/06/2020
20/00710/DCH	20/03/2020	Griffiths	TWO STOREY SIDE EXTENSION	19 HEATHBROOK, LLANISHEN, CARDIFF, CF14 5FA	83	False	Planning Permission be refused	11/06/2020
20/01077/DCH	08/06/2020	Griffiths	ADDITION OF PORCH WAY - PREVIOUSLY APPROVED UNDER 19/02108/DCH	126 OAKRIDGE, THORNHILL, CARDIFF, CF14 9BY	21	True	Permission be granted	29/06/2020
20/00788/DCH	18/05/2020	Gauntlett	SINGLE STOREY REAR EXTENSION	1 CLOS-Y-WIWER, THORNHILL, CARDIFF, CF14 9ET	28	True	Permission be granted	15/06/2020
20/00946/DCH	19/05/2020	Hurley	DISCHARGE OF CONDITION 3 (CONSTRUCTION METHOD STATEMENT) OF 19/02152/DCH ALLOWED UNDER APPEAL REFERENCE APP/Z6815/A/19/3239057	8 TOWY ROAD, LLANISHEN, CARDIFF, CF14 0NS	35	True	Full Discharge of Condition	23/06/2020

<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>
20/00737/MJR	27/03/2020	Waterstone Homes	AMENDMENT OF CONDITION NO. 2 TO REFLECT UPDATED LAYOUT AND REMOVAL OF CONDITION NO. 9 RELATING TO THE FOOTPATH LINK - PREVIOUSLY APPROVED UNDER 16/00711/MJR	LAND AT LLANISHEN RUGBY CLUB, USK ROAD, LLANISHEN, CARDIFF	75	False	Permission be granted	10/06/2020

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20/00213/MNR	03/02/2020	Acorns Nurseries Ltd	VARIATION OF CONDITION 3 OF 19/02535/MNR TO ALLOW FOR THE OPENING TIME TO BE 07:30 MONDAY TO FRIDAY	PRIORY HOUSE, LISVANE ROAD, LISVANE, CARDIFF, CF14 0SA	133	False	Permission be granted	15/06/2020

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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>
20/00428/DCH	20/02/2020	KHATIB	ORANGERY EXTENSION TO REAR OF DWELLING	65 CARDIFF ROAD, LLANDAFF, CARDIFF, CF5 2AA	113	False	Permission be granted	12/06/2020
20/00622/DCH	10/03/2020	Charambalous	REPLACEMENT OF EXISTING WINDOWS AND DOORS WITH NEW UPVC	1 MITRE COURT, MITRE PLACE, LLANDAFF, CARDIFF, CF5 2EZ	94	False	Permission be granted	12/06/2020
20/00307/DCH	07/02/2020	Ewart	DEMOLITION OF EXISTING CONSERVATORY AND CONSTRUCTION OF 2 NEW ORANGERIES WITH ASSOCIATED TERRACE AND BALUSTRADES TO REAR	SILVER GLEN, 45 LLANTRISANT ROAD, LLANDAFF, CARDIFF, CF5 2PU	137	False	Permission be granted	23/06/2020

<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>
20/00661/MNR	16/03/2020	FORDHAM	PROPOSED ERECTION OF TWO NEW DWELLING HOUSES	LAND ADJACENT TO 26 HEOL URBAN, DANESCOURT, CARDIFF, CF5 2QP	100	False	Planning Permission be refused	24/06/2020

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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>
20/00829/DCH	19/05/2020	Willis	SINGLE STOREY SIDE EXTENSION	26 HAZELHURST ROAD, LLANDAFF NORTH, CARDIFF, CF14 2FX	23	True	Permission be granted	11/06/2020

LLRU

<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>
20/00720/DCH	24/03/2020	Chowdhury	CHANGE OF DESIGN OF DORMA AND SOME MINOR COSMETIC ALTERATIONS - PREVIOUSLY APPROVED UNDER 19/02096/DCH	717 NEWPORT ROAD, LLANRUMNEY, CARDIFF, CF3 4FD	90	False	Permission be granted	22/06/2020

PENT

<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>
20/00139/DCH	30/01/2020	Bahram	TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION	175 THE HAWTHORNS, PENTWYN, CARDIFF, CF23 7AT	144	False	Planning Permission be refused	22/06/2020

PENY

<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>
20/00314/DCH	10/02/2020	Gordon	REPLACEMENT OF DECKING STEPS AND EXTENSION OF DECKING ALONG REAR OF PROPERTY WITH ADDED GLASS BALUSTRADE	6 PEN-Y-LAN PLACE, PENYLAN, CARDIFF, CF23 5HE	134	False	Permission be granted	23/06/2020
19/03242/DCH	19/12/2019	Govier	REAR SINGLE STOREY EXTENSION AND CREATION OF HABITABLE BASEMENT AND EXTENDED BALCONY OVER	48 KIMBERLEY ROAD, PENYLAN, CARDIFF, CF23 5DL	174	False	Permission be granted	10/06/2020

19/02971/DCH	15/11/2019	Chaudhry	PROPOSED SINGLE STOREY SIDE & REAR EXTENSIONS WITH BALCONY OVER, HIP TO GABLE & REAR DORMER EXTENSION WITH JULIET BALCONIES	25 BARON'S COURT ROAD, PENYLAN, CARDIFF, CF23 9DG	200	False	Permission be granted	02/06/2020
20/00688/DCH	18/05/2020	Clark	GROUND FLOOR REAR AND SIDE RETURN EXTENSION	74 COLCHESTER AVENUE, PENYLAN, CARDIFF, CF23 9AZ	35	True	Permission be granted	22/06/2020
20/00955/DCH	15/05/2020	Thomas	CONSTRUCTION OF A DETACHED SINGLE STOREY GARAGE	4 ESKDALE CLOSE, PENYLAN, CARDIFF, CF23 5LF	35	True	Permission be granted	19/06/2020
20/00911/DCH	06/05/2020	Michael Trezise	DISCHARGE OF CONDITIONS 3 (LANDSCAPING DETAILS) AND 5 (SLIDING GATE DETAILS) OF 19/03174/DCH	THE WATER TOWER, 80 CYNCOED ROAD, PENYLAN, CARDIFF, CF23 5SH	33	True	Full Discharge of Condition	08/06/2020
20/00938/DCH	19/05/2020	Perham	REAR DORMER LOFT EXTENSION	13 DOVEDALE CLOSE, PENYLAN, CARDIFF, CF23 5LS	36	True	Permission be granted	24/06/2020
<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>
20/00641/MJR	12/03/2020	Cardiff Community Housing Assoc	DISHARGE OF CONDITIONS 2 (PERMEABILITY TESTS AND DRAINAGE), 8 (ROAD AND FOOTWAY IMPROVEMENTS) AND 19 (DRAINAGE) OF 18/00418/MJR	LAND TO WEST OF EQUINOX, COLCHESTER AVENUE, PENYLAN, CARDIFF	83	False	Full Discharge of Condition	03/06/2020
20/00643/MJR	12/03/2020	Cardiff Community Housing Assoc	AMEND THE WORDING OF CONDITIONS 5 (SITE ENCLOSURE DETAILS) AND 7 (CYCLE PARKING) SO THAT THEY ARE NO LONGER 'PRE-COMMENCEMENT' BUT INSTEAD 'PRE-OCCUPATION' CONDITIONS - PREVIOUSLY APPROVED UNDER 18/00418/MJR	LAND TO WEST OF EQUINOX, COLCHESTER AVENUE, PENYLAN, CARDIFF	83	False	Permission be granted	03/06/2020

<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>
20/00828/MNR	24/04/2020	REAL SFX	PROPOSED CHANGE OF USE TO CLASS B1 AND B8 AND MEZZANINE EXTENSION OF EXISTING BUILDING	LAND AT REAR OF ATS EUROMASTER, IPSWICH ROAD, PENYLAN, CARDIFF, CF23 9AQ	61	False	Permission be granted	24/06/2020

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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>
20/00569/DCH	05/03/2020	DeMaid	SINGLE STOREY SIDE/REAR EXTENSION AND HIP TO GABLE LOFT CONVERSION WITH REAR DORMER EXTENSION	3 TIMBERS SQUARE, ROATH, CARDIFF, CF24 3SH	92	False	Permission be granted	05/06/2020
20/00589/DCH	06/03/2020	Quattro Developments Ltd	VARIATION OF CONDITION 2 OF 18/01377/DCH TO AMEND THE DESIGN PREVIOUSLY APPROVED, VARIATION OF CONDITION 5 TO AMEND WORDING RELATING TO THE FIRST FLOOR SOUTH ELEVATION WINDOW AND VARIATION OF CONDITIONS 6 AND 7 RELATING TO THE SCHEDULE OF MATERIALS	8 NINIAN ROAD, ROATH, CARDIFF, CF23 5EE	94	False	Permission be granted	08/06/2020
20/00716/DCH	20/03/2020	Mr Mohamed Sartipi	DORMER EXTENSIONS TO REAR FIRST FLOOR FLATS TO CREATE FURTHER BEDROOM SPACE	38-40 RICHMOND ROAD, ROATH, CARDIFF, CF24 3AT	82	False	Permission be granted	10/06/2020
20/00895/DCH	04/05/2020	HAFIZI	DISCHARGE OF CONDITION 3 (PAINT COLOUR) OF 19/03030/DCH	36 SHIRLEY ROAD, ROATH, CARDIFF, CF23 5HN	44	True	Full Discharge of Condition	17/06/2020

<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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19/03082/MNR	02/01/2020	Malik	AMENDMENT TO PREVIOUSLY APPROVED SCHEME TO INCREASE WIDTH AND LENGTH OF PROPOSED EXTENSION	27 NINIAN ROAD, ROATH, CARDIFF, CF23 5EF	165	False	Planning Permission be refused	15/06/2020
20/00711/MNR	20/03/2020	Mr Mohammed Rafiq	VARIATION OF CONDITION 2 OF 19/01413/MNR TO SUBSTITUTE APPROVED PLANS	42 CITY ROAD, ROATH, CARDIFF, CF24 3DL	83	False	Permission be granted	11/06/2020
19/03027/MNR	18/11/2019	Khalid	DISCHARGE OF CONDITIONS 6 (SOUND INSULATION) AND 8 (FUME EXTRACTION) OF 19/01948/MNR	126 CITY ROAD, ROATH, CARDIFF, CF24 3DQ	202	False	Full Discharge of Condition	07/06/2020
20/00039/MNR	13/01/2020	Thomas	CHANGE OF USE FROM SUI GENERIS TO A3 FOR USE AS A CAFE/COFFEE SHOP	39 LOCHABER STREET, ROATH, CARDIFF, CF24 3LS	144	False	Permission be granted	05/06/2020
20/00070/MNR	16/01/2020	Pesticcio	CONVERSION OF GARAGE WITH VERTICAL EXTENSION TO FORM 1 BED COACH HOUSE	PARTRIDGE HOUSE, PARTRIDGE ROAD, ROATH, CARDIFF, CF24 3QW	141	False	Planning Permission be refused	05/06/2020
20/00292/MNR	06/02/2020	Mulla	NEW SHOP FRONT	216 CITY ROAD, ROATH, CARDIFF, CF24 3JH	116	False	Permission be granted	01/06/2020
A/20/00016/MNR	06/02/2020	Mulla	NEW SIGNS	216 CITY ROAD, ROATH, CARDIFF, CF24 3JH	116	False	Permission be granted	01/06/2020
20/00678/MNR	18/03/2020	Khan	ALTERATION OF REAR EXTENSION ROOF DESIGN FOR NO.23 - PREVIOUSLY APPROVED UNDER 15/01952/MNR	23-25 PARTRIDGE ROAD, ROATH, CARDIFF, CF24 3QW	75	False	Permission be granted	01/06/2020

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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>
20/00373/MNR	20/02/2020	Star Pubs & Bars Ltd	PARTIAL DEMOLITION OF EXISTING FLAT ROOF STRUCTURES TO THE REAR AND PROPOSED NEW FLAT ROOF REAR EXTENSION AND TERRACED AREA WITH THE FORMATION OF A NEW FRONT ENTRANCE PORCH	UNICORN INN, CHURCH ROAD, OLD ST MELLONS, CARDIFF, CF3 6YA	120	False	Permission be granted	19/06/2020

20/00374/MNR	14/02/2020	Star Pubs & Bars Ltd	ALTERATIONS TO LISTED BUILDING INCLUDING PARTIAL DEMOLITION OF EXISTING FLAT ROOF STRUCTURES TO THE REAR AND PROPOSED NEW FLAT ROOF REAR EXTENSION AND TERRACED AREA. FORMATION OF NEW ENTRANCE PORCH TO FRONT ELEVATION WITH LANDSCAPING WORKS AND INTERNAL REDECORATION	UNICORN INN, CHURCH ROAD, OLD ST MELLONS, CARDIFF, CF3 6YA	126	False	Permission be granted	19/06/2020
20/01061/MNR	04/06/2020	Waitrose & Partners	ALTERATIONS TO PROPOSED SHAPE AND SIZE OF SEPARATE UNCONDITIONED STORAGE SPACE AND CANOPIES CONNECTING EXISTING BUILDING TO NEW STORAGE FACILITY - PREVIOUSLY APPROVED UNDER 19/03301/MNR	WAITROSE, CROESCADARN CLOSE, PONTPRENNAU, CARDIFF, CF23 8AN	7	True	Permission be granted	11/06/2020

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>
20/00239/DCH	03/02/2020	Carter	SINGLE STOREY EXTENSION TO THE REAR OF EXISTING DETACHED GARAGE	13 GARTH ISAF, RADYR, CARDIFF, CF15 8GQ	133	False	Permission be granted	15/06/2020
20/00527/DCH	03/03/2020	Lynn Rees	PART TWO STOREY AT SIDE OF DWELLING EXTENDING MAIN BEDROOM AND PROVIDING A PITCHED ROOF OVER THE EXISTING GARAGE	2 PENRHOS, RADYR, CARDIFF, CF15 8RJ	97	False	Permission be granted	08/06/2020
<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>

19/02891/MJR	01/11/2019	BDW Homes	RE- DISCHARGE OF CONDITION 25 (ROAD TRAFFIC NOISE) OF OUTLINE PERMISSION 16/00106/MJR, PREVIOUSLY DISCHARGED UNDER DISCHARGE OF CONDITION APPLICATION 17/01013/MJR	GOITRE FACH FARM, LLANTRISANT ROAD, ST FAGANS, CARDIFF, CF5 6JD	227	False	Refuse to Discharge	15/06/2020
20/00912/MJR	27/05/2020	Redrow Homes	AMENDMENT TO PLOT 11 TO ALLOW FOR TEMPORARY VEHICLE ACCESS - PREVIOUSLY APPROVED UNDER 16/02016/MJR	LAND NORTH OF LLANTRISANT ROAD, ADJACENT TO CLOS PARC RADYR, CARDIFF	27	True	Permission be granted	23/06/2020

<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>
20/00416/MNR	19/02/2020	Taylor	PROPOSED DIVERTED ACCESS TRACK TO SERVE STATION HOUSE	STATION HOUSE, TY-NANT ROAD, MORGANSTOWN, CARDIFF, CF15 8LB	112	False	Permission be granted	10/06/2020

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>
20/00673/DCH	17/03/2020	Lewis	SINGLE STOREY REAR EXTENSION	35 LON-Y-DERI, RHIWBINA, CARDIFF, CF14 6JP	86	False	Permission be granted	11/06/2020
20/00567/DCH	06/03/2020	Ellis	TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION	128 PEN-Y-DRE, RHIWBINA, CARDIFF, CF14 6ES	91	False	Permission be granted	05/06/2020
20/00715/DCH	23/03/2020	Mr Elgan Davies	GROUND FLOOR EXTENSION	14 PEN-Y-GROES ROAD, RHIWBINA, CARDIFF, CF14 4SU	92	False	Permission be granted	23/06/2020

20/00031/DCH	08/01/2020	Baladabadi	TWO STOREY SIDE EXTENSION WITH SINGLE STOREY REAR EXTENSION AND ATTACHED SINGLE STOREY GARAGE	165 HEOL-Y-DERI, RHIWBINA, CARDIFF, CF14 6UH	159	False	Permission be granted	15/06/2020
20/00486/DCH	27/02/2020	Stew	DOUBLE STOREY SIDE AND SINGLE STOREY REAR EXTENSION AND RAISING THE RIDGE HEIGHT OF THE EXISTING DWELLING	42 HEOL WEN, RHIWBINA, CARDIFF, CF14 6EG	106	False	Permission be granted	12/06/2020
20/00986/DCH	26/05/2020	Shrimpton	ALTERATIONS TO SIZE AND DESIGN OF PROPOSED EXTENSION AND ROOF STRUCTURE - PREVIOUSLY APPROVED UNDER 19/02405/DCH	165 PANTMAWR ROAD, PANTMAWR, CARDIFF, CF14 6US	28	True	Planning Permission be refused	23/06/2020

RIVE

<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>
20/00604/DCH	09/03/2020	Westgate	LIKE-FOR-LIKE REPLACEMENT OF ALL WINDOWS TO FRONT ELEVATION	24 PLASTURTON AVENUE, PONTCANNA, CARDIFF, CF11 9HH	93	False	Permission be granted	10/06/2020
20/00669/DCH	16/03/2020	Williams	DEMOLITION OF EXISTING OUTHOUSE & SINGLE STOREY LEAN TO EXTENSION. CONSTRUCTION OF TWO STOREY & SINGLE STOREY REAR EXTENSION AND REPLACEMENT SURFACE TO PARKING BAY AT FRONT ELEVATION	47 ROMILLY CRESCENT, PONTCANNA, CARDIFF, CF11 9NP	100	False	Permission be granted	24/06/2020

<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>
20/00579/MNR	09/03/2020	Notemachine UK Ltd	THE RETROSPECTIVE APPLICATION FOR THE INSTALLATION OF AN ATM INSTALLED THROUGH A SECURE PANEL TO THE RIGHT HAND SIDE OF THE SHOP FRONT	36-38 TUDOR STREET, RIVERSIDE, CARDIFF, CF11 6AH	91	False	Permission be granted	08/06/2020

19/02720/MNR	24/10/2019	React Support Services	CONVERSION OF EXISTING BUILDING INTO 2 ONE BEDROOM FLATS.	67 PLANTAGENET STREET, RIVERSIDE, CARDIFF, CF11 6AQ	230	False	Planning Permission be refused	10/06/2020
20/00672/MNR	16/03/2020	Cardiff City Council	SHOP FRONT AND FACADE REFURBISHMENT SCHEME WITH THE REPLACEMENT OF THE SHOPFRONT, SIGNAGE, SHOP DOOR, RESIDENTIAL DOOR, UPPER STOREY WINDOWS, FACADE CLEANING AND PAINTING AND RAIN WATER GOODS RENEWAL	26-44 TUDOR STREET, RIVERSIDE, CARDIFF, CF11 6AH	88	False	Permission be granted	12/06/2020
A/20/00029/MNR	16/03/2020	Cardiff City Council	INSTALLATION OF NEW PPC ALUMINIUM SHOP SIGN TO WIDTH OF INDIVIDUAL SHOP UNIT IN COLOUR TO MATCH SHOP UNIT COLOUR, WITH LED STRIP LIGHTING AND HANGING SIGN TO MATCH	26-44 TUDOR STREET, RIVERSIDE, CARDIFF, CF11 6AH	88	False	Permission be granted	12/06/2020
20/00674/MNR	16/03/2020	Cardiff City Council	SHOPFRONT AND FACADE REFURBISHMENT SCHEME WITH THE REPLACEMENT OF THE SHOPFRONT, SHOP DOOR, RESIDENTIAL DOOR, UPPER STOREY WINDOWS, FACADE CLEANING AND PAINTING AND RAINWATER GOODS RENEWAL	46-66 TUDOR STREET, RIVERSIDE, CARDIFF, CF11 6AJ	88	False	Permission be granted	12/06/2020
A/20/00030/MNR	16/03/2020	Cardiff City Council	INSTALLATION OF NEW PPC ALUMINIUM SIGNAGE TO WIDTH OF EACH SHOP UNIT, IN COLOUR TO MATCH SHOP UNIT WITH LED STRIP LIGHTING AND HANGING SIGN TO MATCH	46-66 TUDOR STREET, RIVERSIDE, CARDIFF, CF11 6AJ	88	False	Permission be granted	12/06/2020

RUMN

<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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20/00466/DCH	24/02/2020	Smith	SINGLE STOREY REAR EXTENSION	734 NEWPORT ROAD, RUMNEY, CARDIFF, CF3 4FF	115	False	Planning Permission be refused	18/06/2020
20/00621/DCH	20/03/2020	Hurley	SINGLE STOREY REAR EXTENSION	53 TY-MAWR ROAD, RUMNEY, CARDIFF, CF3 3BS	82	False	Permission be granted	10/06/2020

<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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20/00375/MNR	14/02/2020	Abraham	DEMOLITION OF EXISTING GARAGE AND CONSTRUCTION OF NEW 2 BEDROOM DETACHED DWELLING	LAND ADJACENT TO 1 GREENWAY ROAD, RUMNEY, CARDIFF, CF3 3HJ	117	False	Planning Permission be refused	10/06/2020
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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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20/00385/MNR	19/02/2020	Green Squirrel	INSTALLATION OF 8 SHIPPING CONTAINERS AS STUDIO UNITS, AND A TWO STOREY SHIPPING CONTAINER UNIT TO BE USED AS A CREATIVE COMMUNITY HUB, ANCILLARY PARKING, OTHER ANCILLARY HORTICULTURAL STRUCTURES, LANDSCAPING AND PLANTING.	REAR OF 39-65 RAILWAY STREET, SPLOTT, CARDIFF	107	False	Permission be granted	05/06/2020
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A/20/00027/MNR	13/03/2020	Zurich Assurance	INSTALLATION 3NO. NON-ILLUMINATED POST MOUNTED SIGNS LOCATED AT EACH ENTRANCE TO SITE	PORTMANMOOR ROAD INDUSTRIAL ESTATE, PORTMANMOOR ROAD, SPLOTT, CARDIFF, CF24 5HB	83	False	Permission be granted	04/06/2020
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20/00140/MNR	18/02/2020	Hosseini	SINGLE STOREY REAR EXTENSION, REAR SIDE DORMER EXTENSION AND CONVERSION TO THREE FLATS WITH COFFEE SHOP AT GROUND FLOOR	23 SPLOTT ROAD, SPLOTT, CARDIFF, CF24 2BU	104	False	Permission be granted	01/06/2020
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TROW

<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>
20/00830/MJR	15/05/2020	Wates Residential	DISCHARGE OF CONDITIONS 3 (CONSTRUCTION MANAGEMENT PLAN), 8.10 (LANDSCAPE), 14 (LIGHTING SCHEME), 16 (DRAINAGE STRATEGY), 17 (FLOODING) AND 19 (SURFACE WATER) OF 18/01463/MJR	WEST OF WILLOWBROOK DRIVE AND THE SOUTH OF CRICKHOWELL ROAD, CARDIFF	33	True	Full Discharge of Condition	17/06/2020

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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>
20/00708/DCH	19/03/2020	Larcombe	VARIATION OF CONDITION 2 OF 19/00407/DCH TO SUBSTITUTE APPROVED PLANS	23 FORELAND ROAD, WHITCHURCH, CARDIFF, CF14 7AR	95	False	Permission be granted	22/06/2020
19/03234/DCH	16/12/2019	Llewellyn	DOUBLE AND SINGLE STOREY SIDE EXTENSION WITH DOUBLE GARAGE	135 WHITWORTH SQUARE, WHITCHURCH, CARDIFF, CF14 7DP	172	False	Planning Permission be refused	05/06/2020
20/00505/DCH	27/02/2020	Crudge	FIRST FLOOR SIDE EXTENSION WITH BALCONY AND SINGLE STOREY EXTENSION LINKING GARAGE	26 MELINGRIFFITH DRIVE, WHITCHURCH, CARDIFF, CF14 2TS	99	False	Permission be granted	05/06/2020
20/00435/DCH	20/02/2020	Davies	HIP TO GABLE LOFT CONVERSION WITH REAR DORMER	18 KELSTON PLACE, WHITCHURCH, CARDIFF, CF14 2AP	109	False	Planning Permission be refused	08/06/2020

20/00387/DCH	17/02/2020	Heaps	DEMOLITION OF EXISTING REAR SINGLE STOREY EXTENSION AND ERECTION OF LARGER REAR SINGLE STOREY EXTENSION AND CONSTRUCTION OF REAR DORMER	12 GLANDWR PLACE, WHITCHURCH, CARDIFF, CF14 1DP	112	False	Permission be granted	08/06/2020
20/00607/DCH	18/05/2020	Cradock	PROVISION OF NEW LOW-PROFILE CONSERVATION ROOF LIGHT TO NORTH SLOPE SERVING NEW EN-SUITE SHOWER ROOM. OPENING UP OF RECENTLY DISCOVERED BLOCKED UP WINDOW OPENING - PREVIOUSLY APPROVED UNDER 16/02173/MNR	IVY HOUSE FARM, MARKET STREET, TONGWYNLAIS, CARDIFF, CF15 7NT	24	True	Permission be granted	11/06/2020
<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>
20/00816/MNR	24/04/2020	Castle Park Developments Ltd	DISCHARGE OF CONDITIONS 3 (EXTERNAL FINISHING MATERIALS), 4 (SITE ENCLOSURE), 5 (LANDSCAPE), 14 (CYCLE PARKING), 15 (LEVELS), 16 (FOOTPATH) AND 17 (REFUSE STORAGE) OF 19/02061/MNR	71 PANTMAWR ROAD, WHITCHURCH, CARDIFF, CF14 7TB	54	True	Full Discharge of Condition	17/06/2020