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AGENDA

Pwyllgor PWYLLGOR CYNLLUNIO

Dyddiad ac amser y cyfarfod DYDD MERCHER, 16 MEDI 2020, 1.30 PM

Lleoliad CYFARFOD O BELL TRWY MS TEAMS

Aelodaeth Cynghorydd K Jones (Cadeirydd)
Cynghorwyr Ahmed, Asghar Ali, Driscoll, Gordon, Hudson, Jacobsen, Jones-Pritchard, Keith Parry, Sattar a/ac Stubbs

1 Ymddiheuriadau am Absenoldeb

2 Cofnodion

Cymeradwyo cofnodion y cyfarfod a gynhaliwyd ar 19 Awst 2020 fel cofnod cywir o'r cyfarfod hwnnw.

3 Datgan Buddiannau

I'w gwneud ar ddechrau'r eitem agenda dan sylw, yn unol â Chod Ymddygiad yr Aelodau.

4 Deisebau

Mae deisebau wedi dod i law mewn cysylltiad â'r ceisiadau canlynol yn unol â Rheol 14.2 y Weithdrefn Cyfarfodydd Pwyllgor. Mae'r deisebwyr wedi cael eu cynghori bod ganddynt hawl i siarad ac mae'r ymgeiswyr/asiantau wedi eu cynghori bod ganddynt hawl i ateb:

Rhif cais, 20/01108/MJR, ASDA CAERDYDD CORYTON, LONGWOOD DRIVE, YR EGLWYS NEWYDD

Rhif Cais, 20/00800/MNR, TIR GER MILL ROAD, TONGWYNLAIS

Rhif y cais, 20/01384/MNR, TIR GERLLAW 14 MARSHALL CLOSE, DANESCOURT

5 Ceisiadau Rheoli Datblygu

a Rhif cais, 20/01108/MJR, ASDA Caerdydd Coryton, Longwood Drive, Yr Eglwys Newydd

- b** 20/00800/MNR, Tir ger Mill Road, Tongwynlais
- c** 20/00834/MNR, 66 Park Road, yr Eglwys Newydd
- d** 20/01384/MNR, Tir gerllaw 14 Marshall Close, Danescourt, Llandaf
- 6** **Ceisiadau wedi eu penderfynu gan Bwerau Dirprwyedig - Awst 2020**
- 7** **Eitemau Brys (os oes rhai)**
- 8** **Dyddiad y Cyfarfod Nesaf – 14 Hydref 2020**

Davina Fiore

Cyfarwyddwr Llywodraethu a Gwasanaethau Cyfreithiol

Dyddiad: Dydd Iau, 10 Medi 2020

Cyswllt: Kate Rees, 02920 872427, krees@caerdydd.gov.uk

GWE-DARLLEDU

Bydd y cyfarfod hwn yn cael ei recordio â'r bwriad o'i ddarllleu ar wefan y Cyngor yn ddiweddarach. Bydd y cyfarfod cyfan yn cael ei recordio, ac eithrio pan fo eitemau cyfrinachol neu eitemau a eithrir. Caiff copi o'r cyfarfod ei gadw yn unol â pholisi cadw data'r Cyngor.

Os ydych yn gwneud sylw yn y cyfarfod hwn, ystyrir eich bod wedi cydsynio i gael eich ffilmio a/neu eich recordio.

Os oes gennych gwestiynau ynghylch gwe-ddarllleu cyfarfodydd, cysylltwch â'r Gwasanaethau Pwyllgorau trwy ffonio 02920 872020 neu e-bostio [Gwasanethau Democrataidd](#)

Mae'r dudalen hon yn cael ei adael yn wag yn fwriadol

PLANNING COMMITTEE

19 AUGUST 2020

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

76 : APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Keith Parry

77 : DECLARATIONS OF INTEREST

The following declaration of interest was received in accordance with the Members Code of Conduct

COUNCILLOR	ITEM	REASOB
Sean Driscoll	20/01165/MNR	Prejudicial Interest on the basis that he is the applicant.

78 : MINUTES

The minutes of the 22 July 2020 were approved and signed as a correct record.

79 : PETITIONS

Application no 20/00411/DCH, 23 Heol Pant-Y-Rhyn, Whitchurch

In relation to the above the petitioner spoke.

80 : 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

20/001165/MNR – FAIRWATER

4 CHESTNUT ROAD

Proposed alterations and side/rear extension to existing shop, new shopfront and repositioning of external staircase.

20/01047/MJR – ADAMSDOWN

118 NEWPORT ROAD

Proposed change of use to managed accommodation for homeless persons

APPLICATIONS GRANTED ON EXECUTION OF A PLANNING OBLIGATION PURSUANT TO SECTION 106, TOWN & COUNTRY PLANNING ACT 1991.

18/01280/MJR – BUTETOWN

LAND ADJACENT TO 12-14 DRAKE WALK, ATLANTIC WHARF

Six storey serviced accommodation comprising serviced apartments with ground floor commercial/amenity space, re-routing of public riverside walkway and renovation of existing dock feeder footbridge.

Subject to an amendment to Condition 9 to read:

“ Cycle parking: No development shall take place until details showing the provision of 11no secure covered long-stay cycle parking spaces and 6no publicly accessible short-stay cycle parking spaces have been submitted to and approved in writing by the LPA. The approved details shall be implemented prior to beneficial occupation. Thereafter the cycle parking spaces shall be maintained and shall not be used for any other purpose.

18/02999/MJR – BUTETOWN

WALTERS BUILDING, CLARENCE ROAD

Demolition of the existing building and erection of A 4/6 storey residential apartment block comprising 35 affordable homes, bin storage, cycle parking and associated works.

Subject to an additional recommendation 5 to read:

“Warning: An European protected species (EPS Licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to damage or destroy their breeding sites or resting places. If guilty of any offences you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales.

APPLICATIONS REFUSED

20/0041/DCH- WHITCHURCH/TONGWYNLAIS

23 HEOL PANT-Y-RHYN

Amendments to screening on left and right hand sides of balcony.

81 : SECTION 119 HIGHWAYS ACT 1980 APPLICATION - PENTRYCH NO. 25

The Planning Committee considered a report to approve the S 119 Diversion Application to allow the Public Rights of Way Team to instruct Legal Services to process a Legal Order for publication consultation.

RESOLVED: The Planning Committee AGREED to approve the Section 119 Diversion Application to allow the Public Rights of Way Team to instruct Legal Services to process the Legal Order.

82 : APPLICATIONS DECIDED BY DELEGATED POWERS

The applications decided by delegated powers for July 2020 were noted.

83 : URGENT ITEMS (IF ANY)

None

84 : DATE OF NEXT MEETING - 16 SEPTEMBER 2020 AT 1.30 PM

The meeting terminated at 4.05 pm

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LOCAL MEMBER OBJECTION & PETITION

COMMITTEE DATE: 16/09/2020

APPLICATION No. **20/01108/MJR** APPLICATION DATE: 11/06/2020

ED: **WHITCHURCH/TONGWYNLAIS**

APP: TYPE: Full Planning Permission

APPLICANT: Velindre NHS Trust & Asda Stores Ltd
 LOCATION: ASDA CARDIFF CORYTON, LONGWOOD DRIVE,
 WHITCHURCH, CARDIFF, CF14 7EW
 PROPOSAL: PROPOSED ENGINEERING WORKS TO LONGWOOD
 DRIVE AND THE ASDA ACCESS HIGHWAY AND CAR
 PARK ARRANGEMENTS, ENABLING ACCESS TO THE
 PROPOSED VELINDRE CANCER CENTRE

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
 - 10211-100-04E- GENERAL ARRANGEMENT;
 - 10377-003A - SWEPT PATH ANALYSIS OF GENERAL ARRANGEMENT;
 - 10377-SK-002- EXISTING AND PROPOSED SECTIONS ;
 - 180162 PL03A REV B - PROPOSED SITE PLAN;
 - 180162 PL03H - PROPOSED SITE PLAN;
 - 180162 PL04E - EXISTING AND PROPOSED OVERLAY PLAN;
 - 180162 PL05G- PROPOSED LEVELS PLAN;
 - 180162 PL06E - PROPOSED SURFACE FINISHES PLAN;
 - 180162 PL07A - PROPOSED ATM PLAN AND ELEVATIONS;
 - 180162 PL08B - PROPOSED SWITCH BACK RAMP;
 - 180162 PL09A - PROPOSED SITE PLAN -1TO200 -SHEET 1 OF 3;
 - 180162 PL10A - PROPOSED SITE PLAN -1TO200 -SHEET 2 OF 3;
 - 180162 PL11A - PROPOSED SITE PLAN -1TO200 -SHEET 3 OF 3;
 - A3805/01/ Revision B- TREE PLANTING AND LANDSCAPING PLAN.
 - Proposed Tree Planting Strategy (July 2020 – Revision A)
 - 6997-MJM-00-FN-DR-C-1521S2P3 - PROPOSED DRAINAGE STRATEGY FOR ADDITIONAL HARD LANDSCAPE AREA;

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 shall take place until the following have been submitted to and approved in writing by the Local Planning Authority (LPA) in accordance with the current British Standard 5837:
 - 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, and existing structural planting or areas designated for new structural planting. The AMS shall include details of site monitoring of tree protection and tree condition by a qualified arboriculturist, undertaken throughout the development and after its completion, to monitor tree condition. This shall include the preparation of a chronological programme for site monitoring and production of site reports, to be sent to the 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.

Unless written consent is obtained from the LPA, the development shall be carried out in full conformity with the approved AMS and TPP.

Reason: To enable the Local Planning Authority to assess the effects of the proposals on existing trees and landscape; the measures for their protection; to monitor compliance and to make good losses in accordance with policy EN8 of the adopted Cardiff Local Development Plan (2006-2026).

4. No development shall take place until full details of soft landscaping have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - A soft landscaping implementation programme.
 - Finalised scaled planting plans prepared by a qualified landscape architect.
 - Evidence to demonstrate that existing and proposed services, lighting, CCTV, drainage and visibility splays will not conflict with proposed planting.
 - Finalised schedules of plant species, sizes, numbers and densities prepared by a qualified landscape architect.
 - Scaled tree pit sectional and plan drawings prepared by a qualified landscape architect that show the Root Available Soil

Volume (RASV) for each tree.

- Topsoil and subsoil specification for all planting types, including full details of soil assessment in accordance with the Cardiff Council Soils and Development Technical Guidance Note (Soil Resource Survey and Plan), soil protection, soil stripping, soil storage, soil handling, soil amelioration, soil remediation and soil placement to ensure it is fit for purpose. Where imported planting soils are proposed, full specification details shall be provided including the parameters for all imported planting soils, a soil scientists interpretive report demonstrating that the planting soil not only meets British Standards, but is suitable for the specific landscape type(s) proposed. The specification shall be supported by a methodology for storage, handling, amelioration and placement.
- Planting methodology and long-term post-planting aftercare methodology prepared by a qualified landscape architect, including full details of how the landscape architect will oversee landscaping implementation and report to the LPA to confirm compliance with the approved plans and specifications.
- That the recommendations of paragraph 6.2.3 of the TACP Ecology walk over survey have been incorporated into the proposed landscaping

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

Reason: To enable the Local Planning Authority to determine that the proposals will maintain and improve the amenity and environmental value of the area, and to monitor compliance in accordance with Policy EN8 of the adopted Cardiff Local Development Plan (2006-2026).

5. Any newly planted trees, plants or hedgerows, which within a period of 5 years from the completion of the development die, are removed, become seriously damaged or diseased, or in the opinion of the Local Planning Authority (LPA) otherwise defective, shall be replaced. Replacement planting shall take place during the first available planting season, to the same specification approved in discharge of condition 4, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and improve the amenity and environmental value of the area in accordance with Policy EN8 of the adopted Cardiff Local Development Plan (2006-2026).

6. No part of the development hereby permitted shall be commenced until a scheme of highway works to Coryton Interchange slip road/Longwood Drive, the Asda roundabout and site road, footpath/cycleway provision and highway verges, as shown in principle on the approved plans, has been submitted to and approved in writing by the Local Planning Authority (LPA). The scheme shall include, but not be limited to, details

of the construction and layout, including as required surfacing, kerbs, edging, drainage, lighting, lining, signing, soft and hard landscaping and street furniture as required as a consequence of the scheme. No part of the development shall be occupied until the approved scheme has been implemented to the satisfaction of the LPA.

Reason: To provide safe and commodious pedestrian, cycle and vehicle access to the proposed development, in the interests of highway safety, in accordance with Policies T1 and T5 of the adopted Cardiff Local Development Plan (2006-2026).

7. No part of the development hereby permitted shall be commenced until a scheme of construction management has been submitted to and approved in writing by the Local Planning Authority, to include as required, but not limited to, details of site hoardings, site access and wheel washing facilities, site compounds, drainage details to ensure that there is no contamination of the SSSI, site manager's contact details and procedure for notifying the residents of the Hollybush Estate, Coryton Primary School and Ty Coryton House, in advance of each element of work. Construction of the development shall be managed strictly in accordance with the scheme so approved.

Reason: In the interests of highway safety and public amenity, in accordance with policies T5, T6 and EN13 of the adopted Cardiff Local Development Plan (2006-2026).

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

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

9. No development shall commence until details of a method statement and risk assessment for the protection of the structural condition of the strategic water main crossing the site has been submitted to and approved in writing by the Local Planning Authority. The approved protection measures shall be implemented in full before any other development hereby permitted has commenced, and shall be retained at all times for the duration of the approved operations including the restoration works.

Reason: To ensure that the proposed development does not affect the integrity of the public water supply system in the interests of public health and safety, in accordance with policies EN10 and EN11 of the adopted Cardiff Local Development Plan (2006-2026).

10. No clearance of trees, bushes or shrubs to take place between 1st March and 15th August unless otherwise approved in writing by the Local Planning Authority. This approval will be given if it can be demonstrated

that there are no birds nesting in this vegetation immediately (48 hrs) before works commence.

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

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

RECOMMENDATION 3: The applicant is advised that any pruning necessary to implement the planning permission should be undertaken in accordance with British Standard 3998: 2010 'Tree Work' or any Standard that replaces it.

RECOMMENDATION 4: The applicant is advised to contact Wales and West Utilise, quoting 8150107822 (tel: 02920 278757) prior to undertaking any works due to the location of a gas pipe line close to the site.

RECOMMENDATION 5: Since January 7th 2019, all new developments of more than 1 house, or where the construction area is 100 square metres or more, require sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by the Welsh Ministers.

These systems must be approved by the local authority acting in its SuDS Approving Body (SAB) role before construction work begins. The SAB will have a duty to adopt compliant systems so long as they are built and function in accordance with the approved proposals, including any SAB conditions of approval.

It is recommended that the developer engage 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

RECOMMENDATION 6: The highway works required by planning condition(s), and any other works to the existing or proposed adopted public highway to be undertaken by the developer, are to be subject to agreement(s) under Section 38 and/or Section 278 of the Highways Act 1980 between the developer and Council. Any works to the Coryton Interchange will require an agreement under Section 278 of the Highways Act 1980 between the developer and the Welsh

Government.

1. DESCRIPTION OF PROPOSED DEVELOPMENT

- 1.1 Planning permission is sought to reconfigure the existing road layout and parking arrangements to and within the car park of the Asda supermarket at Coryton, in order to make provision for access to the proposed new Velindre Cancer Centre (nVCC), planning permission for which was granted in March 2018. The application also includes improvements to the Asda car park area and service access. In order to implement the approved access arrangement, some alteration to the internal Asda access road and car parking layout is required. Following the granting of planning permission for the nVCC the applicant has proposed an amended and improved access arrangement which is better suited to the operational requirements of Asda by improving the circulation within the existing car park. This proposed scheme is therefore essentially a variation to the previously approved access improvements plus other additional associated changes to the Asda car park area.
- 1.2 The Planning Statement submitted with the application outlines those elements that are proposed to change, being:
- A dedicated turning lane from Longwood Drive into the site, with widening of the existing roundabout and improvements to the turning radii into the site;
 - Provision of a new mini-roundabout at the junction of the Asda access road / service access road to improve safety and flow;
 - Reconfiguration of access arrangements into the car parking areas from the service access road and the spine road;
 - Reconfiguration of the internal car parking layout across the site;
 - Addition of a dedicated right turning lane from the spine road into the McDonalds restaurant;
 - Provision of a bus lay-by;
 - Formation of appropriate pedestrian and cycle links to both Asda and nVCC, including a new ramped access and replacement shared cycle and pedestrian link; and
 - Proposed junction from the spine road to provide access to the nVCC.
- 1.3 The proposals also account for the potential provision of an additional lane to the east bound section of Longwood Drive east of the roundabout.
- 1.4 The scheme overall would lead to a net loss of 40 parking spaces from the existing 593 space provision (7%). It also involves the removal of 122 of trees from within the car park. The proposals include a landscape strategy, which comprises the planting of 58 new trees, native hedge planting, and species-rich woodland/grassland areas, to offset the removal of existing trees.
- 1.5 This application does not relate to the bridges crossing the railway embankment or the proposed Cancer Centre on the land to the north-west of Whitchurch Hospital Playing Fields. Those matters were considered by the Planning Committee at its meeting in December 2017, when the principle of constructing the new Cancer Centre in that location was accepted and outline planning permission was granted under planning reference 17/01735/MJR. That

approval includes full permission for the details of the access roads to the site (including the bridges).

- 1.6 The current application is supported by a Pre-Application Consultation report, ecological walkover survey report (TACP) dated April 2019, Surface Water Drainage Statement January 2020, Transport Assessment (Sanders Associates) report reference: 10377/002/04; and arboricultural survey report (TACP), as updated by the Proposed Tree Planting Strategy (July 2020 – Revision A).
- 1.7 A 'Holding' directive has been issued by the Welsh Government to allow the government the opportunity to consider if they wish to 'call in' this application for their determination. This prevents the Council only from granting planning permission until the Welsh Government has issued its decision – it does not prevent it from continuing to process or consult on the application, or refuse planning permission.

2. DESCRIPTION OF THE SITE AND AREA

- 2.1 The application site covers approximately 2.8ha of land at the Asda supermarket, Coryton, including part of Longwood Drive and the existing roundabout, which provide access from the Coryton interchange to the existing retail store, McDonald's restaurant, Asda Service Station and Starbucks Coffee Shop. This highway also provides access to industrial uses further west. The Asda land comprises the existing vehicular and pedestrian access, plus service access and car parking.
- 2.2 To the south is the land known as the "northern meadows" (the site of the proposed new Cancer Centre) which is screened from the Asda site by woodland, beyond which is a deep former railway cutting. To the east and north east is the Village Hotel and a school for children with autism, Ty Coryton, which is also screened from the application site by woodland. To the north is Longwood Drive and the M4 Motorway.

3. PLANNING HISTORY

- 3.1 Within the last 5 years:

17/01735/MJR: Proposed Velindre Cancer Centre including specialist cancer treatment centre, centre for learning, research and development, primary means of access (from Coryton Interchange), emergency access (via Hollybush estate), temporary construction accesses, parking, energy centre, landscape works, pedestrian paths, and Maggie's Centre. Granted 27/03/2018.

- 3.2 Earlier relevant history:

10/01286/DCO: Proposed extension and alterations to existing car park to form home shopping service. Approved;

08/011874/W: Existing grassed area to be removed and replaced with new full

depth car park to form colleague car park. Approved;

05/01827/W: Construction of car deck and alterations to car park- approved;

05/00059/W: Alterations to car parking layout. Approved.

3.3 Current/undetermined applications on adjoining land:

20/01110/MJR: Temporary construction access route for the construction of the approved Velindre cancer centre, or a period of no more than 48 months following the completion of the related highway improvement works, or until 30/11/24, whichever is first. Undetermined;

20/01481/MJR: Discharge of condition 16 (green infrastructure management strategy) of 17/01735/MJR. Undetermined;

20/01515/MJR: Discharge of conditions 17 (construction environment management plan), 10 (highway and pedestrian works details), 13 (bridge finishes), and 14 (soil resource survey (access and enabling works)) of 17/01735/MJR. Undetermined

20/00357/MJR: Variation of conditions 1c and 1d of planning permission 16/01530/MJR to extend the timescales to submit a reserved matters application and commence development (Whitchurch Hospital site including the northern meadows). Undetermined.

4. **POLICY FRAMEWORK**

4.1 National Planning Policy:

- Planning Policy Wales (10th Ed, 2018)

Planning Policy Wales Technical Advice Notes:

- Technical advice note (TAN) 5: Nature conservation and planning (September 2009);
- Technical advice note (TAN) 10: Tree preservation orders (October 1997);
- Technical advice note (TAN) 11: Noise (October 1997);
- Technical advice note (TAN) 12: Design (March 2016);
- Technical advice note (TAN) 18: Transport (March 2007);
- Technical advice note (TAN) 21: Waste (February 2017);
- Technical advice note (TAN) 23: Economic development (February 2014);
- Technical advice note (TAN) 24: The historic environment (May 2017);

Chief Planning Officer letter dated 23/10/19: securing bio-diversity enhancement;

Building Better Places: The Planning System Delivering Resilient and Brighter Futures: Placemaking and Covid 19 recovery (July 2020).

4.2 Cardiff Local Development Plan 2006-2026:

KEY POLICIES

KP5 (Good Quality and Sustainable Design);
KP6 (New Infrastructure);
KP15 (Climate Change);
KP16 (Green Infrastructure);
KP17 (Built Heritage).

DETAILED POLICIES

ENVIRONMENT

EN6 (Ecological Networks and Features of Importance for Biodiversity);
EN7 (Priority Habitats and Species);
EN8 (Trees, Woodlands and Hedgerows);
EN9 (Conservation of the Historic Environment);
EN10 (Water Sensitive Design);
EN11 (Protection of Water Resources);
EN13 (Air, Noise, Light Pollution and Land Contamination).

TRANSPORT

T1 (Walking and Cycling);
T5 (Managing Transport Impacts);
T6 (Impact on Transport Networks and Services).

COMMUNITY

C3 (Community Safety/Creating Safe Environments);
C6 (Health).

WASTE

W2 (Provision for Waste Management Facilities in Development).

- Supplementary Planning Guidance:

Green Infrastructure (including Technical Guidance Notes relating to: Ecology and Biodiversity; Trees and Development; Public Rights of Way and Development; River Corridors; Protection and Provision of Open Space in New Developments; Soils and Development) (November 2017);

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

Planning for Health and Wellbeing (November 2017).

5. **INTERNAL CONSULTEE RESPONSES**

5.1 The Operational Manager (Traffic and Transportation) states:

The proposed works covered by the application include:

- The provision of a dedicated turning lane from Longwood Drive into the Asda site, with widening of the existing roundabout and improvements to the turning radii into the site;
- Provision of a new mini-roundabout at the junction of the Asda access road/service access;
- Reconfiguration of access arrangements into the car parking areas from the service access road and the main spine road;
- Reconfiguration of the internal car parking layout across the site;
- Addition of a dedicated right turning lane from the spine road into the McDonalds restaurant;
- Provision of an inbound bus lay-by;
- Formation of pedestrian and cycle links to both Asda and new Velindre Cancer Centre (nVCC), including a new ramped access and replacement shared cycle and pedestrian link;
- Proposed protected right turn junction from the main spine road to provide access to the nVCC.

The submission also indicates that the proposed works allow for the potential provision of an additional traffic lane to the east bound section of Longwood Drive, to the east of the Asda roundabout. The implementation of the additional lane being subject to further design and highway modelling.

Overall the submitted scheme leads to a net loss of 40 parking spaces from the existing 593 space provision in the existing Asda car park, which is considered both policy compliant and otherwise acceptable. In which respect it should be noted that other than at exceptional peak times such as Christmas weekends, there is no data that suggest the current car park is of insufficient capacity to cope with parking demand.

The submitted Planning statement concludes that: *The proposed engineering works will enable an improved access to the nVCC site, whilst improving highway safety, and improving efficiency of the use of the existing car park. The principle of access to the nVCC is already established by the extant permission, and these current proposals seek to improve upon that position, in terms of vehicular flows and the wider site layout. The development is considered to be acceptable having regard to applicable planning policy.*

In considering the proposed revisions to the Asda roundabout on Longwood Drive, it is noted that the land take required for the road widening and dedicated turning lane is consistent with that (the land take) for the currently approved arrangements via the extant permission. The overall impact on the existing soft landscaping, and adopted highway and verges at this junction is therefore comparable with that currently approved scheme.

However what the now proposed arrangement seeks to do is to facilitate the provision of an improved access that is compatible with and supports both the existing Asda use, the detailed car park layout, and new VCC, while minimising the potential for conflict between retail traffic and that associated with the nVCC. The submission provides details in respect of the proposed layout and operation

of the Asda car park; widening of the main access road to enable creation of protected right turns for McDonalds and the nVCC; details of pedestrian and cycle links serving Asda and nVCC; and the provision of a bus stop and layby.

The provision of a widened spine road, along with the generous lengths of protected right turns to serve the existing McDonalds and nVCC are welcomed, and together will help to ensure that any traffic associated with any of the uses does not obstruct other traffic on the main spine road. The provision of the new protected right turns particularly will help to ensure that any turning or queuing traffic associated with the existing or proposed developments does not impact on or interfere with traffic on the adjacent local or strategic highway network.

Swept path analysis of the junctions for the expected vehicle types has been undertaken as part of the submitted Transport Assessment. This analysis demonstrates that the proposed alterations to the nVCC access, Asda car park, main site road, service access and roundabouts will operate successfully, without impacting on the movement of traffic on the adopted highway network. The vehicle types considered in the assessment include a 16.5 m long articulated vehicle, for the two roundabout junctions and service access; a single decker bus, entering the site, accessing the proposed bus stop and the nVCC; a 12.0m rigid vehicle entering the site and accessing the nVCC; and a large car, throughout the submitted roads, junctions and car park layout.

The TA also considers vehicle trip generation and undertakes junction capacity analysis on the key development junctions. This analysis is based on data used by Mott MacDonald for the nVCC application, supplemented by Automatic Traffic Count (ATC) data obtained from the eastern section of Longwood Drive, between the Asda roundabout and the Coryton Gyratory. The TA reports that a review of ATC survey results established that there is a predictable increase in traffic associated with Asda on Fridays.

As Friday is known to be a busier trading day for Asda, as supported by the traffic data, an exercise was undertaken to derive the factor by which traffic flow differed. This exercise, undertaken by Mott MacDonald and verified by Sanderson Associates in the submitted TA determined that the AM peak traffic flows were 8.8% higher and the corresponding PM peak flow 10.85% higher. The base flows provided by Mott MacDonald in their analysis have therefore been increased by the above factors to ensure a robust assessment is provided.

From the capacity modelling undertaken in the TA all junctions appear to operate within their practical capacity, generally accepted as being represented by a Ratio of Flow to Capacity (RFC) of 0.85, with no material queuing or delay. As such it is considered that the TA demonstrates that the existing and proposed junctions operate within capacity as submitted, with no material impact on the operation of the wider highway network and in particular at the roundabout junction of Longwood Drive with the Asda store and PFS.

- 5.2 The Operational Manager (Shared Regulatory Services: Air Quality): No objections.

5.3 The Operational Manager (Shared Regulatory Services: Noise): No objections.

5.4 The Council's Trees and Landscaping officer states:

The Tree Planting Strategy proposes 43 new 'specimen' trees (7 of 'semi-mature' size, 21 'heavy standards' and 15 'standards') and 30 feathered trees and woody shrubs. This planting comprises 20 different tree species and 6 different woody shrub species, with native hedging and native seeding additionally. In terms of diversity, it far exceeds the existing landscaping that supports just 7 tree species. Furthermore, the proposed planting provides a balance between native trees and non-native trees and includes many genera capable of large size and long life (Acer, Ginkgo, Gleditsia, Koelreuteria, Ostrya, Quercus, Taxodium, Taxus, Zelkova) and that are well adapted to meet the predicted impacts of climate change. The group planting of native species with understory shrubs and herbaceous planting should maximise biodiversity benefits and avoids the swathes of 'amenity grass' that can dominate landscaping schemes.

The trees lost (122 in total) comprise ash (41), maple (34), silver birch (24), aspen (10), cherry (7), oak (4), and pear (2). Of these, 51 attain 'B' categorisation though it will be noted that the ash are all vulnerable to ash dieback disease, the maples in G8 achieving 'B' categorisation are the small 'mop top' maples in the car-park (Acer platanoides 'Globosum'); silver birch and aspen and cherry are not typically long-lived trees (aspen can be structurally vulnerable as evidenced by the tree report) and the oaks affected are of low quality and value ('C' category). Consequently, the existing trees cannot be seen as a viable, sustainable tree population in the long-term in the context of ash dieback disease and climate change. Nevertheless, the loss of 122 trees is significant on any scale, particularly if mitigation is inadequate or unsuitable. Purely in terms of numbers, the replacement planting does not offset the loss, though if it is considered that 'C' category trees should not unduly constrain development and it is the loss of 'B' category trees that is of concern, then the replacement does exceed the losses (51 'B' category trees lost, 58 new trees when the feathered Crataegus, Ilex and Sorbus are taken into account). It will be noted that 'shoe-horning' large numbers of trees in to soft landscaping will be counter-productive, resulting in gross mutual suppression and structural vulnerabilities meaning trees have a much reduced safe, useful life expectancy. Taking into account the increased diversity of proposed planting, its suitability in the context of climate change and the inclusion of large, long-lived trees within the car-park, the scales become more even. A key consideration in the overall balance is the specification of planting and aftercare. A Soil Resource Survey and Plan is essential in ensuring that the soil resource is utilised sustainably and appropriately. A healthy, fully functional soil environment is critical to the establishment and healthy long-term growth of trees, in addition to being important in its own right in terms of biodiversity and mitigating the predicted impacts of climate change. Details should be provided via discharge of condition.

5.5 The Council's Ecologist states:

I have considered the Ecology Walkover Survey Report provided by TACP dated April 2019, and in general I support the methodology and conclusions of that report. Most of the ecological impact relates to loss of trees and landscaping, However, the impact will be limited to impacts on nesting birds, regardless of which trees are to be lost. Therefore, a nesting bird condition should be imposed. I accept that the trees on site are likely to be of negligible bat roost potential.

The enhancement measures set out in section 6.2.3 are welcomed and we should attach to any consent a recommendation that these measures be implemented as part of the scheme

The green infrastructure is limited to trees and shrubs, so I would support the measures the County Tree Officer comments which requires to maintain and enhance the arboricultural resource at this site.

In terms of the impact upon the heronry, I do not consider that an internal re-configuration of the car park is going to have any additional impact on the Herons, beyond what is there at the moment.

- 5.6 The Operational Manager (Flood & Costal Risk Management) has been consulted and no representations have been received. Developments that have an impact upon surface water (such as this proposal) are required to obtain separate approval from the Council's Drainage section acting as SAB approval body. A Compliance Statement has been submitted in support of this application that recognise the requirement of this separate legislation.

6. EXTERNAL CONSULTEE RESPONSES

6.1 Wales and West Utilities:

No objections but request that the developer liaise with them regarding a gas pipe line which is in close proximity to the site.

6.2 Natural Resources Wales:

Based on the information provided, we would have no objection to the proposed development and would provide the following advice.

Designated Sites:

The proposed development site is approximately 35m from Glamorgan Canal / Longwood Site of Special Scientific Interest (SSSI). Due to the proximity of the site to the SSSI, we would advise all during the construction phase of the development the Developer should take precautions to prevent contamination of surface water drains and local watercourses. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages.

European Protected Species:

The Ecological Walkover Survey Report prepared by The Urbanists, dated April 2019, has identified bats were not using the application site and no further EPS surveys are required. We would therefore have no adverse comments to make in relation to EPS.

6.3 Cadw:

No objections.

PGW (Gm) 67(CDF) Coryton House (grade II)

The south-eastern boundary of the Asda carpark coincides with the north-western boundary of the registered Coryton House historic park and garden. This boundary is heavily vegetated and whilst, in theory, the proposed works will be visible from the registered historic park and garden, the proposed changes will not will not have any effect of the way that it is experienced, understood and appreciated. Consequently the proposed development will have no impact on the setting of registered Coryton House historic park and garden.

6.4 Glamorgan Gwent Archaeological Trust:

We have consulted the information contained in the Historic Environment Record and have concluded that the proposals forming the current application for engineering works for access to the Velindre Cancer Centre and Asda, are unlikely to impact on any buried archaeological resource. Consequently, as the archaeological advisors to your Members, we have no objections to the positive determination of this application.

6.5 Welsh Government Transportation Group:

No objections.

6.6 Dwr Cymru Welsh Water:

No objection to the proposed surface water drainage arrangement whereby surface water will be discharged to existing onsite surface water drainage at a rate of 2l/s. However, as shown on the Proposed Site Plan (drawing PL-03a) we note the proposed re-location of the roundabout whereby works will be carried out in close proximity to our 24 inch watermain. Therefore we would request a Risk Assessment Method Statement (including cross sectional plans if significant ground profiling is proposed) is submitted which will demonstrate how the watermain will be protected during construction works.

7. **REPRESENTATIONS**

7.1 For clarification, please note that there are other applications in the locality more generally (as referenced in Section 3 of the report) for which representations have also been received. However, in accord with established practice, this report can only consider those representations where the appropriate application reference number/description has been indicated or it is otherwise

clear that the remarks clearly relate to the merits or otherwise of this specific proposal.

7.2 The application was advertised by way of neighbour notification letters, site notices and advertisement in the local press. 480 letters of representation have been received which object to this application. These are summarised below:

1. The proposal will result in traffic congestion within the area due to the additional traffic for Velindre and the proposed configuration of the car park. As a result there is concern by local residents that this will have an adverse effect upon the Coryton interchange and the surrounding roads causing gridlock similar to that seen when the Coca Cola lorry was sited within the Asda car park at Christmas time;
2. The proposal results in the reconfiguration of footpaths and cycle lanes that are used by the public, some of which are their sole means of accessing Asda. The proposal would result in routes that are not as attractive or safe as the current arrangement and fail to achieve the requirements of the Active Travel Act.
3. The proposed construction vehicles will require access through Whitchurch village. These roads are not suitable for such vehicles and therefore will result in unacceptable risk to pedestrians and cyclists;
4. Many of the paths within the area and the northern meadow itself are used by children either to get to Coryton Primary School and Whitchurch High School or for recreational use. This proposal would by its design and increase in traffic result in an unacceptable risk to children who use these paths.
5. There is concern that the proposal will increase air pollution by increasing traffic and congestion within the area. This concern is supported by reports by Public Health Wales that suggest there is a link between commuter traffic and respiratory problems, especially in children.
6. The removal of the trees within the area, which absorb harmful gases from cars, would result in an increase of harmful gases and combined with the above would mean that Cardiff is not meeting its international commitment to reduce harmful gases.
7. The proposal would remove ecologically important habitat and would have an adverse impact upon the adjoining heronry, which is the largest in south Wales. This is contrary to Section 6 of the Environment Act, which places a duty of the council to maintain and enhance biodiversity and promote the resilience of ecosystems, and the Chief Planning Officer letter: "Securing Biodiversity Enhancements" which states "The attributes of ecosystem resilience (PPW para 6.4.9 refers) should be used to assess the current resilience of a site, and this must be maintained and enhanced post development. If this cannot be achieved, permission for the development should be refused."

Both of these requirements are not met.

8. The proposal fails to meet the objectives outlined in the Welsh Government post COVID 'building better places' document which states 'Development management decisions should focus on creating healthy, thriving active places with a focus on a positive, sustainable future for our communities.'
9. The proposal would result in the loss of the northern meadows, which is a community asset that has helped the community's mental well being and provided much need outdoor space for the elderly residents of the Hollybush Estate.
10. The proposal fails to achieve the aims of the Wellbeing and Future Generations Act by:
 - Failing to consult and engage with the community in a meaningful manner,
 - Destroying the only out door space for children in this part of Whitchurch;
 - Removal of significant amount of trees;
 - Increasing mental stress by removing the only out door space for residents to relax and reflect.
11. The increased construction period at Asda will negatively affect the students at Ty Coryton. The Ty Coryton site sits directly behind Asda, and will be adversely affected by the increased levels of noise and air pollution, as well as the vibrations from the construction site. This shall interrupt the education and care of the children here, who have serious Autism Spectrum Disorder and who rely on regular and consistent routine to stay happy and calm. This extension in building work would be contrary to the UN Convention on the Rights of the Child.
12. The submitted Transport information in support of this application is flawed for the following reasons:
 - The data is over 4 years old, even the most recent data was a 1 week snap shot;
 - It does not take into account post COVID assessment;
 - Does not define what types of HGV would be using these roads,
 - Does not take into account future travel patterns of the McDonalds or Starbucks.
 - The removal of the right hand turn would result in more traffic not less onto J32;
13. There has been insufficient community engagement by the Council or the developer to this application. With over 300 members of the local community protesting against this development the committee cannot ignore the express view of the residents who would be directly affected by this proposal.

- 14 The proposed model of cancer care support by Velindre is outdated and is discouraged in England where Cancer care should be next to a general hospital and land has been offered by UHW for this.
 - 15 The proposal fails to meet the Climate emergency declared by both Cardiff Council and Welsh Government
 - 16 This application should not be determined until the Senedd enquiry.
- 7.2 A petition of 443 signatures has been submitted by the 'save the northern meadows' group who object to this application on the following grounds:
- The proposal does not reflect post-COVID travel patterns;
 - The amendments would result in air pollution affecting local residents;
 - No residents of the Hollybush estate have been notified even though this affects their route to Asda;
 - Failure of Velindre not consulting residents during their PACs process due to Covid restrictions,
 - Lack of signage and engaging with Asda customers;
 - The staff and parents at Ty Coryton have not been consulted which is a serious failure by the council.
- 7.3 An 11,000 signature petition has also been received but does not meet the Council's requirements for a petition to be valid as it simply states 'Save the meadows', gave no planning reference, did not have signatures or email addresses and a number of the petitioners are located in other parts of the world and could not be reasonably affected by the development.
- 7.4 98 letters of support for the proposed cancer hospital have also been submitted (that have quoted the above reference) which consider the need for a modern and accessible hospital for Velindre patients is more important than the marginal loss of trees and green space and also note that the site is NHS land and the proposal is to use the land for NHS purpose
- .
- 7.5 Local Ward Members have been consulted and Councillors Morgan, Rees and Philips object to this application on the following grounds:
- The statutory requirements laid out, and guidance adopted by the authority, indicate that this new application must be considered under this new context, despite outline permissions having been granted for the hospital project as a whole (and in the case of the road access sought to be amended by 20/01108). A whole project view must be taken.
 - We object to 20/01108/MJR on the same grounds that are laid out in our objection letter to 20/00357/MJR, i.e. fails to meet environmental objectives of Planning Policy Wales or the Council's LDP. In addition, it also fails the legal tests of Section 6 of the Environment Act, Future Generations and Well being Act i.e. fails to meet the environmental bar set by the above legislation.

- The environmental concerns are the same – the road access and bridge construction will materially harm the environment, to which no mitigation can reasonably be expected to fully balance out. Under the new framework, where there is a detrimental impact an application must be refused.

In summary we feel these applications should be rejected. As with 20/00357/MJR, if they are not, we are giving no credit to the positive and progressive changes made to planning policy in the last two decades, and certainly it renders meaningless any declaration of a climate emergency.

We are also concerned that the letters of support are not from people who live within the area and may not know the full environmental impacts.

- 7.6 In addition, Councillor Morgan has also written separately to object, stating *“Very opposed to the applications. This is my home and we need to protect the meadows for future Generations” and request that this application is deferred for a site visit and is called in for Welsh Government to consider.*”
- 7.7 Councillor Williams (ward member for Pontprennau and Old St. Mellons) Objects to this application as many of his constituents have raised with him their concern over the loss of a valuable green space to the community
- 7.8 Anna McMorris, Member of Parliament for Cardiff Central, makes the following representation:

“Many constituents and community groups with differing views have been in contact with me on this complex issue to share their thoughts. I have listened to the views expressed and whilst I support the need for a modern cancer hospital the concerns expressed to me by my constituents need to be considered by the committee, these being:

Given the climate Emergency declared by Cardiff Council and Welsh Government the location of this development would have significant environmental impact and undermines the Climate emergency declarations;

Fails to provide the need for green space for the local community

Does not meet modern planning policy objectives;

The site selection is flawed as there are brownfield sites that could accommodate the hospital, however, the community would prefer to see a cancer hospital than housing, which still stands.

Whilst I understand the permission for the hospital was approved in 2018 and this is not dependant on this application as this application amends what also has already been approved. However, the view of my constituents is that a holistic approach must be considered and that this scheme must be considered against all the other applications and not in isolation.”

7.9 Julie Morgan (Member of the Senedd for Cardiff Central) writes in her capacity as the Senedd Member representing Cardiff Central and raises her constituents' concerns as follows:

“Environmental impact

The main concern of my constituents lies in the environmental impact of the proposed northern access road and access bridge, which will be built across the former railway cutting into the main site.

In order to complete these works, I understand that a significant number of trees will need to be felled and vegetation cut back. Constituents are very concerned about the loss of this biodiversity and the impact it will have on wildlife and future habitats. I am encouraged that within the Green Infrastructure Management Strategy it is confirmed that trees will be replanted in a 1:2 ratio, and that ‘Understorey woodland planting will be introduced which will diversify the existing woodland and provide a new woodland edge ecotone’. I am also encouraged that plans are in place to affix bat and bird boxes on the side of the access bridge to compensate for the loss of their habitat.

However, constituents fear that no matter how many mitigation plans are put in place to save or replant trees and other important areas of biodiversity, the area will ultimately be dramatically changed and therefore wildlife that depend on this area will be impacted.

In February 2020, the area around the proposed site of the northern access road saw the worst storms and flooding in over 40 years. It is felt by constituents that without the large number of trees in and around the railway cutting, the floods experienced in the surrounding areas would have been far greater and would have had a more devastating impact on local residents. It is therefore absolutely essential that the number of trees felled to create the access road is kept to the bare minimum.

I have also raised with Velindre the importance of keeping the northern access road as close to the new Velindre Cancer Centre as possible in order to make the site more compact, ensuring that as much land and open space around the hospital is retained. Velindre has assured me that this is something that they are happy to look into and accommodate.

Due to the nature of the site and its ecological importance, each decision made about the enabling works and cancer centre development must ensure that the environmental impact, both now and in the future, is minimal.

Traffic

Constituents have raised concerns about the impact construction and associated traffic will have on customer access to Asda, McDonalds and Starbucks. As lockdown measures have been eased and hospitality opened up, queues were seen forming at McDonald’s and Starbucks’s Drive-Thru. This increase in traffic further highlighted to constituents that traffic such as this

around Asda could be experienced during the period of construction of the access road and bridge, and ultimately the construction of the new Velindre Cancer Centre. It is feared by constituents that this would impact on people going about their day-to-day business for some years.

I have raised these concerns with Velindre and have been reassured that the planning application for the Asda access will increase road capacity, with the creation of a new slip road onto the site, a new roundabout and traffic flow. This will also include a dedicated turning lane for motorists to enter McDonalds, which I understand at the moment causes the most amount of congestion.

I understand that the number of construction vehicles, deliveries and working hours on the northern access road site have been agreed with Asda and it is expected that the volume of construction traffic will be approximately 20 vehicles a day until the access bridges have been built. There is no doubt that the increase in vehicles and construction traffic in the area will mean that there will be higher levels of air pollution. Constituents have raised their concerns about the impact this will have on the health and wellbeing of local residents. Despite the immediate locality being mostly retail and woodland, there are occupied houses and a primary school nearby which will inevitably experience a rise in their air pollution levels.

It will be important, throughout construction of the northern access road and bridge, to ensure that air quality is constantly monitored so that if levels do rise action can be taken to mitigate any damage and bring levels down."

7.10 Tongwynlais Community Council objects to this application on the following grounds:

- *Pollution is obviously likely to increase with an increase in traffic. It is likely the roads in the area will be heavily congested at times with stationary vehicles queuing to enter or exit the Coryton Interchange. An increase in pollution will have an adverse effect on resident's health, as well as the local environment.*
- *Coryton Primary School is very close to the proposed development site and any increase in traffic, especially heavy vehicles during the construction phase, will cause a danger to young children and families walking to school, as well as other pedestrians.*
- *Forest Farm Nature Reserve is adjacent to the site and benefits from a vast range of wildlife and is home to a variety of nesting birds. Any development or increase in traffic and pollution in the vicinity would have a negative impact on the environment.*
- *Northern Meadows is a large green area which is enjoyed by many residents in Whitchurch and Tongwynlais. Losing this space to any development will have a negative impact on people's health and enjoyment of an outside area. An increase in pollution, congestion, and increased traffic, as well as*

removal of this green area will have a negative impact on any wildlife and any natural flora and fauna which should be preserved and protected.

8 ANALYSIS

8.1 The application before Committee is described as:

“Proposed engineering works to Longwood Drive and the Asda access highway and car park arrangements, enabling access to the proposed Velindre cancer centre”.

This is an application for full planning permission. Paragraphs 3.1 to 3.3 of this report identify the planning history of the site and adjoining areas, as well as current, as yet undetermined applications within the area. Applications which have yet to be determined by the Local Planning Authority are not material factors in the consideration of this application.

It should be noted that the application site is located to the north of the railway cutting and that the red line (boundary) of the application site does not include land within the Northern Meadows.

8.2 Material planning factors to consider for this application are:

- The impact upon the character of the area;
- The impact upon the amenity of neighbouring occupiers and the area;
- The impact upon transportation, access and movement;
- The impact upon the natural environment; and
- Any other material factors.

8.3 Impact Upon the Character of the Area

8.3.1 Policy KP5 requires that all new development should respond *‘to the local character and context of the built and landscape setting so that layout, scale, form, massing, height, density, colour, materials, detailing and impact on the built and natural heritage are all addressed within development proposals’.*

8.3.2 The application site is the access road and car park that serves the Asda superstore and McDonald’s fast food restaurant. There is a steep embankment from Longwood drive towards Asda and McDonalds. The site is enclosed by trees with limited landscaping within the car park. It is considered that the proposed reconfiguration of the car park, replacement planting and access road will not have any adverse impact upon the character of the area.

8.4 Impact Upon the Amenity of Neighbouring Occupiers and the Area

8.4.1 Policy KP5 seeks to ensure that *‘no undue effect on the amenity of neighbouring occupiers’* results from development.

8.4.2 The proposal seeks to reconfigure the access road and parking provision within an existing retail superstore. The most sensitive receptors are the residential properties at Whitworth Square located 130 metres to east and screened from

the site by trees, and the Ty Coryton School which shares a common boundary with the site, but is screened by a c.58 metre deep tree canopy. A condition has been imposed for a construction management plan (condition 7), which includes a requirement to inform neighbours in advance of any loud construction activity, which should provide Ty Coryton the ability to ensure their children can adapt to the changes.

8.4.3 The operation of the reconfigured car park, once completed, would be no different to that which residents currently experience.

8.4.4 It is considered that the proposal would not have any undue impact upon the amenity of neighbouring occupiers or the area, subject to condition 7, and accords with the principles of Policy KP5.

8.5 Impact upon Transportation, Access and Movement

8.5.1 Policy KP8 seeks to achieve a 50:50 modal split between journeys by car and other more sustainable means and, therefore, seeks to reduce reliance on the private car as a means of transport in favour of more sustainable methods. Policy T5, supports this key policy, by seeking to ensure *'that all new developments properly address the demand for travel and its impacts, contributes to reducing reliance on the private car and avoids unacceptable harm to safe and efficient operation of the road, public transport and other movement network and routes'*.

8.5.2 The principle of the proposed access road from the Coryton gyratory and through Asda to serve the proposed Velindre hospital site has been established by permission reference 17/01737/MJR.

8.5.3 The proposed access and egress arrangements have been considered by the Council's Transportation Manager and by Welsh Government, both of whom raise no objection to the proposals

8.5.4 The proposal results in the loss of 40 car parking spaces. Active travel is promoted by creating useable walking/cycling routes to access the site. A condition is also recommended (condition 8) to provide well deigned cycle parking provision within the site, which is in close proximity to existing cycle routes and is supported by the Council's Transportation Officer.

8.5.5 The proposed roundabout off Longwood Drive is considered acceptable to both the WG and Council's Highways Departments.

8.5.6 For the above reasons, it is considered subject to conditions, that the proposal would have no adverse transport impact upon the road network and accords with the principles of Policies KP8 and T5.

8.6 Impact Upon the Natural Environment

8.6.1 Natural Resources Wales (NRW), the Council's Ecologist and Tree Officer have considered the submitted information and representations received, and raise

no objection, subject to conditions. Their comments and advice are contained in Sections 6 and 7 of this report.

- 8.6.2 Policies KP15, KP16 and EN8 seek to ensure that green infrastructure is protected and the effects of climate change associated with such loss are mitigated. The submitted information indicates a loss of trees but as the County Tree Officer has highlighted in Section 6 above, the mitigation is considered acceptable and takes into account climate change and Welsh Ministers advice on biodiversity. The principle of the proposed development in this regard is considered acceptable, however, further detail is required to ensure that appropriate landscaping is provided and that no harm results. Conditions are recommended in this regard.
- 8.6.3 The proposal results in a loss of trees within and around the car park as outlined by the County Tree Officer in Section 6 of this report; some of which are classed as category 'B'. However, it is considered that the proposed mitigation, subject to conditions, would constitute long term betterment and be more resilient to climate change.
- 8.6.4 The development has been screened in respect of the T&CP Environmental Impact Assessment Regulations (Wales) 2019 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.
- 8.6.5 Local Development Plan Policies EN10 and EN14 require water sensitive design solutions that do not increase risk of flooding elsewhere, and are incorporated within new developments. Welsh Water have confirmed that the proposal is not objectionable on drainage grounds. In addition, the application requires technical approval from the council's SAB approving body, which is considered under separate legislation. The applicant has submitted a SAB compliance statement, to ensure that there are no inherent conflicts between the consenting regimes and the proposal.
- 8.6.6 For the reasons outlined above, the proposal is considered acceptable in terms of its impact upon the natural environment.

8.7 Other matters relevant to the consideration of this application

- 8.7.1 480 letters of objection and a petition of objection have been submitted which are captured in Section 7 of this report as well as objections and representations from Elected Members. Objections and letters of support relating to the use of land referred to as the "Northern Meadows" as a cancer hospital are not matters which are considered material planning considerations to this application. The principle of such use has been established by planning permission reference 17/01735/MJR. Of those matters raised by objectors which are not addressed above, the following comments are made.
- 8.7.2 Comments relating to the appropriateness or otherwise of any model for delivering cancer services is not relevant to this application, and is neither a

material planning consideration. References to any Senedd Inquiry, or the statutory duties of Welsh Government are not matters for the Planning Committee to consider.

- 8.7.3 Concern has been raised in relation to the publicity arrangements undertaken by Velindre for their Pre Application Consultation (PAC) process. Before the coronavirus outbreak and the subsequent national 'lock down', nVCC and their agents conducted a face-to-face public meeting where the plans were explained to the public. The plans were also available on the applicants and agents web sites with the ability to make comments. It is considered that this met the requirements set under the PAC process. It is noted that these requirements have been relaxed during the pandemic period (*The Planning Applications (Temporary Modifications and Disapplication) (Wales) (Coronavirus) Order 2020 ("the Amendment Order")*).
- 8.7.4 In terms of the Council's publicity arrangements, the requirements outlined within the Development Management Procedure Order have been met. Officers can confirm that Ty Coryton House has been notified of this application and re-notified of the amendments. In addition, the application has been publicised by site notices around the site and by a press notice within the Western Mail newspaper. Given the level of comments received to the first consultation, the LPA sought to publicise the amended plans beyond statutory requirements by allowing 21 days for comments, placing site notices around the site and also sending letters and emails beyond immediate neighbours (These emails / letters were sent to interested parties on the 27/7/2020).
- 8.7.5 It is recognised that construction activity will result in some disturbance and inconvenience to residents and users of the site. Conditions have been recommended above to manage and minimise any impact of construction upon neighbouring residents and users.
- 8.7.6 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.
- 8.7.7 Equality Act 2010. The Act 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.
- 8.7.8 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. It is also noted that section 2(5) of the Planning (Wales) Act 2015 affords protection to decisions taken under Part 3 of the 1990 Act, in that the Well-being of Future Generations (Wales) Act 2015 does not alter whether regard is to be had to any particular consideration under section 70(2) of the 1990 Act or the weight to be given to any consideration to which regard is had under that subsection. This means the provisions of the development plan, so far as material to the application, and any other relevant other material considerations remain the primary considerations when determining planning applications.

8.7.9 Section 6 of Environment (Wales) Act 2016 subsection (1) imposes a duty that a public authority must seek to maintain and enhance biodiversity in the exercise of its functions, and in so doing promote the resilience of ecosystems, so far as is consistent with the proper exercise of those functions. In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular the following aspects:

- (a) Diversity between and within ecosystems;
- (b) The connections between and within ecosystems;
- (c) The scale of ecosystems;
- (d) The condition of ecosystems (including their structure and functioning);
- (e) he adaptability of ecosystems.

The application has been supported by Ecology Walkover Survey Report provided by TACP dated April 2019. This information, along with the submitted plans have been considered by the Council's Ecology Officer and NRW who raise no objections to the proposed development. It is considered that the LPA has considered its duty under this Act and has met its objectives for the reasons outlined above.

8.7.10 The United Nations Convention on Childrens' Rights provide 42 rights to children and young people. These rights have been incorporated in domestic law in Wales through the Rights of Children and Young Persons (Wales) Measure 2011. The key rights in relation to this application are:

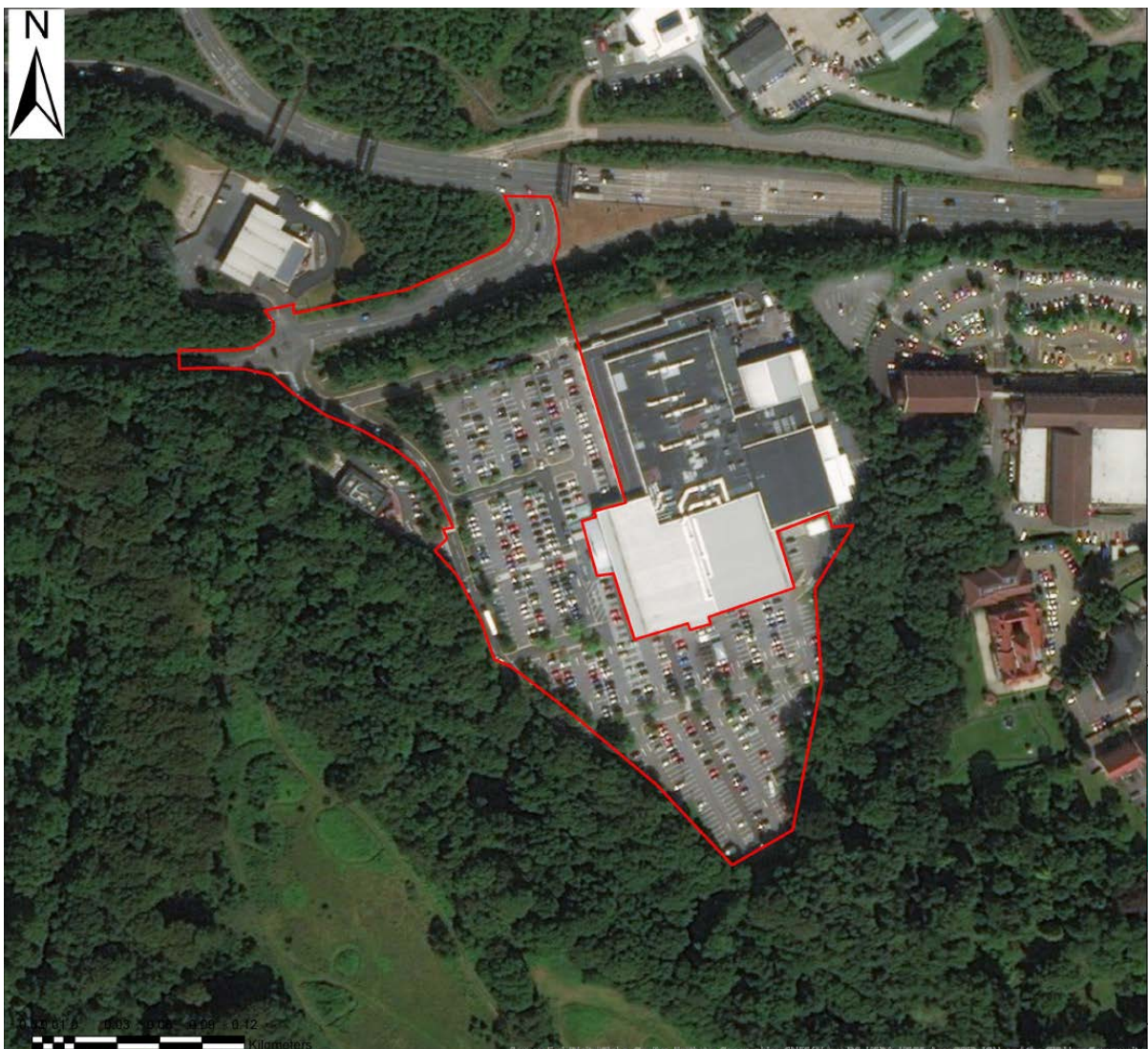
- Article 3 (To do what is right for each child);
- Article 6 (The right to grow up healthy);
- Article 12 (The right to your say and to be listened to);
- Article 13 (The right to information);
- Article 31 (To be able to relax and play)
- Article 36 (To be protected from doing things that could harm you)

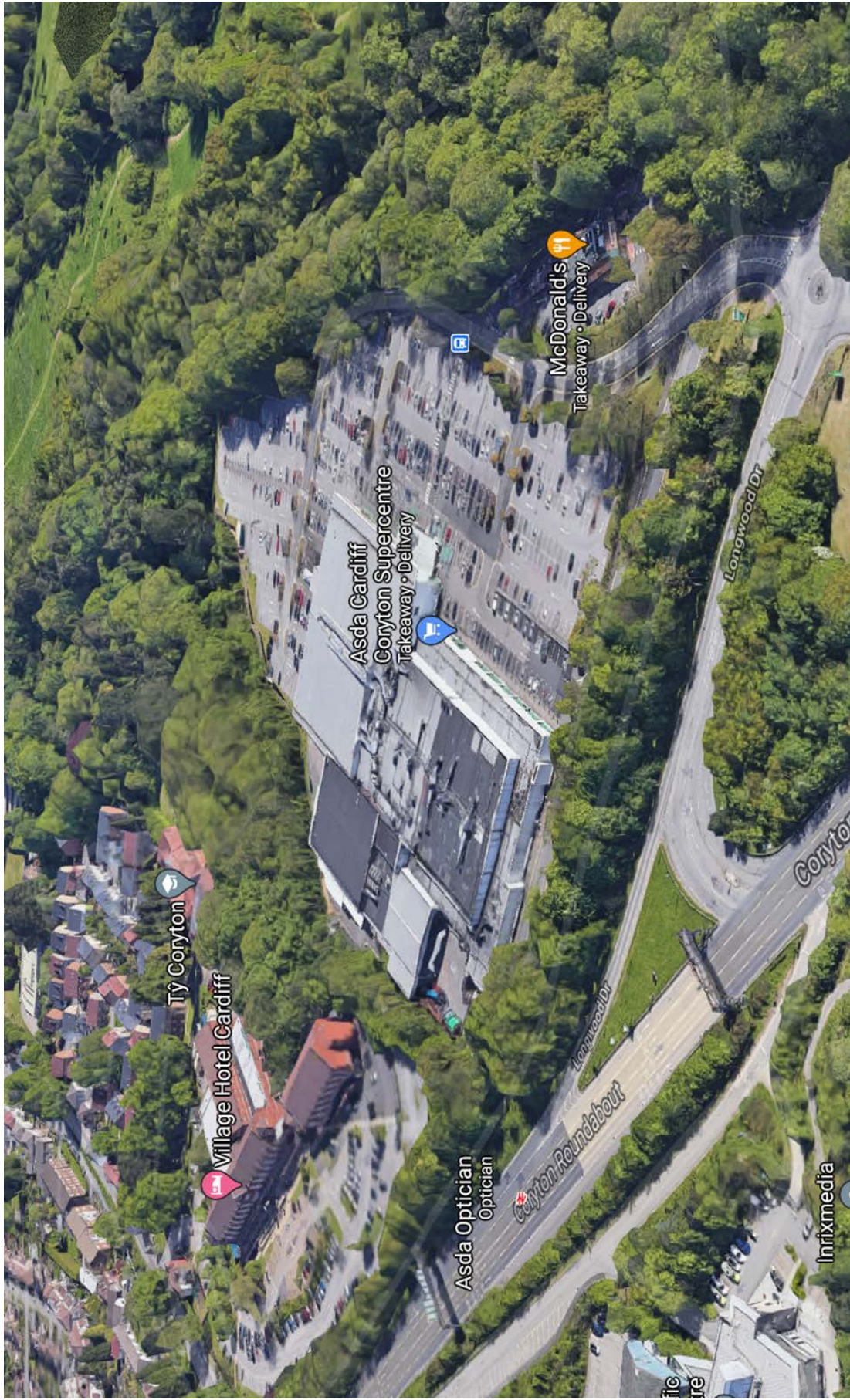
A number of representations (including pictures, emails and letters) have been received from children who have raised concerns over the loss of the "Northern Meadows". They raise concerns that their health will be worsened due to air pollution and they are concerned regarding the loss of wildlife.

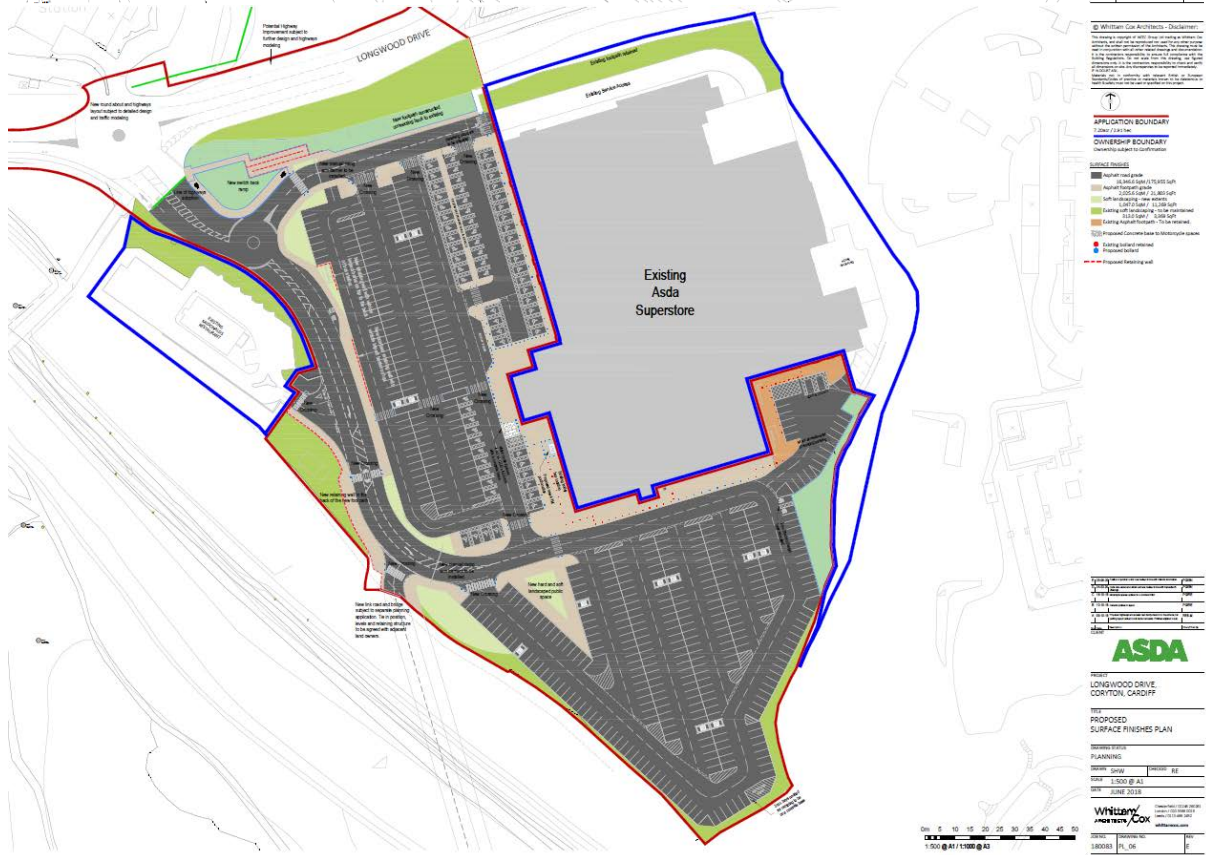
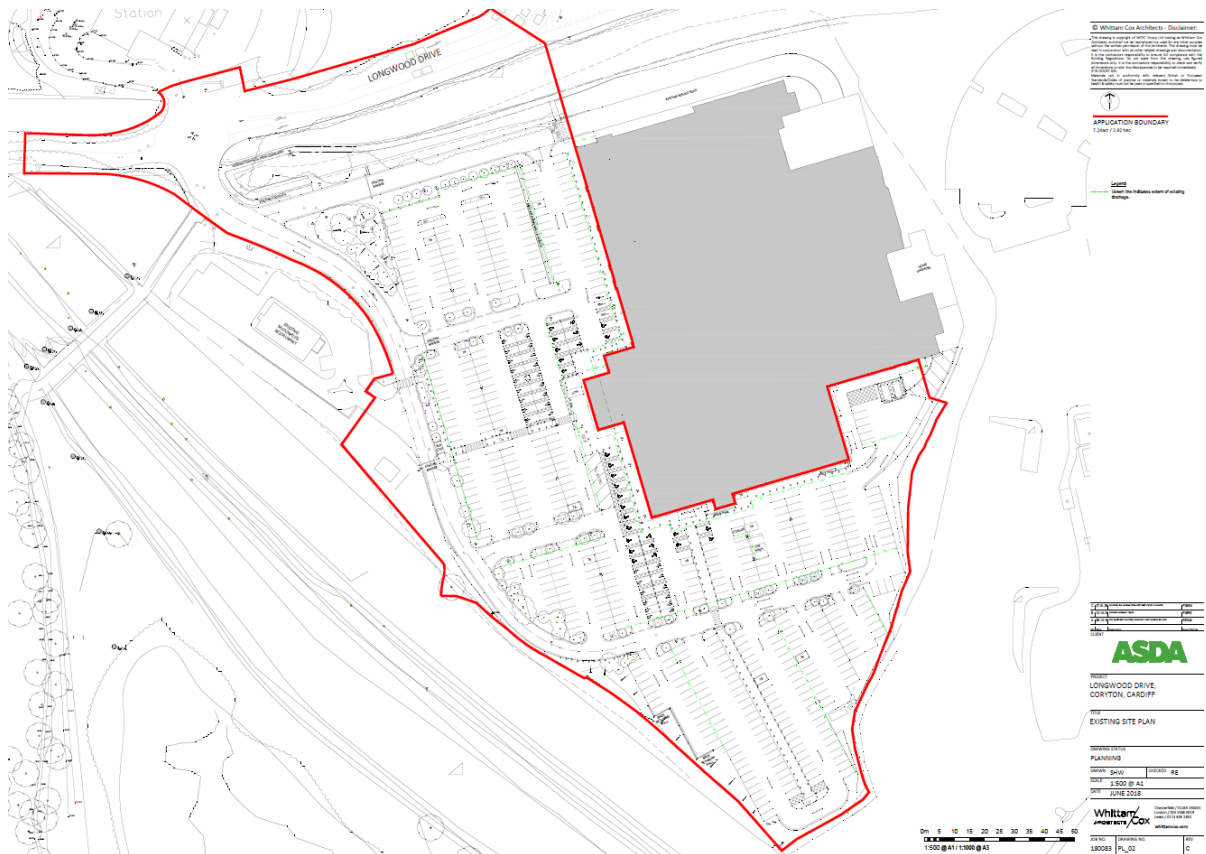
Whilst these concerns are noted, the application relates to the existing Asda car park and not to the “Meadows” itself. However, those matters that are material to the consideration of this application have been considered above and do not undermine those rights outlined above.

8.8 Conclusion

8.8.1 For the above reasons, the proposal is considered acceptable and it is recommended that planning permission be granted, subject to conditions.







Mae'r dudalen hon yn cael ei adael yn wag yn fwriadol

PETITION & LOCAL MEMBER OBJECTION

COMMITTEE DATE: 16/09/2020

APPLICATION No. **20/00800/MNR** APPLICATION DATE: 19/05/2020

ED: **WHITCHURCH/TONGWYNLAIS**

APP: TYPE: Outline Planning Permission

APPLICANT: Mr & Mrs Llewellyn
 LOCATION: LAND OFF MILL ROAD, TONGWYNLAIS, CARDIFF
 PROPOSAL: ERECTION OF 4NO. DETACHED DWELLING HOUSES,
 NEW ACCESS AND ASSOCIATED DEVELOPMENT

RECOMMENDATION 1 : That, subject to relevant parties entering into a binding legal agreement with the Council under the provisions of a **SECTION 106** of the Town and Country Planning Act 1990 within 6 months of the date of this resolution unless otherwise agreed by the Council in writing, in respect of matters detailed in paragraph 8.22 of this report, outline planning permission be **GRANTED** subject to the following conditions :

1.
 - A. Approval of the details of layout, appearance of the buildings and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
 - B. Plans and particulars of the reserved matters referred to in condition 1A above, relating to the layout, scale and appearance of the buildings to be erected, the means of access to the site and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
 - C. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
 - D. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of the last of the reserved matters to be approved, whichever is the later.

Reasons:

 - A. In accordance with the provisions of Article (3)1 of the Town and Country (Development Management Procedure) (Wales) Order 2012.
 - B, C and D. In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
 - Drawing P654 L-003 Rev A (Site Plan as proposed) in respect of access only

- Drawing P654 L-210 Rev A (Site Elevations as proposed) in respect of scale only
- Drawing P654 L-211 Rev A (Site Sections 1 of 2 as proposed) in respect of scale only
- Drawing P654 L-212 (Site Sections 2 of 2 as proposed) in respect of scale only
- Planning drawings and 3D visuals prepared by DLP Architects.
- Topographical Survey prepared by Azimuth Land Surveys.
- Geo-Environmental Report prepared by Blandford Consulting.
- Ecological Appraisal prepared by Richard Tofts Ecology and letter from Richard Tofts Ecology dated 3/8/2020 to AJ Planning and Development

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

3. Notwithstanding the submitted information, full details of the means of site enclosure shall be submitted to and approved by the Local Planning Authority. The means of site enclosure shall be constructed in accordance with the approved details prior to the development being put into beneficial use.

Reason: In the interests of visual and residential amenity, in accordance with Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan.

4. The details submitted for approval in respect of condition 1A (landscaping) shall include:
 - A basic soil assessment based on the preparation of trial pits. Soil physical characteristics should be recorded, photographed and submitted as evidence of the suitability of the soil for its intended end use, and a strategy for soil handling, storage and placement prepared, that accords with the principles set out in BS 3882:2015, BS 8601:2013 and the DEFRA Code.
 - A landscaping implementation programme.
 - Scaled planting plans to include tree pit sectional and plan drawings
 - Proposed finished levels.
 - Earthworks.
 - Hard surfacing materials.
 - Existing and proposed services and drainage above and below ground level. Services and drainage features should be positioned so as not to conflict with landscaping proposals.
 - A topsoil and subsoil specification for all planting types (trees, shrubs, grassland etc.).
 - Schedules of plant species, sizes, numbers or densities.
 - Planting methodology and post-planting aftercare methodology.

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 and to ensure that all usable soil resources are appropriately recovered and protected, and not lost, damaged or sterilised during the construction process, in accordance with Policies KP5: Good Quality and Sustainable Design and KP: 15 Climate Change of the Cardiff Local Development Plan.

5. Any newly planted trees, shrubs or other landscaping plants, which within a period of 5 years from the completion of the development die, are removed, become seriously damaged or diseased, or in the opinion of the Local Planning Authority (LPA) otherwise defective, shall be replaced. Replacement planting shall take place during the first available planting season to the same specification approved in discharge of landscaping condition 5 unless the LPA gives written consent to any variation.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity, in accordance with Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan.

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

- 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, and existing structural planting or areas designated for new structural planting.
- A Tree Protection Plan (TPP) in the form of a scale drawing showing the finalised layout and the tree and landscaping protection methods detailed in the AMS that can be shown graphically.

Unless written consent is obtained from the LPA, the development shall be carried out in full conformity with the approved AMS and TPP.

Reason: To enable the Local Planning Authority to assess the effects of the proposals on existing trees and landscape; the measures for their protection; to monitor compliance and to make good losses in accordance with Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing within 2 days to the Local Planning Authority, all associated works shall stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme and verification plan 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 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 off-site receptors, in accordance with Policy EN13: Air, Noise, Light Pollution and Land Contamination of the Cardiff Local Development Plan.

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

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

Reason: To ensure that the safety of future occupiers is not prejudiced, in accordance with Policy EN13: Air, Noise, Light Pollution and Land Contamination of the Cardiff Local Development Plan.

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

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

Reason: To ensure that the safety of future occupiers is not prejudiced, in accordance with Policy EN13: Air, Noise, Light Pollution and Land Contamination of the Cardiff Local Development Plan.

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

Reason: To avoid disturbance to nesting birds which are protected under

the Wildlife and Countryside Act 1981: Part 1, 1(1)(b). It is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built.

11. The details submitted in discharge of condition 1A shall provide for car and cycle parking in accordance with the Council's Supplementary Planning Guidance: Managing Transport Impacts (Incorporating Parking Standards) (2018) or any subsequent revision of this Supplementary Planning Guidance.

Reason: To provide for the safe and convenient provision of cycle and car parking in accordance with Policy T5: Managing Transport Impacts of the Cardiff Local Development Plan.

12. The details submitted for approval in respect of condition 1A shall have particular regard to the preservation of the amenities and privacy of the occupiers of the adjoining properties.

Reason: To ensure that the living conditions of adjoining occupiers is protected in accordance with Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan.

13. The details submitted for approval in respect of condition 1A shall provide facilities for the storage of waste and recycling for use in connection with the proposed dwelling. The facilities shall be provided prior to the development being brought into beneficial use and thereafter the storage facilities shall be maintained and shall not be used for any purpose other than for the storage of waste and recycling.

Reason: To provide for storage of waste in accordance with Policy KP12: Waste of the Cardiff Local Development Plan.

14. Notwithstanding the submitted details, prior to commencement of development, plans showing the proposed floor levels of the dwelling in relation to the existing ground level and the finished levels of the site shall be submitted to and approved in writing by the local planning authority. The development shall be constructed and completed in accordance with the approved details.

Reason: Reason: In the interests of visual and residential amenity, in accordance with Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan.

15. Prior to the commencement of development, a Green Infrastructure Statement for the delivery and enhancement of green infrastructure at the application site shall be submitted to and approved in writing by the Local Planning Authority. The Green Infrastructure Statement shall include details of the following:

A sensitive clearance strategy for any bushes, trees, scrub and brambles to avoid harm to individual dormice which may be using the site. This would include removal of above-ground vegetation during winter when dormice are hibernating at ground level followed by removal of stumps and roots in spring / summer, when the dormice have emerged from hibernation and

made their way to remaining habitats. To compensate for loss of potential nesting habitat, approximately three dormouse nest boxes should be placed in retained trees or bushes on the site.

A reptile clearance strategy, showing how harm to these species can reasonably be avoided during site clearance. For example, the strategy should include details which ensure that vegetation is cut to c.100mm in height with hand-held machinery (e.g., strimmers and chainsaws) to reduce the risk of crushing animals. A further cut to approximately 50mm should take place after a period of not less than 48 hours. All log piles, brash piles or other features which could act as refugia should be removed and any reptiles present allowed to disperse naturally. Subsequently, details of reptile hibernacula constructed in the north of the site should be provided.

Details of measures to allow free movement of hedgehogs throughout the gardens approved as part of the development such as appropriately-sized gaps in garden fences.

Nesting or roosting opportunities for birds and bats should be incorporated into the approved development in accordance with the advice given in 'Designing for Biodiversity: A Technical Guide for New and Existing Buildings, Second Edition. RIBA Publishing, London. Gunnell, K. et al., 2013' or the most recent subsequent edition thereof. (More specific details of appropriate levels of provision of nesting/roosting opportunities are given in the TCPA's 'Biodiversity Positive: Eco-towns Biodiversity Worksheet 2009').

An appropriate level of enhancement provision for the approved development is considered to comprise:

(4 x bat boxes for crevice-dwelling bats. Features which are integrated into the buildings rather than attached to the outside are preferable as they are more secure in the long-term and less prone to interference by the public).

The development shall be carried out in accordance with the approved Green Infrastructure Statement.

Reason: To ensure that the elements of green infrastructure as set out in Policy KP16: Green Infrastructure of the Cardiff Local Development Plan are considered in a coherent and integrated way, such that protection is afforded to certain species in accordance with legislation and Policy EN7: Priority Habitats and Species of the Cardiff Local Development Plan.

16. No development, including site clearance shall commence, until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- Construction methods: details of materials, how waste generated will be managed;

- General Site Management: details of the construction programme including timetable, details of site clearance, details of site construction drainage, containment areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain;
- Resources Management: details of fuel and chemical storage and containment;
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan with details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details;
- Biodiversity Management: invasive species management.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason: A CEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction in accordance with Policy EN13: Air, Noise, Light Pollution and Land Contamination of the Cardiff Local Development Plan.

17. No obstruction to vision exceeding one metre in height shall be placed within the vision splay shown on drawing reference P654 L-003 Rev A (site plan as proposed)

Reason: To ensure that the use of the proposed access does not interfere with the safety and free flow of traffic passing along the highway abutting the site in accordance with Policy T5: Managing Transport Impacts of the Cardiff 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: 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

- determining the extent and effects of such constraints and;
- ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates / soils) are

chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site:

- Unprocessed / unsorted demolition wastes.
- Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
- Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and

- (iii) the safe development and secure occupancy of the site rests with the developer.

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

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

RECOMMENDATION 4: The applicant is advised that developers of all new residential units are required to purchase the bin provision for each unit. The bins have to meet the Council's specifications and can be purchased directly by contacting the Waste Management's commercial team on 029 20717500.

RECOMMENDATION 5: The applicant is advised that the granting of planning permission does not give a developer any right to interfere with, obstruct or move a public right of way. For matters relating to the public right of way next to the application site, the applicant is advised to contact the Lead Officer (PROW), City of Cardiff Council at JGriffiths@Cardiff.gov.uk.

RECOMMENDATION 6: The applicant is advised that the proposed works to the public highway are required to be subject to an agreement under Section 278 Highways Act 1980 between the developer and Local Highway Authority.

RECOMMENDATION 7: The applicant is advised that the proposed development will require an application under Schedule 3 of the Flood and Water Management Act for SAB approval. It is therefore recommended that the applicant engages with the Council to progress this matter.

For further information please visit:

<https://www.cardiff.gov.uk/ENG/resident/planning-and-suds/suds-approval-body/sustainable-drainage/Pages/default.aspx>

RECOMMENDATION 8: Natural Resources Wales provides the following advice to the applicant:

Due to the proximity of the site to watercourses, all works at the site must be carried

out in accordance with GPP5 and PPG6: 'Works in, near or over watercourses' and 'Working at construction and demolition sites', which are available on the following website: <http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>.

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RECOMMENDATION 9: The applicant is advised that section 3.25 of Planning Policy Wales states that the land use planning system should take account of the conditions which are essential to the Welsh language and in so doing contribute to its use and the Thriving Welsh Language well-being goal. In this context and with regard to the Welsh Language (Wales) Measure 2011, it is recommended that: (1) developments adopt a Welsh name that is consistent with the local heritage and history of the area, (2) during the construction phase, on site marketing information (i.e. text on construction hoardings / flags / banners – as consented) be provided bilingually and (3) for commercial developments, shopfront / premises signage be provided in Welsh or bilingually. Where bilingual signage is provided, Welsh text must not be treated less favourably in terms of size, colour, font, prominence, position or location (it is recognised that Welsh translation does not extend to company / business names). Cardiff Council's Bilingual Cardiff team (BilingualCardiff@cardiff.gov.uk) can provide advice on unique and locally appropriate Welsh names for developments, bilingual marketing / branding and bilingual signage.

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1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 Outline planning permission is sought to construct 4no.two storey detached dwellings on land off Mill Road, Tongwynlais. The application is accompanied by a various plans and documents including a topographical survey, cross sections, Geo-Environmental report, ecological appraisal, tree report and tree protection plan and a Design and Access Statement (DAS).
- 1.2 The site forms part of an area of approximately 0.4 ha which is allocated for residential development in the Cardiff Local Development Plan with an estimated capacity of 5 units. Planning permission for a detached house on the north eastern part of the overall site was granted in March, 2017 (Council reference 16/03067/MNR) and that this dwelling is shown on the proposed site plan for clarity.
- 1.3 The application is submitted in outline with access and scale to be determined at this stage. Details of appearance, layout and landscaping are reserved for subsequent approval. Notwithstanding this, the layout plan shows how 4no.detached dwellings could be laid out on the site. The application is supported by illustrative elevation plans and 3D visuals intending to demonstrate how a satisfactory residential development could be achieved having regard to the site context including the topography and the relationship with neighbouring occupiers.
- 1.4 The application proposes to access the site from Mill Road. At the proposed point of access, a visibility splay of 2.4 metres x 43 .0 metres is shown.
- 1.5 In support of the application, the Design and Access Statement includes the following comments (summary):

i) The site lies within and relates well to the established residential area of Tongwynlais. The land is allocated for housing in the Cardiff LDP under Policy H1: Non-Strategic Housing Sites with planning permission already granted for a single residential unit on the land adjoining the north boundary of the application site.

ii) The presumption in favour of sustainable development applies to appropriate land in residential areas. In this regard, the development will provide 4no, four-bedroom detached family homes in a sustainable location, makes the best use of the allocated housing land and would not have a negative impact upon biodiversity or existing trees/landscaping around the periphery of the site.

iii) An attractive residential development is achievable, respecting the established residential setting and local environment. Each of the new homes will be served by appropriate private amenity and parking space in accordance with the Council's development plan policy.

iv) The siting and orientation of the houses considers potential privacy and over-bearing impacts.

v) In consideration of the public footpath to the north of the plot, the detailed design of the development will ensure that there will be no imposing structures that may represent an 'alleyway affect', noting that landscaping is a reserved matter.

vi) There are no recognisable adverse impacts on flora, fauna and heritage assets. There are no adverse impacts on trees of amenity value.

vii) Castell Coch Scheduled Ancient Monument (SAM) is located some 300 metres to the northwest of the site and beyond the established residential and woodland area on the edge of the golf course. The SAM is situated in a prominent position above the village and the development proposal is considered to have a negligible impact on the heritage asset. The proposed houses would be at a significantly lower level than the three existing houses and the consented house to the north. The physical separation and elevation of Castell Coch means that there is no recognisable adverse impact on the character and setting of the heritage asset.

viii) The site is not within a designated river flood risk zone and the land is shown to have no risk of surface water flooding.

ix) The proposed development will served by a new access from the west side of Mill Road. The dropped footway vehicle access achieves appropriate visibility with a 2.4m x 43m vision splay.

2. DESCRIPTION OF SITE

- 2.1 The application site, amounting to approximately 0.3ha, forms part of a larger (0.4 ha) parcel of land at Mill Road, Tongwynlais allocated for residential development in the Cardiff Local Development Plan. Planning permission for a detached house on the north eastern part of the overall site was granted in March, 2017 (Council reference 16/03067/MNR) and has yet to be implemented.
- 2.2 To the northwest, the allocated site is bounded by three dwellings which are accessed from Mill Road via a private drive. The dwellings comprise a mix of single and two storey houses with render/stone and brick elevations. A public right of way lies adjacent to the allocated site's northern boundary and links Mill Road with Wellington Street to the south. To the north of the dwellings lies Castell Coch Golf Course with Castell Coch itself located on elevated ground some 300 metres to the northwest of the site.
- 2.3 To the south, the application site adjoins the rear gardens of properties in Wellington Street and the side boundary of no.19 Mill Road. The site adjoins Mill Road to the east where there are residential properties on the opposite side of the road.
- 2.4 The land comprises primarily scrub/bramble and grass. There are a number of trees located near the south eastern boundary of the site with Mill Road and near the boundary with the rear gardens in Wellington Street. None of the trees are covered by preservation order.

2.5 As the submitted topographic plan illustrates, there is a significant fall in levels across the site from north to south and from west to east.

3. **SITE HISTORY**

3.1 There have been several historical planning applications proposing development on or near the application site including application ref. 93/001067/N for three detached dwellings which was refused on 12th October, 1993. However, most recently, planning application 16/03067/MNR for a detached house on the north eastern part of the allocated site which was granted in March, 2017.

4. **POLICY FRAMEWORK**

4.1 The Cardiff Local Development Plan 2006-2026 provides the local planning policy framework. Relevant policies include:

KP3 (B): Settlement Boundaries;

H1: Non-Strategic Housing Sites H1.9 Land at Mill Road (0.4 ha, estimated units 5);

KP5: Good Quality and Sustainable Design;

KP7: Planning Obligations;

KP12: Waste;

KP15 Climate Change;

KP16: Green Infrastructure;

KP17: Built Heritage;

EN6 Ecological Networks and Features of Importance for Biodiversity;

EN9: Conservation of the Historic Environment;

EN13: Air, Noise, Light Pollution and Land Contamination;

T5: Managing Transport Impacts;

EN8: Trees, Woodlands and Hedgerows;

EN7: Priority Habitats and Species;

EN10 Water Sensitive Design;

H3: Affordable Housing;

H14: Flood Risk;

4.2 Supplementary Planning Guidance includes:

Cardiff Infill Sites (2017);

Waste Collection and Storage Facilities (October, 2016);

Managing Transport Impacts (July 2018);

Green Infrastructure (November, 2017);

Cardiff Planning Obligations (January, 2017)

Ecology and Biodiversity Technical Guidance Note;

Trees and Development Technical Advice Note;

Public Rights of Way and Development Technical Advice Note;

4.3 Planning Policy Wales Edition 10 (2018):

1.17 Legislation secures a presumption in favour of sustainable development in accordance with the development plan unless material considerations indicate

otherwise to ensure that social, economic, cultural and environmental issues are balanced and integrated.

2.21 Planning authorities should ensure that social, economic, environmental and cultural benefits are considered in the decision-making process and assessed in accordance with the five ways of working to ensure a balanced assessment is carried out to implement the Well-being of Future Generations Act and the Sustainable Development Principle.

2.8 Planning policies, proposals and decisions must seek to promote sustainable development and support the well-being of people and communities across Wales.

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.

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

3.10 In areas recognised for their particular landscape, townscape, cultural or historic character and value it can be appropriate to seek to promote or reinforce local distinctiveness. In those areas, the impact of development on the existing character, the scale and siting of new development, and the use of appropriate building materials (including where possible sustainably produced materials from local sources), will be particularly important.

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.

3.12 Good design is about avoiding the creation of car-based developments. It contributes to minimising the need to travel and reliance on the car, whilst maximising opportunities for people to make sustainable and healthy travel choices for their daily journeys.

4.1.9 The planning system has a key role to play in reducing the need to travel and supporting sustainable transport, by facilitating developments which:

- are sited in the right locations, where they can be easily accessed by sustainable modes of travel and without the need for a car;
- are designed in a way which integrates them with existing land uses and neighbourhoods; and
- make it possible for all short journeys within and beyond the development to be easily made by walking and cycling.

4.1.34 New development must provide appropriate levels of secure, integrated, convenient and accessible cycle parking and changing facilities.

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.

4.2.22 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.

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.

5.8.3 Sustainable building design principles should be integral to the design of new development. Development proposals should:

- mitigate the causes of climate change, by minimising carbon and other greenhouse gas emissions associated with the development's location, design, construction, use and eventual demolition; and
- include features that provide effective adaptation to, and resilience against, the current and predicted future effects of climate change.

6.1.5 The planning system must take into account the Welsh Government's objectives to protect, conserve, promote and enhance the historic environment as a resource for the general well-being of present and future generations.

6.1.7 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.

6.1.9 Any decisions made through the planning system must fully consider the impact on the historic environment and on the significance and heritage values of individual historic assets and their contribution to the character of place.

6.4.22 The presence of a species protected under European or UK legislation, or under Section 7 of the Environment (Wales) Act 2016 is a material consideration when a planning authority is considering a development proposal which, if carried out, would be likely to result in disturbance or harm to the species or its habitat and to ensure that the range and population of the species is sustained. Planning authorities should advise anyone submitting a planning application that they must conform with any statutory species protection provisions affecting the site, and potentially the surrounding area, concerned.

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.

6.6.27 Planning authorities should be aware of the risk of surface water flooding and ensure developments are designed and planned to minimise potential impacts. Development should not cause additional run-off, which can be achieved by controlling surface water as near to the source as possible by the use of SuDS.

4.4 Further relevant national planning guidance is contained in:

Technical Advice Note 24: The Historic Environment

Technical Advice Note 5: Nature Conservation and Planning.

Technical Advice Note 15: Development and Flood Risk.

5. **INTERNAL CONSULTEE RESPONSES**

5.1 The Operational Manager, Transportation raises no objections to the proposed dwelling on highway safety and parking grounds advising as follows:

The highway access into the site would be taken off Mill Road. The layout drawing indicates that an appropriate visibility splay could be achieved involving some use

of the existing grass bank, which is shown to be adopted highway. The access would need to be a dropped footway type and final technical details agreed via a Section 278 legal agreement to ensure that the tie-in of the proposals with the existing adopted highway is undertaken to an appropriate standard. The development would result in a small number of additional traffic movements and this does not result in safety concerns.

It is assumed the internal road would remain private and that the limit of adoption would be a few metres back from the edge of carriageway.

Given the number of proposed houses served by the access road, a standard footway/carriageway split is not necessary and a shared footway/carriageway surface should be show.

Car and cycle parking will need to accord with the SPG on Managing Transport Impacts SPG although this would be a matter for the reserved matters stage. Cycle parking needs to be secure, covered and accessible.

The works to the public highway will be subject to an agreement under Section 278 Highways Act 1980 between the developer and Local Highway Authority.

5.2 The Operational Manager, Shared Regulatory Services (Pollution Control - Contaminated Land Team) comments as follows:

The following information is submitted as part of the application –

Blandford Consulting, Geo-Environmental Report: Land at Mill Road, Tongwynlais. Ref: Report No. BC/MB/11.19.05.

The report provides a preliminary assessment of potential contamination and ground gas issues. It indicates there is no significant risk to the development from land contamination or landfill gas.

Although contamination is not known at this site, the potential for this cannot be ruled out.

Should there be any importation of soils to develop the garden/landscaped areas of the development, 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 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 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:

5.3 The Operational Manager, Waste Management advises as follows;

Providing the bins are stored in the amenity area of each property this will be suitable. Recycling and waste will need to be presented for collection on Mill Road.

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

1 x 140 litre bin for general waste

1 x 240 litre bin for garden waste

1 x 25 litre kerbside caddy for food waste

Green bags for mixed recycling (equivalent to 140 litres)

The developers of all new residential units are required to purchase the bin provision required for each unit. The bins have to meet the Council's specifications and can be purchased directly by contacting the Waste Management's commercial team.

5.4 The Lead Officer – Assets & Design (Flood and Coastal Risk Management) advises that the proposed development will require SAB and recommend that the applicant/agent contacts SAB@cardiff.gov.uk in this regard. The Officer comments that to satisfy SAB requirements there may be the need for SUDS features which could affect the design and layout of the site.

The Officer comments that no internal flooding has been reported in this area off Mill Road. Some reports have been received further down the highway near the village shops. However, the Officer advises that this is due to interactions with the adjacent watercourse and not surface water flow from the highway.

The Officer advises that there have been reports and resultant evidence of surface water flooding within the highway near the development but that this remains within the highway and does not affect properties.

5.5 The Public Rights of Way Officer comments as follows:

The Public Rights of Way Team does not object to the application. The layout of the properties are set away from the footpath other than the corner of Plot 3. If approved, development of the site will need to consider the safety of the walkers using the footpath prior to construction commencing. There may be requirements for Licences for a temporary path closure if using the existing vehicle access to set up the site and/or a Section 50 License if utilities require digging into the footpath for new installations of apparatus, etc.

5.6 The Council Ecologist advises as follows:

The application is supported by an Ecological Appraisal dated May 2020, though there have been previous ecological assessments at this site in 2016 / 17.

Reptiles

The habitats on site include areas of grassland and scrub mosaic which appear

superficially to be suitable for widespread reptile species. However, it is reported in the Ecological Appraisal, and also evident from previous ecological studies at this site, that the vegetation is regularly cleared. This would preclude anything other than a transient population or very recent re-colonisation by species living in gardens nearby. The present survey did not note any reptiles during the walkover, but of course a walkover survey is inefficient in detecting species such as Slow-worms which are typically surveyed using refugia. I must also consider that if planning consent is granted for a period of 5 years, a more permanent species of reptiles may become established. Therefore rather than ask that the site be formally surveyed for reptiles, we should instead require as a sensitive clearance strategy to be provided as part of the green infrastructure statement as set out below. For example this strategy should include details which ensure that vegetation is cut to c.100mm in height with hand-held machinery (e.g. strimmers and chainsaws) to reduce the risk of crushing animals. A further cut to approximately 50mm should take place after a period of not less than 48 hours. All log piles, brash piles or other features which could act as refugia should be removed, and any reptiles present allowed to disperse naturally. These measures together with the sensitive clearance strategy should be included in the Green Infrastructure Statement as below.

Nesting Birds

As there is some vegetation management and tree removal proposed, we should attach the following condition to protect nesting birds:-

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

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

Dormice

Although there are no dormouse records in the immediate vicinity, this may be due to a lack of survey effort rather than absence of the species, and the nearby Cardiff Beech Woods are known to support Dormice. However the Ecological Appraisal does not refer to this species at all.

Nevertheless, I would not say that there is a need to undertake a survey for this species at this site. Firstly, much of the potential habitat (Bramble scrub) has already been cleared. Secondly, because the site is so small and this species occurs at naturally low densities, it would be difficult to have confidence in a negative survey result. Finally, there are precautionary mitigation measures which could be put in place which would not be altered by the results of a dormouse survey.

As the extent of habitat concerned is small, I would not be concerned about loss

of dormouse habitat or habitat connectivity, however, measures should be put in place to avoid harm to individual dormice which may be using the site. These would include removal of above-ground vegetation (trees, bushes, scrub etc) during winter when dormice are hibernating at ground level, followed by removal of stumps and roots in spring / summer, when the dormice have emerged from hibernation and made their way to remaining habitats. To compensate for loss of potential nesting habitat, approximately three dormouse nest boxes should be placed in retained trees or bushes on the site, and these measures together with the sensitive clearance strategy should be included in the Green Infrastructure Statement as below.

Hedgehogs

The Green Infrastructure Statement as below should include details of measures to allow free movement of hedgehogs throughout the gardens of this site, such as appropriately-sized gaps in garden fences.

Trees

The addendum to the Ecological Appraisal, setting out the impacts of the removal of any trees for roosting bats is acceptable.

Green Infrastructure

The applicant should consider how green infrastructure will be treated as part of this development such that it can comply with Policy KP16, i.e.

Cardiff's distinctive natural heritage provides a network of green infrastructure which will be protected, enhanced and managed to ensure the integrity and connectivity of this multi-functional green resource is maintained. Protection and conservation of natural heritage network needs to be reconciled with the benefits of development. Proposed development should therefore demonstrate how green infrastructure has been considered and integrated into the proposals. If development results in overall loss of green infrastructure, appropriate compensation will be required.'

A condition requiring a Green Infrastructure Statement is requested. (Refer to condition 15).

Enhancements

A statutory duty as set out in section 6 of the Environment (Wales) Act 2016 has been introduced which requires public bodies such as Cardiff Council to seek to maintain and enhance biodiversity, and in doing so to promote the resilience of ecosystems, in the exercise of their functions.

Section 5.2.8 of Planning Policy Wales states that: 'The planning system has an important part to play in meeting biodiversity objectives by promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.'

In his letter to Heads of Planning of 23/10/19, the Chief Planner emphasised this point with the following:-

'Planning Policy Wales (PPW) 10 sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity" (para 6.4.5 refers).'

Any application should demonstrate how this will be the case.

In terms of specific enhancement features, nesting or roosting opportunities for birds and bats should be incorporated into new build in accordance with the advice given in 'Designing for Biodiversity: A Technical Guide for New and Existing Buildings, Second Edition. RIBA Publishing, London. Gunnell, K. et al., 2013' or most recent subsequent edition thereof. More specific details of appropriate levels of provision of nesting/roosting opportunities are given in the TCPA's 'Biodiversity Positive: Eco-towns Biodiversity Worksheet 2009'. With these documents in mind, I would say that an appropriate level of enhancement provision across the whole of this development would be:-

- *4 x bat boxes for crevice-dwelling bats*

The applicant's ecologist can advise on the make and model and suitable positioning of these features. Bat / bird boxes such as these are readily available commercially, are inexpensive, and can be tailored to the style and colour of the finish of the buildings. Features which are integrated into the buildings rather than attached to the outside are preferable as they are more secure in the long-term and less prone to interference by the public.

Other enhancements should include using a species-rich wetland grassland seed mix in any SuDS basins, and reptile hibernacula in the far north east corner of the site.

5.7 The Senior housing Strategy Officer advises as follows in respect of affordable housing:

As the site exceeds 0.1 hectare, the Affordable Housing Policy H3 – Local Development Plan is triggered.

Based on the proposed scheme of 4 x 4 bed houses and in line with the Local Development Plan (LDP), an affordable housing is sought on this green-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 and the type of units on the scheme, we would be prepared to accept a financial contribution in lieu of on-site affordable housing provision.

On that basis, we would seek a financial contribution of £143,318 in lieu of 1 x 4 bedroom house which is calculated in accordance with the formula in the Planning Obligations– Supplementary Planning Guidance (SPG) (2017).

Housing Need (Common Waiting List Figures) – Tongwynlais

1 bed – 499

2 bed – 224

3 bed – 141

4 bed – 50

6. EXTERNAL CONSULTEE RESPONSES

6.1 Cadw raises no objections, commenting as follows:

Having carefully considered the information provided with the planning application, we have no objections to the impact of the proposed development on the scheduled monument.

Our 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. We 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 our assessment against all the other material considerations in determining whether to approve planning permission.

The application area is located some 275m southeast of the boundary of scheduled monument GM206 Castell Coch and will be visible from the top of the towers of the castle. However, in views from the Castle the proposed development will be seen as part of the existing settlement at Tongwynlais and it will not block views of the castle. Consequently, it is our opinion that whilst there may be a very slight visual impact this will not have any effect of the way that it is experienced, understood and appreciated. Consequently the proposed development will have no impact on the setting of scheduled monument GM206.

6.2 Welsh Water/Dwr Cymru advises as follows:

Capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development site.

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engages in consultation with the Local

Authority as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

- 6.3 Natural Resources Wales recommends that planning permission should only be granted if a Construction Environmental Management Plan (CEMP) condition is attached otherwise it would object to the planning application.

NRW's comments are as follows:

Pollution Prevention

The site is near the Nant Y Fforest River, a tributary of the River Taff, and highway surface water drains. To help prevent pollution during construction, we request that the following condition is attached to any planning permission:

No development, including site clearance, shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- Construction methods: details of materials, how waste generated will be managed;*
- General Site Management: details of the construction programme including timetable, details of site clearance, details of site construction drainage, containment areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain;*
- Resources Management: details of fuel and chemical storage and containment;*
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of*

emergency spill procedures and incident response plan with details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details;

- *Biodiversity Management: invasive species management.*

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Justification: A CEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction.

Advice for the Applicant

Due to the proximity of the site to watercourses, all works at the site must be carried out in accordance with GPP5 and PPG6: 'Works in, near or over watercourses' and 'Working at construction and demolition sites', which are available on the following website: <http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>.

Designated Sites

Based on the information submitted, we consider that the proposed development is not likely to damage the features for which Cardiff Beech Woods Special Area of Conservation (SAC) and Castell Coch Woodlands and Road Section Site of Special Scientific Interest.

Foul Drainage

We note the Applicant is intending to dispose of foul sewage by connecting to the mains sewer. Please consult us again if foul sewage from the proposed development is to be disposed of by a private sewerage system.

European Protected Species

We note that the bat report submitted in support of the above application ('Land at Mill Road, Tongwynlais, Ecological Appraisal', prepared by Richard Tofts Ecology, dated May 2020) has identified that bats were not using the application site. We therefore have no comments to make on the application as submitted in relation to European Protected Species.

7. REPRESENTATIONS

- 7.1 Councillor Linda Morgan has submitted a petition signed by 50 residents, objecting to the outline planning application for the erection of 4 no. detached dwellings, new access associated development on land off Mill Road.
- 7.2 Councillor Mia Rees advises that she has been approached by residents to express their concerns regarding the application. It is believed that a previous

application on the land for a similar development was rejected. The Councillor comments as follows:

Proposed Access Road The applicant is proposing a new access road cut across the grass bank on Mill Road. I understand that this land is not owned by the applicant. Residents feel that as there is already an available access road at the top of the land, an additional access point is unnecessary. There is also concern that the proposed entrance is on a dangerous bend of Mill Road which due to the volume and speed of traffic is likely to cause accidents. Finally the grass bank which would this access road would be over is a green area often planted with seasonal flowers, managed by Tongwynlais Community Council.

Drainage The applicant is proposing 4 new dwellings to link to the existing drainage system with the addition of soakaway drains in the gardens for surface water run-off. The existing drainage system that services both Mill Road and Wellington Street is old and weather often highlights its limited capacity. Residents strongly feel that additional properties will cause a strain on the drainage system which will push it beyond its limit. Surface water run-off is already a concern for both Mill Road and Wellington Street with the roads prone to localised flooding - as seen in recently challenging weather this year.

Footpath The applicant proposes placing a high chain link fence to mark the boundary of the public footpath across the area. There is already a high chain link fence marking the edge of the public footpath. Residents are concerned that putting another high chain link fence would make what is currently an open, safe area into a footpath enclosed on either side with reduced light and visibility. There is a serious concern that this is likely to encourage anti-social behaviour.

Tree Survey - The applicant has provided a tree survey. Unfortunately the tree survey was done several years ago and as such the information is not up to date. The tree survey provides inaccurate and unreliable information. It is also worth noting that many of the trees referred to on the survey are on public land or private gardens and not on the land owned by the applicant. It is also worth noting that the man of the trees referred to on the survey as providing screening and privacy to residents, have since been felled.

7.3 Tongwynlais Community Council objects to the planning application for the following reasons:

There has already been an application submitted to Cardiff City Council for a residential development on this land historically, which was rejected. The applicant does have an approval for one large new dwelling on the land and associated works. The Community Council would like to reiterate that this approved application was previously rejected on more than one occasion where residents placed numerous objections as well as a village petition against the proposal of some 170 signatures. Although this new application is for 4 proposed dwellings, the Community Council would like to reiterate that in fact there will be 5 new dwellings on the land.

Proposed Access Road - The applicant is proposing a new access road cut into

the grass bank on Mill Road. This land does not belong to applicant. There is already an available access road at the top of the land so an additional access point is unnecessary. The positioning of the proposed entrance is on a dangerous bend of Mill Road which due to the volume and speed of traffic is likely to cause accidents. The bank is an area of beauty and valuable green space at the heart of the village, which is planted with daffodils each year and is maintained by Tongwynlais Community Council.

Drainage - The existing drainage system in both Mill Road and Wellington Street is very old and already at capacity. Additional properties will cause additional strain on the drainage system which is already failing and has historically collapsed requiring repair. Surface water run-off is already a concern for both Mill Road and Wellington Street with the roads prone to localised flooding as recently as this year. Soakaway drains are likely to cause drainage problems or flooding for land or properties both on Mill Road and Wellington Street as the proposed dwellings are uphill from these areas.

Footpath - The applicant proposes placing a high chain link fence to mark the boundary of the public footpath across the area. There is already a high chain link fence marking the edge of the public footpath. Placing another high chain link fence would make what is currently an open safe well used area into a footpath enclosed on either side with restricted light and visibility. This is likely to encourage anti-social behaviour.

The tree survey was completed several years ago and as such the information is not current. The tree survey provides inaccurate and unreliable information. Many of the trees on his plan are on public land or private gardens. The applicant is referring to trees on his survey providing screening and privacy to residents, however many have been felled since the plan was produced some years ago. The applicant needs to provide a new survey with current and reliable information for any matters to be taken into consideration.

- 7.4 Some 19 representations have been received from neighbouring occupiers and local residents objecting to the planning application on a variety of grounds. A summary of the objections received are identified below. Copies of the detailed objections can be viewed on the Council's website.
- 7.5 The Occupier of 5 Wellington Street. Similar to a previous application that was refused. What remains of the field has been allowed to become scrub and there is an infestation of Japanese knotweed at the lower part adjoining the gardens of Wellington Street. Dealing with this would not outweigh the damage to the general appearance of the village which will be caused by further building on the approach to Castell Coch.
- 7.6 The Occupier of 1 Castel Coch View objects, primarily on traffic grounds stating that Mill Road which is already congested in the morning and that traffic turning onto Mill Road would be a serious danger to the community and the large number of visitors to the Cadw site.

7.7 The Occupier of 9A Wellington Street objects for the following reasons (summary):

There have been previous applications submitted to Cardiff Council for residential dwellings on this area of land which have been refused.

Drainage concerns. Due to the contours of the land, proposed soakaways would naturally drain towards neighbouring gardens causing a drainage/flood risk.

The tree report is several years out of date and as such the information is unreliable. The plans indicate several trees situated in private gardens and not on the applicant's land.

The site is abundant in wildlife referring to the presence of foxes, hedgehogs, a badger set, voles, toads and slowworms several of which are protected species in Britain under the Wildlife and Countryside Act 1981.

Detrimental impact on neighbours' outlook and loss of privacy accentuated by site levels.

The view of Castell Coch would be harmed.

The land is valued as a green space.

The development would result in an enclosed poorly lit public footpath running behind properties which is likely to encourage anti-social behaviour.

The intended access road from Mill Road would cross a grass bank/ verge which belongs to Cardiff Council. A resident states that the Community Council with help from local volunteers and local families have planted daffodil bulbs in this area as a community initiative.

Residents are concerned about the volume of traffic travelling through the village, especially on Mill Road and have been requesting further speed restrictions on the road for several years. The proposed access to Mill Road would be dangerous and add to the traffic chaos.

7.8 The occupier 36 Mill Road objects for the following reasons:
Increased traffic, loss of view of Castell Coch and impact on wildlife.

7.9 The occupier 32 Mill Road objects for the following reasons:

i. The current government restrictions have prevented the community council from being able to hold a public meeting and have prevented a repeat of the door to door enquirers in 2017 which resulted in a large petition against the application being submitted. In addition there does not appear to have been any public notices put up notifying interested parties of the proposed dwellings.

ii. There are sufficient large properties in the village and there is not the additional demand for homes of this type.

iii. Traffic safety. Mill Road is dangerously congested in the mornings and early evenings. The current residents of Mill Road have to double park due to a lack of driveways on the properties directly affected by the application. An additional turning in this area will cause more congestion and be a danger to public safety.

iv. The site is the only open field left on the road to Castell Coch and provides the only aspect of the castle available to residents and visitors alike. The proposed planning will block views of the Castle.

v. Loss of wildlife. In addition the Community Council looks after the verge in which the new road entrance will cut and is not privately owned land.

vi. The village is prone to flooding and adding further pressure on our already strained water course will be of significant detriment to the village and the community.

7.10 The Occupier of 34 Mill Road objects for the following reasons (summary):

Traffic congestion. Any increase in traffic from the proposed development would place an additional burden on infrastructure that was never intended for the current demand. The view of Castell Coch for visitors and residents would disappear.

Adverse impact on wildlife.

The access road would cross land which has been cared for by the Council and its associated volunteers.

The houses will not be 'affordable' for the majority of prospective buyers.

7.11 The Occupier of 42 Mill view objects for the following reasons (summary):

- i. The proposed access road is situated on the bend of Mill Road, which is already extremely congested at times. Adding more traffic to this road would be dangerous.
- ii. Drainage. During heavy rain, the road is prone to flooding. The green space is valuable in terms of its drainage, and removing it presents a real risk of flooding to the houses nearby.
- iii. The buildings proposed will obscure view of Castle Coch.
- iv. Loss of wildlife.
- v. The existing Leylandii trees, whilst providing a natural screen to the site from Mill Road, create a significant daylight and sunlight shadow and it would be appreciated if they were reduced in height to allow daylight into nearby homes.

7.12 The Occupier of 2 Castle Road objects on drainage and access grounds. If the Council decides to grant planning permission, it should be insisted that the proposed access is refused in place of the present access to the site. The access road would cross land which is owned by Cardiff Council and kept in excellent condition by Tongwynlais Community Council.

7.13 The Occupier of 44 Mill Road comments as follows (summary):

- i) It is hoped that any retaining walls will be sympathetically designed to avoid adverse impact on surrounding properties in Mill Road (Crib Walling appropriately landscaped is suggested).
- ii) There is no indication or statement as to how the storm water runoff from the highway/footway will be dealt with.
- iii) The Ecological Appraisal identifies two areas of Japanese knotweed within the proposed development site. If allowed to spread to adjoining properties it would cause serious problems on the value of those properties.
- iv) The Leylandii trees located to the Mill Road frontage may screen the site. However, due to their height, they create a daylight and sunlight shadow for

dwellings on the eastern side of Mill Road. It is requested that the trees are reduced in height to allow daylight and sunlight into their habitable rooms.

7.14 The Occupier of 30 Mill Road objects for the following reasons (summary):

Traffic/highway safety. The proposed access is on a bend and visibility will be impaired creating a hazard to traffic in both directions.

Drainage concerns.

Loss of wildlife.

The view of Castell Coch would be lost.

The loss of privacy and increased noise would impact on existing houses in Mill Road, especially during construction work.

The timing of this application during the COVID pandemic is questioned as it reduces the ability of residents to meet/discuss.

7.15 The Occupier of 9 Wellington Street objects for the following reasons (summary):

Drainage. Concern regarding run-off from the development given the sloping nature of the site. Properties in the village were affected by flooding this way in February and further development will add to this problem.

The development is relying on access across land not owned by the applicant. The land is maintained by the Community Council and benefits the community and the many tourists which come into the village. The land is an asset to the City Council. If planning is granted, a charge for the land as failure to do so would be a mismanagement of a council asset.

Loss of wildlife

Loss of road side parking.

7.16 The Occupier of 7 Wellington Street objects for the following reasons (summary):

Several applications to build on the land in the past were refused permission.

The timing of the application is concerning coming as it does when the Community Council has been prevented (due to Covid19 restrictions) from informing the wider village community and residents are pre-occupied with the stresses and trials associated with the pandemic.

Impact on privacy. Overlooking of neighbouring house and garden. Loss of light to the garden.

The tree survey is clearly out of date as trees are mentioned that no longer exist and can which no longer protect and screen residents.

The access road is likely to need street lighting introducing light pollution.

Loss of wildlife. Building on this site will eradicate any wildlife permanently.

Loss of view of Castell Coch from the road.

Concerns regarding the presence of Japanese Knotweed.

Water drainage on the site would add to the volume of water causing further problems in the village. The soakaways from the proposed gardens are likely to drain into neighbouring properties.

The proposed access road is on a bend with restricted views and the attendant risk of accidents along a road where school children will be walking twice daily.

7.17 The Occupier of 50 Mill Road objects for the following reasons (summary):

Traffic on Mill Road at times is very busy and with parking both sides of the road it can be difficult to pass safely. The entrance to the site on the bend with poor visibility.

The site is not suitable for development and should remain a green area in front of Castle Coch.

7.18 The Occupiers of 38 Mill Road object for the following reasons (summary):

Affordable Housing.

The application does not provide for affordable housing in accordance with the Cardiff Planning Obligations SPG.

Flood Risk.

There are regular recorded incidents of surface water flooding in this area, specifically at the junction of Mill Road and Merthy road. The proposed properties will add an impermeable area that will result in surface water runoff. The developer has not provided detailed information of flood risk and should be required to carry out a Flood Consequence Assessment.

Traffic.

Traffic congestion is a concern in Tongwynlais and specifically along Mill Road. Any additional residential development will only increase traffic and congestion in this area.

Environment and Biodiversity.

There are protected species on the development site. On land adjacent to or near the proposed development are designated sites, important habitats or biodiversity features. The ecological appraisal report submitted does not appear fit for purpose.

Sense of Place.

The proposed development site is elevated well above existing surrounding properties. It will overlook properties in Wellington Street and Mill Road and seriously affect the visual enjoyment that is currently enjoyed.

Well-Being.

Under the Well-being of Future Generations (Wales) Act, the Council has a function that must be exercised, as part of carrying out sustainable development for the purpose of ensuring that the development and use of land contribute to improving the economic, social, environmental and cultural well-being of Wales. The Council has an opportunity to carry out their function in ensuring that this site can be enjoyed by future generations. The ecological benefits of green spaces are well-known. They include resilience to local flooding, habitat for wildlife and benefits for air quality. Evidence shows that green space can provide a range of benefits in mental health, physical health and social cohesion.

7.19 The Occupiers of 40 Mill Road object for the following reasons (summary):

- i. The site currently frames the view of the Castell Coch and sets the scene of the historical monument. To lose this by allowing the development would be an immeasurable loss to the history and setting of Tongwynlais.
- ii. There would be a permanent destruction of habitats for a variety of wildlife including protected species.
- iii. Concerns regarding potential drainage issues caused by this development.
- iv. The current traffic levels and parking demands on Mill Road are already at

capacity. Further traffic and parking caused by the construction of new developments and new residents will create a safety risk and worsen already severe traffic jams, particularly at peak times.

- v. Whilst strongly opposing the application, should the development go ahead, it would be appreciated if the trees that currently border Mill Road be kept to provide some degree of privacy. A slight reduction in their height to avoid interference with the overhead power-lines would be supported.
- vi. There does not appear to be a need for a development of this kind in the village.

7.20 The Occupier of 24 Mill Road objects for the following reasons (summary):

Traffic/highway safety.

Drainage/flood risk.

Loss of a green space inhabited by wildlife.

The loss of a view to the Castle enjoyed by residents and visitors.

7.21 The Occupier of 22 Castle Coch View objects for the following reasons (summary):

Highway safety.

Presence of Japanese knotweed.

Loss of view.

7.22 The Occupier of 36 Castle Road objects for the following reasons (summary):

Highway Safety. The proposed access would heighten the danger on this road to pedestrians, cyclists and drivers.

Impact on the vista of Castell Coch.

7.23 The Occupier of Wellington Street comments as follows (summary):

The timing of the application being submitted in the middle of the Covid-19 pandemic limits the ability to be aware of the proposed application gather as a group to allow public meetings or petitions to be collected.

Loss of wildlife. Any wildlife survey carried out after this destruction of their habitat is likely to result in finding very little wildlife present, however this is not a true reflection.

The tree survey is incorrect and outdated.

Risk of flooding. Additional drainage from additional properties into an already over-loaded drainage system will likely increase the frequency and severity of the flooding.

The proposed access point appears to be through land that does not belong to the applicant, but rather to Cardiff Council

8. **ANALYSIS**

8.1 Outline planning permission is sought to construct 4no.two storey detached dwellings on land off Mill Road, Tongwynlais. The site forms part of an area of approximately 0.4 ha which is allocated for residential development in the Cardiff Local Development Plan with an estimated capacity of 5 units. Planning permission for a detached house on the north eastern part of the overall site was granted in

March, 2017 (Council reference 16/03067/MNR) and that this dwelling is shown on the proposed site plan.

8.2 The main planning issues are considered to relate to:

- (i) the effects of the proposed development on the character and appearance of the street scene and the general amenities of neighbouring occupiers;
- (ii) the effect on the setting of Castell Coch; a scheduled ancient monument;
- (iii) the acceptability of the proposed parking/access arrangements;
- (iv) the effect on trees of amenity value;
- (v) the effect on nature conservation interests;
- (vi) whether the proposed development will provide an acceptable living environment for prospective occupiers;
- (vii) drainage/flood risk.

8.3 The site lies within the settlement boundary and is allocated as a non-strategic housing site under Policy H1: Non-Strategic Housing Sites of the adopted Cardiff Local Development Plan. The principle of residential development has therefore been established. Planning Policy Wales advises that '*planning policies, proposals and decisions must seek to promote sustainable development and support the well-being of people and communities across Wales.*' (para.2.8). As an allocated housing site within the Local Development Plan, the application is considered to contribute to this objective. The site is not subject to any statutory or non-statutory ecological or landscape designation or tree preservation orders. Castell Coch, which is a Scheduled Ancient Monument (SAM) is located on elevated ground some 300 metres to the north west of the site separated by existing residential properties and Castell Coch Golf Course. Policy KP17 of the LDP seeks to protect and enhance the character and setting of SAM's.

8.4 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 (inter alia):*

(i) responding to the local character and context of the built and landscape setting so that layout, scale, form, massing, height, density, colour, materials, detailing and impact on the built and natural heritage are all addressed within development proposals;

(x) ensuring no undue effect on the amenity of neighbouring occupiers and connecting positively to surrounding communities.

8.5 Further guidance on residential infill development is provided in the Council's Supplementary Planning Guidance: Cardiff Infill Sites (November, 2017).

8.6 At paragraph 3.5 the SPG states that:

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.

8.7 At paragraph 3.8 the SPG states that:

Infill development needs to be sensitive to its context. It is important that in residential areas where there is a clear existing pattern and form of development, that new buildings, landscaping and boundary treatments (e.g. gates, railings, walls and hedges) complement the character of the surroundings.

8.8 At paragraph 4.1 the SPG states that:

Any infill, backland or site redevelopment must consider both the new and future occupiers' amenity, as well as the amenities available to neighbouring residents.

8.9 At paragraph 4.11 the SPG states that:

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.

8.10 The application is submitted in outline with access and scale to be determined at this stage. Details of appearance, layout and landscaping are reserved for subsequent approval. Notwithstanding this, the layout plan shows how 4no.detached dwellings could be laid out on the site. The application is supported by illustrative elevation plans and 3D visuals which seek to illustrate how a satisfactory residential development can be achieved having regard to the site context including the topography of the land and the relationship with neighbouring occupiers. The scheme positions the front units broadly in line with the approved house to the north and no.19 Mill Road to the south and the layout provides scope for the provision of soft landscaping within the site and fronting Mill Road. Subject to the submission of satisfactory details in a subsequent reserved matters application, it is considered that the application does not raise unacceptable design/street scene concerns.

8.11 The application area is located some 300m southeast of Castell Coch. Cadw has been consulted on the application and raises no objections, commenting as follows:

In views from the Castle the proposed development will be seen as part of the existing settlement at Tongwynlais and it will not block views of the castle. Consequently, it is our opinion that whilst there may be a very slight visual impact, this will not have any effect of the way that it is experienced, understood and appreciated.

8.12 Views towards the Castle can be enjoyed from a wide area and it will not be possible to protect every one of these indefinitely. With regard to the current planning application, the proposed dwellings would be sited at lower levels than the existing houses to the north at Castle Farm, The Lodge and Fairway Cottage.

8.13 As layout is not for determination at this stage, there would be some flexibility regarding the siting of the dwellings in a future reserved matters application.

Notwithstanding this, the illustrative layout demonstrates that the privacy of neighbouring occupiers can be safeguarded in a manner that satisfies the Council's guidelines on this matter and that separation distance can be achieved to ensure that the development will not obstruct light to a relevant window in a neighbouring property or cause undue overshadowing.

- 8.14 The application proposes to access the site from Mill Road. At the proposed point of access, a visibility splay of 2.4 metres x 43.0 metres is shown. The Operational Manager, Transportation has raised no objections to the application on highway safety and parking grounds advising that an appropriate visibility splay can be achieved. The Officer advises that the works to the public highway will need to be subject to an agreement under Section 278 Highways Act 1980 between the developer and Local Highway Authority. The Officer has sought some revisions including the provision of a shared footway/carriageway advising that a standard footway/carriageway split would not be necessary given the limited number of houses proposed. The layout plan has been amended accordingly.
- 8.15 The proposed access will cross the grass bank at the back edge of footway. A number of objectors comment that the verge is Council owned land maintained by the Community Council and produces an attractive daffodil display during the season. The verge comprises adopted highway and it is not unusual to permit access across adopted highway land to facilitate development.
- 8.16 Access to Castle Farm, The Lodge, Fairway Cottage and the approved dwelling on the north eastern part site is via a narrow shared private drive off Mill Road. The Council's policies enable up to 5 dwellings to be served off a shared private drive; a number which was not exceeded as a consequence of the approval of planning permission for the single dwelling. It would not be appropriate to utilise this driveway (which also accommodates the public right of way) to facilitate access to the current application site.
- 8.17 A public right of way lies adjacent to the allocated site's northern boundary linking Mill Road with Wellington Street to the south and will not be adversely affected by the proposed development. The agent for the application has been forwarded of the ProW Officer's advice on the application, as requested.
- 8.18 The application has been considered by the Council's Ecologist whose detailed advice is contained in section 5.7 of this report. The Officer notes the application is supported by an Ecological Appraisal dated May, 2020 and comments that there have been previous ecological assessments at the site in 2016/17. Having considered the application and supporting document, the Officer raises no objection to the approval of the application on nature conservation grounds subject to appropriate conditions and informatives.
- 8.19 No technical objections have been raised by Welsh Water/Dwr Cymru, Natural Resources Wales or by the Council's Drainage Officer to the approval of the application on drainage or flood risk grounds.
- 8.20 The Council's Drainage Officer advises that the proposed development will require SAB approval. The agent has been advised of the Officer's guidance and is

engaging with the Council to progress this matter.

- 8.21 It is the applicant's responsibility to address the presence of Japanese Knotweed at the site. Informative R3 informs the applicant that it is an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed. NRW has also requested a condition requiring a Construction Environmental Management Plan for the development to include details of invasive species management.
- 8.22 The Senior Housing Strategy Officer has advised that in line with Policy H3 of the Local Development Plan (LDP), an affordable housing contribution should be sought in respect of the proposed development. This has been calculated as £143,318 in accordance with the formula set out in the Planning Obligations Supplementary Planning Guidance (SPG) (2017). The applicant has agreed to the request which will need to be secured under the provisions of Section 106 of the Town and Country Planning Act 1990.
- 8.23 On balance, the proposal, as amended, is considered acceptable on planning grounds and approval is recommended subject to the attached conditions.

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.

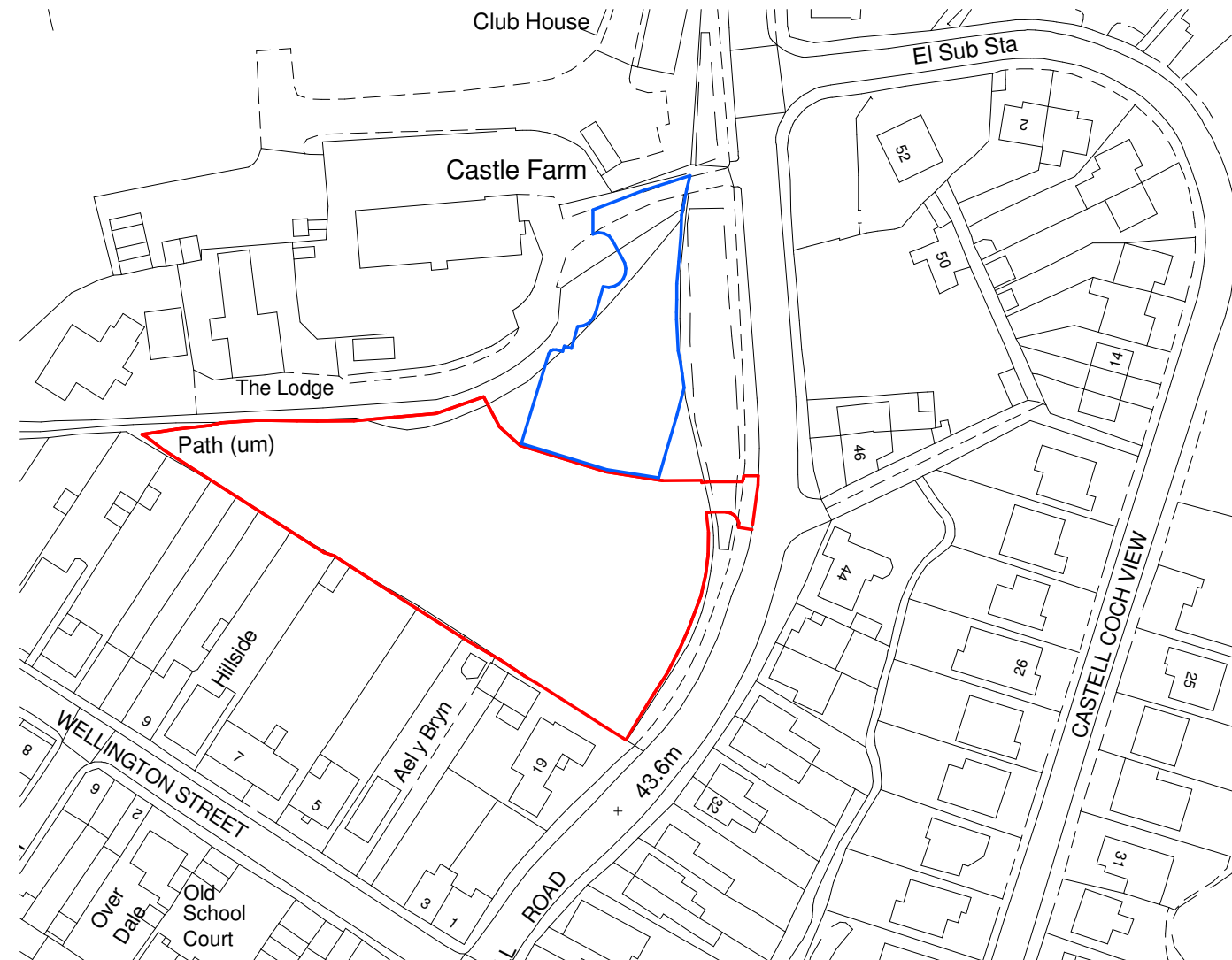
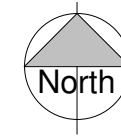
9.3 *Well-being of Future Generations (Wales) Act 2015*

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.

9.4 *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.



Location Plan
1 : 1250

Planning Issue

date	rev	name	chk	note



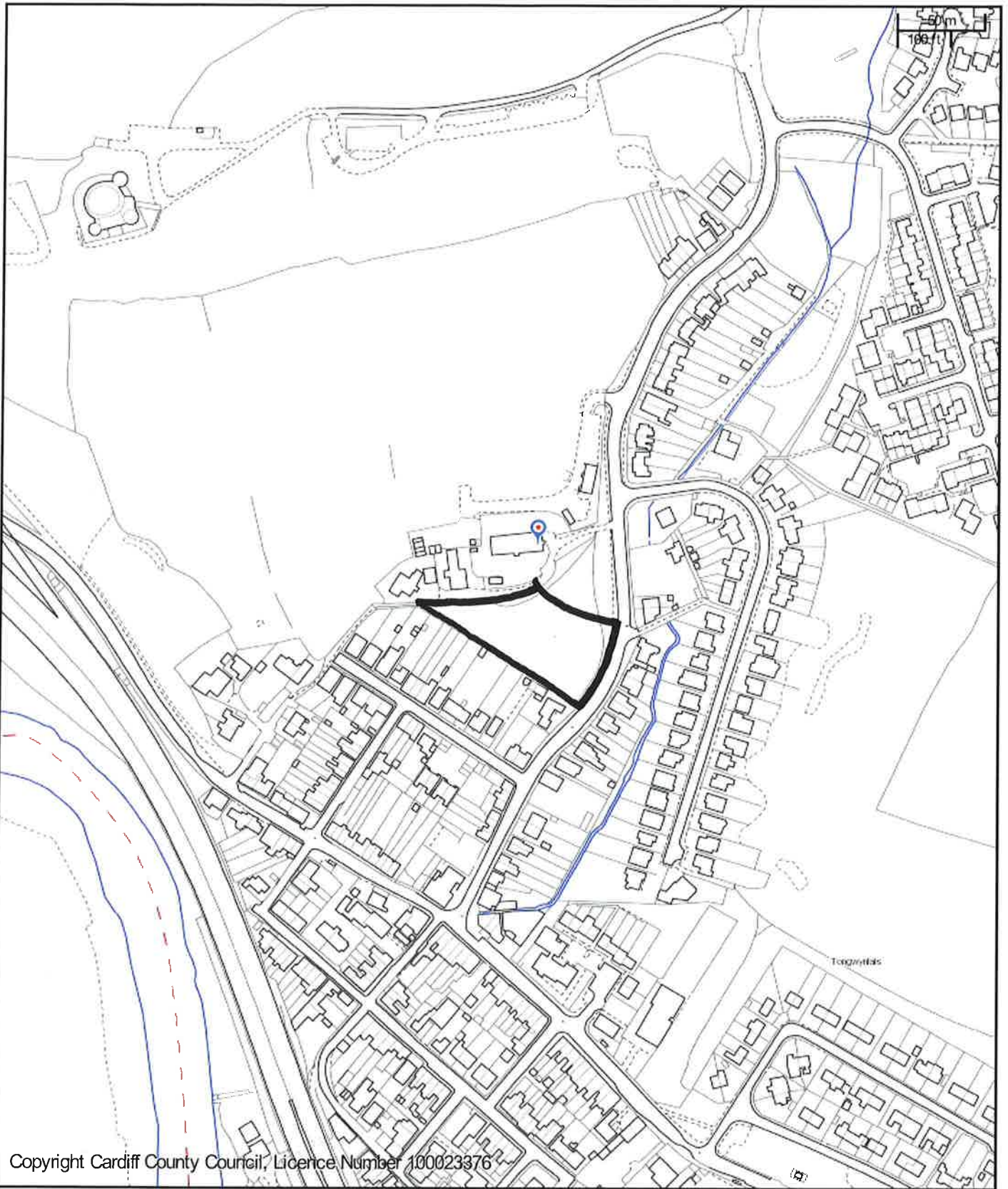
Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design
Systems House 89 Heol Don Cardiff CF14 2AT
T 02920316857 M 07785582007 info@diparchitecture.co.uk

PROJECT
Proposed development for 4 No. detached 4 bedroom houses
Land off Mill Road, Tongwynlais, CF15 7JQ

DRAWING TITLE
Location Plan

SCALE	DATE	DRAWN BY	CHECKED BY
1 : 1250	03/04/20	PL	AA

DRAWING NUMBER	REVISION
P654 L_001	



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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



Title

Scale: 1:3000

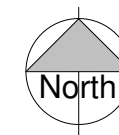
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Coordinates:

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Ordnance Survey 100023376 (2014).



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




0mm 50mm

A3 Original Sheet Size

HARDSTANDING FINISHES KEY:

-  - GRASS WITH PLANTING
-  - PERMEABLE PAVIOURS

DRAINAGE LEGEND:

-  - FOUL DRAINAGE RUN EXISTING
-  - FOUL DRAINAGE RUN PROPOSED
-  - SURFACE WATER DRAINAGE RUN

Total site area: 3218m²

Individual plot areas:

- Plot 1: 337m²
- Plot 2: 316m²
- Plot 3: 336m²
- Plot 4: 336m²

Individual house footprints: 90m² to 120m²

Car Parking: 2 spaces per dwelling
Cycle Storage: 4 spaces per dwelling

REFSUE STORAGE PER DWELLING:

- Recycling: 1 x 240L bin
- Composting: 1 x 25L bin
- Waste: 1 x 240L bin

Planning Issue

23/07/20	A	PL	AA	Access road revised
date	rev	name	chk	note



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

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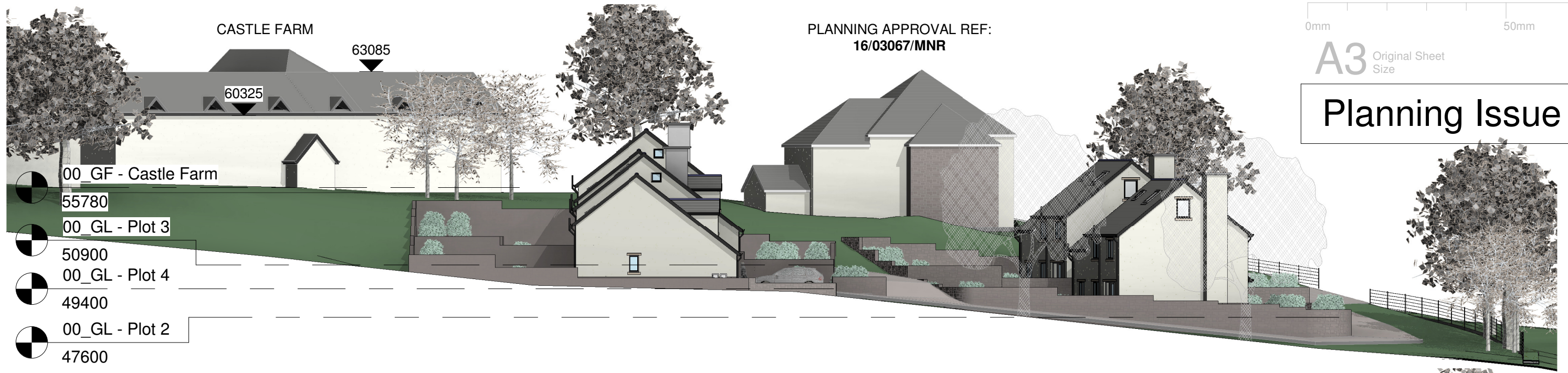
DRAWING TITLE
 Site Plan as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
As indicated	03/04/20	PL	AA
DRAWING NUMBER	REVISION		
P654 L_003	A		

23/07/2020 16:39:29



Site Plan as Proposed
 1 : 500



0mm 50mm

A3 Original Sheet Size

Planning Issue

00_GF - Castle Farm

55780

00_GL - Plot 3

50900

00_GL - Plot 4

49400

00_GL - Plot 2

47600

South West Elevation

1 : 250



00_GF - Castle Farm

55780

00_GL - Plot 1

48950

00_GL - Plot 2

47600

East Elevation

1 : 250



NOTES:

SITE ELEVATIONS SECTIONS & PERSPECTIVE VIEWS ARE FOR ILLUSTRATIVE PURPOSES ONLY

FINISHES KEY:

- 1 : SLATE GREY ROOF & RIDGE TILES
- 2 : GREY UPVC DOUBLE GLAZED WINDOWS & DOORS
- 3 : BLACK UPVC RAINWATER GOODS ON BLACK FASCIA
- 4 : WHITE K RENDERED EXTERNAL WALLS WITH STONE HEADS & CILLS TO WINDOWS / DOORS & STONE COURSING BELOW DPC
- 5 : DRESSED STONE EXTERNAL WALLS

HARDSTANDING FINISHES KEY:

-  - GRASS WITH PLANTING
-  - PERMEABLE PAVIOURS

date	rev	name	chk	note
23/07/20	A	PL	AA	Access road revised



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

PROJECT
Proposed development for 4 No. detached 4 bedroom houses
Land off Mill Road, Tongwynlais, CF15 7JQ

DRAWING TITLE
Site Elevations as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
As indicated	03/04/20	PL	AA
DRAWING NUMBER	REVISION		
P654	L_210		A

LOCAL MEMBER OBJECTION

COMMITTEE DATE: 16/09/2020

APPLICATION No. **20/00834/MNR** APPLICATION DATE: 19/05/2020

ED: **WHITCHURCH/TONGWYNLAIS**

APP: TYPE: Full Planning Permission

APPLICANT: Mr STONE

LOCATION: 66 PARK ROAD, WHITCHURCH, CARDIFF, CF14 7BR

PROPOSAL: GROUND FLOOR AND FIRST FLOOR REAR
EXTENSIONS HIP-TO-GABLE AND DORMER ROOF
EXTENSIONS AND THE CONVERSION INTO 4 FLATS

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

1. C01 Statutory Time Limit
2. The development shall be carried out in accordance with the following approved plans.
 - 20-05 (3) Sheet no. 5 – Front Elevation Proposed
 - 20-05 (3) Sheet no. 5a – Rear + Side Elevation Proposed
 - 20-05 (3) Sheet no. 6 – Ground + First Floor Proposed
 - 20-05 (3) Sheet no. 7 – Section Proposed
 - 20-05 (3) Sheet no. 8 – 3D section
 - 20-05 (3) Sheet no. 9 – Site Plan

Reason: To ensure satisfactory completion of the development and in line with the aims of Planning Policy Wales to promote an efficient and effective 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 elevations facing 64 and 68 Park Avenue of the extensions hereby approved, other than those hereby approved.

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 first and second floor window(s) on the side elevation facing 68 Park Road shall be glazed with obscure glass and non-opening below a height of 1.8 metres above internal floor level and thereafter be so maintained.

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

in accordance with Policy KP5 of the Cardiff Local Development Plan 2006-2026.

5. Prior to the beneficial occupation of the flats hereby approved, the secured covered cycle storage facilities shall be provided as shown on plan no. 20-05 (3) Sheet no.5 and Sheet no.9. The cycle storage facilities shall be retained thereafter and used for no other purpose.
Reason: To ensure that secure and under cover 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.
6. Prior to the beneficial occupation of the flats hereby approved, details of the bin storage shall for all the flat hereby approved to provide accommodation for general waste, recycling and food waste shall be submitted in writing and approved. The approved details shall be retained for the storage of refuse thereafter.
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.
7. The proposed balcony shall be a 'Juliet' balcony/Balconet only, which shall not allow external access out of the doors of the extensions hereby approved.
Reason: To ensure that the privacy and amenities of the occupier of the adjoining properties are protected in accordance with Policy KP5 of the Cardiff Local Development Plan 2006-2026.
8. The external surfaces of the extensions hereby permitted shall match the materials used on the existing property.
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.
9. The materials to be used in the construction of the external surfaces of the hip to gable roof 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.
10. The vertical surfaces of the side and rear dormers hereby permitted shall match those used on the roof of the existing dwelling.
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.
11. Details of the means of site enclosures shall be submitted to and approved in writing by the Local Planning Authority. The means of site enclosure shall be constructed in accordance with the approved details prior to the development being put into beneficial use.

Reason: In the interests of visual amenity and residential amenity, in accordance with Policy KP5: Good quality and sustainable design of the Cardiff Local Development Plan (2006-2026).

12. The flat roof of the extension hereby approved shall not be used as a roof terrace, sitting out area or for any form of amenity space whatsoever.

Reason: To ensure that the privacy and amenities of the occupier of the adjoining properties are protected in accordance with Policy KP5 of the Cardiff Local Development Plan 2006-2026.

13. No development shall take place until full details of soft landscaping have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- A soft landscaping implementation programme.
 - Scaled planting plans.
 - Evidence to demonstrate that existing and proposed services, lighting, CCTV, drainage and visibility splays will not conflict with proposed planting.
 - Schedules of plant species, sizes, numbers and densities for structural planting such as hedgerows, shrub beds and trees.
 - Scaled tree pit sectional and plan drawings (as appropriate).
 - Topsoil and subsoil specification for all planting types, including full details of soil assessment in accordance with the Cardiff Council Soils and Development Technical Guidance Note, soil protection, soil stripping, soil storage, soil handling, soil amelioration, soil remediation and soil placement to ensure it is fit for purpose. Where imported planting soils are proposed, full specification details shall be provided including the parameters for all imported planting soils, a soil scientists interpretive report demonstrating that the planting soil not only meets British Standards, but is suitable for the specific landscape type(s) proposed. The specification shall be supported by a methodology for storage, 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.

14. Any newly planted trees, shrubs or hedgerows, which within a period of 5 years from the completion of the development die, are removed, become seriously damaged or diseased, or in the opinion of the Local Planning Authority (LPA) otherwise defective, shall be replaced. Replacement planting shall take place during the first available planting season, to the same specification approved in discharge of condition 5, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and improve the amenity and environmental value

of the area.

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 applicants ownership.

RECOMMENDATION 3 : That the applicant be advised that all development including fascias, rainwater goods and footings shall take place solely on the applicants land and shall not encroach onto adjoining land.

RECOMMENDATION 4 : 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 Planning permission is sought for the construction of a two-storey rear extension and a single storey rear extension, hip to gable roof extension and a rear and side facing dormer to enable the conversion of the property into 4 separate dwellings.

1.2 The submitted plans as amended; first floor rear extension is to be approximately 2.5m deep, 4.3m wide and 6.4m high with a hipped roof. The single storey side/rear extension is 4.1-14.4m long, 1.7-6m wide and 3m high with a flat roof.

The rear dormer is to be 5.7m wide, 4.6m projection and 2.5m high with a pitched roof.

The side facing dormer is to be 4.1m wide, 3.2m projection and 2.3m high with a pitched roof.

A hip to gable roof extension, 3m high, 10m deep and 3m wide

1.3 The submitted plans as amended show the provision of a new hardstand for one off-street parking space positioned to the front of the site and the provision of a refuse storage building, approx. 1.85m high with a sloping roof, 2.8m wide and 1.9m deep.

1.4 The submitted plans show that it is proposed to sub-divide the existing single dwelling into four separate flat units. The submitted plans show the flats as the following;

- i) Flat 1 – Front ground/first floor maisonette flat is to have a living area/ kitchen on the ground floor, bathroom and bedroom on the ground floor with a bedroom with shower-room on the first floor with a gross internal floor area of 56.4 sqm.
- ii) Flat 2 – Rear Ground floor flat is to have a two bedrooms, shower-room and a living/kitchen area with a gross internal floor area of 76.5 sqm and a rear private amenity area.
- iii) Flat 3 – Rear First/Second floor maisonette flat is to have two bedrooms, a living/kitchen area and a shower-room with a gross internal floor area of 51.5 sqm.
- iv) Flat 4 – Front First/Second floor maisonette flat is to have two bedrooms, kitchen/living area and a shower-room with a gross internal floor area of 66.4 sqm.

1.5 The proposal also entails the demolition of the rear garage

2. **DESCRIPTION OF SITE**

2.1 The application site comprises a two-storey semi-detached property. The existing property consists of a 5 bedroom dwelling and a detached rear garage set within a large plot.

2.2 The surrounding area consists of primarily two-storey semi-detached and detached dwellings. Opposite the site is a Doctors Surgery (Whitchurch Village Practise)

2.3 The site is not within a Conservation Area nor with an area of Flood Risk.

3. **SITE HISTORY**

3.1 N/A

4. **POLICY FRAMEWORK**

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

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

Policy KP5 (Good Quality and Sustainable Design)

Policy KP13 (Responding to Evidenced Social Needs)

Policy EN10 (Water Sensitive Design)

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

Policy T5 (Transport Impacts)

Policy W2 (Provision for Waste Management Facilities in Development)

4.3 Supplementary Planning Guidance: Residential Extensions and Alterations 2017)

- 4.4 Supplementary Planning Guidance: Flat Conversions (2019)
- 4.5 Supplementary Planning Guidance: Managing Transport Impact (Incorporating Parking Guidelines) (2018)
- 4.6 Supplementary Planning Guidance: Waste Collection and Storage Facilities (March 2007)
- 4.7 Technical Advice Note 12: Design
- 4.8 Technical Advice Note 21: Waste
- 4.9 Planning Policy Wales Edition 10 (2018)

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 The Operational Manager, Transportation – No objections, advise that the proposal is policy compliant but would wish to see further details of how the proposed single parking space is utilised (how and by whom). Note that the adjacent on street parking bays are uncontrolled (no residents parking or time limits).
- 5.2 The Operational Manager, Waste Management – The proposed area for the storage of waste and recycling has been noted and is acceptable, however the receptacles recommended below need to be shown on the plan to evidence that these will fit into this area.

The receptacles as indicated on the submitted plan would not be allocated to this number of flats.

Each apartment will require the following for recycling and waste collections:

- 1 x 140 litre bin for general waste
- 1 x 25 litre kerbside caddy for food waste
- Green bags for mixed recycling (equivalent to 140 litres)
- 1 x 240 litre bin for garden waste (to be shared between development if required)

The storage of which must be sensitively integrated into the design.

The kitchen should be designed to allow the separation of waste into three waste streams; general, recycling and food waste, in order to encourage the correct disposal of waste.

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

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 N/A

7. **REPRESENTATIONS**

7.1 Neighbours have been consulted, 43 letters and e-mails have been received from the occupiers of 32, 36, 38, 44, 48, 50, 54, 54a, 56, 58, 60, 62, 64, 68 and 70 Park Road and 12 Pendwyallt Road, objecting for the following summarised reasons;

- i) Loss of family accommodation
- ii) Impact on character of area
- iii) Extensions/alterations not in keeping with surrounding area
- iv) Overdevelopment of site with potential for 16 occupants
- v) Noise and disturbance from future occupiers
- vi) Loss of privacy/overlooking
- vii) Creation of rear parking area would lead to loss of garden space for occupiers/wildlife
- viii) Lack of parking provision for proposal (with potential for up to 16 vehicles)
- ix) Highways safety concerns (due to access/congestion within area and users of adjacent footway)
- x) Concerns over whom would organise refuse collections
- xi) Concern over lack of fire escape provision
- xii) Surface water drainage
- xiii) Will set a precedent for future similar applications
- xiv) Design and impact of proposed refuse storage area
- xv) Lack of/limited amenity space for occupiers

7.2 Councillor Mia Rees, raises objections for the following summarised reasons;

- i) The character of Park Road is mostly that of a period family house. Few of the houses have had large extensions at the scale of this application and there is limited conversion into flats
- ii) Park Road is already a very busy road serving as a key route for many. Congestion is common and air quality on the street continues to decline. The addition of four more residences on the road is likely to lead to the traffic getting worse and negatively effecting the area.
- iii) There is already serious issues with the parking situation on Park Road. The number of parking spaces provided in the plans for this application are not sufficient for what four flats is likely to bring and therefore this is likely to have a negative impact on the area.
- iv) Request that this application be considered at Planning Committee

8. **ANALYSIS**

8.1 The main planning issues relate to:

- i) The effect of the proposal upon the character and appearance of the area;

- ii) The effect of the development on the amenity and privacy of neighbouring occupiers;
 - iii) The standard of amenity provided for future occupiers
 - iv) Highway safety/parking issues.
- 8.2 The application site lies within the defined settlement boundary in an existing residential area. Policy KP13 notes that *'a key part of the successful progression of the city will be to develop sustainable neighbourhoods'* and defines that *'providing a range of dwelling sizes, types and affordability'* is a key factor to achieving such an aim.
- 8.3 The proposed rear single storey and first floor rear extensions as amended are considered acceptable in regards to their scale and design and will not prejudice the general character of the area. It is noted that the other properties within the surrounding area have constructed large rear single and two-storey extensions. The proposed hip to gable roof extension is considered acceptable in this context as there are a number of different styles including hipped and gable with no one predominant type. The amended dormers are also considered acceptable in terms of their design and appearance, being pitched roofs, set in from adjoining roof boundaries and would comply with the guidance in the approved residential extensions and alterations SPG.
- 8.4 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 single storey element would project up to the boundary with no. 64 Park Road (adjoining property) and approximately 2.3m from the boundary with no. 68 Park Road. The two-storey element of the extension would be sited abutting the existing rear extension to no. 64. It is considered that the proposal would not be overbearing or generally unneighbourly which would justify concern for the Local Planning Authority.
- 8.5 The submitted plans show that there are to be first and second floor windows sited in the side elevations facing no. 68 Park Road sited approximately 4m from the boundary and a condition is recommended to ensure that these windows are obscurely glazed and non-opening below 1.7m internal floor level, so as to protect the privacy of adjoining neighbours (see condition 4). It is also considered necessary to ensure that no additional windows are to be inserted into the side elevations in the future, so as to protect the privacy of adjoining occupiers (see condition 3). The first floor rear elevation Juliet balcony is sited approximately 10.5 metres from the rear boundary adjoining the communal amenity area and 30m from the rear boundary of the property. It is considered that privacy will not be compromised as the proposal complies with the Councils privacy distance guidelines, subject to the above conditions;
- 8.6 The subdivision of the property into four separate flat units is considered to be policy compliant. Subdivision of residential properties is supported by Policy H5 of the LDP as subdivision of a residential building into smaller residential units can be an important source of housing. National Planning policy encourages the provision of additional housing stock within previously developed land for

housing development. Paragraph 4.2.17 of Planning Policy Wales notes that use of such land *'can assist regeneration and at the same time relieve pressure for development on greenfield sites.'*

- 8.7 All flat units would have adequate internal space with an acceptable internal layout and outlook for future occupiers.
- 8.8 The Operational Manager, Transportation raises no objections to the amended scheme, which show the creation of a parking hardstand with space for the provision of 1 off-street parking spaces within the frontage of the property. The submitted plans also show the provision of eight cycle storage spaces in total within the rear amenity areas of the property.
- 8.9 Waste – Policy W2 of the Cardiff Local Development Plan seeks to ensure that adequate provision is made for waste management facilities within new developments, in order to aid the Council in meeting the challenging waste recycling targets set by European and National targets. Facilities provided should be secure, unobtrusive and easily accessible.

The adopted Waste Collection and Storage Facilities SPG supplements policies adopted in the LDP relating to the provision of waste management facilities in new development.

Condition 6 has been imposed to ensure the bin storage area is constructed and retained.

- 8.10 Transportation - Policy KP8 of the LDP seeks to reduce travel demand and dependence on the car. It identifies that to accommodate the planned growth levels predicted for the city, existing and future residents will need to be far less reliant on the private car and seeks to ensure that more everyday journeys are undertaken by sustainable modes of transport. Policy T5 of the LDP also identifies that all new development for which planning permission is required will contribute to reducing reliance on the private car, in line with national planning policies and the strategic transport objectives of the LDP. The Council's approved Supplementary Planning Guidance on Managing Transportation Impacts (Incorporating Parking Standards) supplements the LDP in this respect and sets out the Council's approach to assessing and managing the transport impacts of developments within the City. Section 6 of the SPG refers to parking standards and is therefore an important tool to be used in managing demand for travel by car and encouraging a shift to sustainable transport modes.

In respect of car parking the SPG identifies that a C3 Flat does not require any off street car parking spaces to be policy compliant. When assessed against the SPG the use of the property as a 4 flats, does not require any off street car parking spaces. As such the proposal is policy compliant with no off street car parking facilities. However, the submitted plans show that one off-street parking space is provided within the front courtyard of the property.

With respect to cycle parking the use of the property as a C3 Flat requires 1 undercover and secure cycle parking space per bedroom to be policy compliant. The applicant has submitted plans which indicate that 8 undercover and secure cycle parking spaces can be provided within the rear garden which is considered acceptable. Condition 5 has been imposed to ensure such facilities are provided and retained.

- 8.11 Amenity Space – Criterion i) of Policy H5 of the LDP advises that planning permission will be granted where “*The property is of a size whereby the external amenity space of the resulting property would ensure an adequate standard of residential amenity for future occupiers.*”

Having undertaken an assessment of the property a private amenity area is available for occupiers of the rear ground floor flat space of approximately 36 square metres. The submitted plans also show that a communal amenity space is available for the occupiers of the other three units, this area is approximately 160 sqm and includes provision for cycle storage facilities. The site is also within walking distance of public open space on the corner of Park Road and Velindre Road.

- 8.12 In regards to comments made by neighbours which are not covered above, the following should be noted:

- i) Noted, see para 8.6
- ii) It is not considered the proposal would have a prejudicial impact upon the surrounding area
- iii) See para 8.3-8.4
- iv) The proposal is not considered to be an overdevelopment of the site. The proposed extensions are considered of an acceptable scale and design and the amended plans show sufficient amenity space is available for occupiers of all the proposed flat units.
- v) Noise and disturbance from occupiers would be dealt with legislation enforced by the Councils Shared Regulatory Services Department
- vi) See para 8.5.
- vii) The amended plans show that the rear parking area is removed from the scheme and the rear of the site would be a communal amenity area for residents.
- viii) See para 8.10
- ix) Noted, the crossover/access is existing and is not proposed to create new crossover or access onto Park Road
- x) The Operational Manager, Waste Management raises no objections to the proposal
- xi) Dealt with under Building Regulations
- xii) Noted, no comments have been received from Welsh Water in this regard and the application is unlikely to attract SAB approval as the construction area is less than 100 sqm.
- xiii) Each application is dealt with on its own merits.
- xiv) The refuse storage to frontage is considered acceptable as it would be sited behind an existing low wall with hedging up to a height of approx.

- 1.5m and details of the materials to be used and details of any adjacent enclosures are to be controlled by condition (see conditions 8 & 11) .
- xv) The amount of available amenity space for occupiers is considered acceptable, the ground floor rear flat has a private area of approximately 36 sqm and there is a communal area for all occupiers of approx. 160 sqm.

8.13 In regard to the comments made by Councillor Rees, I would comment as follows;

- i) Noted, there are other properties which have been extended and altered in the surrounding area. The proposed extensions are considered to be acceptable. See also para 8.6
- ii+iii) The OM, Transportation raises no objections regarding the proposal and the application would be policy compliant in terms of parking and cycling provision.
- iv) Noted

8.14 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.

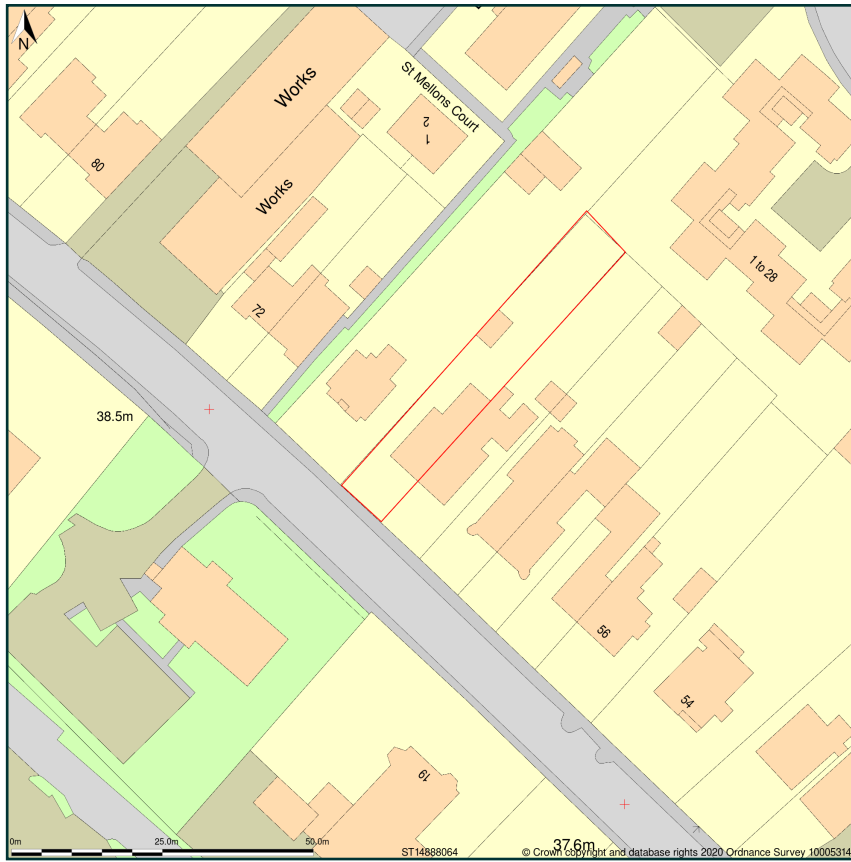
Equality Act 2010 – The Equality Act 2010 identifies a number of ‘protected characteristics’, namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council’s duty under the above Act has been given 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.

8.15 **Conclusion**

Having regard to the policy context above, the amended proposal is on balance, considered to be acceptable and approval of planning permission is recommended.

66, Park Road, Whitchurch, Cardiff, CF14 7BR

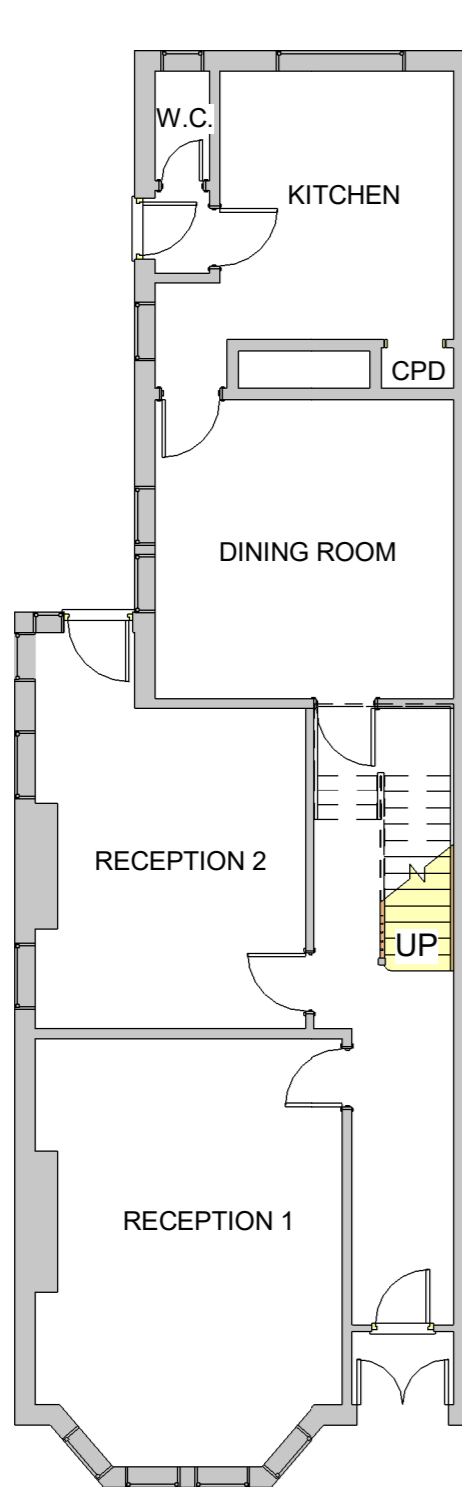


Site Plan shows area bounded by: 314812.28, 180576.28 314953.7, 180717.7 (at a scale of 1:1250), OSGridRef: ST14888064. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

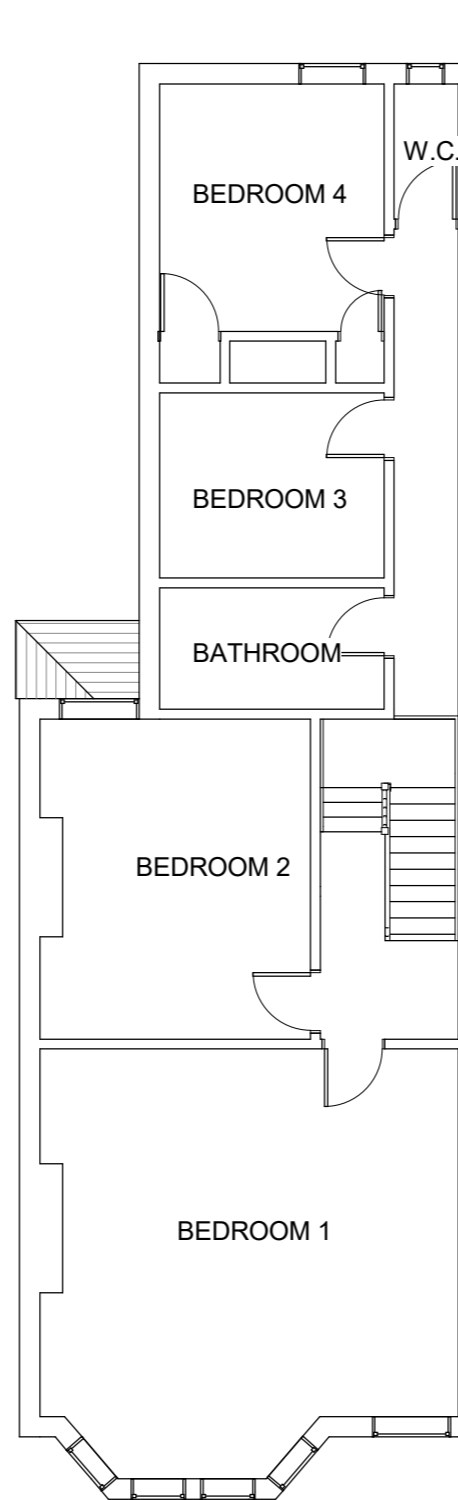
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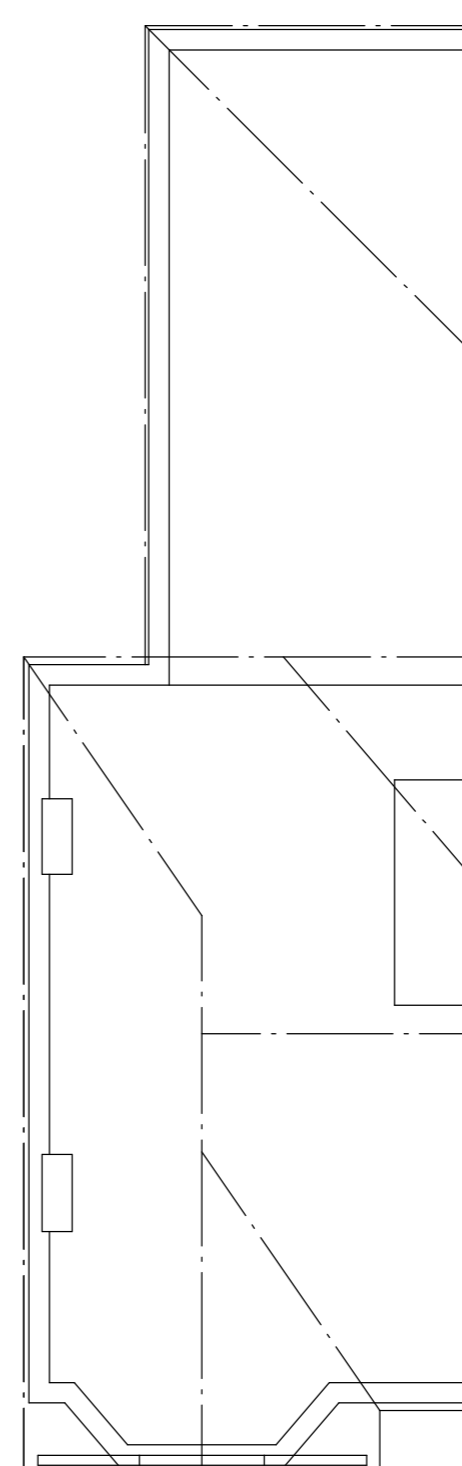
HAFREN DESIGNS ARE
A PROUD SPONSOR OF



GROUND FLOOR PLAN -
EXISTING



FIRST FLOOR PLAN -
EXISTING



ROOF PLAN -
EXISTING

SCALE	1 : 100 @ A3
DATE	JAN 2020

CLIENT

MR STONE
66 PARK ROAD,
WHITCHURCH,
CARDIFF
CF14 7BR

NOTES

Issue 1: Initial Proposals

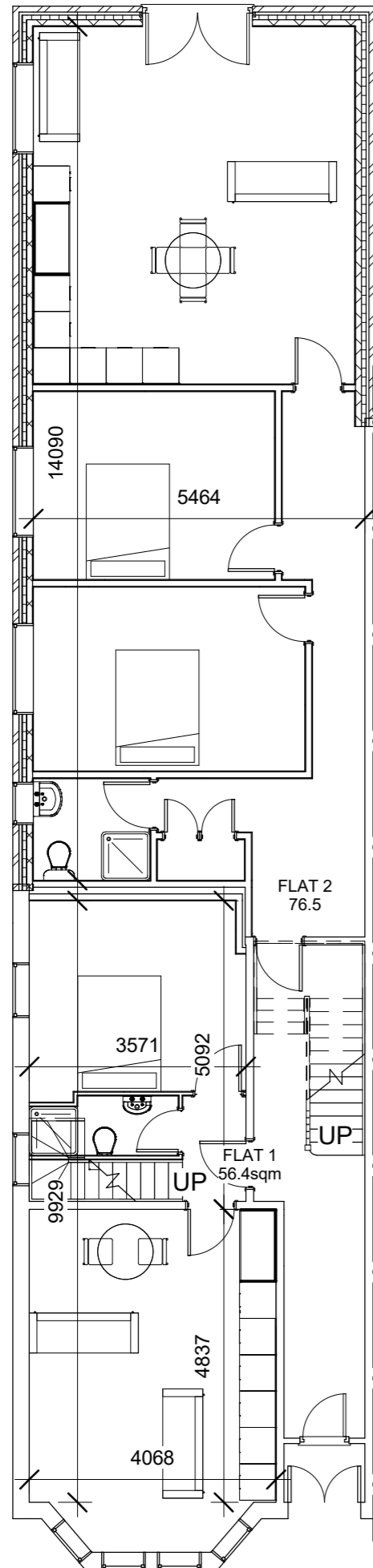
Issue 2: revise extension depth for neighbour, reduce dormer sizes, create communal garden area, provide parking

Issue 3: remove parking and elevations for refuse storage

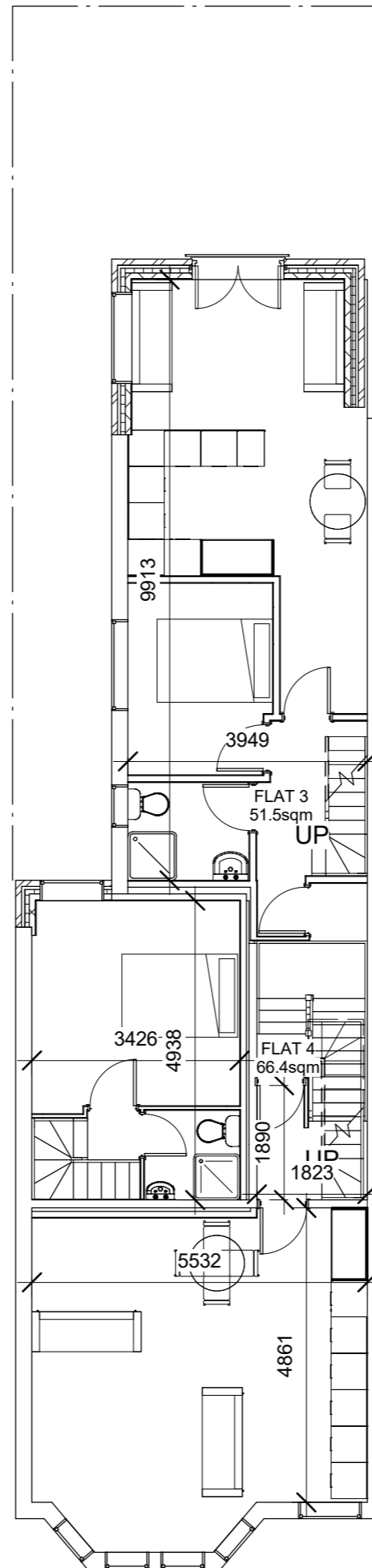
HAFREN DESIGNS
CONCEPT DESIGN AND PLANNING

- 17 years experience
- All drawings undertaken
- All home improvements and extensions
- Project build costs given
- 3D project views as standard
- Building regulations
- Free no obligation quote

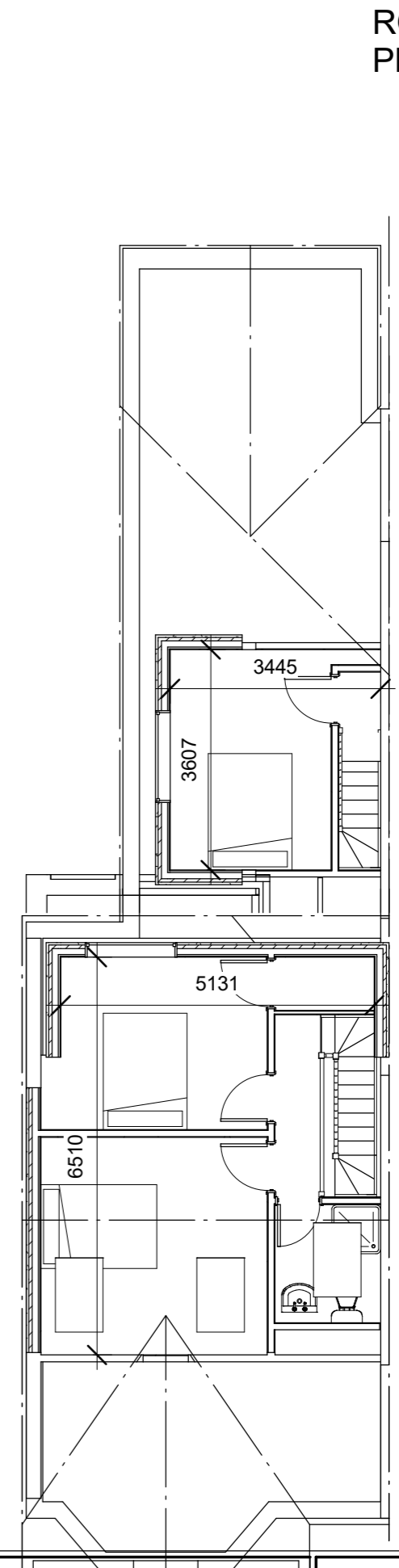
Call Rhys Hughes
07788 314540
drhysghuges@aol.co.uk



GROUND FLOOR PLAN - PROPOSED



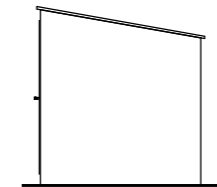
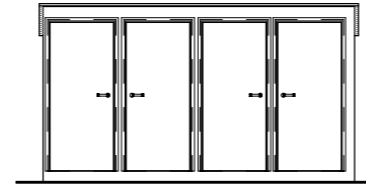
FIRST FLOOR PLAN - PROPOSED



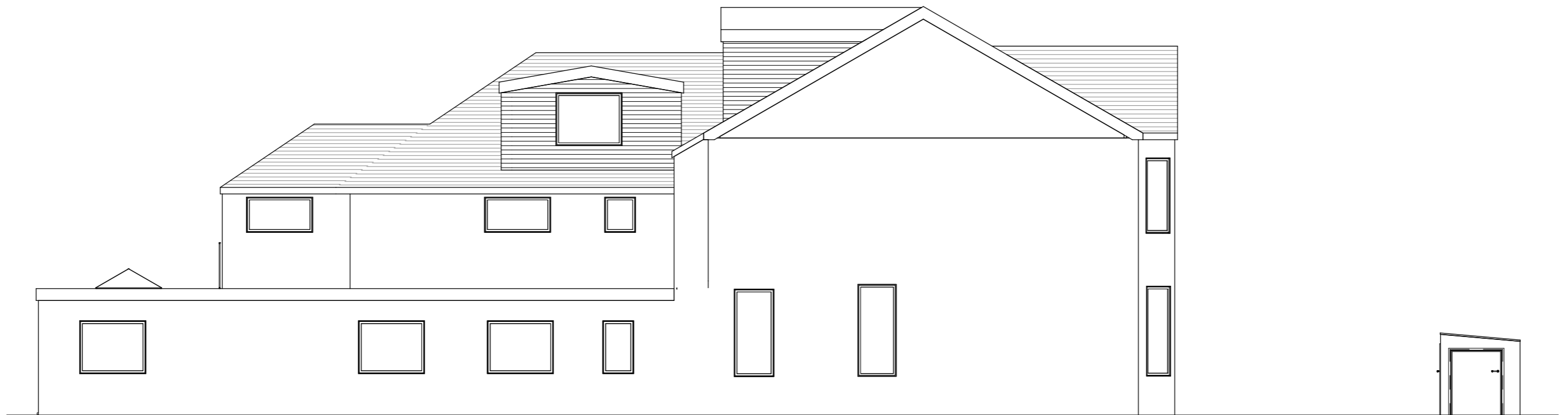
ROOF PLAN - PROPOSED



FRONT ELEVATION - PROPOSED



FRONT AND SIDE ELEVATIONS OF BIKE STORE

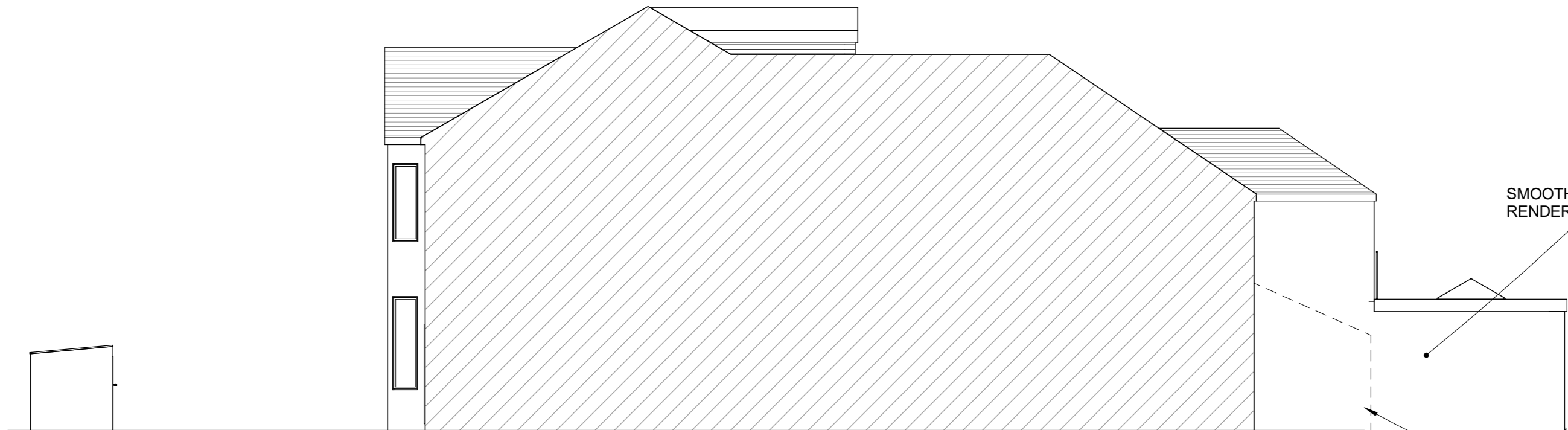


SIDE ELEVATION - PROPOSED



ALL DORMERS TO BE
200mm FROM REAR WALL
OF HOUSE

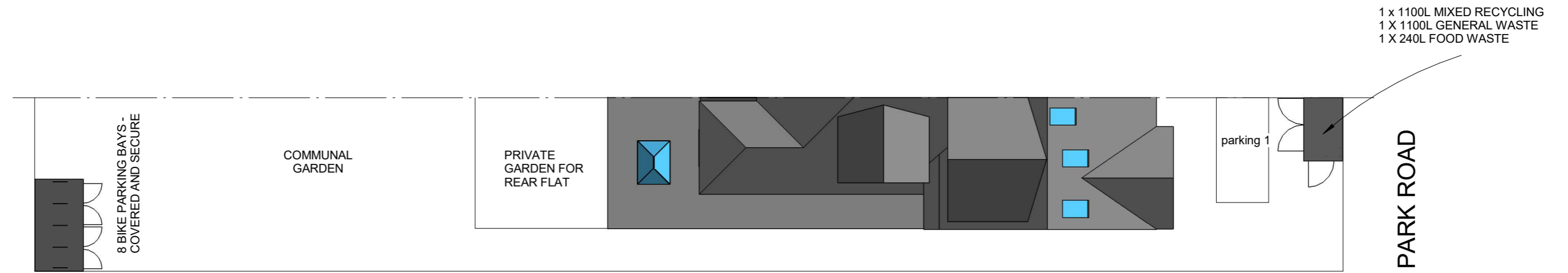
REAR ELEVATION - PROPOSED



SMOOTH
RENDER FINISH

NEIGHBOURING
EXTENSION

SIDE ELEVATION - PROPOSED



Mae'r dudalen hon yn cael ei adael yn wag yn fwiadol

PETITION

COMMITTEE DATE: 16/09/2020

APPLICATION No. **20/01384/MNR** APPLICATION DATE: 21/07/2020

ED: **LLANDAFF**

APP: TYPE: Full Planning Permission

APPLICANT: Mrs Williams

LOCATION: LAND ADJACENT TO 14 MARSHALL CLOSE,
DANESCOURT, CARDIFF, CF5 2QQ

PROPOSAL: PROPOSED ERECTION OF ATTACHED DWELLING

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.
 - PP/600/C – PROPOSED FLOOR PLANS
 - PP/700/A – PROPOSED ELEVATIONS

Reason: To ensure satisfactory completion of the development and in line with the aims of Planning Policy Wales to promote an efficient and effective 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 side elevation facing 12 Marshall Close or the first floor rear elevation, other than those hereby approved. 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 first floor windows on the side and rear elevations shall be glazed with obscure glass and non-opening below a height of 1.8 metres above internal floor level and thereafter be so maintained. Reason: To ensure that the privacy of adjoining occupiers is protected in accordance with Policy KP5 of the Cardiff Local Development Plan 2006-2026.
5. Prior to the beneficial occupation of the extensions hereby approved, the secured covered cycle storage facilities shall be provided as shown on plan no. PP/600/C. The cycle storage facilities shall be retained

thereafter and used for no other purpose.

Reason: To ensure that secure and under cover 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.

6. No development shall take place until full details of soft landscaping have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- A soft landscaping implementation programme.
- Scaled planting plans.
- Evidence to demonstrate existing and proposed services, lighting, CCTV, drainage and visibility splays will not conflict with proposed planting.
- Schedules of plant species, sizes, numbers and densities for structural planting such as hedgerows, shrub beds and trees.
- Scaled tree pit sectional and plan drawings (as appropriate).
- Topsoil and subsoil specification for all planting types, including full details of soil assessment in accordance with the Cardiff Council Soils and Development Technical Guidance Note, soil protection, soil stripping, soil storage, soil handling, soil amelioration, soil remediation and soil placement to ensure it is fit for purpose. Where imported planting soils are proposed, full specification details shall be provided including the parameters for all imported planting soils, a soil scientists interpretive report demonstrating that the planting soil not only meets British Standards, but is suitable for the specific landscape type(s) proposed. The specification shall be supported by a methodology for storage, 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.

7. Any newly planted trees, shrubs or hedgerows, which within a period of 5 years from the completion of the development die, are removed, become seriously damaged or diseased, or in the opinion of the Local Planning Authority (LPA) otherwise defective, shall be replaced. Replacement planting shall take place during the first available planting season, to the same specification approved in discharge of condition 5, unless the Local Planning Authority gives written consent to any variation.

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

8. Details of the means of site enclosures shall be submitted to and

approved in writing by the Local Planning Authority. The means of site enclosure shall be constructed in accordance with the approved details prior to the development being put into beneficial use.

Reason: In the interests of visual amenity and residential amenity, in accordance with Policy KP5: Good quality and sustainable design of the Cardiff Local Development Plan (2006-2026).

9. No development shall take place until samples of the external finishing materials have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: To ensure that the finished appearance of the development is in keeping with the area in accordance with Policy KP5 of the Cardiff Local Development Plan 2006-2026.
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order amending, revoking or re-enacting that Order) no structure or extension shall be placed within the curtilage of any dwelling or alteration to any roof.
Reason: To ensure the orderly development of the area with adequate space about buildings and in the interests of the visual amenity of the area.
11. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network
Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
12. Prior to development commencing details showing the provision of cycle parking spaces, and appropriate access to them, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development being put into beneficial use. Thereafter the cycle parking spaces shall be maintained and shall not be used for any other purpose.
Reason: To ensure that adequate provision is made for the sheltered and secure parking of cycles.
13. Prior to development commencing details of the amended crossover junction/driveway shall be submitted to and approved in writing by the Local Planning Authority, to include details of the footway being dropped across the access, resurfacing, and the existing/relocated positions of affected street furniture. Those details shall be implemented prior to the development being put into beneficial use.
Reason: To ensure that the use of the proposed development provides adequate pedestrian and highway access.
14. No development shall take place until a Construction Management Plan

has been submitted to, and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The plan shall provide details of:

- loading, unloading and storage areas for plant and materials
- types of vehicles anticipated at the site
- vehicle parking for site workers and visitors

Reason: To ensure that the construction of the proposed development does not result in safety issues.

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: That the applicant be advised that all development including fascias, rainwater goods and footings shall take place solely on the applicants land and shall not encroach onto adjoining land.

RECOMMENDATION 4 : 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 5: The applicant/developer is advised that they may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation. If you have any queries please contact 0800 917 2652 or via email at developer.services@dwrcymru.com

RECOMMENDATION 6 : The applicant/developer be advised to contact Highways@cardiff.gov.uk in regard to proposed works within the adopted highway regarding construction of new crossover/s to the frontage and removal of the existing crossover to the rear of the site.

1. DESCRIPTION OF PROPOSED DEVELOPMENT

- 1.1 Planning permission is sought for the construction of a two-storey attached dwelling house.
- 1.2 The proposed dwelling house is to be approximately 9.05m long, 4.7m wide and 7.6m high with a pitched roof. The single storey rear annexe is to be approx.4m long, 4.7m wide and 3.65m high with a sloping roof.
- 1.3 The submitted plans show the proposed dwelling is to have an open plan living/kitchen area on the ground floor and a bathroom and two bedrooms on the first floor.
- 1.4 The submitted plans show the provision of a one off-street parking space positioned to the front of the site and cycle storage for 2 cycles sited within the rear amenity area.
- 1.5 The proposal would also entail the demolition of the existing garage/outbuilding.

2. DESCRIPTION OF SITE

- 2.1 The application site comprises an existing area of amenity space for no.14 Marshall Close. The adjacent property is a part of a pair of semi-detached dwellings.
- 2.2 The surrounding area consists of primarily two-storey semi-detached, terraced and detached dwellings sited within the Danescourt Estate.
- 2.3 The site is not within a Conservation Area nor with an area of Flood Risk.

3. SITE HISTORY

- 3.1 19/02748/MNR – Proposed new three bedroom attached dwelling - Withdrawn.
- 3.2 95/00571/W – Rear Extension as disabled persons toilet and access. - Approved.

4. **POLICY FRAMEWORK**

- 4.1 The application site is shown as part of an existing housing area indicated on the Proposals Map of the City of Cardiff Local Plan
- 4.2 The following policies of the approved Cardiff Local Development Plan (2006-2026) are considered to be relevant to the proposal:
- Policy KP5 (Good Quality and Sustainable Design)
Policy KP13 (Responding to Evidenced Social Needs)
Policy EN10 (Water Sensitive Design)
Policy T5 (Transport Impacts)
Policy W2 (Provision for Waste Management Facilities in Development)
- 4.3 Supplementary Planning Guidance: Residential Extensions and Alterations (2017)
- 4.4 Supplementary Planning Guidance: Infill Sites (2017)
- 4.5 Supplementary Planning Guidance: Managing Transport Impacts (Incorporating Parking Guidelines) (2018)
- 4.6 Supplementary Planning Guidance: Waste Collection and Storage Facilities (March 2007)
- 4.7 Technical Advice Note 12: Design
- 4.8 Planning Policy Wales Edition 10 (2018)

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 The Operational Manager, Transportation – No objections, and advise the need for conditions; see above.
- 5.2 The Operational Manager, Waste Management – The proposed area for the storage of waste and recycling has been noted and while the space at the side of the property is large enough, there does not appear enough space between the proposed property and the boundary to be able to wheel the bins to the kerbside.

Waste Management does not collect from the rear (Danescourt Way).

We would suggest that a suitable space is designated within the curtilage at the front of the property.

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

- 1 x 140 litre bin for general waste
- 1 x 240 litre bin for garden waste

- 1 x 25 litre kerbside caddy for food waste
- Green bags for mixed recycling (equivalent to 140 litres)

5.3 Tree and Landscape Officer – No objections, advise the need for conditions 5 and 6.

5.4 Welsh Water – No objections, advise the need for condition 11.

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 N/A

7. **REPRESENTATIONS**

7.1 Neighbours have been consulted, 12 e-mails and letters have been received from the occupiers of 5, 7, 8, 10, 11, 12, 16, 18 and 20 Marshall Close and 14 Richard Lewis Close, objecting for the following summarised reasons;

- i) Previous applications for dwellings were withdrawn
- ii) Proposal not required as there are other large housing developments nearby
- iii) Lack of demand for housing
- iv) Potential precedent for similar future developments
- v) Highway safety issues
- vi) Parking issues (loss of existing on-street parking, parking requirements)
- vii) Access for refuse/delivery vehicles
- viii) Concerns that proposed rear access gate could lead to security issues
- ix) Overdevelopment of site
- x) Impact on visual amenity
- xi) Proposal would not be keeping with design/appearance of area
- xii) Overshadowing/loss of light
- xiii) Loss of privacy/overlooking
- xiv) Proposal would change pair of semi's to a terrace
- xv) Surface water flooding
- xvi) Loss of green + wildlife
- xvii) Concerns over siting of construction materials/contractors parking – request that a construction management plan be submitted and approved via condition.
- xviii) Devalue adjacent residential properties

7.2 A 62 name petition has been submitted objecting to the proposal.

8. **ANALYSIS**

8.1 The main planning issues relate to:

- i) The effect of the proposal upon the character and appearance of the area;
- ii) The effect of the development on the amenity and privacy of neighbouring occupiers;

- iii) The standard of amenity provided for existing and future occupiers;
 - iv) Highway safety/parking issues.
- 8.2 The application site lies within the defined settlement boundary in an existing residential area. Policy KP13 notes that *'a key part of the successful progression of the city will be to develop sustainable neighbourhoods'* and defines that *'providing a range of dwelling sizes, types and affordability'* is a key factor to achieving such an aim.
- 8.3 Cardiff Council's Infill Sites SPG assists in providing guidance on appropriate residential development. It indicates that such development should amongst other things:
- Protect residential amenity, both of new and existing occupiers; and
 - Responds to the context and character of the area.
- 8.4 National Planning policy encourages the provision of additional housing stock within previously developed land for housing development. Paragraph 4.2.17 of Planning Policy Wales notes that use of such land 'can assist regeneration and at the same time relieve pressure for development on Greenfield sites
- 8.5 The proposed dwelling is considered acceptable in regards to its scale and design and will not prejudice the general character of the area. The design of the proposed dwelling is similar to that of the adjacent properties within Marshall Close in terms of scale, massing, appearance and design and would be in keeping with the urban grain and visual appearance of the surrounding street scene.
- 8.6 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 proposal would attach onto the flank wall of the adjacent dwelling house at no. 14 Marshall Close and be sited approx. 1.65m from the adjacent driveway to no. 12 Marshall Close (which is sited approximately 6m from the proposed dwelling). It is considered that the proposal would not be overbearing or generally unneighbourly which would justify concern for the Local Planning Authority.
- 8.7 The submitted plans (as amended) show that there is a first floor window sited in the side elevation facing no. 12 Marshall Close. It is recommended that this window be obscurely glazed and non-opening so that the privacy of neighbouring occupiers would be protected (see condition 4). The amended plans also show the provision of a first floor rear elevation window sited approximately 7metres from the rear boundary (the garden is angled), and it is considered that this window should be obscurely glazed and non-opening to protect the privacy and amenities of the occupiers of no. 14 Marshall Close. It is considered necessary to insert a condition stating no additional windows are to be inserted into the side elevation or rear first floor elevations in the future, so as to protect the privacy of adjoining occupiers (see condition 3).
- 8.8 The proposed dwelling would have adequate internal space and an acceptable

layout. Outlook for future occupiers for the proposed and the existing dwelling will be acceptable.

- 8.9 The Infill Sites SPG advises that development *'must consider both new and future occupiers amenity'* and *'all new residential dwellings, as well as existing dwellings affected by development should maintain useable and appropriate external amenity space'* and *'Houses and ground floor flats that will serve as family accommodation should include enclosed and secure private amenity areas. Depending on context, such amenity areas should measure at least 10.5m in depth or 50m² overall'*. The amended plans show that there is sufficient amenity space provided for both properties. Both properties would have a rear private amenity space approximately 70 sqm, which is of a similar size and in context with the amenity space available for occupiers of other properties within the surrounding area.
- 8.10 The Operational Manager, Transportation – Raises no objections to the proposal, subject to a number of conditions regarding crossover details, construction management and cycle parking.
- 8.11 In regards to comments made by neighbours that are not covered above, the following should be noted:
- i) The previous application was withdrawn at the request of the applicant and had not been determined by the Local Planning Authority.
 - ii+iii) Note that there are large residential developments in the surrounding area under construction, but the Infill Sites SPG advises that the utilisation of previously developed land promotes an efficient use of land and helps to reduce demand on greenfield sites. The provision of windfall/infill development is supported in Planning Policy. There is no evidence to suggest that there is no demand for housing within the area and the opposite is more likely as this is a sought after area for occupiers.
 - ii) Each application submitted is dealt with on its own individual merits
 - v-vi) The parking provision shown on the submitted plans is considered acceptable and compliant with the Transportation Impacts SPG. The existing crossover-access and hardstand is existing and would not prejudice the safety of members of the public. The Operational Manager, Transportation raises no objections to the proposal, subject to the imposition of appropriate conditions.
 - vii) Noted, the rear gate shown on the previously submitted plans has now been removed from the scheme.
 - viii) It is not considered that the proposal would be an overdevelopment of the site as there is sufficient space around the proposal and each property has sufficient amenity space available for occupiers.
 - ix-x) See paras 8.5-8.6
 - xi) It is not considered that the proposal would have a prejudicial impact upon light to adjacent properties due to its siting in regard to those properties it adjoins
 - xii) See para 8.7
 - xiii) Note that the proposal would create a small terrace of three properties. Whilst it is somewhat unusual when you consider the immediate

environment. The arrangement is considered acceptable noting the residential context of the surrounding area.

- xiv) The Flood & Coastal Risk Officer and Welsh Water raise no objections to the proposal and advise the need for recommendation 5.
- xv) The site is currently utilised as the garden area for no. 14 Marshall Close and primarily consists of hardstanding and an existing garage/outbuilding. See conditions 6 and 7 in regard to proposed soft landscaping and planting on the site.
- xvi) See condition 14
- xvii) Not a material planning consideration.

8.12 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.

8.13 **Conclusion**

Having regard to the policy context above, the proposal is on balance, considered to be acceptable and approval of planning permission is recommended subject to conditions.



14 MARSHALL CLOSE
 LLANDAFF
 CARDIFF
 CF5 2QQ

OS MasterMap 1250/2500/10000 scale
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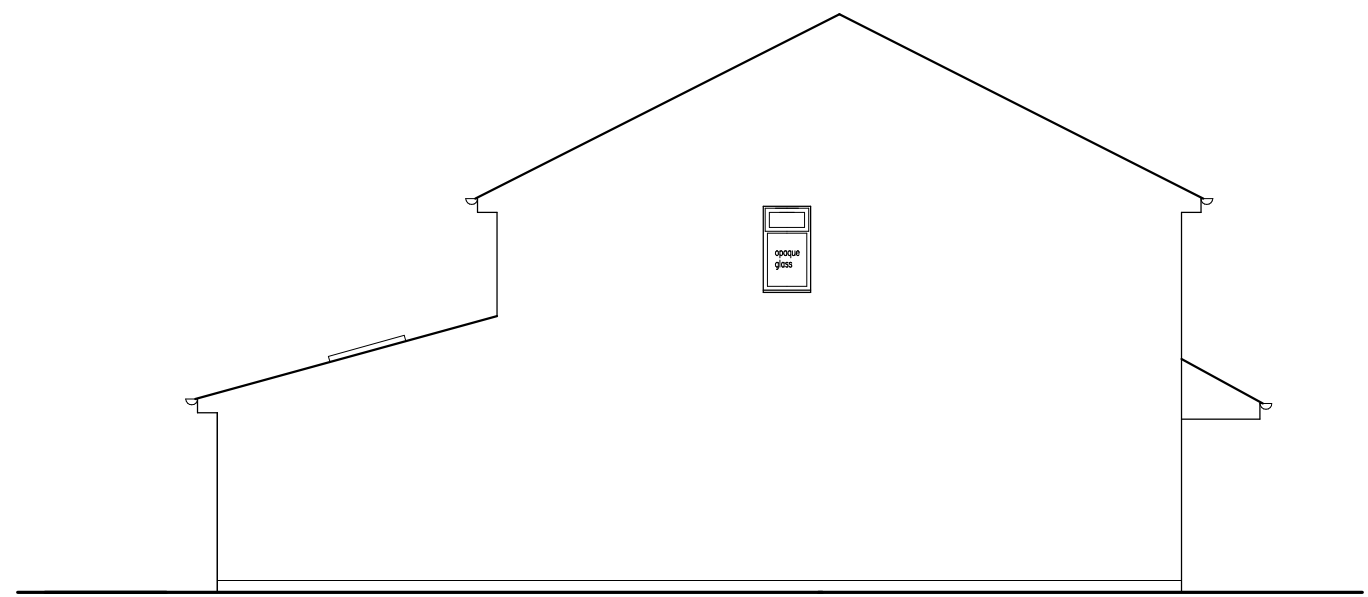


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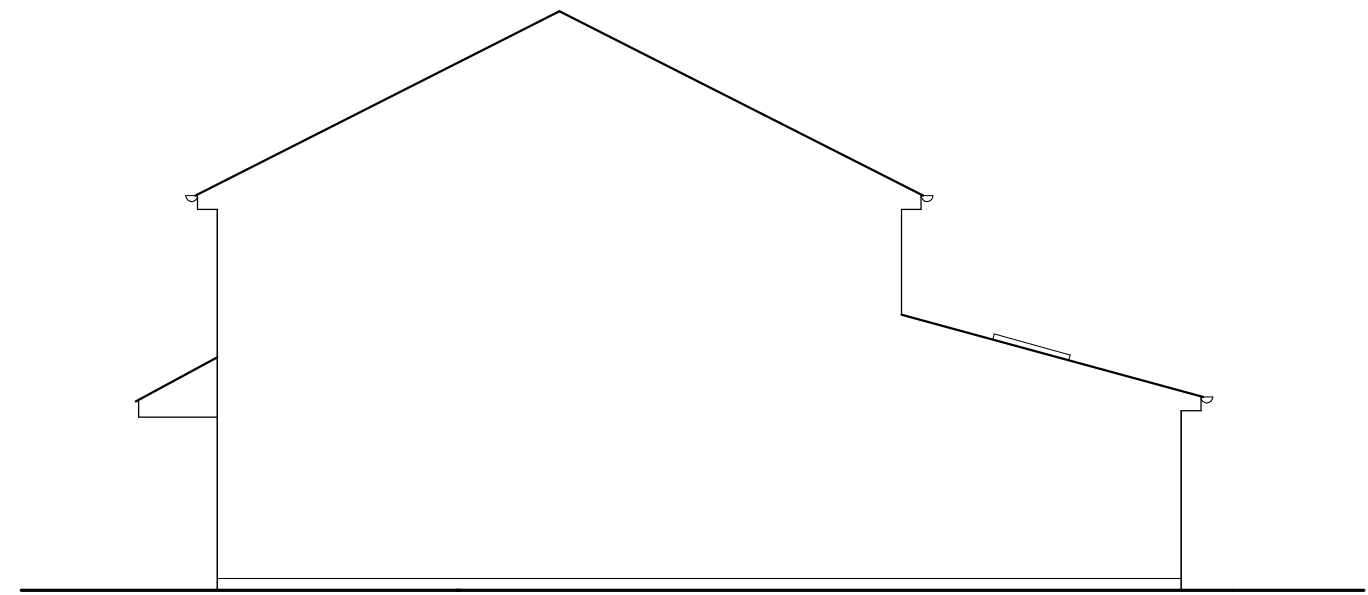
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(029) 20521362



proposed side elevation (right)



proposed front elevation



proposed side elevation (right)



proposed rear elevation

Proposed New Dwelling.

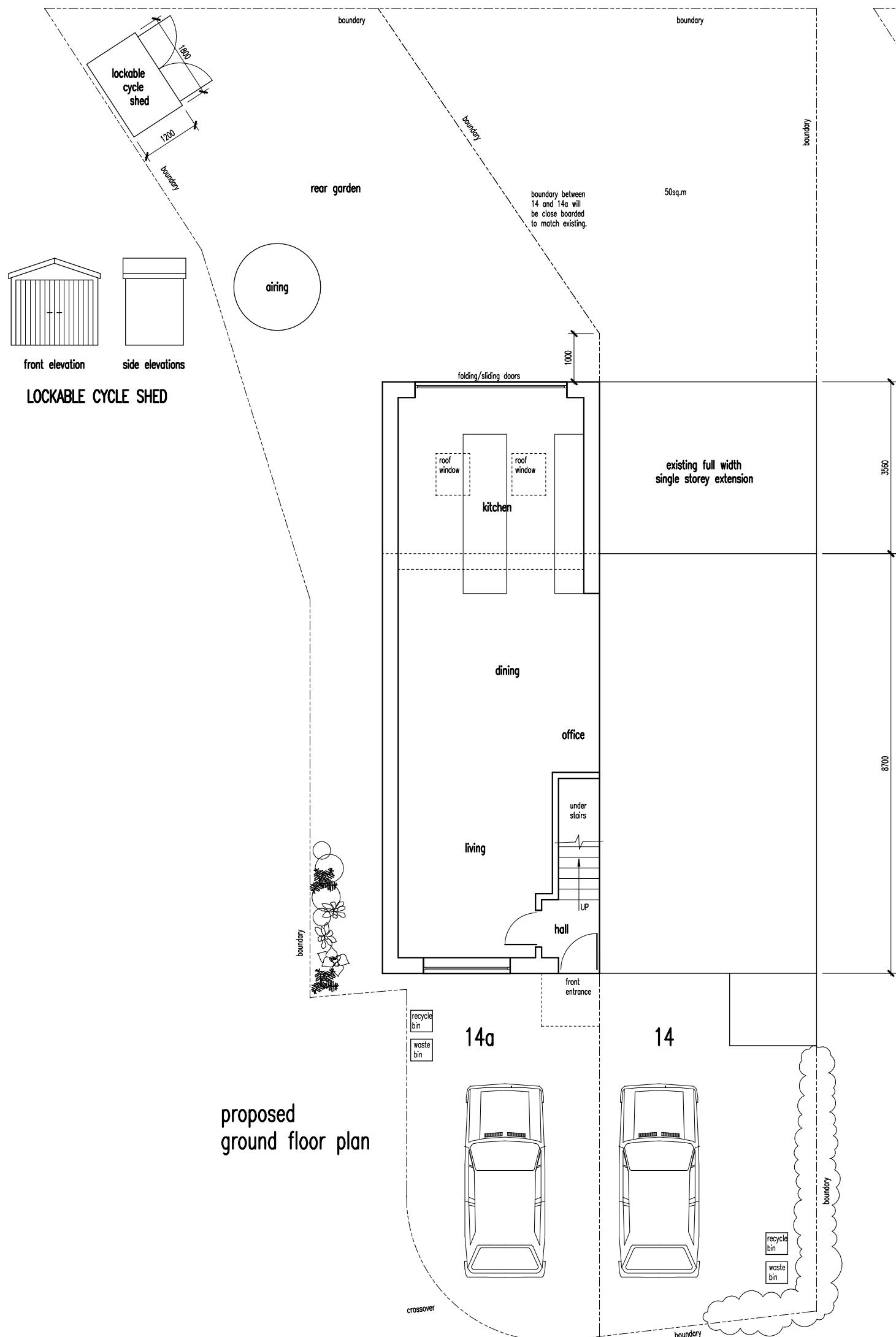
Phil Hughes

PROFESSIONAL DRAWINGS

14 Marshall Close, Llandaff, Cardiff. CF5 2QQ.

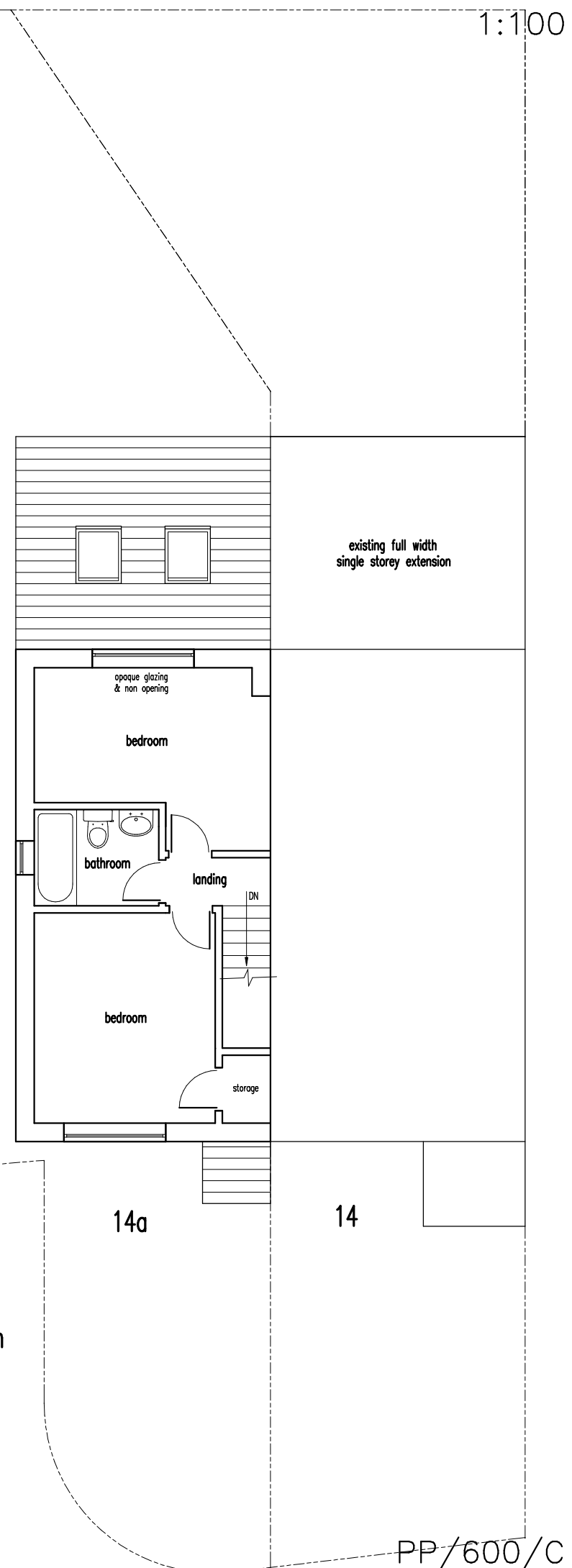
PP/700/A

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proposed ground floor plan

proposed first floor plan



PP/600/C

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Proposed New Dwelling.

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PROFESSIONAL DRAWINGS

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Mae'r dudalen hon yn cael ei adael yn wag yn fwiadol