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## AGENDA

**Pwyllgor** PWYLLGOR CYNLLUNIO

**Dyddiad ac amser y cyfarfod** DYDD MERCHER, 18 TACHWEDD 2020, **10.30 AM A/AC 2.00 PM**

**Lleoliad** YSTAFELL BWYLLGOR 4 - NEUADD Y SIR

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

### **1 Ymddiheuriadau am Absenoldeb**

### **2 Cofnodion**

Cymeradwyo cofnodion y cyfarfod a gynhaliwyd ar 14 Hydref 2020 fel cofnod cywir.

### **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:

20/01110/MJR YSBYTY'R EGLWYS NEWYDD, HEOL Y PARC, YR EGLWYS NEWYDD

20/01279/MJR TIR YN FFORDD ROVER

20/00844/MNR 225 HEOL ALBANY, Y RHATH

## **5 Ceisiadau Rheoli Datblygu**

### **Sesiwn y Bore yn dechrau am 10:30AM**

- a** 20/01110/MJR, YSBYTY'R EGLWYS NEWYDD, HEOL Y PARC, YR EGLWYS NEWYDD
- b** 20/01647/MJR, YSGOL UWCHRADD FITZALAN, RHODFA LAWRENNY, TREGANNA
- c** 20/01648/MJR, RHAN O DIR YN STADIWM CHWARAEON RHYNGWLADOL CAERDYDD, HEOL LECWYDD, TREGANNA

### **Sesiwn prynhawn yn dechrau am 2:00PM**

- d** 20/00262/MNR, RHAN O BARC Y GAMLAS GERLLAW COLEG CAERDYDD A'R FRO, HEOL DUMBALLS, BUTETOWN
- e** 18/00762/MNR, THANE & MEARS, 304A HEOL CAERFFILI, LLWYNBEDW
- f** 20/00844/MNR, 225 HEOL ALBANY, Y RHATH
- 6** **Gorchymyn Gwyro ar gyfer Llwybr Troed Cyhoeddus Llys-faen Rhif 15**
- 7** **Gorchymyn Gwyro ar gyfer Llwybr Troed Cyhoeddus Llys-faen Rhif 28**
- 8** **Ceisiadau wedi eu penderfynu gan Bwerau Dirprwyedig – Hydref 2020**
- 9** **Eitemau Brys (os oes rhai)**
- 10** **Dyddiad y cyfarfod nesaf – 16 Rhagfyr 2020**

**Davina Fiore**

**Cyfarwyddwr Llywodraethu a Gwasanaethau Cyfreithiol**

Dyddiad: Dydd Iau, 12 Tachwedd 2020

Cyswllt: Kate Rees, 02920 872427, [krees@caerdydd.gov.uk](mailto:krees@caerdydd.gov.uk)



## **GWE-DARLLEDU**

Caiff y cyfarfod hwn ei ffilmio i'w ddarlledu'n fyw a/neu yn olynol trwy wefan y Cyngor. Caiff yr holl gyfarfod ei ffilmio, heblaw am eitemau eithriedig neu gyfrinachol, a bydd y ffilm ar gael ar y wefan am 12 mis. Cedwir copi o'r recordiad yn unol â pholisi cadw data'r Cyngor.

Ar ddechrau'r cyfarfod, bydd y Cadeirydd yn cadarnhau a gaiff y cyfarfod cyfan neu ran ohono ei ffilmio. Fel rheol, ni chaiff ardaloedd y cyhoedd eu ffilmio. Fodd bynnag, wrth fynd i'r ystafell gyfarfod a defnyddio'r ardal gyhoeddus, mae aelodau'r cyhoedd yn cydsynio i gael eu ffilmio ac y defnyddir y lluniau a recordiadau sain hynny o bosibl at ddibenion gwe-ddarlledu a/neu hyfforddi.

Os oes gennych gwestiynau ynghylch gwe-ddarlledu cyfarfodydd, cysylltwch â'r Gwasanaethau Pwyllgorau ac Aelodau ar 02920 872020 neu e-bost [Gwasanethau Democrataidd](#)

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

## PLANNING COMMITTEE

14 OCTOBER 2020

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

### 93 : APOLOGIES FOR ABSENCE

None

### 94 : MINUTES

The minutes of the 16 September 2020 were approved and signed as a correct record.

### MEMBERSHIP.

To note that at the Council meeting of the 24 September 2020, Council approved to appoint Councillor Peter Wong to the Planning Committee.

### 95 : DECLARATIONS OF INTEREST

COUNCILLOR	ITEM	REASON
Gordon	19/01956/MJR	Spoke against Application as Ward Councillor
Stubbs	20/01545/MNR	Ward Councillor

### 96 : PETITIONS

Application no, 19/01956/MJR, 37 – 39A Cathedral Road,

In relation to the above the petitioner spoke and the agent replied.

### 97 : 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 recommendation 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**

20/01545/MNR – SPLOTT

171 RAILWAY STREET

Conversion of property to form two self-contained flats

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

19/01956/MJR – RIVERSIDE

37-39A CATHEDRAL ROAD

Demolition of 39A Cathedral Road and rear annexes of 37-39 Cathedral Road. Conversion of 37-39 Cathedral Road to residential use, construction of 2 new apartment buildings and 3 new townhouses, the retention of outbuilding in Class B1 use and associated car parking, landscaping, access and ancillary works.

Subject to the following:

Amendment to paragraph 1.2, 3<sup>rd</sup> bullet point to read:

“New build apartments (Block A) over 4 floors to provide 12 flats fronting Cathedral Road”

20/01190/MJR – TROWBRIDGE

LAND AT WAKEHURST PLACE

Proposed residential development of 13 no 2, 3 and 4 bed houses, associated car parking communal garden and access road.

20/01306/MJR – TROWBRIDGE

LAND AT BROOKFIELD DRIVE

Residential development, landscaping and associated infrastructure works.

20/01255/MJR – PENYLAN

FORMER COLCHESTER MOTOR COMPANY AND THE THREE BREWERS,  
COLCHESTER AVENUE.

Development of 50no, apartments and 1no retail unit (use class A1) and associated works, including sustainable drainage, landscaping amenity space and other works.

98 : APPLICATIONS DECIDED BY DELEGATED POWERS - SEPTEMBER 2020

Noted

99 : URGENT ITEMS (IF ANY)

None

100 : DATE OF THE NEXT MEETING - 18 NOVEMBER 2020

The meeting terminated at 6.00 pm

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## LOCAL MEMBER OBJECTION, PETITION, MS COMMENTS

COMMITTEE DATE: 18/11/2020

APPLICATION No. **20/01110/MJR**

APPLICATION DATE: 11/6/2020

ED: **WHITCHURCH/TONGWYNLAIS**

APP: TYPE: **FULL**

APPLICANT: Velindre NHS Trust

LOCATION: WHITCHURCH HOSPITAL, PARK ROAD, WHITCHURCH, CARDIFF, CF14 7XB

PROPOSAL: 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

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

1. C01 (STL)
2. The development shall be carried out in accordance with the following approved plans
  - New Velindre Cancer Centre Highway Access/Enabling Works Green Infrastructure Management Strategy Adherence Statement (Rev C Oct 2020), prepared by WSP, dated 15th October 2020;
  - Technical Note 347168-MMC-028-XX-TCN-LAN-2000-002 Rev C Temporary Construction Access Road – Landscape Reinstatement Strategy prepared by Mott MacDonald, dated 15/10/20
  - 347168-MML-027-XX-DWG-CIV-4000-001 – Revision P4- Site Location / boundary plan
  - -347168-MML-027-XX-DWG-CIV-4000-004 Revision P03 Proposed Road Access
  - 347168-MML-027-XX-DWG-CIV-4000-005 Revision P03- Proposed Road Access
  - 347168-MML-027-XX-DWG-CIV-4000-008 Revision P02 – Proposed sections
  - 347169-MML-007-XX-DWG-ECO-2000-005- Revision P05 - Replacement Planting Strategy;
  - 347168-MML-027-XX-DWG-CIV-4000-008 – Revision P03- Proposed Lighting Layout

#### Documents

- 347168-MML-027-XX-DWG-CIV-4000-008-RevisionB- Arboricultural Impact Assessment;
- UG1812/1 - Planning Statement
- UG1812/2- Planning Application;
- 347168-MML-028-XX-TCNLAN-2000-002- Revision C - Landscape Reinstatement Strategy Tech Note;
- 347168-MML-026-XX-TCN-ECO-2000-001- Revision B- GIMS TCAR Tech Note;
- Motts Heritage Statement dated August 2020;
- 347168-MML-028-XXTCN-LTA-2000-001 Revision A- Potential Vibration Impact Strategy;
- 347168-MML-028-XX-TCN-ECO-3000-001-VCCDormice Survey 2019;
- 347168-MML-028-XX-RPT-ECO-3000-003- VCC Bat Survey 2019
- Velindre Cancer Centre Temporary Construction Access Route
- Environmental Statement March 2020 Vol.1 : Environmental Statement Text;
- Velindre Cancer Centre Temporary Construction Access Route Environmental Statement, March 2020 Vol.2: Appendices and Figures

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. Use of the temporary road hereby approved shall cease by 30<sup>th</sup> November 2024 and land shall be reinstated as shown in Landscape Reinstatement Strategy Tech Note Revision C 347168-MML-028-XX-TCNLAN-2000-002

Reason: To ensure an acceptable form of development in accordance with Policies KP5, EN8 7 EN9 of the adopted Cardiff Local Development Plan (2006-2026)

4. 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).

5. 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.

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).

6. 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).

7. No development shall commence until an Ecological Management Plan (EMP) for the provision, management and maintenance of the dormouse habitats associated with the application will be submitted to and approved by the Local Planning Authority. The EMP should include;

Details of habitats present or to be created at the site;

- Details of the desired condition of the habitats present and to be created at the site;
- Details of scheduling and timings of activities over the period of establishment of new habitats and of the long-term management of new and existing habitats;
- Details of short and long-term management, monitoring and maintenance of the features to deliver and maintain the desired condition; • Details of management and maintenance responsibilities;
- Details of the method to review and update plan at 5-year intervals

The EMP shall be carried out in accordance with the approved details.

Reason: An EMP should be submitted to ensure necessary environmental management measures are agreed prior to commencement and implemented to ensure the site's environmental features are adequately managed long term in accordance with Policy EN7 of the adopted Cardiff Local Development Plan.

8. No part of the development hereby permitted shall be commenced until a scheme of construction management plan 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 Ty Coryton House and City Hospice, 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).

9. No part of the development hereby permitted shall be commenced until a scheme of highway works to Park Road and the Whitchurch Hospital entrance, as shown in principle on the approved plans, and the 'low cost improvements' referred to in the application have been designed, safety audited, submitted to and approved in writing by the LPA. The schemes are to 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 schemes. No use of the development shall be made until the approved scheme has been implemented to the satisfaction of the LPA.

Reason: To provide safe commodious pedestrian and vehicle access in the interests of highway safety In accordance with Policies T1 & T5 of the adopted Local Development Plan (2006-2026);

10. No Development shall be undertaken until details of the proposed mitigation and monitoring of the Listed Chapel have been submitted to and approved in writing with the Local Planning Authority. The submitted details and monitoring shall accord but not limited to the Motts Heritage Statement dated August 2020 and 347168-MML-028-XXTCN-LTA-2000-001 Revision A- Potential Vibration Impact Strategy and any barriers shall be designed to ensure that they are not fixed to the chapel and can be removed once this permission has expired. The approved details and methodology shall be implemented no site before the implementation of this permission.

Reason: To ensure that the Listed Chapel is protected during construction activity in accordance with Policies KP5 and KP17 of the Adopted Cardiff Local Development Plan (2006-2026)

**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 :** 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](mailto:SAB@cardiff.gov.uk)

**RECOMMENDATION 5 :** 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 allow a temporary construction access road (TCAR) for a maximum of 4 years, from the existing hospital access on Park Road to the southern boundary of the proposed Velindre cancer centre (VCC) approved under planning reference 17/01735/MJR.
- 1.2 The Environmental Statement (ES) submitted with the application outlines those elements that are proposed, being:
  - The TCAR will provide access for construction vehicles via the current vehicular access at Park Road. Turning into the existing Whitchurch hospital area using the existing internal road network for some distance before being extended northwards to enter the VCC development site. The route of the existing internal roads within the grounds will remain unchanged, however supplementary footways will be provided plus new pedestrian crossings.
  - The junction with Park Road and Whitchurch Hospital entrance will be improved by widening the visibility splay and providing improved pedestrian crossing facilities on Park Road, by relocating the zebra crossing. The junction of the access road to Park Road is also proposed to be improved including a pedestrian island, widened footway, plus tactile paving. The

arrangement, combined with signage and traffic regulation orders will prevent emerging vehicles turning right towards Whitchurch.

- The width of the existing highway through the site is 7m. New footways and pedestrian crossings will be provided along the existing carriageway.
- The temporary construction road will also be constructed to a width of 7m. It includes a footway along its eastern side. The majority of its length (90m) will be finished in crushed stone. This will be permeable allowing surface water drainage through to ground. Both the northern and southern ends of this section will be finished in bituminous flexible surface (17m length either end).
- The proposed route will cross the existing adopted footpath at the southern boundary of the main Cancer hospital development site. This is shown on proposed drawing 347168-MML-027-XX-DWG-CIV-4000-004.
- To create the temporary access from the existing Whitchurch hospital road to the cancer hospital development site will require the removal of existing scrub, but as outlined in the Environmental Statement it is proposed that Environmental enhancement works will be undertaken once the TCAR has become redundant.
- The Environmental Statement states: The exact number of construction vehicles is not known at this stage. However, based on similar developments it is expected that an annual average daily figure of 100 HGV deliveries is likely (200 movements inclusive), with some occasional days where this number will be marginally exceeded.
- Based on a typical 10-hour working day this would equate to 20 HGV movements an hour. All HGV will be routed via the A470 and M4 J32, then either entering the site via the approved northern access or the proposed TCAR, from Park Lane / Pendywallt Road. Access will not be permitted into the proposed TCAR for HGV traffic travelling northwards to the site from Whitchurch village, and it will also not be permitted for HGV traffic exiting the site to turn right and travel south along Park Road towards Whitchurch village.
- The predicted number of deliveries to the site by HGV remains consistent with the previous ES for the VCC, however, it is now proposed that they will be split between the northern access and the TCAR.
- It is proposed that all traffic enters the site via the northern access during morning and afternoon school peak drop off and collection times (0800 – 0915 and 1515 – 1800 Monday to Wednesday, and 1515 – 1600 Thursday and Friday).
- It is also proposed that the northern access is not used during peak retail and retail delivery times (i.e. Saturdays and Thursday and Friday after 1600).

- Traffic will use both accesses though during the day from 09:15 – 15:15.

- 1.3 The current application is supported by an Environmental Statement, and accompanying traffic, noise and air quality assessments and a non-statutory Pre-application consultation report. The submitted Ecological assessments, undertaken by Motts and WSP consultants have been updated from the original submission. These assessments have also considered the proposals impact in relation to the main hospital site.
- 1.4 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.
- 1.5 The land is owned by the Cardiff and Vale NHS Trust, certificate 'B' has been signed and the correct notice has been served on the land owner. In addition Cardiff and Vale Trust have been notified of this application and no objection to the proposal has been received.

## **2. DESCRIPTION OF THE SITE AND AREA**

- 2.1 The proposed site for the temporary construction access comprises some 0.8 hectares of land within the curtilage of the existing Whitchurch Hospital, Whitchurch, and Cardiff. The land comprising the application area is previously developed land, with some 0.5 hectares comprising the existing main vehicular and pedestrian access to the site. An aerial view of the site is included in Appendix A.

The temporary construction road would provide access to the land to the north-west which has outline planning permission for a Cancer Centre, as set out later below.

The Whitchurch Hospital land is Grade II listed on the Register of Landscapes Parks and Gardens of Special Historic Interest in Wales. The closest Grade II listed building is the Whitchurch Hospital Chapel immediately adjacent to the route, and the main Whitchurch Hospital buildings are located approximately 170m from the site's south-east boundary.

Along the adopted highway along Pendwyallt/Park Road are a number residential properties that front onto the roads that will be used by the proposed construction traffic

## **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.

20/01108: Proposed engineering works to longwood drive and the Asda access highway and car park arrangements, enabling access to the proposed Velindre cancer centre. Resolved to grant awaiting WG

### 3.2 Current/undetermined applications on adjoining land:

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 (10<sup>th</sup> 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) 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:

As part of the Transport Assessment submitted in support of the VCC planning permission 17/01735/MJR a number of traffic surveys were undertaken in the vicinity of the development site. The surveys included Automatic Traffic Counts (ATC) and classified manual counts, along with queue surveys, undertaken on Velindre Road, Park Road, Longwood Drive and the Asda access road. The surveys were undertaken during November 2015, March 2016 and June 2016.



For the purpose of the Transport Statement submitted in support of the temporary construction access (this application) only surveys relevant to Park Road were considered. In addition a further ATC was also undertaken between 18 June 2019 and 24 June 2019, between the Clos Coed Hir and the Whitchurch Hospital site access. This later survey provides a picture of the current (pre-Covid19) traffic levels to both benchmark the earlier surveys and feed into the current traffic assessment.

The summarised survey data from the 2019 ATC reveals traffic flow volumes average in the region of 950 vehicle movements per hour in-between the AM and PM peaks; rising to circa 1,250 vehicles per hour during both peaks. The AM peak rises sharply up to 9.00AM before dropping off; while the PM peak is spread over a longer time period and rises more gradually, starting to rise in line with the school pick-up and running into the PM peak. The AM and PM peaks are consistent with each other, both topping out at circa 1,250 recorded vehicle movements per hour, combined two way.

In considering existing traffic flows on Pendwyallt Road and examining historical data, it is noted that traffic volumes appear reasonably consistent over the last 5 years, with no significant recorded growth. Looking at the last 5 years, in 2014 we see 9,975; rising by 982 to 10,957 in 2017; and falling by 936 to 10,021 in 2019. If we simply look at the 5 years as a whole then the recorded rate of traffic increase is less than 50 vehicles, with even the largest recorded increase over 3 years between 2014 and 2017 being less than a 10% (9.8%).

We are advised that the exact number of construction vehicles is not known at this stage. However based on similar developments the applicant suggests an average daily figure of 100 HGV deliveries is likely (200 two way movements), albeit the submission acknowledges occasional days where this number could be marginally exceeded. Based on a typical 10 hour working day (8.00AM to 6.00PM) this would equate to an average of 20 HGV movements an hour (10 in/10 out). All HGV will be routed via the A470 and M4 J32; either entering the site via the approved northern access or from Pendwyallt Road/Park Road. HGV access will not be permitted into the site from Park Road travelling northwards to the site from Whitchurch Village, and similarly HGV traffic exiting the site will not be permitted to turn right and travel south.

Overall the predicted number of deliveries to the site by HGV remains consistent with the ES for the VCC, however it is now proposed that they will be split between the northern access and the hospital access. It is proposed that all traffic enters the site via the northern access during morning and afternoon school peak drop off and collection times (0800 – 0915 and 1515 – 1800 Monday to Wednesday, and 1515 – 1600 Thursday and Friday). It is also proposed that the northern access is not used during peak retail and retail delivery times (i.e. Saturdays and Thursday and Friday after 1600). Traffic will use both accesses though during the day from 0915 – 1515. Tables setting out this schedule of usage are included within the Transport Statement and the ESA Chapter 5.

It is proposed that construction traffic will be split 32 vehicles via the Longwood Drive/Asda Access and 68 vehicles via Pendwyallt Road/Park Road and the improved hospital entrance. As such on the basis of the restricted period indicated above, a maximum average of up to 136 two way vehicle movements are predicted between 0915 and 1515 Monday to Friday. This amounts to a maximum of just over 22 vehicles an hour in both directions, approximately one vehicle every 2.5 minutes bidirectional or one every 5 minutes in a single direction. You will note that by avoiding school peak times not only does construction traffic not interact with the drop-off/pick-up of children, but the limited increase in traffic volume is contained to times when residual capacity is increasing in the AM/not peaked in the PM.

In considering the traffic flow on the wider network (Coryton/A470/M4) it must also be noted that Welsh Government as the Trunk Roads Authority with responsibility for the strategic network, makes no objection to the application or any comments in relation the additional construction related traffic on the strategic highway network.

In addition to improvements to the hospital entrance, it is suggested in the transport statement that a package of low cost safety measures could be undertaken on the public highway, including the removal of pedestrian barriers on Pendwyallt Road. I can confirm that any such measures will be subject to additional detailed design and road safety audit, processes that will be overseen by the Council and secured by condition. It may well therefore be the case that the safety audit does not support the removal of the barriers and they remain in place, this is something that will be determined at the time of audit and in light of the prevailing circumstances at that time.

Notwithstanding any subsequent audit, in light of the above suggestion to remove sections of barrier I have inspected Council highway maintenance record and can report that colleagues have been called out on average once a year over the last 5 years to inspect and repair either barriers or islands on Pendwyallt Road. These call-outs occurred:-

- July 2018 and September 2019, barriers top end of Pendwyallt Road;
- June 2016 barriers at the entrance to the Village Hotel;
- October 2019 and June 2020, trief island at the entrance to the Village Hotel.

This level of recorded incident is not considered to be excessive and as with the STATS 19 accident data discussed elsewhere in my comments, is not considered indicative of underlying design or maintenance issues with Pendwyallt Road or Park Road

With specific reference to what is variously referred to as pedestrian guardrail, pedestrian barrier or pedestrian railings. It must be remembered that these types of barriers are not designed to withstand vehicle impacts, especially from HGVs, and are installed to prevent pedestrians walking into the adjacent road. However it would appear an unintended consequence of the practice of physically segregating pedestrians like this, along with other factors such as

passive safety improvements to cars, has led to increased vehicle speeds, which when combined with increased numbers of vehicles results in a rise in the potential for crush injuries. i.e. pedestrians and particularly cyclists can become trapped between a vehicle and the barrier, particularly when vehicles are overtaking cyclists in traffic or turning into side roads.

Current guidance such as Manual for Street and its companion MfS2 therefore suggests reducing overall vehicle speed and removing pedestrian barriers and other street furniture where it does not serve a specifically identified purpose. By removing these types of barrier pedestrians, who may have walked around the barrier to cross the road or take a short-cut, and cyclist using the road are able to escape onto the pavement to avoid a collision, rather than being prevented from doing so by the barrier.

With respect to school drop-off/pick-up and general issue of pedestrian use of Park Road and Pendwyallt Road. I can confirm that colleagues in Transportation are currently progressing temporary 20mph speed limits in the north Whitchurch area, to include Pendwyallt Road and Park Road between Coryton gyratory and the Velindre Road roundabout. The proposed 20mph limits are initially being implemented to help with social distancing and active travel during the ongoing Covid pandemic. However separate discussions are also ongoing to make the 20mph limits permanent.

I have not sought to individually address all the submitted objections. However will respond in detail to the points raised in the Transport Objections document submitted by the 'Save the Northern Meadow' group, which covers the majority of the reported concerns:

1. *Failure to use up to date traffic assessment.*  
*The data used in the traffic assessment is out of date by at least 4 years.*  
*The only update provided was a single week in 2019 in one site only.*

The historic data we hold on Pendwyallt Road shows that the traffic volume here is relative stable and has not increased significantly since at least 2014:-

2014 = 9,975  
2017 = 10,957  
2019 = 10,021

While it always preferable to use up to date data, the consultant's use of 2015 counts with an applied 10% growth and single ATC is considered robust. You will note that this is supported by the data the Council holds for Pendwyallt Road, above, which indicates traffic growth below 10% over a 5 year period. The use of 4 year old data with an applied growth factor is therefore considered acceptable and does not invalidate the assessment.

2. *Failure to identify which HGV vehicles will be in use.*

*The application fails to distinguish between the various types of HGV vehicles in current use and those proposed being used in the application.*

Assessments do not normally seek to distinguish between the different HGV sub-categories. Nevertheless, from the last classified count we have, this indicates 50 x HGVs (which includes vans >3.5T with twin rear tyres & 2-axle rigid lorries/trucks); compared with 16 x HGVs of 3-4 axle-rigid lorries; 18 x articulated HGVs; as well as 188 x buses/coaches (many of which will be larger than the small HGV the report claims typically use the roads).

While many HGVs along this route may currently be smaller in nature, it is far from all and in any event this is to be expected in most locations around Cardiff where deliveries are of a local nature. However this is not to suggest that it is in any way inappropriate for larger HGVs to use these roads, it must be noted that Pendwyallt Road/Park Road are not minor secondary roads, but part of the strategic highway network Class A-roads designated for such use. There is also no evidence that all construction vehicles will be articulated or of a larger size.

3. *Failure to use accurate and up-to-date collision data.  
The analysis of road traffic accident data is based on incomplete and 2 year old data.*

Crashmap represents the most up to date STATS19 information available at the time of interrogation, and STATS19 is the industry standard and best available source for collision data. The use of Crashmap is therefore considered to offer a reliable and up to date source of records for the analysis of accident trends.

It must be noted that the analysis of accident data in transport assessments/statements is intended to reveal if there are existing accident problems or trends that are likely to be exacerbated by an increase in traffic. Causes of traffic accidents are not confined to volume and are more usually related to highway design, highway condition, traffic speed and other contributory factors. It is therefore overly simplistic to suggest that 2 year old data is an inappropriate base from which to assess the accident trends.

4. *Failure to assess delay on entire transport access area.  
The traffic assessment is inaccurate and incomplete; it fails to include or assess the feeder roads to Longwood Drive and Pendwyallt Road. It fails to assess the issue of HGV vehicle waiting times and fails to consider the need to export waste site material.*

Current traffic data indicates that circa 60,000 vehicles in total use Coryton gyratory on a daily basis. As a proportion of this traffic, an additional 100 HGVs therefore equate to an increase of 0.2%. Of the circa 60,000 daily total vehicles, it is estimated that 3% are currently HGVs, in other words there are currently around 1,800 HGVs using

Coryton interchange each day. An additional 100 HGVs therefore represents an increase of 6%. Which while not insignificant, it is not of concern, particularly given the daily traffic variation at Coryton is taken to be around +/-10%.

It is also noted that Welsh Government, the Trunk Roads Authority with responsibility for the M4/A470/Coryton Gyratory, raises no objection to the application in this respect.

5. *Failure to identify extent of risk to safety to pedestrians & cyclists. The safety assessment is wholly inadequate. It acknowledges the increased risk to cyclists from proposed HGV traffic but mitigates that by the removal of existing safety furniture namely build out kerbs and safety barriers. No assessment is made of the need to address the turning circle outside the Whitchurch Hospital site. No consideration is given to the number of less serious accidents.*

Assertions about the inadequacy of Crashmap are not accepted as explained above.

Regarding the small buildout south of the Park Avenue junction with Park Road. While on the face of it the position of the buildout would appear to offer protection to cyclists emerging from the Park Avenue junction cycle lane, the benefits it offers in this respect are at best limited. As with any junction of this type, cyclist joining Park Road at this point should not do so without first stopping and looking to their right to ensure their way is clear. Failure to do this (stop and check) before joining the main road would not only leave the cyclist with little knowledge of what other traffic was on the road, and therefore vulnerable, but would also put them in a position where they would need to make a further, now unsighted manoeuvre into the stream of traffic at the pedestrian crossing buildout some 15m further south.

Therefore while I would not suggest that this buildout is intrinsically unsafe, as it does offer a limited level of protection to cyclists who chose to join Park Road without first looking to ensure their way is clear, it is an overstatement to suggest that its removal results in an increased risk to cyclists.

Comments in relation the modification of the zebra crossing and hospital entrance seem to suggest a misunderstanding of the proposal and associated benefits. The proposed modifications are:-

- 1) The reconstruction of the existing zebra crossing to current standards with the buildout relocated from the northeast side of Park Road, to the southwest side. The benefits of which include the creation of a pedestrian footway to/from the hospital and waiting area at the crossing on Park Road where none currently exists. Allied to which the relocated buildout provides improvements to visibility between traffic on Park Road and traffic

exiting the hospital, by allowing the hospital exit stop-line to be positioned further forward of its current position.

- 2) The widening of the hospital entrance and installation of a central crossing island, with footway provision into the site and current standard tactile crossing landings will provide tangible improvements to the pedestrian environment. The widening of the entrance will also provide separation between vehicles accessing/egressing the hospital and inspection of the tracking drawings for the new junction clearly demonstrate that articulated vehicles can exit the site within their side of the Park Road, something that is not currently possible.

In respect to the low cost improvements that have been suggested to mitigate some of the concerns expressed in relation to the temporary increase in traffic. As discussed elsewhere in my comments, these are matters that will be subject to further discussion with the applicant and detailed design in collaboration with the Council as Highway Authority. Therefore, while the repainting of road lining and provision of signage is uncontroversial and welcomed, the proposal to remove pedestrian guardrail will necessarily be subject to additional design scrutiny and road safety audit before any action is taken.

## 5.2 The Operational Manager (Shared Regulatory Services: Air Quality):

“In the original VCC EIA, it was assumed that construction traffic would initially access the site from the south, via Pendwyallt Road / Park Road, while a bridge was constructed to facilitate access to the site from the north, thus for a period of 9 months. Following the construction of this bridge, it was proposed that for the remainder of the construction period construction vehicles would access the site from the north via the ASDA car park.

It is now proposed that while some construction vehicles would still access the site from the north, most of the construction vehicles will access the site from the southern access via the M4 and Pendwyallt Road / Park Road for the full duration of the construction period.

As a result of the aforementioned a revised air quality assessment (AQA) has been undertaken to ascertain the likely air quality impacts associated with the amended proposal through its construction phase.

The AQA considers two scenarios;

- 2020 Do Minimum scenario (without the proposed development construction traffic); and
- 2020 Do Something scenario (with the proposed development construction traffic)

As specified by the AQA report;

“2020 has been selected as this is the earliest full year that construction traffic will be travelling to and from the site via the southern access. This is considered the worst-case year as pollutant emission factors and background concentrations improve in future years with improvements in vehicle technology and uptake of cleaner vehicles on the roads.”

The report and assessment utilises best available techniques and applies necessary updates to input values as part of the existing air quality report submitted in 2017.

The air quality assessment considers both human and ecological sensitive receptors;

“A number of human health receptors representing the façades of the closest residential properties on Pendwyallt Road and Park Road have been included within the model so that a comparison against the NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> air quality objectives can be made. These points (referred to as ‘discrete receptors’) have been chosen as they are expected to experience the greatest change in concentrations due to their close proximity to the roads which will be affected by the construction phase.” and

“One receptor has also been included to represent the nearest ecological receptor to the access road to allow for comparison against the NO<sub>x</sub> air quality objective. This receptor is located at the Glamorgan Canal/Long Wood SSSI, approximately 140m to the west of the southern access road.”

As concluded by the report;

“The results from the assessment show that the changes in construction traffic on Pendwyallt Road and Park Road from using this access route is expected to have a negligible air quality impact on nearby sensitive human health or ecological receptors. The predicted concentrations of pollutants at receptors also remain well below the air quality objectives and therefore the air quality impacts associated with the southern access route are considered to be not significant in accordance with guidance set out by EPUK and IAQM.”

I am in agreement with the above concluding comments and on the grounds of air quality do not have any outstanding concerns.

To answer the concerns raised by Ms. Margerison, the appointed consultant has undertaken the air quality assessment correctly, ensuring a conservative outcome. For example, as per my comments submitted to Cardiff’s Planning department, the consultants have updated the existing air quality assessment submitted in 2017 to represent latest figures and include latest datasets and versions of available toolkits designated to improve the certainty of future air quality levels. Furthermore sensitive testing has also been conducted with the use of multiplication factors which will take account of any local influences.

Contrary to objector’s comments regarding the use of background maps, the consultants have correctly utilised recommended techniques to compile the air

quality dispersion model, such as the use of the Department for Environment, Food and Rural Affairs (Defra) national background maps, available on a 1km x 1km resolution. This technique follows best practise guidance in the form of Defra's Local Air Quality Management Technical Guidance (TG16), February 2018, Sub-section; Background Pollutant Concentrations, paragraph 7.67 onwards. These available background maps are used as an input to establish the baseline understanding specifically for each individual receptors. Referring to the attached report the NO<sub>2</sub> baseline value is calculated at each individual receptors location, ranging from 15.5- 21.4µg/m<sup>3</sup>.

The Objector's makes reference to the depicted level of significance with the development in place. As stated by the submitted Environmental Statement, Chapter 8: Air Quality, March 2020;

The maximum predicted NO<sub>2</sub> concentration due to construction traffic is 22µg/m<sup>3</sup> on Pendwyallt Road which is substantially lower than the air quality assessment level of 40µg/m<sup>3</sup>. In accordance with the EPUK/IAQM guidance, it is concluded that construction traffic from the proposed development would result in 'negligible' NO<sub>x</sub> impacts at nearby human health and ecological receptors and therefore is 'not significant'.

As per the received email, from the objectors highlights the above as a "False Statement" whereby the level of significance should be referred to as substantial adverse. I would like to draw objector's attention to the attached report's Table 5: Annual Mean NO<sub>2</sub> predicted pollutant concentrations (µg/m<sup>3</sup>). As correctly depicted by Table 5, in order to assess the level of significance expected by a proposed development, a DO-MINIMUM (DM) scenario is compared to a DO-SOMETHING (DS) scenario. As documented by the table the expected level of increase for NO<sub>2</sub> is projected between 0.2- 0.3 µg/m<sup>3</sup> for all sensitive receptors modelled. Therefore as per the submitted report the appointed consultant is correct to suggest a "negligible" impact at the examined human and ecological sensitive receptors.

To be clear with objector's Air Quality Officer thought it would be useful to show my workings to calculated the documented level of significance. To determine the level of significance, the following EPUK IAQM guidance and included reference tables need to be considered;



## IAQM Guidance, January 2017

Table 6.3: Impact descriptors for individual receptors.

Long term average Concentration at receptor in assessment year	% Change in concentration relative to Air Quality Assessment Level (AQAL)			
	1	2-5	6-10	>10
75% or less of AQAL	Negligible	Negligible	Slight	Moderate
76-94% of AQAL	Negligible	Slight	Moderate	Moderate
95-102% of AQAL	Slight	Moderate	Moderate	Substantial
103-109% of AQAL	Moderate	Moderate	Substantial	Substantial
110% or more of AQAL	Moderate	Substantial	Substantial	Substantial

**Explanation**

1. AQAL = Air Quality Assessment Level, which may be an air quality objective, EU limit or target value, or an Environment Agency 'Environmental Assessment Level (EAL)'.
2. The Table is intended to be used by rounding the change in percentage pollutant concentration to whole numbers, which then makes it clearer which cell the impact falls within. The user is encouraged to treat the numbers with recognition of their likely accuracy and not assume a false level of precision. Changes of 0%, i.e. less than 0.5%, will be described as Negligible.
3. The Table is only designed to be used with annual mean concentrations.
4. Descriptors for individual receptors only; the overall significance is determined using professional judgement (see Chapter 7). For example, a 'moderate' adverse impact at one receptor may not mean that the overall impact has a significant effect. Other factors need to be considered.
5. When defining the concentration as a percentage of the AQAL, use the 'without scheme' concentration where there is a decrease in pollutant concentration and the 'with scheme' concentration for an increase.
6. The total concentration categories reflect the degree of potential harm by reference to the AQAL value. At exposure less than 75% of this value, i.e. well below, the degree of harm is likely to be small. As the exposure approaches and exceeds the AQAL, the degree of harm increases. This change naturally becomes more important when the result is an exposure that is approximately equal to, or greater than the AQAL.
7. It is unwise to ascribe too much accuracy to incremental changes or background concentrations, and this is especially important when total concentrations are close to the AQAL. For a given year in the future, it is impossible to define the new total concentration without recognising the inherent uncertainty, which is why there is a category that has a range around the AQAL, rather than being exactly equal to it.

## Cardiff Council interpretation

Annual Mean Concentration at Receptor in Assessment Year		Percentage Change in Concentration Relative to AQAL <sup>a</sup>				
		0%	1%	2-5%	5-10%	>10%
As % of AQAL	NO <sub>2</sub> /PM <sub>10</sub> µg/m <sup>3</sup> <sup>b</sup>	<0.2	0.2<0.6	0.6<2.2	2.2≤4.0	>4.0
≤75%	≤30.2	Negligible	Negligible	Negligible	Minor	Moderate
76-94%	30.2-37.8	Negligible	Negligible	Minor	Moderate	Moderate
95-102%	37.8-41.0	Negligible	Minor	Moderate	Moderate	Substantial
103-109%	41.0-43.8	Negligible	Moderate	Moderate	Substantial	Substantial
≥110%	≥43.8	Negligible	Moderate	Substantial	Substantial	Substantial

Considering the above and Table 5, drawing upon receptor number 3 for example, the DS result 21.7µg/m<sup>3</sup> is 54.3% of the AQAL set at 40µg/m<sup>3</sup>. The increase from a DM- DS is noted as 0.3µg/m<sup>3</sup>. Using these figures the DS result is <75% of the AQAL and the change in level is <1%, therefore using EPUK's guidance the level of significance is negligible.

From looking at Ms. Margerison's email and workings I can see the use of background map figures only to depict a baseline scenario, which is not specific to the locality of the sensitive receptors modelled. As outlined previously in this

email background figures are used as input values to determine baseline understanding at the specific locality of the modelled sensitive receptors. Also I can see that Ms. Margerison has calculated the expected change to air quality levels as a % of the original value, whereas the guidance states that this % difference need to calculated relative to the AQAL.

It is also important to remember the locality of where the applicable air quality objectives apply. Dispersion modelling undertaken focuses upon air quality objectives defined in Air Quality (Wales) Regulations 2000, No. 1940 (Wales 138) and Air Quality (Amendment) (Wales) Regulations 2002, No 3182 (Wales 298), and examines receptors where these objectives apply;

**Box 1.1 – Examples of Where the Air Quality Objectives Should Apply**

Averaging Period	Objectives should apply at:	Objectives should generally not apply at:
Annual mean	All locations where members of the public might be regularly exposed. Building façades of residential properties, schools, hospitals, care homes etc.	Building façades of offices or other places of work where members of the public do not have regular access. Hotels, unless people live there as their permanent residence. Gardens of residential properties. Kerbside sites (as opposed to locations at the building façade), or any other location where public exposure is expected to be short term.
24-hour mean and 8-hour mean	All locations where the annual mean objective would apply, together with hotels. Gardens of residential properties <sup>10</sup> .	Kerbside sites (as opposed to locations at the building façade), or any other location where public exposure is expected to be short term.
1-hour mean	All locations where the annual mean and: 24 and 8-hour mean objectives apply. Kerbside sites (for example, pavements of busy shopping streets). Those parts of car parks, bus stations and railway stations etc. which are not fully enclosed, where members of the public might reasonably be expected to spend one hour or more. Any outdoor locations where members of the public might reasonably expected to spend one hour or longer.	Kerbside sites where the public would not be expected to have regular access.
15-min mean	All locations where members of the public might reasonably be exposed for a period of 15 minutes or longer.	

5.2 The Operational Manager (Shared Regulatory Services: Noise): No objections subject to construction hours

5.4 The Council's Trees and Landscaping officer states:  
Comfortable with the revised planting plan and tree pit section. However, conditions are required to ensure suitable conditions are provided to allow acceptable long term growth.

5.5 The Council's Ecologist states:

I have considered the submitted information and note NRW comments. The proposed mitigation needs to be considered as part of the main application, which this seeks to achieve. Given its temporary nature and suggested

mitigation I raise no objections, subject to condition.

- 5.6 The Operational Manager (Flood & Coastal Risk Management) has been consulted and no representations have been received. The applicant is having on-going discussions as the proposal will require SAB approval, and a SAB Compliance Statement has been submitted in support of this application.
- 5.7 Conservation Team: Subject to suitably worded conditions, the newly submitted information would seem to overcome the concerns raised relating to the chapel
- 5.8 PROW Officer- No objections to the proposal

## **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: European Protected Species**

We welcome the submission of the following additional and revised information in support of the application:

- New Velindre Cancer Centre Highway Access/Enabling Works Green Infrastructure Management Strategy Adherence Statement (Rev C Oct 2020), prepared by WSP, dated 15th October 2020;
- Technical Note - Draft Dormouse Licence Application Method Statement prepared by WSP, dated 16 October 2020;
- New Velindre Cancer Centre Green Infrastructure Management Strategy, Revision P07, prepared by Mott MacDonald, dated October 2020; • Technical Note 347168-MML-026-XX-TCN-ECO-2000-001 Rev B, nVCC Green Infrastructure – Temporary Construction Access Route, prepared by Mott Macdonald, dated 19 October 2020;
- Technical Note 347168-MMC-028-XX-TCN-LAN-2000-002 Rev C Temporary Construction Access Road – Landscape Reinstatement Strategy prepared by Mott MacDonald, dated 15/10/20;
- Drawing 347168-MML-037-XX-DWG-ECO-2000-005 Velindre Temporary Construction Access Road Replacement Planting Strategy prepared by Mott MacDonald, Rev P5, dated 09.10.2020;
- Drawing 7006687-WSP-XX-XX-DR-GIMS-04 Rev B, Enabling Works GIMS Adherence Statement. Phase 1 Enabling Works Habitat Impact, prepared by WSP, dated September 2020.

The above documents also include information relating to the wider proposals for the site (your reference 20/01481/MJR and 20/01515/MJR). Please note, our observations and advice in this letter relate only to aspects relevant to this application, i.e. the Temporary Construction Access Route.

Dormice Mitigation for dormice to support this application is proposed to include:

- Short term enhancement of retained habitat adjacent to the cleared areas (referenced on Page 21/ Drawing 70066877-WSP-XXXX-DR-GIMS-03 Rev P01, of the GIMS Adherence Statement); and,
- Habitat reinstatement of the construction route (referenced in Technical Note347168- MMC-028-XX-TCN-LAN-2000-002 Rev C Temporary Construction Access Road – Landscape Reinstatement Strategy). In our previous advice, our letter reference CAS-126157-B4X4, dated 14/10/2020, we sought clarification on several matters, notably:
  - The nature of the adjacent retained habitats proposed for enhancement;
  - Long term management of re-planted and enhanced areas; and,
  - A long-term commitment to species and habitat monitoring. Further information to address these matters, including a draft Dormouse Licence Application Method Statement, has been submitted.

We consider this, and the other documents, provide clarity on these matters. In terms of enhancement, we welcome the clarification of the nature of the adjacent habitat set out within the Method Statement.

Although Table 2 describes this area as ‘optimal’ for dormice, further clarification is given in Table 4 ‘Habitat Creation and Enhancement Opportunities’ which provides evidence for the potential to enhance these areas. We are therefore satisfied that enhancements are possible in this area and will discuss the further detail of such enhancements, and their timing, as part of the EPS licence application.

With regard to long term management, in our letter reference CAS-126157-B4X4, we advised that ‘the GIMS is amended to cover the long-term safeguard and management of such areas of mitigation/compensation dormouse habitat’. In this context, we note and welcome that Figure 5 of the Dormouse Method Statement and selected parts of the Adherence Statement confirm that retained habitat within the red line boundary within Zone 3 around the TCAR will be ‘subject to a management programme (minimum 30 years)’. With regard to species and habitat monitoring we also welcome that section F.2 of the Dormouse Method Statement refers to ‘A monitoring programme of 30 years.’ This information allows to re-consider our earlier position.

### 6.3 Cadw:

#### National Policy

Applications for planning permission are considered in light of the Welsh Government’s land use planning policy and guidance contained in Planning Policy Wales (PPW), Technical Advice Notes and related guidance.

PPW planning-policy-wales-edition-10. explains that It is important that the planning system looks to protect, conserve and enhance the significance of historic assets. This will include consideration of the setting of an historic asset which might extend beyond its curtilage. Any change that impacts on an historic asset or its setting should be managed in a sensitive and sustainable way.

The conservation of archaeological remains and their settings is a material consideration in determining a planning application, whether those remains are a scheduled monument or not. Where nationally important archaeological remains are likely to be affected by proposed development, there should be a presumption in favour of their physical protection in situ. It will only be in exceptional circumstances that planning permission will be granted if development would result in a direct adverse impact on a scheduled monument (or an archaeological site shown to be of national importance).

Technical Advice Note 24: The Historic Environment elaborates by explaining that when considering development proposals that affect scheduled monuments or other nationally important archaeological remains, there should be a presumption in favour of their physical preservation in situ, i.e. a presumption against proposals which would involve significant alteration or cause damage, or would have a significant adverse impact causing harm within the setting of the remains.

PPW also explains that local authorities should value, protect, conserve and enhance the special interests of parks and gardens and their settings included on the register of historic parks and gardens in Wales and that the effect of a proposed development on a registered park or garden or its setting should be a material consideration in the determination of a planning application.

#### **Scheduled monuments:**

GM013 Llandaff Cathedral Bell Tower, GM017 Twmpath, Rhiwbina, GM073 Old Bishop's Palace, Llandaff, GM097 Wenallt Camp, Rhiwbina, GM115 Cross in Llandaff Cathedral, GM180 Llwynda-Ddu Camp, GM206 Castell Coch, GM256 Morganstown Castle Mound, GM312 Melingriffith Water Pump, GM427 Cooking Mound East of Taff Terrace.

This planning application is for a 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, at Whitchurch Hospital, Park Road, Whitchurch.

The above scheduled monuments are located inside 3km of the proposed development but intervening topography, buildings and vegetation mean it is unlikely that the proposal will be inter-visible with the scheduled monuments. Therefore it is unlikely that there will be any effect on the settings of the scheduled monuments.

## Registered Park & Garden:

PGW (Gm) 66(CDF) Whitchurch Hospital (grade II)

The proposed development is located inside the boundaries of the registered Whitchurch Hospital historic park and garden. It is likely that the proposed access road, including the highway improvements and alterations to the Whitchurch hospital entrance, the proposed new junction and the road between the existing internal road and the site boundary will have an adverse impacts on the registered historic park and garden. These adverse impacts will be a material consideration in the determination of this application (see Planning Policy Wales 2018 section 6.1.19) but CADW raise no objections to this proposal

### 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.

## 7. REPRESENTATIONS

7.1 The application was advertised by way of neighbour notification letters, site notices and advertisement in the local press. An initial 605 letters of representation have been received which object to this application. These are summarised below:

1. *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;*
2. *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.*
3. *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.*

4. *With reference to the air quality support document: Temporary Southern Access Route objectors find it difficult to accept the findings within the report and to the overall conclusion, that the effect of an extra 200 HGV passes/day at a particular location will be Negligible. Is plainly absurd. It's the objectors' opinion that the report is extremely selective in the acquisition and use of data and it fails to deliver a fair and balanced view of the actual issue.*

*There are a number of anomalies. The MM assessment refers to NO2 levels (Table 2) with reference to DEFRA background concentrations (2020) as being 17.3 µg/m<sup>3</sup> but in contrast a document commissioned by Cardiff Council (Clean Air PDF document) refers to PCM baseline results which have been forecasted by DEFRA using the national Pollution Climate Mapping (PCM) model as*

	2015	2021
A4054	19.1	15.0 µg/m <sup>3</sup>

*The PDF document goes on to state: Local baseline results have been produced using more accurate and local data to forecast local NO2 concentrations on these road links. These results are considered more accurate and reliable than the PCM results. The results forecasted to 2021, are the levels of NO2 that would be expected on these roads if the Council did not implement any measures to reduce air pollution. Local Baseline CASAP*

	1	2	3
2015	2021	2021	2021
A4054	25.3	19.5	19.1 19.2 17.92 µg/m <sup>3</sup>

*A document issued by Cardiff Council, a Clean Air Feasibility Study (2018) recognises the limitations of DEFRA results, referring to Clean Air Zone (CAZ) analysis, by stating it should be noted that the previous assessments undertaken by DEFRA which demonstrate that a CAZ achieves compliance is based on the initial PCM modelling results. As discussed earlier the local modelling results have projected different results in terms of the road links showing non-compliance compared to the PCM modelling and therefore the impact of a CAZ in achieving compliance needs further assessment and review.*

*The entire pollution modelling exercise is called in to question and cannot be deemed reliable. Not only that but as well as the analytical model used attempts to take into account any uncertainty it does not consider the conditions that exist in this particular application.*

*Atmospheric dispersion modelling is used as a way of representing a possible emission forecast but we have no way of knowing what parameters are set for the analysis to be relevant to this situation or the unique set of circumstances that we have here. Can we say for example that the algorithm includes for the periodic passage of vehicles in a consistently regular way or an irregular way; in convoy; or other scenarios whereby the vehicles are static with idling engine emissions*



*and what affect conditions of extreme cold (winter); or extreme heat (summer); or downdraught?*

*In addition to this the report cannot be interpreted in the full context of human health as a contributor, where other factors work in conjunction to influence the triggers of respiratory complaints with these additional emissions becoming a nett contributor to the region. Neither does it have to be long term exposure:*

*Scientific evidence links short-term NO<sub>2</sub> exposures, ranging from 30 minutes to 24 hours, with adverse respiratory effects including airway inflammation in healthy people and increased respiratory symptoms in people with asthma. Studies also show a connection between short-term exposure and increased emergency room visits and hospital admissions for respiratory illnesses.*

*The current Cardiff and Vale University Health Board statement shows:*

*The main pollutants of concern today are nitrogen dioxide (NO<sub>2</sub>), and particulate matter (PM<sub>2.5</sub> and PM<sub>10</sub>).*

*The primary source of both pollutants is vehicle emissions, especially those from diesel vehicles, although there are industrial, agricultural and domestic sources too.*

*Exhaust emissions continue to be produced when diesel or petrol vehicles are stationary and the engine is on, and traffic congestion tends to worsen emissions.*

*Deaths from particulates increase steadily with exposure for over 65s, even at concentrations below the current WHO guidelines and EU legal levels, for both short-term and long-term exposure.*

*They go on to state: Levels of NO<sub>2</sub> in Cardiff and Vale residential areas are the highest in Wales.*

*And also: Particulate matter (PM<sub>2.5</sub>) pollution is also higher in Cardiff and Vale than all other LHB areas in Wales many more people are affected by air pollution exposure beyond these localised hotspots An alarming BBC report (Oct 2019), although not specific to Cardiff, revealed the following: Higher air pollution in the UK trigger hundreds more heart attacks, strokes and acute asthma attacks each year, research suggests.*

*Cardiff has the highest annual average concentration, weighted for population, among local authority areas, at 9.5 Âµgm-3. Due to the levels of air pollution, there are currently four statutory air quality management areas (AQMA) designated in Cardiff, and one in the Vale (see Box 1).*



*Because of the characteristics of particulate pollution, evidence suggests there is no safe threshold, so it is likely that the calculated days with above average pollution levels would see an extra 124 cardiac arrests over the year.*

*On days with high pollution levels, across the nine cities in total, they calculated that there would be a total of 231 additional hospital admissions for stroke, with an extra 193 children and adults taken to hospital for asthma treatment.*

*This proposal creates a unique set of circumstances which is unacceptable and could not possibly be modelled by an off the shelf mathematical algorithm, industry standard or not. It requires approval of 200 HGV passes / day as an average figure (in and out). On occasions this will mean some days less some days more. But, its more than just NOx and NO2. Emissions from vehicle exhausts are a significant source of air pollution. Air pollutants in vehicle emissions include:*

*carbon dioxide  
carbon monoxide  
fine dust particles  
nitrogen oxides  
unburnt hydrocarbons.*

*All of them are triggers for various health issues. Anyone dependent or in need of an inhaler, for example, will tell you that it only takes a single breath of a polluted volume of air to trigger a reaction.*

*The fact is that the area will be exposed to 100 HGV emissions / day of the type required for a construction site with all of the necessary movement and manoeuvres that go with it. A survey issued by Government statistics 2018 - A report presenting information on volume of traffic by type of vehicle and class of road for 2018. First published: 21 August 2019 - Last updated: 21 August 2019 showed the A4054 road Locus in as having 39 HGV / day. The proposal to increase that quantity by 100 HGVs more is unacceptable and intolerable to this community.*

*Epidemiological studies have shown that long-term exposure to air pollution (over years or lifetimes) reduces life expectancy, mainly due to cardiovascular and respiratory diseases and lung cancer. Short-term exposure (over hours or days) to elevated levels of air pollution can also cause a range of health impacts, including effects on lung function, exacerbation of asthma, increases in respiratory and cardiovascular hospital admissions and mortality (Ref: Public Health England Guidance Published 14th November 2018).*

*It then also begs the obvious wider question of on-site emissions (pollution), the proposed site being the ultimate destination of all these vehicles. It creates a situation where these vehicles will be an additional contributor to the on-site pollution sources of all idling and operating machinery such as diesel generators, earth moving machinery, cranes etc. The problem becomes particularly more concerning when it is contained. For proposed construction work within the old railway cutting (old Cardiff Railway route) the proposed work/emission zone is confined by steep embankments, both sides and overhead by a canopy of trees. It has a microclimate of its own and under such circumstances whatever pollutants are discharged would be contained and not readily dispersed to atmosphere. The conditions for proposed working personnel, wildlife and the environment in general require thorough investigation and would be a matter of great concern for Coryton School and for those residing above the cutting on the Hollybush Estate.*

- 5. 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.*
- 6. 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.'*
- 7. 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 needed outdoor space for the elderly residents of the Hollybush Estate.*
- 8. 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.*

10. *The increased construction period 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.*
11. *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,*
12. *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.*
13. *The proposal fails to meet the Climate emergency declared by both Cardiff Council and Welsh Government*
14. *This application should not be determined until the Senedd enquiry.*
15. *The proposal would harm the listed Chapel and the historic Park: the proposed mitigation is not considered to protect these key community assests.*

7.2 A petition of 365 signatures has been submitted by the 'Hollybush Estate Tentants and Residents Association that objects to the proposal on the following grounds:

- *Goes against the principles set by planning application 17/01735/MJR in that construction traffic was to use the northern access after 9 months;*
- *Impact of HGV traffic on the local road network*
- *Noise, dust & vibration from the traffic;*
- *Road safety- the loss of barriers in close proximity to Coryton Primary school would harm the safety of school children;*
- *Air Quality- would breach acceptable safey limits request an independent assessment is undertaken;*
- *Impact upon the Listed buildings within Whitchurch hospital and listed gardens*

- 7.3 A 417 signature petition has been submitted by Save the northern Meadows group. This petition also relates other applications (ref. 20/01108/MJR & 20/00357/MJR) This petition was received after Hollybush Estates petition.
- 7.4 A c.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', gives no planning reference number, does 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.
- 7.5 In relation to the latest ecological amendments an additional 70 representations have been received that object to the submitted amendments and are summarised below:

*As a principle both these planning applications (and others) are continually having documents added immediately AFTER the Neighbour Consultation Expiry Date has expired. e.g. for 20/01481/MJR the developer has added to 22 documents on 20th October and for 20/01110/MJR 18 documents were added on 20th October. This means that the general public (with no experience of planning applications) have only 2 weeks to research through 40 documents to identify changes and object.*

*This is fundamental violation of the community as we entered into a 'firebreak' lockdown for almost the total duration of the consultation period. This council has clearly disregarded all obligations towards the mental health of the people of Whitchurch and Cardiff, as it recklessly pursues planning applications during this distressing period.*

*Further, it has allowed the developer to continuously submit documents months after the applications closed, meaning the community has been forced on at least two occasions to object to documents which were never to be used.*

*In documentation there are an estimated 160 HGV's needed for construction purposes on a daily basis. ASDA have stipulated they will only allow 4 HGV's per hour via the northern access and not during their peak time, (eg after pm mon-fri and not at all on a sat. That equates to 32 HGV's via northern access*

- *That means 128 vehicles will need to access and leave via the southern entrance. That is in excess of 250 HGV's per day on an already congested road.*
- *They will be using the Pendwyallt Rd and Park Rd daily for 48 months*
- *Construction traffic will cause undue congestion due to the need to cross oncoming traffic coming from Whitchurch Village to get to both access roads. There does not appear to be any mitigation plans for traffic control for the residents off Park Avenue (up to 200 residential dwellings). Park Avenue is directly opposite Whitchurch hospital entrance. They will be directly affected by construction traffic entering and exiting the southern access route.*

*This will directly harm children as there are proposals to remove railings on Pendwyallt Road. This would be an unacceptable violation of the social contract between the council and local people, who would be placed at significant risk of collision between HGV, pedestrians, or cyclists*

#### *VELINDRE - LANDSCAPE STRATEGY REPORT REV C <sup>[L]</sup><sub>[SEP]</sub>*

- *TPO trees already removed by developers – Who has done this? <sup>[L]</sup><sub>[SEP]</sub>*
- *“TCAR Southern extent (Area C) - Removal of 51 young to semi mature hornbeam trees”*

*In order to uphold the biodiversity duty, this cannot occur as it is impossible to replace mature trees. Further, it is incredibly difficult to grow trees in man made areas, and they should be preserved where they exist in a healthy context. This will support the city in applying the ‘One Planet Plan.’*

#### *GIMS STATEMENT REV B (2)”, “Direct TCAR”*

*“this calculation has identified a greater loss of habitat” due to changing the course of the southern access.*

- *If there is increased biodiversity loss on the amended route, the original route should be pursued.*

*How can the committee pass a plan which has barely addressed any of the key statutory issues which could cause air pollution in the community, violate the view from the flat and the nature reserve, changing the sense of place in violation to the Historic Environment Wales Act?*

*These submissions barely address the key issues which shall directly impact upon the development and local community. As a result, they should be rejected.*

#### *Listed Buildings in grounds - Chapel*

*You will note that they have labelled the road as 'existing 2 way road'. This is also the case in 20/01515/MJR.*

*The road is in fact slightly wider than one vehicle wide, currently operating as a one way system for cars using the parking facilities or attending the City Hospice. Yet plans envisage vehicles using this road for two way journeys. The road is certainly not wide enough to take 2 HGV's side by side. Any individual conducting a site visit would ascertain this, and identify this application as a farce.*

*Please note, the road is running directly alongside the side of the Chapel - there is NO space between the road and chapel. It will certainly be destroyed by passing vehicles.*

#### *5 Vibration Mitigation*

*It is recommended that the following mitigation measures be considered: .*

*The road surface within 10m of the chapel should have any irregularities repaired or have a new surface overlay to the entire existing surface:*

- If practical removal of the existing surface, other than loose elements, should be avoided;*
- If practical no Vibratory Roller be used within 10m of the chapel, or their use minimised and should be avoided;*
- If practical concrete, barriers should be placed to limit vehicles passing too close to the chapel;*
- Review of a one way system adjacent to the Chapel to offset the construction vehicle movements away from the Chapel;*
- A speed limit of lower than 20mph be set on the TCAR.*

*Have they given CADW satisfactory assurances how they plan to achieve all the above mitigation?*

*Conducting vibration measurements on day one is too late.*

*200 HGV journeys per day for 4 years is 208,000 HGV JOURNEYS. RIGHT NEXT TO A LISTED BUILDING*

*Whitchurch Hospital Historic Garden*

- There is a statutory obligation to respect and maintain historic gardens as they are. This construction shall result in the destruction of these historic gardens due to the envisaged regular passage of HGVs throughout the site.*
- Although the developer states this shall not be the main access, their facts say differently. They state in 20/01515/MJR only a maximum of 20 vehicles a day shall use the main access at Asda, meaning at least 80 HGVs shall pass through the historic garden a day.*
- As a result, this will fundamentally damage the garden, altering the curved edges of the bowls green, impede on the rugby pitch, likely destroy the gateway on park road, and result in the destruction of the chapel as highlighted above.*
- Therefore, this application violates the future generations act, especially in regards to the sense of place which must be protected.*

7.6 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

7.7 Local Ward Members have been consulted and Councillors Morgan, Rees and Phillips object to this application on the following grounds:

- Support the objections raised by residents;*

- *Our objection to 20/01110/MJR, the temporary construction access route is more fundamentally linked to the absolute disregard of resident health and safety implied in documentation directly, and indirectly in the applicant seeking to make this change*
- *The opposite must therefore be considered true; requesting permissions to being the traffic along these roads because of the failed negotiations with Asda will have a negative impact; one the residents should not have to bear simply to save the applicant budget. This is what it comes down to – the applicant wishes to save budget by blighting the lives of residents. Planning laws we hope will protect residents from this.*
- *Ward councillors were asked by VCC for ideas on where construction lorries could be ‘stacked’; an admission that a carefully tailored arrival / departure plan would not always go to plan. On a road that is already considerably backed up, in fact causing tail backs onto Kelston Road, Velindre Road and Penlline Road most afternoons and early evening time, this cannot be considered acceptable, to put 200+ construction vehicles into an already loaded arterial route, through residential areas.*
- *The environmental impact statements made in the planning application documents have been challenged in a letter to you from L Margerison, dated 8th May 2020. This letter suggests variously that inaccurate information has been supplied, incorrect data used as baselines for calculations, current environmental analysis has not been used (2017 not 2020) and selective data used (access point at Park Road where emissions are lower than half that further up the road). This is not acceptable. We have a Health Board potentially misleading, if the content of that letter is correct.*
- *We would ask planning officers to consider the merits of the statements made by L Margerison, and if these are upheld to summarily refuse this application. Further evidence of the absolute disregard to individual’s health and safety, by Velindre, is shown in the Environmental Statement Vol2: Appendices and Figures Chapter 5: transport. At 7.33 the document states “However, there are some low-cost improvements that can be achieved to mitigate some of the concerns as a result of the temporary increase of HGV traffic along the route during the construction programme.” Note low-cost; the concerns that follow only warrant low-cost mitigation.*
- *At 7.34 it states “The removal of guardrail in the vicinity of the Pendwyallt Road / Village Hotel junction and Pendwyallt Road / Whitworth Square junction to reduce the risk of crushing/collision incidents with cyclists; and” This is despite acknowledging at 7.29 that Park Road and Pendwyallt Road benefit from features that make the road safer for pedestrians and cyclist, yet at 7.34 suggest these safety measures are removed not to remove the risk of Crushing/collision incidents with cyclists but to reduce the risk only.*
- *At 7.35 Velindre suggest this downgrading pedestrian safety to reduce the new risk of crushing cyclists, and for it to be paid for by section 106 money that ordinarily makes nett improvements for residents. This is a shameful*

*disregard for residents health and safety and alone should be enough for the application to be refused.*

- 7.8 Anna McMorrin, Member of Parliament for Cardiff North 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.*

*Concern is also raised in relation to air quality and impact upon residential properties traffic congestion and the safety of children and cyclist’*

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

*I am writing in my capacity as Member of the Senedd for Cardiff North regarding concerns that have been raised with me by constituents about the 20/01110 planning application.*

*The concerns fall into several broad categories which I address below.*

#### *Traffic*

*The main arterial roads into Whitchurch from the north, Pendwyallt Road and Park Road, are known by local residents and road users as being extremely busy, especially at certain points during the day. I understand that approximately 14,800 vehicles use Park Road every day. Constituents are concerned that the construction of the new Velindre Cancer Centre is expected*



*to bring an extra 100 heavy goods vehicles along these roads to the temporary southern access route each day until November 2024, with 160 extra vehicles expected during the busiest points during the first 12-18 months of construction.*

*I have received assurances that Velindre has taken local residents' concerns on board and that therefore some of the roads will not be used during school peak times, Saturdays and Sundays, but local residents are still concerned that an increase in the number of vehicles on the roads, especially heavy goods vehicles, will further add to the congestion already felt on these roads.*

*Indeed, the construction of the temporary access bridges will also bring increased traffic, with 20 extra vehicles expected each day until the bridges are completed, as noted within the Initial Construction Environmental Management Plan (31 July 2020).*

*Concerns have also been raised with me about plans to remove railings along Pendwyallt Road near Whitworth Square and I am concerned that this will have an impact on the safety of pedestrians, particularly parents and young children walking to and from Coryton primary school.*

*I note that under the plans the entrance off Park Road to the old Whitchurch Hospital will be widened to allow for HGV access. Velindre has said it will reinstate the old gatepost ('pier') at this point (this was damaged by a vehicle previously) and it will use like-for-like or original materials. This will ultimately have a positive visual impact on the entrance to the old hospital.*

*I note that the southern temporary access road will enter the northern meadow by crossing a wellused footpath which runs from the Hollybush Estate south west towards the Melingriffith canal. I would want to seek assurances that it will be safe for pedestrians to continue to use this path, that there will be enough visibility for lorry drivers to see walkers on the path and that pedestrians will have right of way over construction vehicles.*

*I welcome the addition of zebra crossings across the southern access route within the grounds of the old Whitchurch hospital which will have HGVs passing through.*

### *Air pollution*

*The concerns constituents have around air pollution go hand-in-hand with the expected increase in traffic around the construction site.*

*Constituents are concerned about the impact of 100+ heavy goods vehicles passing their homes each day to access the temporary southern access route (TCAR) will have on the air quality of local residential and primary school areas.*

*I am pleased that more work has been undertaken to establish the impact of increased traffic on Park Road and Pendwyallt Road on air quality, and that an Air Quality Assessment addendum was added to 20/01110/MJR which specifically looked at air quality and the temporary southern access route. I note*

*that the assessment concluded that 'the construction traffic from the proposed development would result in 'negligible' impacts on NO2 across all modelled human health receptors and therefore is considered 'not significant'.*

*Constituents have also raised their concerns about the levels of dust that will come from the sites when the temporary access roads and bridges are constructed, and how this will affect air quality in the area. This is likely to be a particular problem during the summer when local residents rely on opening their windows and doors to cool down. Constituents fear that they will not be able to do this when construction starts.*

*It will be important, throughout construction of the temporary access roads and bridges, 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.*

*In terms of the dust and dirt that the construction phase will inevitably bring, I note Velindre's Construction Environmental Management Plan of August 2020 which says that dust and dirt will be washed off the wheels of lorries before they exit the site (Initial Construction Environmental Management Plan, 31 July 2020, section 2.7).*

*I would hope to receive assurances that this will be done on an ongoing basis throughout the construction period.*

### *Environmental impact*

*Constituents have also raised with me their concerns surrounding the impact on biodiversity and the environment when the temporary access road to the south of the site and the temporary bridges (accessed via the old railway cutting) are built.*

*I understand that the new proposed temporary access road ('Direct TCAR') is to follow a more direct route from the old Whitchurch hospital rather than the previous 'dog-leg' route but that this will entail removing more trees and vegetation than had been previously anticipated.*

*In the technical note (347168-MML-026-XX-TCN-ECO-2000-001, Rev A) dated September 29 Velindre says that despite this greater loss of habitat, "the compensatory improvements to the planting is greater than would be the case if the original 'dog-leg' access route was used" (Green Infrastructure Management Strategy, October 2020).*

*In order for the temporary access bridges to be built, I understand that a significant number of trees will need to be felled, vegetation cut back and scrubland lost. 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'.*

*The updated GIMS document in October 2020 notes that, “lines of protective fencing will be installed to prevent damage from construction traffic. The installation of tree protection fencing will be supervised by a qualified arboriculturalist.”*

*I welcome the requirement that an arboricultural consultant has to be present before any tree root severance can be undertaken during excavation works and welcome the greater attention to detail included in the amended GIMS Adherence Statement formulated in response to NRW concerns in respect of protection of wild life habitat, in particular provision for dormice - 20 nest boxes are to be provided.*

*However many 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.*

*I do however welcome Velindre’s plans for the “complete eradication of non-native invasive plant species within the planning application site boundary.”*

#### *Pedestrian access during construction*

*I note that certain well-used paths will be temporarily off limits to pedestrians during construction – for example the old railway cutting will not be accessible while construction takes place. I have previously asked that pedestrian access from the Hollybush estate to the meadow is maintained. I note that during construction this will necessitate a detour along the south eastern footpath towards the canal and then north into the meadow.*

*I have detailed the concerns about pedestrians using this path where the temporary construction route enters the meadow in the section of my letter: Traffic.*

#### *Historic chapel at Whitchurch Hospital*

*Constituents have raised with me the issue of hundreds of HGV lorries passing the Grade II-listed old chapel in the old Whitchurch Hospital Grounds. The route will pass right in front of the chapel. In its technical note (REF 347168-MML-028-XXTCN-LTA-2000-001, Rev A dated August 18, 2020 Velindre states: “There is the potential for negative impact, including cosmetic damage, to the Grade II listed Chapel from vibration from the TCAR.”*

*I note that Velindre has addressed the issue of vibration damage to the chapel with a series of mitigation measures – set out in the above document. Also I would seek an assurance that the proposed 20mph speed limit for construction vehicles on the temporary access road is strictly monitored.*

*However many constituents and I remain concerned about this listed building and would seek further assurances that vibration levels at the chapel will be monitored at frequent intervals during the whole construction phase to ensure the chapel is not damaged. It will be vital to survey the condition of the chapel*

– including making sure there is photographic evidence – before work commences.

*I would be very grateful if my constituents' views outlined above could be taken into consideration when planning application 20/01110/MJR is considered.*

## 8. **ANALYSIS**

8.1 The application before Committee is described as:

***“Temporary construction access route for the construction of the approved velindre cancer centre, for 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”.***

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 must also be noted that given the description of development i.e. for a temporary and time limited permission, that the concerns regarding the proposal becoming a permanent facility cannot be considered in weighing the merit of the proposal.

8.2 Primary material planning factors to consider for this application are:

- The impact upon Listed buildings and Historic Gardens
- 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 Listed buildings and Historic gardens**

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, when assessing development which affects a listed building or its setting, special regard shall be paid to the desirability of preserving the building or its setting or any special architectural or historic interest it possesses. This approach supported by Policy EN9 of the Adopted LDP, which makes clear that development relating to a listed building or its curtilage structures will only be permitted where it can be demonstrated that it preserves or enhances that asset's architectural quality, historic and cultural significance, character, integrity and/or setting. The submitted Environmental Statement recognises the importance of the Listed Buildings and Historic Parks and additional information outlined below, provides the LPA with sufficient information to be able to consider its legal requirements outlined above and policy consideration

Listed Building (Chapel)

Additional, material has been submitted in Mott MacDonald's Heritage

Statement August 2020 and Technical Note (reference 347168-MML-028-XXTCN-LTA-2000-001) notes that the HGV traffic will pass, in close proximity, to the Grade II listed chapel and has considered the likely impact. The reports recommend monitoring and vibration mitigation.

These mitigations have been considered by CADW (Historic & Parks and Gardens) and the Council's Conservation Team and are in principle acceptable subject to requirement by conditions. The conditions will ensure that the Listed Chapel is protected from the development but that the mitigation is temporary in nature.

#### Historic Park and Garden

Committee will also note that a pavement is proposed that links the Chapel to Park Road and that a layby will also be constructed. These changes are proposed to remain after the temporary access is removed and have been considered on that basis. It is considered that there will be minor incursion into the historic park but given the wider benefits to create a sustainable route to the chapel it is not considered to harm the setting of the Whitchurch Hospital listed park.

It is concluded that the proposed mitigation is proportionate to the likely impact and that the proposed mitigation would satisfy the requirements of Policies KP17 & EN9 of the adopted Cardiff Local Development Plan, which seek to ensure development proposals demonstrate that they preserve or enhance that asset's architectural quality, historic and cultural significance, character, integrity and/or setting of any listed buildings and historic environment.

Additionally, the submitted reports also indicate that the pillar to the hospital's entrance will be preserved and reinstated as part of the proposals, this is welcomed as the entrance to the hospital is considered a key feature of the complex. The details will be subject to the approval of listed building consent.

#### **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 It is recognised that planning permission (17/01735/MJR) has granted consent for the existing access off the Whitchurch hospital internal road and along the existing dogleg to be utilised for construction traffic but that permission was limited in the number of HGV movements (20 per day) and time limited (9 months). This proposal results in a greater number of HGV vehicles and other vehicles along the public highway into the Whitchurch hospital site and for a longer period.
- 8.4.3 The key sensitive receptors along the route are the existing housing sited along the existing public roads and the City Hospice (which provides palliative care but it is not a bedded unit). The hospice would be sited approximately 31 metres from the proposed access. The applicant has submitted that the hours of

operation would align with the statutory hours for construction activities outlined in S60 of the Control of Pollution Act 1974 i.e. not audible between 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays and not at any time on Sunday or public holidays and these are acceptable for the residential dwellings on the public highway. However, given the close proximity of the City Hospice it is considered that additional requirements such as providing 'prior notification' to the Hospice be required, this matter can be considered and agreed by means of a Construction and Environmental Management Plan (CEMP) condition.

- 8.4.4 It is concluded that, subject to condition 8 of the recommendation, that the proposal would not have any undue impact upon the amenity of neighbouring occupiers in the area by virtue of unexpected; or inappropriate levels of noise at unreasonable hours, and can accords with the principles of Policy KP5 and TAN 11 (Noise).

## **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 Concern raised by the objectors are noted and have been considered by the Council's Transportation section and Welsh Government (Transportation) and based upon the submitted information it is considered that the proposed traffic movements for the duration of the construction period of 4 years can be accommodated on the adopted highway without causing a detrimental impact upon the highway network or pedestrian and cycling movements.
- 8.5.3 The application seeks alterations to the public highway to aid access to and from the site, these proposals are considered acceptable, in principle, but will require technical approval from the Council's Highway Section
- 8.5.4 For the above reasons, and the advice contained in Section 6 of this report, it is considered that the proposals, subject to conditions, 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 subject to their recommended conditions, raise no objection. 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 area is in general, defined as scrub land, however, scrubland does have ecological value and this has been assessed by the applicant and summarised in the submitted Mott MacDonald Technical Note reference 347168-MML-028-XX-TCNLAN-2000-002 Rev B which has assessed the site within 3 core areas of central, southern & northern and defines these as follows:

*“TCAR Central area: The primary measures which provide statutory protection to trees are Tree Preservation Orders (TPOs) and Conservation Area (CA) status. Following a study of the Cardiff City Council’s (CCC) online mapping portal it was confirmed that there are TPOs contained within, and in close proximity to, the proposed works area but that the site is not located within a CA. The TPO trees effected by the Scheme were made by CCC in 1995 under reference ‘TPO 225’ and refers to sycamore and willow trees, referenced in the Order as; T161, T162, T162, T164, T165, T166 G23, G24, G25 and W02.*

*However, the area encompassing the TPOs was reportedly cleared for earlier construction works, but no evidence has been able to be obtained to confirm the exact removal date and reason for removal with Technical Note Mott MacDonald 2 anecdotal evidence suggesting the area was used as a spoil area. All that remains now is an area of scrub and young natural regrowth, predominantly consisting of buddleia (*Buddleja davidii*), goat willow (*Salix caprea*) and grey willow (*Salix cinerea*). These trees are too young to have been part of the 1995 TPO.*

*TCAR Southern extent: At its southern extent, the creation of the TCAR will result in the removal of 51 young to semi mature hornbeam trees (*Carpinus betulus*). These trees currently form a visual screen north of the existing hospital site.*

*TCAR Northern extent: At its northern extent, the creation of the TCAR will result in the removal of 23 trees and include four dead trees, eight holly (*Ilex aquifolium*), five sycamore (*Acer pseudoplatanus*), two willow (*Salix spp*), two elder (*Sambucus nigra*), one blackthorn (*Prunus spinosa*) and one ash (*Fraxinus excelsior*). Also rose, ivy and bramble scrub. “*

The proposed mitigation, as outlined on plan reference 347168-MML-037-XX-DWG-ECO-2000-005, show replacement planting of appropriate species and size to create, over time, a natural woodland. The proposed numbers of tree replacement is 616. This is broken down as follows: x6 of these will be ‘heavy standards’, i.e. ‘specimen’ trees with a clear stem and some immediate landscape impact. These will comprise x4 *Quercus petraea* (sessile oak) and x2 *Tilia cordata* (small leaved lime), both of which are very large, very long-lived natives. These will be planted at sufficient spacing to ensure they will achieve maximum canopy spreads – the result ultimately should be conjoined canopies forming a continuous corridor following the TCAR route – since the trees will have optimal access to light they should produce lots of seed and consequently

may serve as 'seed trees' to enable natural seeding and new trees elsewhere in the vicinity. This approach is supported by the County Tree Officer.

The remaining trees will comprise 295 *Acer campestre* (field maple), 98 *Ilex aquifolium* (holly), 197 *Crataegus monogyna* (hawthorn) and 20 *Carpinus betulus* (hornbeam). These will be planted at small size (40-60cm height) so will not have instant impact, but should establish rapidly and their growth rates are likely to outstrip trees planted at larger size. These are all native trees that are ultimately smaller than the *Quercus* and *Tilia* and function as a middle storey and woodland edge feature within the canopy. Additionally there will be 197 *Corylus avellana* (hazel) and 188 *Prunus spinosa* (blackthorn). These are more shrubs than trees and form an understorey and woodland edge feature within the canopy. Beneath this understorey there will be seeding with woodland grasses and flowers. Consequently there will be different 'layers' in the canopy, from grasses and flowers low down to very large trees forming the upper canopy.

The aim of this planting regime is to produce a structure that imitates a naturally developed woodland, not a 'plantation'. If the site was planted with 616 'heavy standards', there would be an instant landscape impact, but subsequently there would be gross mutual suppression as trees compete for light. This would result in the development of structural vulnerabilities and a requirement to remove large numbers of trees in due course. At the same time there would be very little understorey growth, so the 'layered' canopy, typical of naturally developed woodland rather than plantations, would not form. Again this approach is considered by the County Tree Officer to be 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.

In summary the proposed mitigation would accord with policies KP15, KP16, KP18 and EN8.

- 8.6.3 In terms of the impact upon protected species the submitted details have considered those key elements, mainly bats, reptiles and dormouse and their environment. The proposed mitigation is, subject to conditions, considered to meet legal duties outlined in the Environment Act and the Council's adopted policies. The proposed mitigation has also considered the main site and how these two proposals 'talk' to each other and likely resultant long term effect, this is a key consideration to ensure an acceptable environment for protected species in the longer term.

- 8.6.4 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. The application requires technical approval from the council's SAB approving body for the temporary access road. The applicant has submitted a SAB compliance statement and no objections have been received from the Council's Drainage Officer.



- 8.6.5 For the reasons outlined above, the proposal is considered acceptable in terms of its impact upon the natural environment.

## **8.7 Air Quality**

It is noted that concern has been raised that the proposal would result in adverse air pollution to such an extent that the resultant air quality would exceed legal safe limits and would result in the harm to the health of local residents.

It is also noted that objectors have questioned the conclusion of the applicant's air quality assessment. These concerns have been considered by the applicant's air quality assessor and they are satisfied that the report is correct.

Furthermore, the concerns of the objectors have been considered by the Council's Air Quality Officer who in paragraph 5.3 of this report outlines why the proposal would not cause harm to air quality and therefore meets the requirements of Policy EN13 of the Adopted Local Development Plan and Planning Policy Wales.

## **8.8 Other matters relevant to the consideration of this application**

- 8.8.1 Concern that the proposed access will be permanent are noted but as the updated 'GIMS TCAR Tech Note' and accompanying plan 347168-MML-026-XX-TCN-ECO-2000-001 are clear that this access will not be permanent. Furthermore, conditions have been imposed that ensures that the use of the access ceases and appropriate ecological mitigation and management are undertaken.
- 8.8.2 Concern over the amount of information submitted and various amendments which some residents, have commented are overwhelming, and to create a bias towards the developer is noted. However, as required by planning law and the Wellbeing and Future Generations Act (WBFG) which seeks community involvement within the development management process, the level of information submitted is considered proportionate to address matters that have been raised through the consultation process; and the extended time period to respond in respect of such information is considered appropriate and beyond legal requirements, to ensure that residents have not been prejudiced by the submission of amended information.
- 8.8.3 The proposal will require temporary closure/ diversion of the adopted highway. The Council's Public Rights of Way Officer and Transportation section has been consulted and has raised no objection to this process.
- 8.8.4 Letters of objection and a petition of objection have been submitted which are captured in Section 7 of this report including objections and representations from Elected Members.
- 8.8.5 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.

- 8.8.6 Of those matters raised by objectors which are not addressed above, the following comments are made.
- 8.8.7 References to any Senedd Inquiry, or the statutory duties of Welsh Government are not matters for the Planning Committee to consider.
- 8.8.8 Concern raised in relation to the publicity arrangements undertaken by the applicant are noted. It is understood that the applicant did seek community views in respect of their recent major application, as part of their statutory PAC. Alongside this, Velindre also undertook an informal pre-application consultation on this proposal, (which is a non major application and for which no PAC was required) which they were not obliged to do. As such it is considered that the applicant has exceeded their statutory pre-planning advertising obligations.
- 8.8.9 In terms of the Council's publicity arrangements, the requirements outlined within the Development Management Procedure Order have been met. In addition, the application has been publicised by site notices around the site and by a press notice within the Western Mail newspaper.
- 8.8.10 It is recognised that construction activity will result in a degree of disturbance and inconvenience to residents and users of the site. However conditions are recommended to manage and minimise the impacts of construction activities upon neighbouring residents and users.
- 8.8.11 Crime and Disorder Act 1998. Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.
- 8.8.12 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.
- 8.8.13 Well-Being of Future Generations Act 2016. Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there

would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

8.8.14 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) the adaptability of ecosystems.

The application has been supported by updated ecology reports (Motts and WSP). 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.

8.8.15 The United Nations Convention on Children's 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 them)

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.

These concerns are noted, and both air pollution and ecological impacts have been assessed and considered within this report.

## 8.9 **Conclusion**

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





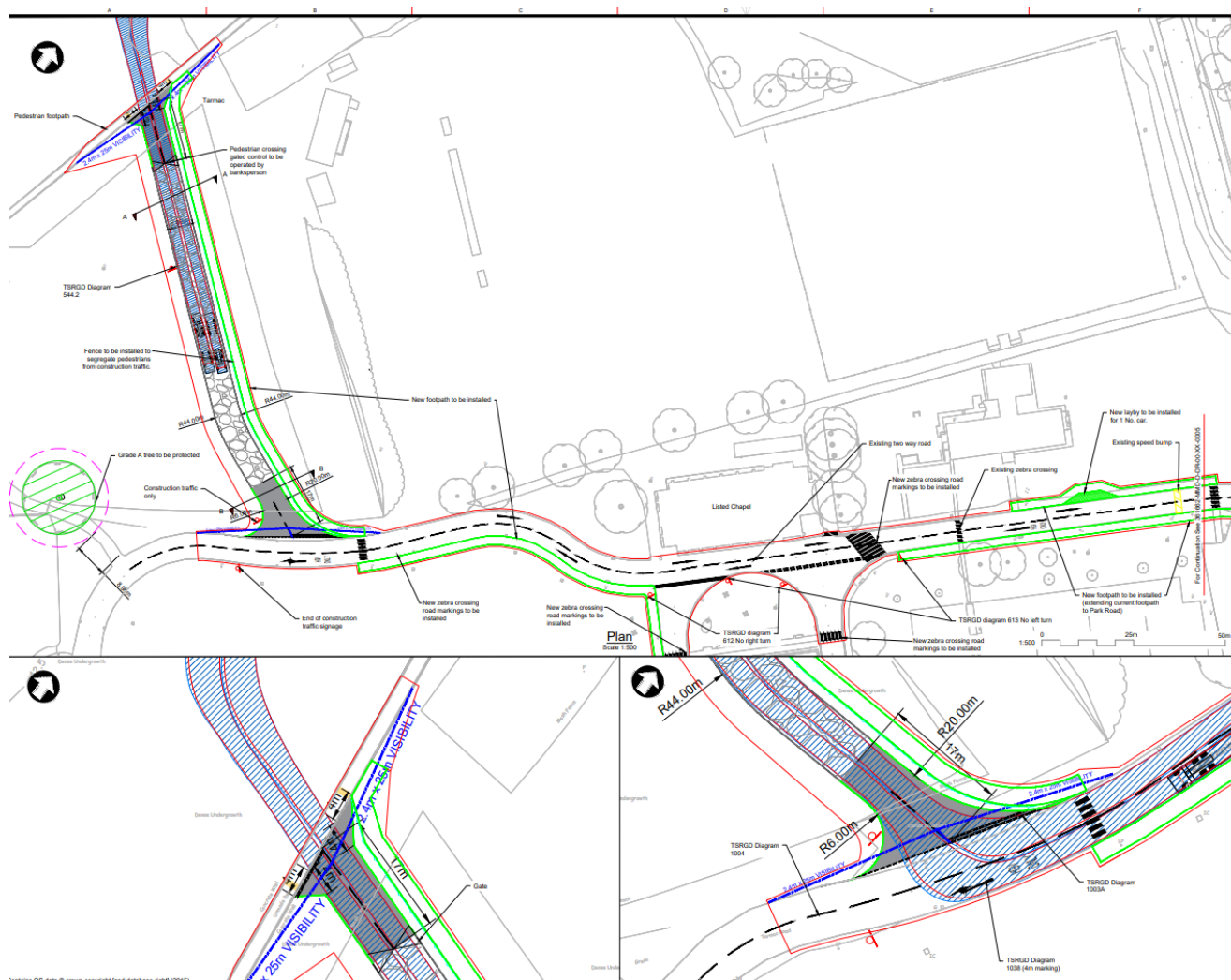




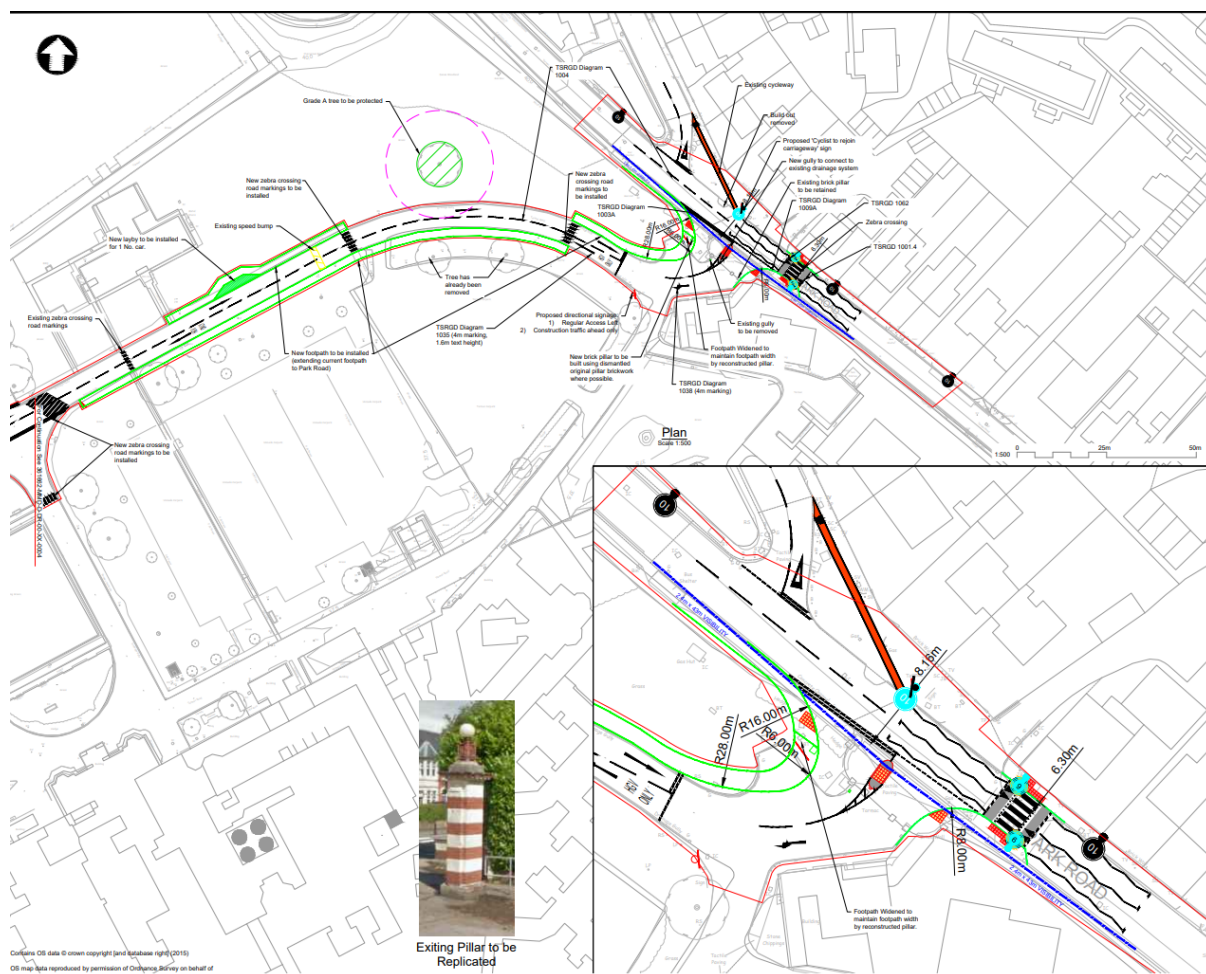
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COMMITTEE DATE: 18/11/2020

APPLICATION No. **20/01647/MJR** APPLICATION DATE: 21/08/2020

ED: **CANTON**

APP: TYPE: Outline Planning Permission

APPLICANT: Cardiff Council

LOCATION: FITZALAN HIGH SCHOOL, LAWRENNY AVENUE,  
CANTON, CARDIFF, CF11 8QB

PROPOSAL: OUTLINE FOR 1 SPORTS GRASS PITCH AND 2NO  
MULTI USE GAMES AREAS WITH PROVISION FOR 104  
CYCLES, REQUESTING CONSIDERATION OF ACCESS  
AND LAYOUT WITH ALL OTHER MATTERS RESERVED

**RECOMMENDATION 1** : That outline consent be **GRANTED** subject to the following conditions :

1.
  - 1 A. Approval of the details of the design, external appearance 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 design and external appearance of any buildings to be erected, and the landscaping of 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.

Reason: A. In accordance with the provisions of Article (3)1 of the Town and Country Planning (General Development Procedure) Order 1995. B, C and D and in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990
2. This approval is in respect of the following drawings and documents:
  - Proposed Site Plan FHS ASL ZZ ZZ DR A 0013 rev P10
  - Site Location Plan FHS ASL ZZ ZZ DR A 0010 rev P6
  - Masterplan Site Plan FHS ASL ZZ ZZ DR A 0005 rev P14
  - Demolition Plan FHS ASL ZZ ZZ DR A 0012
  - Tree Survey & Arboricultural Impact Assessment (Rev C) – October 2020
  - Outline Drainage Strategy – Dwg. No.

- Existing School Site - Proposed Tree Planting – Dwg. No. ZZ-ZZ-DR-A-0014 Rev P4

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

3. No development or phase of development shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.
  - 1.A preliminary risk assessment which has identified:
    - All previous uses
    - Potential contaminants associated with those uses
    - A conceptual model of the site indicating sources, pathways and receptors
    - Potentially unacceptable risks arising from contamination at the site
  - 2.A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  - 4.A Verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Reason: To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination (LDP policy EN13).

5. Prior to the occupation of the development or phase of development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant

linkages, maintenance and arrangements for contingency action, identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Reason: To ensure the methods identified in the verification plan have been implemented and completed. In addition, the risk associated with the contamination at the site has been remediated prior to occupation or operation, to prevent both future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems. Furthermore, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors (LDP policy EN13).

6. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Reason: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks. A site investigation may not uncover all instances of contamination and this condition ensures that contamination encountered during the development phase is dealt with appropriately (LDP policy EN13).

7. No infiltration of surface water drainage into the ground site is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution (LDP policy EN13).

8. No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater, have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.

Reason: Piling/foundation details should be submitted to ensure that there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of

development of phase of development (LDP policy EN13).

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

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

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

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

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

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

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

12. Details of the position of any security lights, CCTV and their arcs of coverage shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development being brought into beneficial use.

Reason: In the interests of residential amenities and security (LDP

Policy C3).

13. Prior to any above-ground development commencing details of a pedestrian/cycling link between Lawrenny Avenue and Broad Street (via the existing Fitzalan School site), phasing and any alternative routes of such a link during the demolition of the existing school shall be submitted to and approved by the local planning authority. The approved link shall be completed prior to beneficial occupation of the new school.  
Reason: To ensure that the proposed development maximises pedestrian accessibility (LDP policy T1).
14. Prior to any above-ground development commencing a cycle parking strategy, including details of proposed cycle parking provision, and appropriate access to spaces, shall be submitted to and approved in writing by the Local Planning Authority. This shall include consideration of cycle requirements prior to the permanent cycle parking on the existing school site being implemented. 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 (LDP Policy T1).
15. Prior to any above-ground development commencing details of the transport works to be undertaken shall be submitted to and approved in writing by the Local Planning Authority. These are to include the following elements:
  - Leckwith Road/Lawrenny Avenue junction improvements, including a Toucan crossing of Leckwith Road and a parallel cycle/zebra crossing on Lawrenny Avenue.
  - A tabled parallel cycle/zebra crossing on Lawrenny Avenue, further west of Leckwith Road junction.
  - Provision of appropriate bus waiting facilities/lay-bys to the south side of Lawrenny Avenue.Those details shall be implemented prior to beneficial occupation.  
Reason: To ensure that the proposed development maximises sustainable transport trips.
16. The reserved matters application be supported by a detailed landscape scheme comprising scaled planting plan, plant schedule, topsoil and subsoil specification (informed by a Soil Resource Survey and Plan), tree pit section and plan views showing root available soil volumes, planting methodology, aftercare methodology, implementation programme and evidence to show that services including drainage won't conflict with planting.
17. No development shall take place until the following have been submitted to and approved in writing by the Local Planning Authority 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.

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 .

18. Prior to above ground works commencing on the replacement school a timetable for the construction of the sports pitch and MUGAs on this site shall be submitted to and approved by the Local Planning Authority and shall then be implemented in accordance with the approved timetable.

Reason: In the interests of the pupils of the new school (LDP policies C5, C6 and C7).

19. Prior to any works commencing on site details of existing and finished ground levels shall be submitted for the approval of the Local Planning Authority and then be implemented as approved.

Reason: To avoid any doubt and ambiguity as to finished levels and to avoid displacement and redirection of floodwater (LDP policy EN14).

20. There shall be no deliveries to the site or lorry movements from the site between the hours of 8.05-9.00am and 2.45-3.30pm for those days that Ysgoll Pwll Coch is providing education for children.

Reason: In the interests of safety (LDP Policy C3).

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

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

Reason: In the interests of highway safety and public amenity (LDP Policy T5 and EN13)

22. Prior to the demolition of any buildings required to facilitate this development a Demolition Method Statement and Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority and the demolition shall be carried out in accordance with the approved Demolition Method Statement and Risk Assessment

Reason: To avoid doubt and confusion as to the method of demolition of this building and in the interests of public safety (LDP Policy EN13).

23. The sports facilities shall not be used between 20:00 hours and 08:00 hours for the MUGAs and between 21.00 and 08.00 hours for the sports pitch.

Reason: To ensure that the amenities of occupiers of residential premises in the vicinity are protected (LDP Policy EN13).

**RECOMMENDATION 2 :** The contamination assessments and the affects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

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

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

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

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

**RECOMMENDATION 3 :** To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays.

Should there be a requirement to undertake foundation or other piling or drilling on site to accommodate on site surface water drainage or other works it is advised that these operations are restricted to:

Monday – Friday	8:30 until 17:30
Saturday and Sunday	Nil

**RECOMMENDATION 4** Prior to the commencement of development, the developer shall notify the Local Planning Authority of the commencement of development, and shall display a site notice and plan on, or near the site, in accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure)(Wales)(Amendment) Order 2016.

**RECOMMENDATION 5 :** 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](mailto:BilingualCardiff@cardiff.gov.uk)) can provide advice on unique and locally



appropriate Welsh names for developments, bilingual marketing / branding and bilingual signage.

## **1. DESCRIPTION OF PROPOSAL**

- 1.1 The application is outline. Access and layout are to be considered as part of the current application.
- 1.2 The proposal is for 2 x Multi Use Games Areas (MUGAs) to the south of the site; 1 x Grass sports pitch towards the site's eastern boundary and north of and adjoining the proposed MUGAs; cricket nets; a cycle parking area for up to 104 cycles, located next to the MUGAs; and a new 3m wide pedestrian and cycle link connecting Broad Street to Lawrenny Avenue.
- 1.3 The sports pitch will be 20 m from the boundary with gardens of residential properties to the east (the nearest residential properties). The MUGAs will be 30m from the nearest residential properties.
- 1.4 The pedestrian/cycle route will be towards the centre of the existing Fitzalan HS site and to the west of the proposed sports pitch.
- 1.5 A swale would be created between the sports pitch and the eastern boundary of the site. The swale has been amended since the submission of the application to subdivide into two sections so as to safeguard trees close to the eastern boundary of the site.
- 1.6 The application shows four extra heavy standard trees to be planted along the frontage of the existing Fitzalan HS to replace a B category tree that will be lost to facilitate the creation of a new access onto Lawrenny Avenue for the pedestrian/cycle link.
- 1.7 The applicant states that the proposed sport facilities will be available to the local community outside of school hours.
- 1.8 The existing caretaker's house and electric substation, located in the south-west corner of the site, will be retained as will the existing school fencing along the site boundary.

## **2. DESCRIPTION OF SITE**

- 2.1 Fitzalan HS is identified as a D building and the school is to be demolished. Some of the school's buildings are within the boundaries of the application which covers part of the school grounds. Access to the existing school grounds is obtained from the north and south. The site is generally level.
- 2.2 There is housing to the east, west and north of the existing school. To the south is a pavement, a verge, Lawrenny Avenue and then Ysgol Pwll Coch.
- 2.3 There is an existing band of 21 trees along the southern boundary of the existing Fitzalan HS facing Lawrenny Avenue.

### 3. **PLANNING HISTORY**

- 3.1 There have been several applications on this site over the last few years for education linked proposals which are not considered relevant in view of the application for a replacement school.
- 3.2 Immediately to the south of this site consent was granted for application 20/00035/MJR for:
- RELOCATION OF THE AIR DOME
  - NEW GRASS STITCHED FOOTBALL PITCH TIER 2 STANDARD (WITH NO FLOOD LIGHTING)
  - NEW 3G RUGBY / FOOTBALL PITCH
  - RELOCATED THROWING RANGE
  - ERECTION OF 2 STOREY CHANGING ROOM BUILDING (WITH 3 COMMUNITY CLASSROOMS AT FIRST FLOOR AND 1 ON GROUND FLOOR)
  - ERECTION OF A SINGLE STOREY CHANGING ROOM BUILDING
  - NEW PITCH 5
  - MULTI USE GAMES AREAS (MUGAS) 16 AND 17
  - PROVISION OF NEW CAR PARKING AREA AND CYCLE STANDS FOR COMMUNITY PARKING
- 3.3 20/01648/MJR Replacement Fitzalan HS site to the south east - undetermined.

### 4. **PLANNING POLICIES**

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

KP3 (B) Within the Settlement Boundary  
KP5 Good Quality and Sustainable Design;  
KP8 Sustainable Transport  
KP13 Responding to Evidenced Social Needs  
KP14 Healthy Living  
KP15 Climate Change  
EN7 Priority Habitats and Species  
EN8 Trees, Woodlands and Hedgerows  
EN13 Air, Noise, Light Pollution and Contaminated Land  
EN14 Flood Risk  
T1 Walking and Cycling  
T5 Managing Transport Impacts  
T6 Impact on Transport Networks and Services  
C3 Community Safety/Creating Safe Environments;  
C5 Provision for Open Space, Outdoor Recreation, Children's Play and Sport  
C6 Health  
C7 Planning for Schools

- 4.2 It is considered that the following SPGs are relevant to this development:

Managing Transportation Impacts (incorporating parking standards)  
Archaeology and Archaeologically Sensitive Areas  
Green Infrastructure  
Ecology and Biodiversity  
Soils and Development  
Open Space  
Trees and Development

4.3 Planning Policy Wales (Edition 10)

5. **INTERNAL CONSULTATIONS**

5.1 The Transport Officer proposes the following conditions:

Existing Fitzalan School Pedestrian/Cycling Link

Prior to any above-ground development commencing details of a pedestrian/cycling link between Lawrenny Avenue and Broad Street (via the existing Fitzalan School site) shall be submitted to and approved by the local planning authority, to include details of phasing and how this route may need to undergo amendment as demolition work progresses. This link shall be initially in place prior to beneficial occupation of the new school, and an alignment shall remain in place throughout the operation of the new school.

Reason: To ensure that the proposed development maximises pedestrian accessibility.

Cycle Parking

Prior to any above-ground development commencing a cycle parking strategy, including details of proposed cycle parking provision, and appropriate access to spaces, shall be submitted to and approved in writing by the Local Planning Authority. This shall include consideration of cycle requirements prior to the permanent cycle parking on the existing school site being implemented. 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.

Transport Works

Prior to any above-ground development commencing details of the transport works to be undertaken shall be submitted to and approved in writing by the Local Planning Authority. These are to include the following elements:

- Leckwith Road/Lawrenny Avenue junction improvements, including a Toucan crossing of Leckwith Road and a parallel cycle/zebra crossing on Lawrenny Avenue.
- A tabled parallel cycle/zebra crossing on Lawrenny Avenue, further west of Leckwith Road junction.
- Provision of appropriate bus waiting facilities/lay-bys to the south side of Lawrenny Avenue.

Those details shall be implemented prior to beneficial occupation.

Reason: To ensure that the proposed development maximises sustainable transport

trips.

## 5.2 Pollution Control state:

In reviewing available records and the application for the proposed development, the site has been identified as being located on made ground, with the potential for risks to human health and the environment for the proposed end use. Consequently the inclusion of conditions requiring contamination assessment and any necessary remediation are requested.

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

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

### CONDITIONS

#### PC14A. CONTAMINATED LAND MEASURES – ASSESSMENT

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

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

remedial option(s).

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2017), unless the Local Planning Authority agrees to any variation.

\* A 'suitably qualified competent person' would normally be expected to be a chartered member of an appropriate professional body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

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

#### PC14B. CONTAMINATED LAND MEASURES – REMEDIATION & VERIFICATION PLAN

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

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2017), unless the Local Planning Authority agrees to any variation.

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

#### PC14C. CONTAMINATED LAND MEASURES - REMEDIATION & VERIFICATION

The remediation scheme approved by condition x (PC14B above) must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2017), unless the Local Planning Authority agrees to any variation.

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

#### PC14D. CONTAMINATED LAND MEASURES – UNFORESEEN CONTAMINATION

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

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

#### PC15A IMPORTED SOIL

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

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

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

#### PC15B IMPORTED AGGREGATES

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

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

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

#### PC15C USE OF SITE WON MATERIALS

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

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

#### ADVISORY/INFORMATIVE

##### R4 CONTAMINATION AND UNSTABLE LAND ADVISORY NOTICE

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

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

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

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

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

5.3 PROW Officer states:  
To confirm, Public Rights of Way are not affected by this application and have no objections.

5.4 Tree Officer raises no objections subject to two conditions.

## 6. **EXTERNAL CONSULTATIONS**

6.1 Sports Council for Wales state:  
Sport Wales is the statutory consultee on developments affecting playing fields. Although this application does not affect an existing playing field, it proposes a new playing field and is related to the development of the new Fitzalan High School off Leckwith Road (application number 20/01648/MJR) which does affect playing fields.

The provision of a new grass pitch and 2 multi use games areas on the existing Fitzalan School site is welcomed helping to mitigate the loss of a grass pitch resulting from the development of the new school off Leckwith Road. Sport Wales is satisfied that the two mentioned applications along with the proposals under planning application 20/00035/MJR will result in improved sports provision at Leckwith.

However, Sport Wales makes reference to its concerns set out in its comments on the new Fitzalan School, specifically the playing field provision for Fitzalan and Ysgol Pwll Coch, and calls for consideration of more facilities on the existing school site off Lawrenny Avenue in addition to the proposed pitch and multi-use games areas to supplement their provision.

6.2 Welsh Water state:  
We would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes provided below



are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

## SEWERAGE

It appears the application does not propose to connect to the public sewer, and therefore Dwr Cymru Welsh Water has no further comments. However, should circumstances change and a connection to the public sewerage system/public sewage treatment works is preferred we must be re-consulted on this application.

## Surface Water Drainage

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 engage in consultation with the Local Authority, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, 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.

## Advisory Notes

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

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

Our response is based on the information provided by your application.

Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

- 6.3 GGAT has no archaeological objection and no conditions are recommended.
- 6.4 NRW recommend request the following conditions be imposed on any planning permission granted:

Condition 1: Land Affected by Contamination

No development or phase of development shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to an approved in writing by the Local Planning Authority:

- 1.A Preliminary risk assessment which has identified:
  - All previous uses
  - Potential contaminants associated with those uses
  - A conceptual model of the site indicating sources, pathways and receptors
  - Potentially unacceptable risks arising from contamination of the site
- 2.A Site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4.A Verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Justification: To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination.

Condition 2: Contamination Verification Report

Prior to the occupation of the development of phase of development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, identified in the verification plan. The long-term monitoring and maintenance plan shall be

carried out in accordance with the approved details.

Justification: To ensure the methods identified in the verification plan have been implemented and completed. In addition, the risk associated with the contamination at the site has been remediated prior to occupation or operation, to prevent both future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems. Furthermore, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

#### Condition 3: Unsuspected Contamination

If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to an approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Justification: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks. A site investigation may not uncover all instances of contamination and this condition ensures that contamination encountered during the development phase is dealt with appropriately.

#### Condition 4: Surface Water Drainage

No infiltration of surface water drainage into the ground site is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Justification: To prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution.

#### Condition 5: Piling

No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater, have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.

Justification: Piling/foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development.

## Flood Risk

The planning application proposes highly vulnerable development (a sports pitch, 2 multi-use games areas and a cycle parking shelter associated with an education facility). NRW's Flood Risk Map confirms the site to be within Zone C1 of the Development Advice Map (DAM) contained in TAN15 and the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines and the 0.5% (1 in 200 year) and 0.1% (1 in 1000 year) annual probability tidal flood outlines of the River Ely.

Section 6 of TAN15 requires the Local Planning Authority to determine whether the development at this location is justified. The tests set out in Section 6.2 of TAN15 are relevant as to whether the proposal meets the tests set out in criteria (i) to (iii), then the final test (iv) is for the Applicant to demonstrate, through the submission of an FCA, that the potential consequences of flooding can be managed to an acceptable level.

NRW says that no final ground levels have been provided for the proposed development. However, according to the FCA, the current ground levels range from 6.5-7.3m AOD, with an average ground level of 7m AOD. Based on the average ground level of 7m AOD, the flood data shows:

- During a 1% (1 in 100 year) plus 25% for climate change annual probability fluvial flood event, the predicted flood level is 7.84m AOD, therefore the development site is predicted to flood to a maximum depth of 840mm. This fails to meet the requirements of A1.14 of TAN15, which advises that the site should be flood free in such an event.
- During a 0.1% (1 in 1000 year) annual probability fluvial flood event, the predicted flood level is 8.37m AOD for the Cardiff Wide Model and 8.49m AOD for the Paper Mills Model. Therefore, the development site is predicted to flood to a maximum depth of 1370-1490mm. This exceeds the tolerable limits of A1.15 of TAN15, which states the maximum velocity of highly vulnerable development should not exceed 0.3m/s. As the development is at risk of flooding in a fluvial flood event, additional structures and/or significant re-profiling of ground levels could displace or re-direct floodwater, however, NRW note such proposals are yet to be finalised. Further consideration will need to be given to this matter as the design develops.

Whilst NRW's advice shows the FCA has not demonstrated that the risks and consequences of flooding can be managed to an acceptable level, recognising the nature of the application, NRW consider the proposal is a betterment to the existing site use and an improvement on the current situation, therefore NRW have no objection to the application as submitted in relation to flood risk

NRW consider the risk of tidal flooding to the proposed development is negligible, as the site benefits from the presence of the Cardiff Bay Barrage. This operates in a flood risk capacity, providing significant protection to Cardiff from tidal flood risk. Therefore, we have no further comments regarding tidal flood risk in this instance.

It is for the Planning Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN15.

NRW note that bats are present at the application site but have no objection to the application as submitted on grounds of protected species. NRW do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. Therefore, NRW do not object to the proposal.

(A copy of NRW's letter has been forwarded to the applicant's agent).

## 7. **REPRESENTATIONS**

- 7.1 Local Members have been consulted. No comments have been received to date but will be reported to Committee if received.
- 7.2 The proposal has been advertised in the press and by site notices as a major application.
- 7.3 Neighbouring occupiers were consulted by letter. One representations has been received to date quoting this application's reference but that is believed to be in respect of another application.
- 7.4 Canton RFC state:  
Canton RFC met with Cardiff Council & Keir representatives on 24/09/2020 to discuss issues re. phase 2 enabling works.

It was asked by the club if the existing steps that run down the grass bank from the 3G pitch to car park could be reinstated/retained. This being so, the 3m high boundary fence (running from MUGA 15 to Ysgol Pwll Coch) would require an aligned gate installed which would be locked during school hours but only accessible out of school hours when required.

The above issue was raised due to the fact that the club may be able to book & have use of the 3G pitch in the future. This amendment would significantly benefit supporter access to the 3G pitch.

## 8. **ANALYSIS**

Policy

- 8.1 The demolition of Fitzalan HS would not commence until the replacement school is available for use in order to ensure no disruption to pupils.
- 8.2 The proposed development relates to the replacement of Fitzalan High School, to accommodate sports facilities. These facilities are necessary to meet the Welsh Government Design Guidance BB98, and the objectives of TAN 16 and the Planning for Health and Well-being SPG.
- 8.3 The proposed development is therefore deemed acceptable in land use terms

and meets the objectives of LDP policies KP13, C1, C3, KP14 and C6. It is also noted that the application site falls within the settlement boundary where new development is directed and therefore meets the requirements of LDP Policy KP3(B).

- 8.4 Both the MUGAs and the rugby pitch have been located to obtain easy access from Lawrenny Avenue, in relation to the replacement school

#### Transportation

- 8.5 The site will be served by pedestrian and cycle access only, as it is ancillary to the new school, no vehicular access is required and there is no vehicular parking proposed. The existing pedestrian access arrangement from Lawrenny Avenue (front) and Broad Street (rear) will be retained and will therefore cause no disruption to the existing vehicular, cycle and pedestrian movements in the locality.
- 8.6 A new 3m wide highway footpath (for both pedestrians and cyclists) will be created to connect the existing north (Broad Street) and proposed south(Lawrenny Avenue) access points within the site and promote permeability through the site and with the surrounding area, in line with the existing site arrangements. The path will be lit throughout. The proposal adheres to the principles of TAN18 Transport and local policies KP8, T1 and T6.
- 8.7 Condition 13 is designed to ensure access through the existing Fitzalan School during demolition works is provided so as to ensure no disruption to pupils accessing the replacement school from the north. Proposed conditions 12 and 14 are to address the other issues identified by the Transport Officer.

#### Representations

- 8.8 It would appear that the representations submitted by Canton RFC has been submitted in error and should have been submitted in respect of 20/01648/MJR. In any event the comments have been forwarded to the agent. The agent has responded stating:

“A meeting has been held with Canton Rugby club to explain the proposed plans and access arrangements to the new school and the existing 3G pitch. Due to security and safeguarding requirement the club have accepted the proposed layouts.”

#### Trees

- 8.9 A Tree survey has been submitted and one tree would be lost to facilitate this development. It should be noted that the removal of trees within the school grounds is not controlled by planning legislation. However, the loss of one tree is regrettable but it facilitates the creation of a direct sustainable connection for large numbers of pupils attending Fitzalan HS and to adjoining sporting facilities. The loss of this single tree is mitigated by the proposed planting of 4 extra heavy standard trees to fill gaps in the existing tree belt. The species of replacement trees has been agreed with the Tree Officer who has no objections to this proposal.

- 8.10 A future landscape plan for the swale and adjoining land will be required at reserved matters stage and nearby trees will need to be safeguarded. Conditions 1, 16 and 17 are proposed to address these issues.

#### Layout

- 8.11 The pitch is considered acceptable, with the busier MUGAs at the front. No changing facilities and toilets are proposed. Changing facilities are being constructed on the southern side of Lawrenny Avenue under planning permission ref 20/00035/MJR.
- 8.12 The alignment of the path is relatively straight so legible and safer. This will be a key connection north-south linking Canton with the future Fitzalan and Ysgol Pwll Coch schools but also the stadiums, 5 aside venue and Capital retail-park.
- 8.13 No proposals have been submitted for the redevelopment of the other parts of the existing Fitzalan HS but it is likely that the proposed path/cycle route could connect to any future development on that land.

#### Lighting

- 8.14 The applicant states that lighting along the path will be low level. The Council doesn't adopt low level lighting as it is readily vandalised. The applicant has been advised of this.
- 8.15 No flood lighting is proposed in this submission.

#### Contamination

- 8.16 Issues of contamination can be covered by conditions 3-11 as recommended by NRW and the Pollution Control Officer.

#### Amenity issues

- 8.17 To safeguard the amenities of nearby residents the locations of any security cameras and lights will require further approval under proposed condition 12. The MUGAs are some 30m from the nearest dwellings. The Noise Officer was consulted and has made no representations during the consultation period, which is taken to mean that there are no adverse comments. Details of the MUGAs will be considered at the reserved matters stage along with fencing details. Proposed condition 23 is designed to control late evening noise from the use of these facilities that could disturb nearby residents. As no floodlighting is proposed this is likely to be less of an issue than if the sports areas were to be illuminated.
- 8.18 There will be temporary disturbance during the construction and the demolition process with an increase in lorry movements along Lawrenny Avenue during this period. Proposed conditions 20, 21 and 22 will help mitigate issues that could arise during demolition and construction.

### Sporting facilities

- 8.19 Condition 18 is required to ensure that adequate sporting facilities are available for the school in a timely manner. The SCfW recognises that this proposal improves sporting facilities for the replacement school but maintains the concerns raised in respect of application 20/01648/MJR which have been addressed in the report on that application, which is not a matter for this application.

### Drainage

- 8.20 As Welsh Water point out drainage will be determined by the SUDs approval body (SAB) which is a separate approval body.

### Flooding

- 8.21 The developer has been made aware that the site is vulnerable to flooding but the sporting facilities proposed are a less vulnerable use than the existing school. NRW state amongst other things that: "... we consider the proposal is a betterment to the existing site use and an improvement on the current situation, therefore we have no objection to the application as submitted in relation to flood risk."
- 8.22 NRW recognise that the application is in outline and further details in respect of ground levels will be provided. Condition 19 is proposed to cover this issue.

### Ecology

- 8.23 NRW has no objections on grounds of ecology. NRW's comments have been forwarded to the applicant.

### Crime and Disorder

- 8.24 Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. No comments have been received from the Police in the processing 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.

### Equalities Act

- 8.25 The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council's duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed

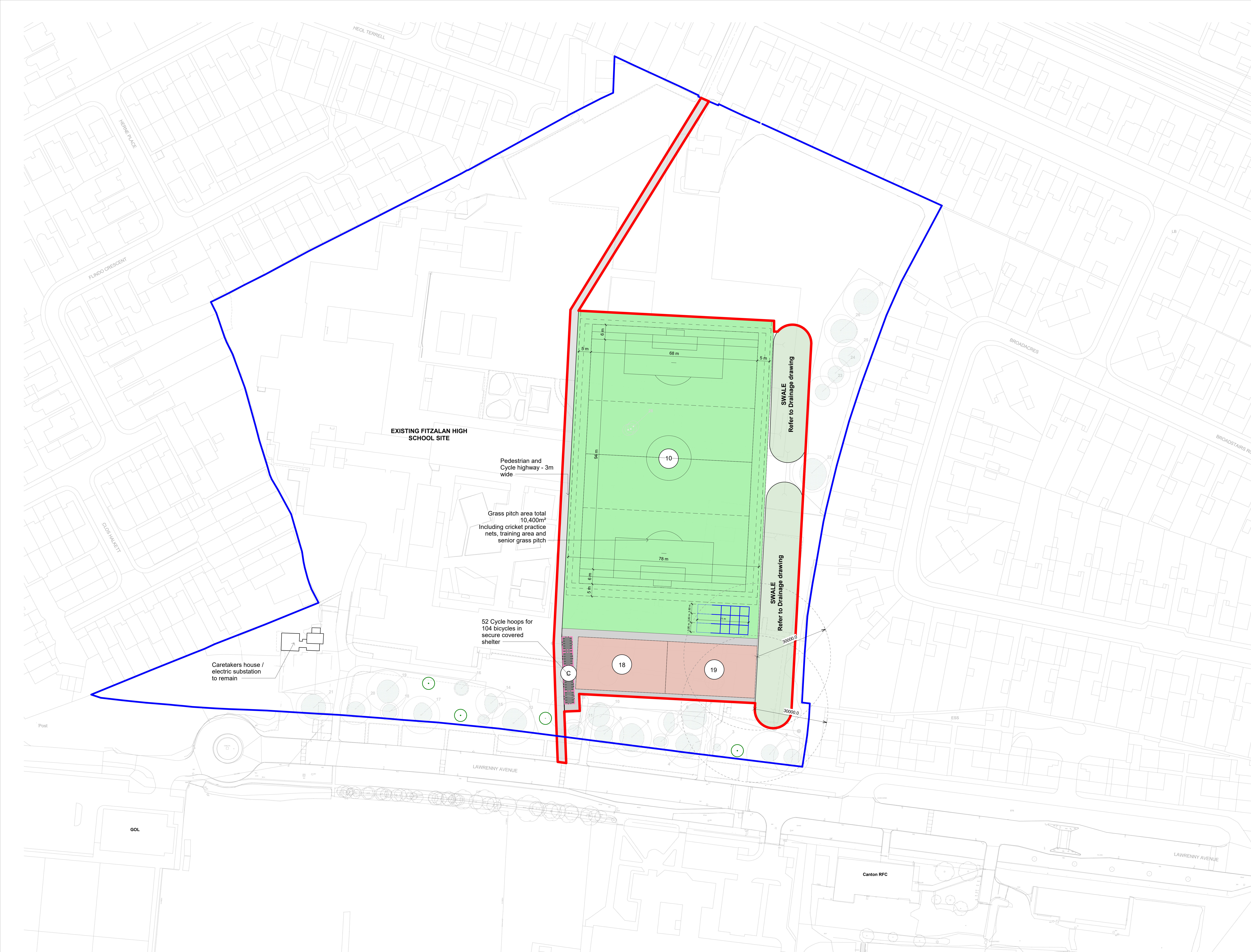


development does not have any significant implications for, or effect on, persons who share a protected characteristic.

#### Wellbeing

- 8.26 Section 3 of the Well-Being of Future Generations Act 2016 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. The replacement of a D school and its replacement by a modern school and additional sporting facilities for pupils and the local community would promote wellbeing. The creation of a safe direct pedestrian/cycle connection promotes healthy living and wellbeing.

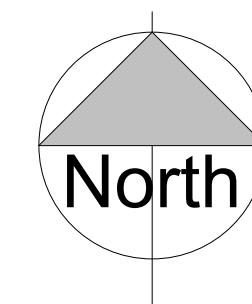




**Key**

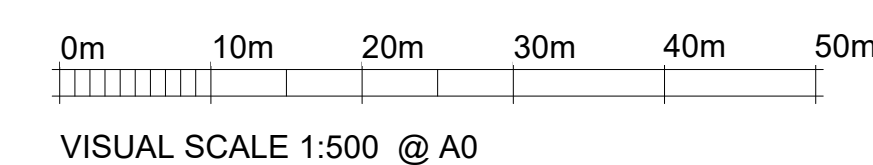
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-  Existing Fitzalan High School Site Boundary
-  Development Boundary - 15981m<sup>2</sup>
-  Senior Grass Sports Pitch & Cricket training nets
-  MUGA Type 1/2/3
-  Cycle Parking



This drawing has been prepared based on survey data provided by a third party. Coordinate and level data has been generated from this data and relies upon the accuracy of the survey information provided. Any inaccuracies should be reported to the design team & survey data provider.

The survey data was provided by: Koor - WSP



Item	Description	Owner	Checked	Date issued
P1	Initial issue	PS		21.03.20
P2	PSheet checked to print	PS		
P3	Source code checked and additional options added	PS		25.03.20
P4	Source code for PS, alpha build and the boundary adjusted in suit of PS	PS		06.04.20
P5	Adjusted the PS, PS sheet	PS		06.04.20
P6	Build of PS the boundaries adjusted by updated	PS		06.04.20
P7	Adjusted alpha build with introduction of correct practice rules	PS		13.04.20
P8	PS the boundary checked in suit new alpha build	PS		13.04.20
P9	Adjusted existing alpha build and not the boundary options to include access rules	PS		20.04.20
P10	Additional issue added - Single strike	PS		21.04.20

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Drawn	TE	Austin-Smith:Lord Ltd Architects Designers Planners Landscape Architects one Bunbury Drive Cardiff CF11 5SN t +44 (0)2920 225 208 e cardiff@austinsmithlord.com
Date	Oct 2019	
Scale @ A0	1 : 500	
Status	S4	Drawings and models powered by

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Austin-Smith: Lord

Project Fitzalan High School

Description: Existing School Site - Proposed Site Layout.

Job No.	Drawing No.	Revision	P10
Project Number	FHS-ASL-ZZ-ZZ-DB-A-0013		





1 : 500 - Site Masterplan - Existing School Site - Proposed Planting

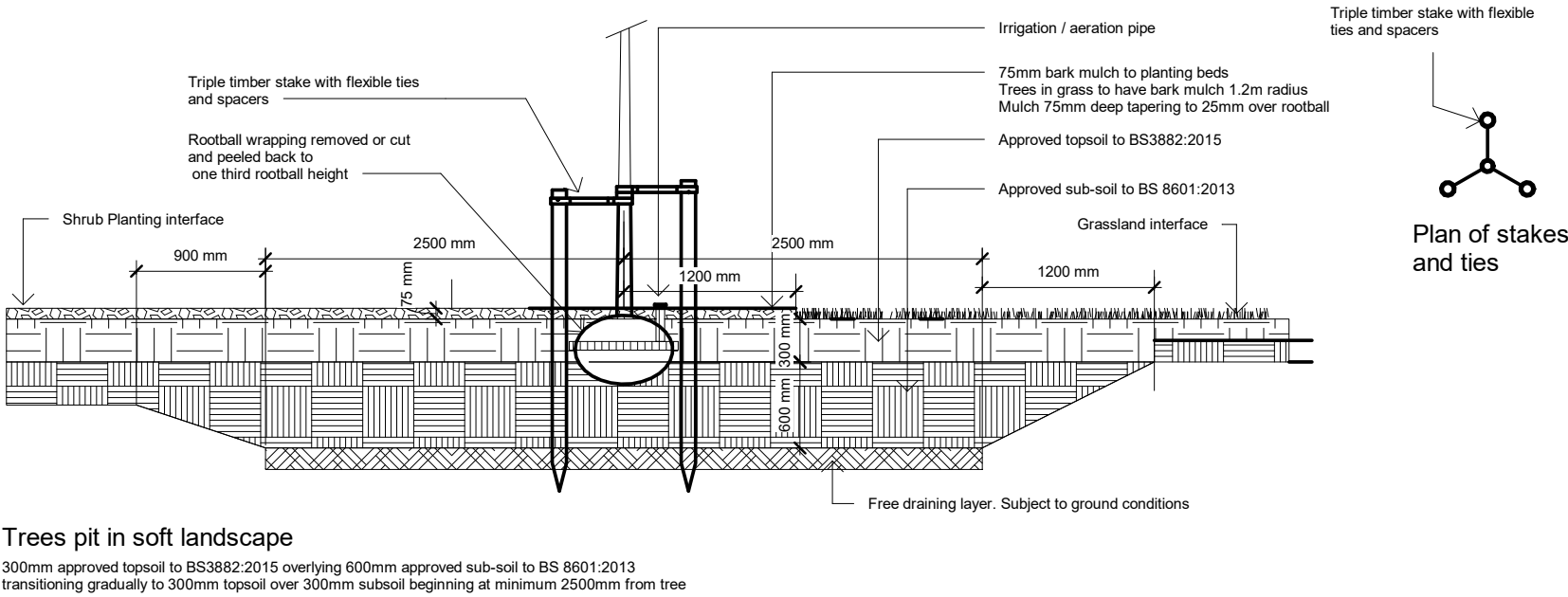
<b>Extra Heavy Standard tree</b> Trees triple staked with adjustable ties Trees supplied with irrigation pipe Tree pits 5000mm dia. 300mm deep approved topsoil over 600mm approved subsoil feathering out as detail- pit drainage layer TBC subject to site conditions 75mm thick bark mulch to 1200mm diameter around trunk						
Trees- Extra Heavy Standards						
Ref	Species	Girth cm		Height cm	Clear Stem cm	Root condition
1	CaBi	Catalpa bignonioides	14-16 3x	425-600	175-200	RB
2	TiTo	Tilia tomentosa	14-16 3x	425-600	175-200	RB
1	GiBi	Gingko biloba	14-16 3x	425-600	175-200	RB

Drawing to be read in conjunction with Tree Survey & Arboricultural Impact Assessment

Rev	Description	Drawn	Checked	Date Issued
P1	Initial issue for Planning	VS	CM	29.10.20
P2	Red line boundary revised to suit new Site design	VS	CM	30.10.20
P3	Revised existing school site layout and red line boundary update to include access road	VS	VS	03.11.20
P4	Additional Tree added - Gingko biloba	VS	VS	04.11.20

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Drawn	VS	Austin-Smith Lord Ltd Architects Designers Planners Landscape Architects one Dunleavy Drive Cardiff
Date	Oct 2019	CF11 OSN t +44 (0)2920 225 208 e cardiff@austinsmithlord.com
Scale @ A1	As Indicated	
Status	S4	Drawings and models prepared by Austin-Smith Lord Ltd BIM using Autodesk Revit



3 : 50 - Tree Pit in Soft Landscape

**Austin-Smith:Lord**  
Project Fitzalan High School

Description Existing School Site - Proposed Tree Planting

Job No. Drawing No. Revision P4

Project Number FH5- ASL- ZZ- ZZ- DR- A- 0014

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

COMMITTEE DATE: 18/11/2020

APPLICATION No. **20/01648/MJR** APPLICATION DATE: 26/08/2020

ED: **CANTON**

APP: TYPE: Full Planning Permission

APPLICANT: Cardiff Council

LOCATION: PART OF LAND AT CARDIFF INTERNATIONAL SPORTS STADIUM, LECKWITH ROAD, CANTON, CARDIFF

PROPOSAL: REPLACEMENT OF FITZALAN HIGH SCHOOL

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

1. C01 Statutory Time Limit
2. This approval is in respect of the following drawings and documents:
  - FHS\_ASL\_90\_XX\_DR\_L\_0900 Rev P7 Site Location Plan – Redline boundary
  - FHS\_ASL\_90\_XX\_DR\_L\_0905 Rev P7 Existing Site Plan
  - FHS\_ASL\_90\_XX\_DR\_L\_0910 Rev P8 Proposed Landscape Plan
  - FHS\_ASL\_90\_XX\_DR\_L\_0911 Rev P2 BB98 Areas
  - FHS\_ASL\_90\_XX\_DR\_L\_0920 Rev P2 Landscape Sections Sheet 1
  - FHS\_ASL\_90\_XX\_DR\_L\_0921 Rev P2 Landscape Sections Sheet 2
  - FHS\_ASL\_90\_XX\_DR\_L\_0930 Rev P3 General Arrangement Sheet 1
  - FHS\_ASL\_90\_XX\_DR\_L\_0931 Rev P42 General Arrangement Sheet 2
  - FHS\_ASL\_90\_XX\_DR\_L\_0932 Rev P3 General Arrangement Sheet 3
  - FHS\_ASL\_90\_XX\_DR\_L\_0933 Rev P3 General Arrangement Sheet 4
  - FHS\_ASL\_90\_XX\_DR\_L\_0935 Rev P5 Planting Schedule
  - FHS\_ASL\_90\_XX\_DR\_L\_0936 Rev P4 Planting Plan Sheet 1
  - FHS\_ASL\_90\_XX\_DR\_L\_0937 Rev P4 Planting Plan Sheet 2
  - FHS\_ASL\_90\_XX\_DR\_L\_0938 Rev P3 Planting Plan Sheet 3
  - FHS\_ASL\_90\_XX\_DR\_L\_0939 Rev P4 Planting Plan Sheet 4
  - FHS\_ASL\_90\_XX\_DR\_L\_0944 Rev P1 Detail Sheet 1
  - FHS-ASL-90-XX-DR-L-0940 Rev P4 – Soft landscaping details
  - FHS-ASL-90-XX-R-L-0946 Rev P1 Section at rear of 25 Lawrenny Avenue
  - FHS- ASL-ZZ-ZZ-DR-A-005 Rev P16 Proposed Masterplan – Site Plan



- FHS-ASL-10-00-DR-A-0100 Rev P14 Ground Floor GA Plan
- FHS-ASL-10-01-DR-A-0101 Rev P11 First Floor GA Plan
- FHS-ASL-10-02-DR-A-0102 Rev P10 Second Floor GA Plan
- FHS-ASL-10-03-DR-A-0103 Rev P13 Roof Level GA Plan
- FHS-ASL-10-ZZ-DR-A-0126 Rev P5 - GA Sections
- FHS-ASL-10-ZZ-DR-A-0130 Rev P9 - GA Elevations – Sheet 1
- FHS-ASL-10-ZZ-DR-A-0131 Rev P1- - GA Elevations – Sheet 1
- FHS\_AECC-00-XX-DR-E-9023 Main school external Lighting Plan Lux plot
- Drawing Tree Protection Plan (Sheet 1) September 2019
- Drawing Tree Protection Plan (Sheet 2) September 2019
- Photographs of Fitzalan FHS KS2 unit submitted 01/09/2020
- FHS- ASL- 90- XX- DR- L- 0945 Rev P1 Main Gate Lawrenny Avenue – Design Intent
- Q0523-GC-003 REV E – Hoarding Plastic 1.8m fencing
- Temporary fencing plan types dated 02.09.2020
- Design and Access Statement Rev P05 and Computer Generated Visuals (Austin Smith Lord)
- Planning Statement Rev 03
- Transport Assessment March 2019
- Transport Addendum August 2020
- Drawing: Cycle highway 5: Lawrenny Avenue Masterplan Rev A.
- Noise Assessment Rev 03
- Flood Lighting Report Rev 3 and Drawing number HLS175
- Flood Consequence Assessment August 2020
- Draft Drainage Strategy August 2020
- Tree Survey Report (V6) & Arboricultural Impact Assessment
- Arboricultural Method Statement
- Ecological Impact Assessment (EclA) dated February 2020 that comprises of Bat Survey Report (prepared by Wardell Armstrong); Reptile Survey Report (prepared by Wardell Armstrong); Breeding Bird Survey Report; Invertebrate Survey Report; Amphibian Survey Report; Badger Survey Report; Otter Survey Report; Great Crested Newt and Dormice Survey Report by Capita
- Biodiversity and Landscape Management Plan V3 June 2020
- Construction Management Plan Rev 02 June 2020
- Supplementary Ground Conditions Assessment Report June 2020
- Remediation Report June 2020
- Air Quality Impact Assessment April 2020
- Site Entrance Section FHS JUBB 90 ZZ DR C 0672 rev P1

Reason: To avoid doubt as to the approved plans

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

Following completion of the approved monitoring scheme, the proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing to the Local Planning Authority. If no protection measures are required then no further actions will be required.

All required gas protection measures shall be installed and appropriately verified before occupation of any part of the development which has been permitted and the approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required.

'Gases' include landfill gases, vapours from contaminated land sites, and naturally occurring methane and carbon dioxide, but does not include radon gas. Gas Monitoring programmes should be designed in line with current best practice as detailed in CIRIA 665 and BS 8485:2015+A1:2019 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings.

Reason: To ensure that the safety of future occupiers is not prejudiced (LDP policy EN13).

4. No development or phase of development shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.
  - 1.A preliminary risk assessment which has identified:
    - All previous uses
    - Potential contaminants associated with those uses
    - A conceptual model of the site indicating sources, pathways and receptors
    - Potentially unacceptable risks arising from contamination at the site
  - 2.A Site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  - 4.A Verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Reason: To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination (LDP policy EN13).

5. Prior to the occupation of the development or phase of development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Reason: To ensure the methods identified in the verification plan have been implemented and completed. In addition, the risk associated with the contamination at the site has been remediated prior to occupation or operation, to prevent both future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems. Furthermore, to ensure that the development can be carried out safely without unacceptable risks to neighbours and other off-site receptors (LDP policy EN13).

6. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Reason: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks. A site investigation may not uncover all instances of contamination and this condition ensures that contamination encountered during the development phase is dealt with appropriately (LDP policy EN13).

7. No infiltration of surface water drainage into the ground site is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance



with the approval details.

Reason: To prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution (LDP policy EN13).

8. No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater, have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.

Reason: Piling/foundation details should be submitted to ensure that there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development of phase of development (LDP policy EN13).

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

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

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

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

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

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

11. Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in

writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.

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

12. Details of the position of any security lights, CCTV and their arcs of coverage shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development being brought into beneficial use.  
Reason: In the interests of residential amenities and security (LDP Policy C3).
13. No building shall be occupied until the foul drainage system for the site has been completed in accordance with the approved details. Thereafter no further surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage system.  
Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment (LDP EN11).
14. Details of the design of the metal gates to Lawrenny Avenue and Leckwith Road shall be submitted to and approved in writing by the Local Planning Authority prior to the school being brought into beneficial use.  
Reason: In the interests of visual amenities (LDP policy KP5).
15. The ecological recommendations in the following documents shall be implemented in full:
  - (i) FitzalanSchool –Main Works: Ecological Impact Assessment –Draft Report’, prepared by JBA Consulting, reference BUJ-JBAU-XX-XX-RP-BD-0001-S0-P01.4, dated February 2020.
  - (ii) Fitzalan School: Biodiversity and Landscape Management Plan’, prepared by JBA Consulting, version 2, dated June 2020.
  - (iii) Drawing entitled, ‘Landscape (School Contract Works) Proposed Landscape Plan’, prepared by Austin Smith Lord Ltd., drawing number FHS-ASL-90-XX-DR-L-0910, revision P8, undated.
  - (iv) Soft Landscape Aftercare Methodology’, prepared by Mackley Davies Associates Ltd., version 2, dated April 2020.
  - (v) Tree Protection Plan (Sheet 1 of 2)’, prepared by Mackley Davies Associates Ltd., revision E, dated September 2019.
  - (vi) Tree Protection Plan (Sheet 2 of 2)’, prepared by Mackley Davies Associates Ltd., revision E, dated September 2019.
  - (vii) Drawing entitled, ‘Planting Schedule’, prepared by Austin Smith Lord Ltd., drawing number FHS-ASL-90-XX-DR-L-0935, revision P2, undated and Drawing entitled, ‘General Arrangement Sheet 3’, prepared by Austin Smith Lord Ltd., drawing number FHS-ASL-90-XX-DR-L-0932, revision P2, undated.

Reason: In the interests of enhancing biodiversity (LDP Policy EN6).

16. Notwithstanding the submitted AMS auditable site monitoring reports shall be submitted to the Local Planning Authority every 3 weeks to demonstrate compliance with tree protection measures.

Reason: To safeguard retained trees on site (LDP Policy EN8).

17. Prior to the commencement of any development on site a detailed planting and aftercare methodology that cross references other relevant plans and documents shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the area (LDP Policy EN8).

18. Prior to the commencement of development on site details of the irrigation/aeration product for the soft landscape tree pit section shall be submitted to and approved by the Local Planning Authority.

Reason: To promote successful tree planting in the interests of the visual amenities of the area (LDP Policy EN8)

19. Prior to the commencement of development on site details of the hard landscape tree pit section shall be submitted to and approved by the Local Planning Authority detailing how the proposed Rootsoil 20 topsoil and subsoil sits in the cell profile and what the total root available soil volume will be per tree.

Reason: To promote successful tree planting in the interests of the visual amenities of the area (LDP Policy EN8).

20. The root-ball wrapping of trees to be planted when peeled back shall be removed and not folded in.

Reason: To promote successful tree planting in the interests of the visual amenities of the area (LDP Policy EN8).

21. Prior to the commencement of any development on site and notwithstanding the submitted landscaping plans a tree planting scheme, including species of trees, including fruit trees and bushes and a programme for its implementation shall be submitted to and approved by the Local Planning Authority and shall then be implemented as approved.

Reason: In the interests of the visual amenities of the area (LDP Policy EN8).

22. Prior to any development commencing on site details of the finished ground levels shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To avoid any doubt and ambiguity as to the finished ground levels of this site.

23. Prior to beneficial occupation an updated Active Travel Plan shall be submitted to and approved by the local planning authority. This shall include details of modal split targets, the Travel Plan co-ordinator, school

travel surveys and monitoring. The Travel Plan shall be implemented in accordance with the approved document.

Reason: To ensure that the proposed development maximises the potential for non-car trips (LDP policies T1 and T5).

24. Prior to any above-ground development commencing details of the transport works to be undertaken shall be submitted to and approved in writing by the Local Planning Authority. These are to include the following elements:

- Leckwith Road/Lawrenny Avenue junction improvements, including a Toucan crossing of Leckwith Road and a parallel cycle/zebra crossing on Lawrenny Avenue.
- A tabled parallel cycle/zebra crossing on Lawrenny Avenue, further west of Leckwith Road junction.
- Provision of appropriate bus waiting facilities/lay-bys to the south side of Lawrenny Avenue.

Those details shall be implemented prior to beneficial occupation.

Reason: To ensure that the proposed development maximises sustainable transport trips. (LDP policies T1 and T5).

25. Prior to any above-ground development commencing details of a pedestrian/cycling link between Lawrenny Avenue and Broad Street (via the existing Fitzalan School site), phasing and any alternative routes of such a link during the demolition of the existing school shall be submitted to and approved by the local planning authority. The approved link shall be completed prior to beneficial occupation of the new school.

Reason: To ensure that the proposed development maximises pedestrian accessibility (LDP policy T1).

26. Prior to any above-ground development commencing a cycle parking strategy, including details of proposed cycle parking provision, and appropriate access to spaces, shall be submitted to and approved in writing by the Local Planning Authority. This shall include consideration of cycle requirements prior to the permanent cycle parking on the existing school site being implemented. 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 (LDP policy T1).

27. Prior to any above-ground development commencing details of the proposed car park access/service access junctions with the existing highway shall be submitted to and approved in writing by the Local Planning Authority. Those details shall be implemented prior to beneficial occupation.

Reason: To ensure that the use of the proposed development does not interfere with the safety of traffic or pedestrian accessibility (LDP policy T5).

28. Prior to any above-ground development commencing details of the delivery and servicing management for the new school shall be submitted to and approved by the local planning authority, to include details of the lay-by on the stadium access road, and establishing that the service access road/turning area is of an appropriate design.
29. Vehicular car parking shall only occur in marked bays as set out on the approved plans.  
Reason: To ensure the development accords with the parking standards (LDP policy T5).
30. Prior to any above-ground development commencing samples of external materials to be used on the building shall be submitted to and approved in writing by the Local Planning Authority.  
Reason: In the interests of the visual amenities of the area (LDP Policy KP5).
31. Notwithstanding the submitted plans the noise barrier recommendation included in the applicant's report: "MACH Acoustics: Sports Noise Impact Assessment" be implemented, consisting of a 3m tall acoustic fence, such barrier being closed with no gaps and have a surface mass of at least 10kg/m<sup>2</sup>, to be installed prior to the first use of the adjacent sports pitches to the south of Ysgol Pwll Coch  
Reason. To mitigate noise arising from the use of pitches on the users of Ysgol Pwll Coch (LDP policy EN13).
32. The approved school shall not be brought into beneficial use until the sporting facilities shown on the approved Landscape Plan have been laid out and are available for use.  
Reason: To ensure the provision of sporting facilities for the health and wellbeing of pupils (LDP policies C5, C6 and C7).

**RECOMMENDATION 2 :** The contamination assessments and the affects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

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

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

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

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

**RECOMMENDATION 3 :** To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays.

Should there be a requirement to undertake foundation or other piling or drilling on site to accommodate on site surface water drainage or other works it is advised that these operations are restricted to:

Monday – Friday	8:30 until 17:30
Saturday and Sunday	Nil

**RECOMMENDATION 4** Prior to the commencement of development, the developer shall notify the Local Planning Authority of the commencement of development , and shall display a site notice and plan on, or near the site, in accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure)(Wales)(Amendment) Order 2016.

**RECOMMENDATION 5 :** 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](mailto:BilingualCardiff@cardiff.gov.uk)) can provide advice on

unique and locally appropriate Welsh names for developments, bilingual marketing / branding and bilingual signage.

## **1. DESCRIPTION OF PROPOSAL**

- 1.1 The proposal is for a replacement 11-18 high school at 10FE including 350 post-16 places to address “D” condition categorisation of existing school. Only post 16 pupil numbers will increase and that by 28.
- 1.2 The School building will consist of the three main functional elements, which are individually expressed in their massing and materiality; a three storey ‘super block’ will house the main school accommodation, with a series of large voids across the linear plan providing natural daylight to the internal classrooms; the sports accommodation and swimming pool are located in smaller scale blocks that wrap around to form an entrance plaza to the front of the school.
- 1.3 The proposed School would also include a Nurture unit and Extended Opportunities unit. A single storey timber building would be relocated from the existing school to the grounds of the proposed school for a wellbeing provision for primary aged pupils with behavioural needs who attend on a temporary basis prior to being reintegrated back into their primary schools. Two lifts are proposed within the school building.
- 1.4 The proposal creates 17786m<sup>2</sup> of Gross Internal Area, across three levels.
- 1.5 The Post 16 accommodation is to form a ‘centre’ for learning on the second floor at the front of the school. There will also be a sixth form hall at first floor level.
- 1.7 All-weather pitches including the retained existing rugby pitch (and existing stands) plus a new Hockey/football pitches and 2 new MUGAs. In addition a rugby/football pitch, 2 MUGAs and cricket nets are proposed under application 20/01647/MJR. A pitch and two MUGAs that were approved as part of the enabling works application are to be for the use of Fitzalan HS. This is a total of 4 pitches and 6 MUGAs.
- 1.8 It is a requirement that the school meets BREEAM Excellent rating. The flat roof of the superblock will incorporate a substantial number of photo voltaic panels. On-site renewable energy will be generated which will reduce the carbon and energy demand of the school in use. Part of the roof would incorporate glazing panels to allow natural light into the interior of the superblock.
- 1.9 The applicant says that for south facing elevations horizontal solar shading louvres will help limit solar gains. The strategy for ventilation and heating is to be an efficient centralised system which also ensures that the noise and air pollution from Leckwith Road and the Link Road do not impact on the internal environment for pupils and staff. This system will also include heat recovery, ensuring that excess energy is not wasted and reduce energy required for heating the building. The ventilation system also makes use of the atrium spaces in the design, utilising the natural stack effect for the extraction of stale, warm air.

- 1.10 The walls of the “super block”, would be finished in a textured multi buff brick. The “super block” also features black projecting Aluminium frames to several random windows to create a more playful appearance. A select number of frames are highlighted with yellow projections to create further interest and further animate the facades. External doors would be finished in a similar manner. Metal screening/louvres, roof top housing, brise soleil would be dark grey/black in colour. A dark grey/black panel adjoining the front entrance is proposed. There would be golden yellow coloured board cladding panel feature at the main entrance
- 1.11 To differentiate the dedicated sports block and swimming pool from the superblock the sports block would have walls of dark grey/black standing seam metal cladding, arranged above a band of facing brickwork and the Pool block, which makes up the third building function, is to be in red brick. This reflects the surrounding red brick buildings and differentiates it from the school building. The sports block and swimming pool would share both an external entrance and an internal connection with the school
- 1.12 The main pedestrian access points are from Lawrenny Avenue to the north where pupils from the larger part of the catchment of will travel from. The bus stops, pedestrian and cycle routes for pupils and staff will be through this area. In addition, there will be links through Jubilee Recreation ground and the Ely trail which will connect to future cycle highway 5.
- 1.13 Two new car parks serving the school - one located to the front of the new school building and accessed via the existing junction along Leckwith Road, the main one will be next to the rear pupil entrance from Lawrenny Avenue.
- 1.14 The number of car parking spaces meets Cardiff parking standard, with the proposed 8 accessible spaces exceeding the minimum standards. The development includes a total of 352 cycle parking spaces with provision for a further 104 cycles on the existing Fitzalan High School site.
- 1.15 The external elevations of the school buildings, main entrances, public circulation areas, vehicle parking areas, bike and bin stores and the children play areas are to be protected by CCTV.
- 1.16 Native species will be proposed for new trees and shrub planting and species-rich native seed mixes will be used for grass areas. New trees will be planted to mitigate the loss of part of the woodland belt to the west of the site and along new footpaths. Fruit orchards, allotments, beehives, greenhouse and associated storage sheds will be located to the west of the application site, between the rugby/football pitch and a belt of trees to the east of Ysgol Pwll Coch (YPC). This will contribute to local biodiversity; provide an opportunity for students to be involved in outdoor projects and to learn about food growing.
- 1.17 70 Extra-heavy standard, 11 semi-mature, mixed native hedge, native and ornamental shrubs and rain gardens are to be planted. The hedgerow along the northern boundary is to be retained as are the trees along the western boundary where they adjoin YPC.



- 1.18 A detention basin is proposed to the north east of the proposed school. In addition there would be an eco-garden, hut, Anderson shelter, WW1 trench and a single storey detached building relocated from the existing Fitzalan School to be used for extra curriculum assistance. The building would be 10m x 6m in size located 17m from the boundary with properties in Lawrenny Avenue and 32m from the nearest house.
- 1.19 The submitted plans show the retention of the existing fence along the eastern boundary of YPC for a length of 70m of the 82m long boundary at the end of this fence 2.4m high weldmesh fencing is proposed. The Sports Noise Impact Assessment submitted with this application recommends that mitigation measures are required for the rear elevation of YPC. A 3m high solid acoustic fence along the southern boundary of the school is required
- 1.20 The Transport Assessment identifies a number of pedestrian/cycle improvements linked to the school development
- i) Improve the pedestrian crossing over Leckwith Road south of junction with Lawrenny Avenue and connect to a new direct link out of Jubilee Gardens.
  - ii) Review school safety zone of 20 mph on Leckwith Road
  - iii) Provide pedestrian/cycle link from Broad Street to Lawrenny Avenue.
  - iv) Link to Cardiff Cycleway 5
  - v) Relocate bus drop off point
  - vi) CCC to reconfigure Atlas Road 5 arm junction to improve pedestrian crossing.
  - vii) CCC to investigate implementation of diagonal crossing facility across Broad St/Sanatorium Rd/Heol Terell junction.
  - viii) CCC recommended to resurface footway along the southern side of Broad Street for pedestrian safety.
- 1.21 The application site, the land to the west covering the enabling works and beyond and the athletics stadium to the south are in the ownership of this Council
- 1.22 The applicant says that work is likely to start in February/April 2021 and take approximately 2 years to complete.

## **2. DESCRIPTION OF SITE**

- 2.1 The site is south east of the existing Fitzalan HS. The site fronts Leckwith Road (A4232 dual carriageway) and Lawrenny Avenue. To the south, the site is bordered by Cardiff International Sports Campus' athletics stadium. The proposed site is generally flat across the majority of the footprint, however there is a level change where the site drops down to the section of land alongside Lawrenny Avenue which currently houses changing rooms adjacent to Canton RFC. The site is approximately 1.8m above the slab level of the 18 dwellings in Lawrenny Avenue that back onto this site. The land is about 1m higher at the point of entrance from Leckwith Road.
- 2.2 The application site has an area of 53,117 sqm (5.3 ha). The application site comprises a 3G pitch and football pitch; the Air Dome, which is an inflatable

sports facility, that is iconic as the only facility like this in the City. The Air Dome is approximately 18m high and is white with blue and yellow graphics. The Air Dome occupies a prominent position at present and is highly visible from Leckwith Road. The Athletics stadium is approximately 15m in height.

- 2.3 A single storey changing room building fronting Lawrenny Avenue next to Canton Rugby Club is to be demolished. The air dome and a sports pitch and associated car parking are to be re-sited and work is currently underway on land to the west to facilitate this.
- 2.4 There are a number of mature trees along the eastern boundary and alongside Leckwith Road that provide good levels of screening of the application site from the east, as well as landscaped visual interest. Along the western boundary of the site adjoining YPC is a belt of trees that extend beyond the southern boundary of YPC by some 70m.
- 2.5 There is a SINC between the proposed building and Leckwith Road that lies within the application site. The Site of Important Nature Conservation comprises a ditch, which runs alongside Leckwith Road to the east. The SINC is designated due to this being the last of this format.

### 3. **PLANNING HISTORY**

- 3.1 There have been several applications on this site over the last few years to upgrade pitches and for the air-dome but none are considered particularly relevant to the consideration of this application especially as application 20/00035/MJR is currently being implemented.
- 3.2 Immediately to the west of this site application 20/00035/MJR has been approved for:
  - RELOCATION OF THE AIR DOME
  - NEW GRASS STITCHED FOOTBALL PITCH TIER 2 STANDARD (WITH NO FLOOD LIGHTING)
  - NEW 3G RUGBY / FOOTBALL PITCH
  - RELOCATED THROWING RANGE
  - ERECTION OF 2 STOREY CHANGING ROOM BUILDING (WITH 3 COMMUNITY CLASSROOMS AT FIRST FLOOR AND 1 ON GROUND FLOOR)
  - ERECTION OF A SINGLE STOREY CHANGING ROOM BUILDING
  - NEW PITCH 5
  - MULTI USE GAMES AREAS (MUGAS) 16 AND 17
  - PROVISION OF NEW CAR PARKING AREA AND CYCLE STANDS FOR COMMUNITY PARKING

The Enabling Works application is to re-provide existing sports facilities for the use of Cardiff and Vale College (CAVC), Canton RFC, Canton Liberal FC and House of Sport (which run Athletics facilities), in addition to Fitzalan High School.

- 3.3 20/01647/MJR 1 Sports grass pitch and 2 MUGAs on part of the existing Fitzalan HS site when the existing school buildings are demolished - undetermined.
- 3.4 The current application has been the subject of pre-application discussions.

#### 4. **PLANNING POLICIES**

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

KP3 (B) Within the Settlement Boundary  
KP5 Good Quality and Sustainable Design;  
KP8 Sustainable Transport  
KP13 Responding to Evidenced Social Needs  
KP14 Healthy Living  
KP15 Climate Change  
EN4 River Corridors  
EN7 Priority Habitats and Species  
EN8 Trees, Woodlands and Hedgerows  
EN13 Air, Noise, Light Pollution and Contaminated Land  
EN14 Flood Risk  
T1 Walking and Cycling  
T5 Managing Transport Impacts  
T6 Impact on Transport Networks and Services  
C1 Community Facilities  
C2 Protection of Existing Community Facilities  
C3 Community Safety/Creating Safe Environments;  
C5 Provision for Open Space, Outdoor Recreation, Children's Play and Sport  
C6 Health  
C7 Planning for Schools  
W2 Provision for Waste Management Facilities in Development.

##### 4.2 It is considered that the following SPGs are relevant to this development:-

Managing Transportation Impacts (incorporating parking standards)  
Archaeology and Archaeologically Sensitive Areas  
Green Infrastructure  
Ecology and Biodiversity  
Soils and Development  
Open Space  
Trees and Development  
Waste Collection and Storage Facilities

##### 4.3 Planning Policy Wales (Edition 10)

#### 5. **INTERNAL CONSULTATIONS**

##### 5.1 (a) The Tree Officer states:

The submitted AMS needs to make provision for auditable site monitoring with reports sent to the LPA to demonstrate compliance with tree protection measures.

In terms of landscaping, a detailed planting and aftercare methodology is required that cross references other relevant plans and documents.

The soft landscape tree pit section needs to detail the irrigation/aeration product and reference to peeling back the root-ball wrapping should make clear that peeled back parts are removed, not folded in.

The hard landscape tree pit section needs to make clear where the proposed Rootsoil 20 topsoil and subsoil sits in the cell profile and it needs to be clear what the total root available soil volume will be per tree.

The landscape scheme is short on large, long-lived, slow growing trees and broad leaved evergreens. These are important components in terms of mitigating the predicted impacts of climate change. *Quercus* for example, is absent, whereas the fast growing but not typically long lived *Alnus*, *Betula*, *Gleditsia*, *Liriodendron*, *Populus*, *Prunus*, *Pyrus* and *Sorbus* feature quite prominently. Consideration should be given to the incorporation of *Quercus petraea* and *Quercus suber*, the former as a large, long-lived native that is more adaptable to climatic extremes than *Q. robur* and the latter as a broad-leaved evergreen that is not impacted by Oak Processionary Moth and is drought tolerant, slow growing and long-lived. *Quercus* can be used as one tree where two smaller trees are proposed. Some specimen *Ilex*, e.g. *I. aquifolium* 'J.C. Van Tol' would offer increased broad-leaved evergreen cover and combines well with *Quercus*. *Crataegus* spp., also work well with *Quercus* and are typically long-lived, tough and with a wide range of ornamental features and good biodiversity value. I'm not sure why the fastigiated *Liriodendron* features – there doesn't seem to be a specific design rationale for its use and the species would seem as appropriate, though in general terms *Liriodendron* is best used as a 'forest' tree, being intolerant of drought and prone to honeydew problems through the growing season. *Pyrus calleryana* should be avoided as a hard landscape tree in my view given its propensity to produce fruit in early maturity and its propensity to suffer failure around the same time due to co-dominant leaders. I suggest any of the following as alternatives: -

*Acer campestre* 'Streetwise'  
*Acer monspessulanum*  
*Gleditsia triacanthos* var. *inermis* 'Imperial'  
*Koelreuteria paniculata*  
*Zelkova serrata* 'Green Vase'

*Acer platanoides* 'Emerald Queen' should be avoided close to car-parking due to its propensity to honeydew problems. I suggest an equivalent, large, long-lived tree such as *Ostrya carpinifolia*.

*Tilia cordata* 'Greenspire' has periodically been reported with structural problems. Consider *Tilia cordata* 'Rancho' or 'Streetwise' as alternatives.

I note that an area of fruit trees and bushes is shown as TBC. It would be a shame not to include this feature and consequently full details should be provided at the earliest opportunity.

(b) the aftercare methodology relates to the enabling works site – a planting &

aftercare methodology is required for the main school site. I've seen the plant schedule as part of the consultation on the main site and my comments on this are as per previous. The AMS includes a section on site monitoring, but does not make provision for auditable site monitoring with reports to the LPA.

And

(c) following the submission of amended landscaping drawings the Tree Officer confirmed that he had no objections to the amendments subject to conditions.

## 5.2 Contaminated Land state:

I would like to provide comments in relation to potential contamination issues on behalf of SRS: Environment Team:-

Jubb Consulting Engineers Ltd. June 2020; Main Works Phase Supplementary Ground Conditions Assessment Report Ref: FHS-JUBB-90-ZZ-RP-C-XXXX

Jubb Consulting Engineers Ltd. June 2020; Main Works Phase Remediation Strategy Report Ref:FHS-JUBB-90-ZZ-RP-C-002

The above ground conditions report includes a detailed assessment of potential contamination and ground gas and associated risks to human health and the environment. This includes a review of previous assessments of the site and more recent investigations of accessible parts of the site, undertaken by the consultant.

In relation to contaminants, the assessment identifies elevated lead levels and sporadic and low concentration asbestos in site soils, requiring remediation and mitigation measures. In relation to ground gas, elevated ground gas emissions within the made ground, with the ground conditions classified as 'Characteristic Situation 2', requiring passive ground gas protection measures within proposed structures.

It is noted that the ongoing use of pitches and presence of buildings on site impeded access to parts of the site and further ground investigations, including ground gas monitoring, will be necessary in these areas. The authors acknowledge that the report should be considered preliminary until all ground investigation works and assessments have been completed:

The above remediation strategy proposes appropriate remediation actions for dealing with the identified risks and contaminants of concern as determined by the contamination assessments undertaken to date. However, the remediation strategy will need to be reviewed and updated to reflect the findings of the additional assessments required.

The relevant standard conditions are recommended below in relation to the above. However, because of access limitations, it is likely that this work will need to be undertaken once the pitches are disused and air dome structure (and any other buildings present) have been relocated.

\*Consequently, it is recommended that Development Control amend Conditions PC13, PC14A and PC14B from pre-commencement to 'pre-construction' by an

appropriate phrase, to accommodate this.

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

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

## CONDITIONS

### \*PC13. GROUND GAS PROTECTION

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

Following completion of the approved monitoring scheme, the proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing to the LPA. If no protection measures are required than no further actions will be required.

All required gas protection measures shall be installed and appropriately verified before occupation of any part of the development which has been permitted and the approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required.

‘Gases’ include landfill gases, vapours from contaminated land sites, and naturally occurring methane and carbon dioxide, but does not include radon gas. Gas Monitoring programmes should be designed in line with current best practice as detailed in CIRIA 665 and BS 8485:2015+A1:2019 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings.

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

### PC14A. CONTAMINATED LAND MEASURES – ASSESSMENT

Prior to the commencement of the development an assessment of the nature and extent of contamination shall be submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person \* in accordance with BS10175

(2011) Code of Practice for the Investigation of Potentially Contaminated Sites and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

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

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance document 'Land Contamination: A guide for Developers' (2017), unless the Local Planning Authority agrees to any variation.

\* A 'suitably qualified competent person' would normally be expected to be a chartered member of an appropriate professional body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

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

#### PC14B. CONTAMINATED LAND MEASURES – REMEDIATION & VERIFICATION PLAN

Prior to the commencement of the development a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The

scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance document 'Land Contamination: A guide for Developers' (2017), unless the Local Planning Authority agrees to any variation.

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

#### PC14C. CONTAMINATED LAND MEASURES - REMEDIATION & VERIFICATION (amended)

The remediation scheme approved by condition x (PC14B above) must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance document 'Land Contamination: A guide for Developers' (2017), unless the Local Planning Authority agrees to any variation.

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

#### PC14D. CONTAMINATED LAND MEASURES – UNFORESEEN CONTAMINATION

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in



writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the LPA within 2 weeks of the discovery of any unsuspected contamination.

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

#### PC15A IMPORTED SOIL

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

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

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

#### PC15B IMPORTED AGGREGATES

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

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

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

## PC15C USE OF SITE WON MATERIALS

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

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

## ADVISORY/INFORMATIVE

### R4 CONTAMINATION AND UNSTABLE LAND ADVISORY NOTICE

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

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

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

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

- 5.3 Public Rights of Way have no objections to this application as there are no paths affected. The adopted highway elements will be responded to via Transportation Team.

#### 5.4 (a) The Transport Officer states:

There has been extensive pre-application discussions on the School site, and the application submission generally reflects our transport requirements, although a number of conditions are sought.

##### Car Parking and Highway Access

There will be two car parks associated with the new school. The northern one is to be accessed off Lawrenny Avenue (to the east of Ysgol Pwll Coch) and will comprise 39 parking spaces, including one disabled space. The submitted drawings show the layout up to the red-line boundary but not to Lawrenny Avenue itself, and additional/more detailed drawings will subsequently be required, but this can be conditioned.

The southern car park is shown to provide 25 spaces, including 7 disabled, and space for an additional 6 minibuses in a further area to the north. Further details on this access can also be covered by condition; this car park accesses onto the stadium access road, beyond the point of highway adoption.

The overall amount of vehicle parking proposed is deemed acceptable.

It is additionally proposed for a service access road and turning/unloading area to be provided on the eastern boundary of the school, broadly parallel with Leckwith Road. This would egress onto the stadium access road to the east of the barrier gates, within the area of adopted highway. This access road is generally only a single vehicle width with passing places. This is fine in-principle although there does seem to be a lot of tarmac/turning area at the northern end, and we would want to ensure that there is not additional car parking in this area. There is also a plan for a delivery lay-by between the southern car park and the main service access, and we would need to understand how this is to operate. We will be looking for a condition that deals with service/delivery access.

##### Cycle Parking

As a result of ongoing discussions on cycle parking, we have reached a position where we are satisfied the proposed provision of 456 spaces (352 spaces on the main site and 104 spaces on the site of the existing school) meets the number required under the Council's current supplementary planning guidance. The precise specification of the proposed cycle stands will need to be agreed through the discharge of the condition on cycle parking.

##### Off-site Transport measures, including Cycleway 5

Off-site highway works will include a number of changes to Lawrenny Avenue. These include the provision of a parallel zebra crossing and a toucan crossing at the junction of Lawrenny Avenue/Leckwith Road, controlled pedestrian crossing facilities on Lawrenny Avenue and the relocation of the bus lay-bys to the southern side of the Lawrenny Avenue.

Cardiff Council are in the process of designing the strategic Cycleway 5 scheme, which connects the City Centre with west Cardiff, and passes within the vicinity of the school, via Lawrenny Avenue. This is a key piece of

infrastructure which will help to encourage sustainable transport trips, including by school pupils, staff and visitors. The scheme will additionally involve controlled pedestrian crossings on Lawrenny Avenue and an additional Toucan crossing at the Leckwith Road /Lawrenny Avenue junction. In order to avoid any abortive works and to ensure sustainable transport trips are maximised, these works will need to be in place before the occupation of the new school and will be delivered by the Council's Transport team as part of the Council's cycleway development programme which is being part funded by Welsh Government's transport grants.

Although there is a minimal increase in traffic associated with the new school (in comparison with the existing), there will be changes in traffic flows, and it will be important that Lawrenny Avenue traffic access (at school peak times) is suitably controlled. This will be achieved by the introduction of a School Street scheme which will restrict vehicular access to the section of Lawrenny Avenue within the immediate vicinity of the entrances to the new school and Ysgol Pwll Coch. This scheme will be delivered by the Transport team and will be in place in advance of the new school opening

#### Traffic Impact

The CC Traffic Modelling team agreed the format and parameters of the junction assessment during the application process. The Jubb TA Addendum summarises the forecast operational assessments at local junctions. This indicates slightly lower queue and delay figures with the school (including a proposed Toucan crossing, and an allowance for SCOOT traffic co-ordination), in comparison with the equivalent No Development scenarios.

#### Existing Fitzalan School Pedestrian/Cycling Link

Prior to any above-ground development commencing details of a pedestrian/cycling link between Lawrenny Avenue and Broad Street (via the existing Fitzalan School site), phasing and any alternative routes of such a link during the demolition of the existing school shall be submitted to and approved by the local planning authority. The approved link shall be completed prior to beneficial occupation of the new school.

Reason: To ensure that the proposed development maximises pedestrian and cyclist accessibility (LDP policy T1).

#### Cycle Parking

Prior to any above-ground development commencing a cycle parking strategy, including details of proposed cycle parking provision, and appropriate access to spaces, shall be submitted to and approved in writing by the Local Planning Authority. This shall include consideration of cycle requirements prior to the permanent cycle parking on the existing school site being implemented. 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.

### Transport Works

Prior to any above-ground development commencing details of the transport works to be undertaken shall be submitted to and approved in writing by the Local Planning Authority. These are to include the following elements:

- Leckwith Road/Lawrenny Avenue junction improvements, including a Toucan crossing of Leckwith Road and a parallel cycle/zebra crossing on Lawrenny Avenue.
- A tabled parallel cycle/zebra crossing on Lawrenny Avenue, further west of Leckwith Road junction.
- Provision of appropriate bus waiting facilities/lay-bys to the south side of Lawrenny Avenue.

Those details shall be implemented prior to beneficial occupation.

Reason: To ensure that the proposed development maximises sustainable transport trips.

### Active Travel Plan

Prior to beneficial occupation an updated Active Travel Plan shall be submitted to and approved by the local planning authority. This shall include details of modal split targets, the Travel Plan co-ordinator, school travel surveys and monitoring. The Travel Plan shall be implemented in accordance with the approved document.

Reason: To ensure that the proposed development maximises the potential for non-car trips.

### Access Junctions

Prior to any above-ground development commencing details of the proposed car park access/service access junctions with the existing highway shall be submitted to and approved in writing by the Local Planning Authority. Those details shall be implemented prior to beneficial occupation.

Reason: To ensure that the use of the proposed development does not interfere with the safety of traffic or pedestrian accessibility.

### Delivery/Servicing Management

Prior to any above-ground development commencing details of the delivery and servicing management for the new school shall be submitted to and approved by the local planning authority, to include details of the lay-by on the stadium access road, and establishing that the service access road/turning area is of an appropriate design.

Reason: To ensure the development adequately provides for servicing and delivery vehicles.

### Car Parking

Vehicular car parking should only occur in marked bays as set out on the approved plans.

Reason: To ensure the development accords with the parking standards.

(b) The Transport Officer also advises that:

Whilst bus stop relocation is not formally a part of the new school works, my condition (re Transport Works) is indicating that a range of sustainable transport

measures (including pedestrian/cyclist crossing and bus stop facilities) will need to be in place before the new school opens. I understand these works will be in place by June 2022 so should be finished well before school is due to open.

5.5 The Active and Sustainable Transport Planner for New Schools states:

The design of the new school development and its access arrangements have been determined after detailed consideration of a number of technical constraints which include the relationship of the site to neighbouring land uses, the availability of space within the site and land drainage issues.

Due to these constraints it was not possible to plan the site layout in a way that created sufficient space for the provision of the bus drop offs to be served via the Leckwith Stadium access.

The option of providing bus drop off facilities somewhere within Cardiff City Stadium or the retail park site - which would require land owner's consent - was considered. However, aside from the land ownership issue, the option was discounted because it is considered neither practical nor safe to require pupils travelling by bus to cross Leckwith Road.

Provision of bus drop off facilities on Lawrenny Avenue is therefore the only other option available.

5.6 The Noise Officer states:

With regard to this application I have considered the documents within the scope of this department, in particular the MACH Acoustics: Sports Noise Impact Assessment, Construction Management Plan - main works rev02, Main School External Lighting Lux diagram, Floodlighting report, Source Intensity & Vertical Spill plan, and Air Quality Assessment (sref 05-19-76250).

Following the assessment of these documents I would suggest the following conditions be attached to any subsequent consent: -

1. Construction Management Plan – The hours of work are acceptable at 0730 hrs to 1800 hrs on Monday to Friday, and 0800 hrs to 1300 hrs on Saturday. However the above timings should not include any noisy work activities being carried out before 0800 hrs on any day. The condition might take the form thus: -

“No noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by demolition and 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 Sundays or public holidays. The site may open for preparatory works at 0730 hrs Monday to Friday, but this is not to consist of noisy activities which are only to commence later than 0800 hrs on Monday to Saturday, unless such work is:

- (a) associated with an emergency (relating to health and safety or

- environmental issues);
- (b) carried out with the prior written approval of the Local Planning Authority.

Should there be a requirement to undertake foundation or other piling or drilling on site to accommodate on site surface water drainage or other works it is advised that these operations are restricted to:

Monday – Friday	8:30 until 17:30
Saturday and Sunday	Nil

Reason: To ensure the amenity of occupiers of other premises in the vicinity are protected.”

2. That the noise barrier recommendation included in the applicant’s report: “MACH Acoustics: Sports Noise Impact Assessment” is implemented, consisting of a 3m tall acoustic fence, such barrier being closed with no gaps and have a surface mass of at least 10kg/m<sup>2</sup>, to be installed prior to the first use of the adjacent sports pitches.

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

- 5.7 The Council’s Ecologist recommends acceptance of NRW’s European protected species condition

## 6. **EXTERNAL CONSULTATIONS**

- 6.1 Welsh Water request that a condition and advisory notes be attached to any consent.

Condition No building shall be occupied until the foul drainage system for the site has been completed in accordance with the approved details. Thereafter no further surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage system. Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment

Advisory Notes 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 engage in consultation with the Local Authority, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, 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](http://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.

(Welsh Water's comments have been sent to the applicant's agent for their advice).

6.2 NRW recommend six conditions (5 land contamination and one European protected species)

Condition 1: Land affected by contamination

No development or phase of development shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.

- 1 A preliminary risk assessment which has identified:
  - All previous uses
  - Potential contaminants associated with those uses
  - A conceptual model of the site indicating sources, pathways and receptors
  - Potentially unacceptable risks arising from contamination at the site
- 2 A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3 The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.



Justification: To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination.

#### Condition 2: Contamination verification report

Prior to the occupation of the development or phase of development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

#### Justification:

To ensure the methods identified in the verification plan have been implemented and completed. In addition, the risk associated with the contamination at the site has been remediated prior to occupation or operation, to prevent both future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems. Furthermore, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.

#### Condition 3: Unsuspected contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

#### Justification:

To ensure the risks associated with previously unsuspected contamination at the site are dealt with through remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks. A site investigation may not uncover all instances of contamination and this condition ensures that contamination encountered during the development phase is dealt with appropriately.

#### Condition 4: Surface water drainage

No infiltration of surface water drainage into the ground site is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Justification:

To prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution.

Condition 5: Piling

No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater, have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.

Justification:

Piling/foundation details should be submitted to ensure that there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development of phase of development.

European Protected Species

NRW have reviewed the following documents submitted in support of the above application:

- i. 'Fitzalan School –Main Works: Ecological Impact Assessment –Draft Report', prepared by JBA Consulting, reference BUJ-JBAU-XX-XX-RP-BD-0001-S0-P01.4, dated February 2020.
- ii. 'Fitzalan School: Biodiversity and Landscape Management Plan', prepared by JBA Consulting, version 2, dated June 2020.
- iii. Drawing entitled, 'Landscape (School Contract Works) Proposed Landscape Plan', prepared by Austin Smith Lord Ltd., drawing number FHS-ASL-90-XX-DR-L-0910, revision P8, undated.
- iv. 'Soft Landscape Aftercare Methodology', prepared by Mackley Davies Associates Ltd., version 2, dated April 2020.
- v. 'Tree Protection Plan (Sheet 1 of 2)', prepared by Mackley Davies Associates Ltd., revision E, dated September 2019
- vi. 'Tree Protection Plan (Sheet 2 of 2)', prepared by Mackley Davies Associates Ltd., revision E, dated September 2019.
- vii. Drawing entitled, 'Planting Schedule', prepared by Austin Smith Lord Ltd., drawing number FHS-ASL-90-XX-DR-L-0935, revision P2, undated.
- viii. Drawing entitled, 'General Arrangement Sheet 3', prepared by Austin Smith Lord Ltd., drawing number FHS-ASL-90-XX-DR-L-0932, revision P2, undated.

NRW note from the above documents that overall the site was considered to have moderate suitability for foraging and commuting bats. NRW also note that the above-named supporting documents cover additional land relating to extant planning permission 20/00035/MJR for the western and southern portion of the site, and that this land is outside of the scope of this consultation. NRW therefore wish to clarify that comments provided in this response pertain only to area for this planning application.

#### Condition 6: European Protected Species

In view of the information provided, NRW considers that there should not be a detriment to the maintenance of the favourable conservation status of European Protected Species. However, we recommend that planning permission should only be granted if the above-listed documents (i to viii) are included within a condition identifying approved plans and documents on the decision notice for implementation of the ecology-related recommendations (wildlife corridor reinstatement, mitigation against external lighting on bat foraging/commuting etc.).

A 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 or to damage or destroy their breeding sites and resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

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

#### Flood Risk

NRW have reviewed the FCA submitted in support of the above application. Based on the information provided in the FCA, NRW raise no concerns in respect of flood risk matters. The FCA states that the proposed finished floor level (FFL) of the school building will be 9.85m AOD and the ground level for the Northern carpark and MUGA pitches will be 8m AOD. Based on these levels, the FCA shows:

- During the 1% (1 in 100 year) plus 25% for climate change annual probability fluvial flood event, the predicted flood level is 7.84m AOD. The proposed development is predicted to be flood free during a 1% (1 in 100 year) plus 25% for climate change annual probability fluvial flood event. Thus, the development meets the requirements of A1.14 of TAN15.
- During a 0.1% (1 in 1000 year) annual probability fluvial flood event, the predicted flood level is 8.37m AOD. The proposed school building is therefore predicted to be flood free during a 0.1% (1 in 1000 year) annual probability fluvial flood event. However, the proposed Northern carpark and MUGA pitches are predicted to flood to a maximum depth of 320mm, at a maximum velocity of 0.47m/s. This velocity exceeds the tolerable limits of A1.15 of TAN15, which states the maximum velocity of highly vulnerable development should not exceed 0.3m/s.

As part of the development, flood storage compensation is required in order to avoid potential detriment to the surrounding area. The loss of flood storage is calculated as 2673m<sup>3</sup>, the replacement compensation gives a storage volume of 3051m<sup>3</sup> which gives an improvement of 378m<sup>3</sup>.

The FCA has proposed the management of any residual flood risk by recommending the preparation of a flood action plan, the occupying facility sign up to the flood warning service and the incorporation of flood resistant/resilient materials.

NRW consider the risk of tidal flooding to the proposed development as negligible, as the site benefits from the presence of the Cardiff Bay Barrage. This operates in a flood risk capacity, providing significant protection to Cardiff from tidal flood risk. Therefore, NRW have no further comments regarding tidal flood risk in this instance.

It is for the Planning Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN15.

(NRW's comments have been forwarded to the applicant's agent).

### 6.3 GGAT state:

Information in the Historic Environment Record, curated by this Trust, shows that there are a number of archaeologically significant sites in the vicinity, including a late Bronze Age-early Iron Age hoard containing axes, chisels, sickles and razors. Roman finds have also been recovered within the area. However, there are no recorded archaeological sites within the application area and a review of the early historic Ordnance Survey maps, dating from 1880 to 1940, shows the area to be open land with no features of apparent archaeological interest.

We have previously recommended archaeological mitigation for previous proposals in the area. However, as noted in our response to application 20/00035, ground investigation work indicates that the area has been extensively disturbed. Previous disturbance of the site includes the works associated with the straightening and redirection of the River Ely and the subsequent construction of drainage ditches, aligned northwest to southeast, that run across the application area as depicted on the Ordnance Survey map dated 1963 to 1965. Furthermore, that work has illustrated that the ground within the application area has also been raised, coinciding with landfill records and the identified levels of made ground detailed in GI work. Consequently, the underlying tidal flat deposits and alluvial deposits, which have a high potential of containing archaeological remains, are deeply buried beneath the layer of made ground which has an average thickness of approximately 2.4 to 3.2 metres across the site.

Given the nature of the proposed development and our understanding of the current information regarding the site, it is unlikely that significant archaeological remains will be encountered. As a result, archaeological mitigation works will not be required and as the archaeological advisors to your Members we have no archaeological objection to this application.

#### 6.4 (a) Sports Council for Wales states

Although the proposal involves the provision of new indoor sports facilities including a new swimming pool to replace those at the existing site off Lawrenny Avenue, which is welcomed, Sport Wales is commenting here in its role as the statutory consultee on developments affecting playing fields as set out in the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (SI 2012/801).

Sport Wales previously commented on the related application (20/00035/MJR) involving the relocation of the Football Air-dome and provision of other new pitches immediately to the west and while it was satisfied the proposal resulted in improved sports provision it had concerns about the impact on Ysgol Pwll Coch's playing field provision and reconfiguration.

The proposal for the new Fitzalan School involves the loss of the existing football pitch lying nearest to Leckwith Road; the retention of the existing 3G rugby pitch; the provision of a new sand dressed hockey/football pitch on the site of the existing Air-dome and the provision of two new Multi Use Games Areas. In summarising the overall impact, the obvious concern is the loss of the football pitch but as that is being replaced with a new pitch on the existing Fitzalan site under planning application 20/01648/MJR and provided that access to the new facilities will remain the same as present, Sport Wales is satisfied that all the proposals combined will result in improved sports provision.

However, as expressed during the pre-application consultation, Sport Wales has concerns about the sufficiency of provision for the two schools, Ysgol Pwll Coch and Fitzalan High School. Ysgol Pwll Coch will be significantly short of the statutory minimum team game playing field areas set out in the Schools Premises Regulations and the new Fitzalan High School is only able to meet the minimum because it has been agreed that its' artificial playing field areas are counted four times and not the recommended two times.

It is noted that Cardiff Council has worked closely with the Welsh Government's 21st Century Schools Team to ensure provision meets the needs of the new school and pitch usage has been measured but while it is recognised that artificial pitches can be used extensively they do have limitations and there should be caution when adopting a multiplying factor against grass pitches. Firstly, due to their size, only a certain number can use them at any one time, which will be reduced under the current social distancing requirements. Secondly, because of their configuration, they are not as flexible as grass playing fields and in particular not suitable for the summer sports, athletics and cricket. The pre-application consultation revealed a demand for a cricket pitch and it has been suggested that grass pitch 5 could be used but it will difficult to prepare a cricket square of any quality on the centre spot of a football pitch following a winter's use. Also, while the 3G pitch (Pitch 2) will be able to accommodate competitive rugby and football, the sand dressed artificial pitch (Pitch 6) earmarked for football and hockey will not be able to host competitive football. This calls into question applying the same multiplying value for that pitch.

It is appreciated that it is an urban environment and it is a constrained site and while access may be arranged to the other facilities at Leckwith, Sport Wales calls for consideration of more facilities on the existing school site off Lawrenny Avenue in addition to the proposed pitch and multi-use games areas. It could provide the capacity to provide a bigger and better cricket pitch as requested and help to address the shortfall at Ysgol Pwll Coch.

(b) And following a letter from the agent in response to SCfW original comments stated:

As per our comments on planning application 20/00035, we acknowledge that the redrawing of the Ysgol Pwll Coch site results in a greater footprint but the shape of its proposed new playing field does not lend itself to games and activities as well as the existing squarer field. In addition, even with a greater footprint, the school does not meet the statutory minimum playing field requirements of the Schools Premises Regulations.

#### Cricket

As commented on application 20/01648, Sport Wales is concerned that a cricket square of any quality can be provided on the centre spot of a football pitch following a winter's use. The availability of the cricket wicket at Sanatorium Park is noted but in what condition is it and can it accommodate the school's use as well as any existing users? The inclusion of the cricket nets are welcomed.

The above issues - Pwll Coch being short of the statutory minimum and concerns about the cricket provision - adds weight to Sport Wales's call for more land at the existing Fitzalan High School site to be retained for the PE and sporting needs of Pwll Coch and Fitzalan HS.

## 7 **REPRESENTATIONS**

- 7.1 Local Members have been consulted. No comments have been received to date but will be reported to Committee if received.
- 7.2 The proposal has been advertised in the press and by site notices as a major application.
- 7.3 Neighbouring occupiers were consulted by letter.
- 7.4 One letter of objection has been received from a local resident who states:

*I would like to object to the above planning application, the new school will no longer in Lawrenny Avenue, therefor there should be no pedestrian or motorised access from Lawrenny Avenue. if you allow this, parents will still drop off their children off in Lawrenny Avenue adding even more traffic to the street for longer periods of time. There is already good road access from Leckwith Road which already has a traffic light system and road infrastructure in place this can easily allow buses and coaches and cars to enter the new school, there is also a large car parking area already there .this would ease the already over saturated traffic in Lawrenny Avenue.*

*The Gol Center has already increased its number of pitches which in turn increases the traffic in Lawrenny Avenue late into the night and on weekends*

*The new school will be bigger and so will also be increasing the volume of traffic, at the moment there is already standing traffic in the street, cars buses coaches standing for long periods of time with their engines running this is not a good thing for the residents of the street or the school children who have to walk alongside this to and from school. This is not just on week days but also on weekends and evenings. as Lawrenny Avenue is not a through road what goes up the street must come back down this also will increase the amount of rubbish left in the street by the children from the school.*

*The land proposed for the new school has had a beam report done on it to allow planning permission in this report there is mention of Japanese Knotweed in the proposed site, which I am very concerned about, also soil has been imported to the site from somewhere else I have reported this several times to the council and have supplied photos to prove this. There has been no response despite several emails [photos still available] If planning permission is granted this will make a mockery of the whole point of a report being done in the first place.*

*The proposed building will overlook the gardens bedrooms and bathrooms of the residents of Lawrenny Avenue as the land where the school is proposed to go is much higher. therefore any windows overlooking the backs of the properties of lawrenny avenue should have OBSCURE or FROSTED glazing.*

**RESIDENTS HAVE A RIGHT TO ENJOY THEIR HOMES AND GARDENS WITHOUT INTRUSION FROM A PUBLIC AUTHORITY AND PROTECTION FROM NOISE ,POLLUTION AND NUISANCE.**

*There is also a safety issues as it allows access to the rear of the properties of Lawrenny Avenue some residents have already experienced things being thrown at their windows and things thrown into their back gardens there is also an issue with the lighting and noise people blowing whistles and swearing which sometimes goes on till 10pm and lights left on all night this has gone on for over a year and is still not been resolved. This does not inspire confidence in the councils ability to resolve issues once the building is built that is why these matters must be sorted out before planning permission is granted.*

*There is a drainage ditch that runs behind the houses and up Leckwith Road I have been told that it is no longer in use and yet it still fills with water when it rains as the houses are lower than the field where is this water going to go Furthermore the land between the proposed school and gardens of Lawrenny Avenue must be regularly maintained who will do this the council cannot maintain the gullies that are already there*

*These issues must be resolved before planning permission can be granted*

- 7.5 54 letters of objection (mainly in a standardised format) have been received from parents of pupils at Ysgol Pwll Coch. The standard letter of objection states:

*I object due to the following concerns*

1. *Fitzalan Facilities: We need clarification around the anticipated accessibility of the sport pitches, sports hall and swimming pool for YPC pupils, either during or after school hours. There's contradictory information within the consultation documents around this and no specificity. We seek assurances that Ysgol Pwll Coch will have access to use these new facilities on a regular basis by formal arrangement. The sports noise assessment document indicates that these facilities will not be fully utilised throughout the school day by Fitzalan, so there should be scope for access.*
2. *Noise mitigation: The consultation document details assessments that have been made on the noise impact of the new development as a result of its proximity to YPC. The noise modelling highlights the need for remediation on the southern facing façades of the building except for the small area with no windows on the southernmost part of the building. However this document also states that no noise mitigation work is required on the eastern-facing wall, despite it facing the development and there being classrooms and windows on that elevation of the building. The document claims noise levels will be within limits (but only just). This is a serious concern to pupils and parents of YPC and we are calling on the developers to deal with the noise remediation that's needed here, or these classrooms and pupils in the upper school could suffer, especially when windows are open.*
3. *Acoustic fencing – south boundary: The consultation document proposes an 'acoustic fence' as remediation of the noise levels from the development. This will run along the south perimeter of YPC's playground. We are concerned about the impact high fences would have on the ambience of the playground and so we would welcome further discussion on what would work better to reduce the visual impact on YPC's side, such as the planting of conifer hedging or trees. This will also make it more visually appealing, as well as being environmentally friendly and offering extra sound cushioning. It will also complement the idea of the 'buffer zone' planting which was suggested and requested during the first phase of consultation.*
4. *Traffic issues: There's several issues we would like to raise here.*
  - a) *Bus / coach drop offs: To make Lawrenny Avenue as safe as possible and limit the pedestrian and traffic impact of the development we need to limit the amount of traffic using Lawrenny Avenue as much as possible. The most effective way to do this would be to redesign the proposed traffic system (coach drop offs on Lawrenny Avenue) and instead create a coach drop off area to the south of the development, accessed exclusively off Leckwith Road adjacent to the Cardiff City stadium via the traffic light controlled junction. The Traffic*



*Assessment document within the consultation pack states that this is a practical possibility.*

*There's a number of benefits to this:*

- 1. It would significantly reduce the traffic on Lawrenny Avenue, reducing the risk to pedestrians as well as air pollution for thousands of students arriving at and leaving school.*
- 2. It would considerably reduce the pressure on the current road junction at the entrance to Lawrenny Avenue. This deals with an enormous volume of traffic entering and exiting the road, despite not having any signal controls.*
- 3. It would go some way to counter the impact of the additional volumes of traffic likely to be imposed on Lawrenny Avenue, due to parents dropping off children to Fitzalan - this currently takes place in large volumes on Broad Street causing countless hazards for road users and pedestrians.*
- 4. It would help reduce the hazards for pedestrians of Lawrenny Avenue, numbers of which are likely to be considerably higher given the proposed route of a cycle and pedestrian path from Broad Street through to Lawrenny Avenue and across into the new school. It's hard to not think this would not be chaotic - thousands of children and young people crossing Lawrenny Avenue within a short window, twice a day.*

- b) Coach stops on Lawrenny Avenue: the location of the bus stops will have a huge impact on the safety of pupils at both schools.*

*Impact of placing them next to or outside Ysgol PwllCoch:*

- 1. Environmental: impact of dirty noisy busses parking outside the school twice a day*
- 2. Traffic: significant additional traffic outside the school in addition to parent drop offs for YPC students*
- 3. Safety: there would be a significant increase in the footfall past Pwll Coch every day, creating large crowds of people. This would make it very difficult for parents to manage their children, particularly smaller ones, as well as it being a frenetic and potentially intimidating environment for the children themselves.*

*A better solution for YPC would be for them to be positioned further down Lawrenny Avenue, past the existing rugby club. This would be much closer to the new main pedestrian entry point of the development. It would also give far better separation of road and pedestrian traffic for each school.*

- c) Lawrenny Avenue crossing: Whatever the final configuration of the school drop offs, there will suddenly be a far greater volume of*

people crossing Lawrenny Avenue, causing a massive hazard for road users (cars, Bikes, etc.) We are therefore appealing strongly to the Council and developers to put additional measures in place to make the street safe for pedestrians crossing the road in a way that doesn't interrupt traffic. The existing zebra crossing will not be sufficient for the increased numbers. A footbridge or similar solution would allow a safe and continuous passage.

4. *Footpath entry to Fitzalan from north west: The proposed western boundary footpath, running alongside YPC, parallel to the playing field, should be gated and time locked to avoid antisocial behaviour and littering problems. It would also restrict any members of the public gain unacceptable proximity to the students of YPC*

7.6 Other similar letters have been received concerned about traffic safety, noise mitigation and boundary screening. Some of the issues raised are in respect of the enabling works approved under planning application 20/00035/MJR which is currently being implemented. I have highlighted below additional areas of concern that have been made:

*a) There has been minimal effort on the part of the planners to engage with the parent body and every engagement we have achieved has been a product of our own coordinated persistence. I was personally encouraged by the engagement we achieved during the consultation stage of the first phase of the development and felt that our concerns were finally being listened to. However that engagement appears to have met an abrupt end at that point, after which the plans were apparently agreed by the council planning department with no further consideration of parents concerns and with no effort to communicate with us on the decisions made. This latest consultation document ostensibly takes great pains to address the issues and impact of the development from a Fitzalan perspective, but pays little attention to the consideration of the impact for the Pwll Coch community, not to mention local residents, and businesses, all of whom are facing considerable disruption and impact as a result of this development.*

*However, looking from the outside in, there appears to be a desire among the council officials to realise this development at any cost, with only secondary regard to the impact on other groups affected.*

*b) I also believe that in recognition of the level of disruption that YPC, in particular, has experienced and will continue to do so for some time as a result of this development, it would be a strong gesture if the school were to get some level of priority access to the facilities through a binding covenant.*

*c) I was dismayed at the original plans that developers had designed a school that on the face of it is '21st Century' but actually when you look behind it there is a primary school with nearly 300 children who each day will look upon a cage, very '19th Century'. So please, when you are all patting yourselves on the back, and when the ribbon cutting ceremony happens, please remember 300 children who each day will look at a wall, however that will be, a noise reduction fence, a steel fence, whatever it will be and whatever you decide it to be. 300 children*

*who will not have the benefit of open spaces to look out on to anymore.*

*d) Impact on children in a primary school, who are now in classrooms where windows must be open for ventilation purposes due to Covid. The developers should be taking proactive measures to lessen the impact.*

*e) My children and hundreds of other Ysgol Pwll Coch pupils will spend almost half of their primary school years surrounded by construction works and traffic, increased noise and air pollution. The result for Ysgol Pwll Coch will be a primary school completely enveloped by a secondary school and imprisoned by high fencing to protect from sports activities and noise, lower quality outdoor spaces for the children to play, lower air quality from increased bus services adjacent to the school's playing fields, and ongoing risk from Fitzalan traffic when other solutions are available.*

*f) I know that the motives of the applicant (Cardiff Council) or personal conduct will not be considered a material factor in objecting to this planning but as context the total disregard for Ysgol Pwll Coch throughout the whole process has been disgraceful. The Pwll Coch community has been lied to, misled and given false promises. To give an example, we were told that Pwll Coch's existing playing fields the "Cae" was closed due to asbestos concerns, and only following this was its feasibility for inclusion in the new Fitzalan site considered. Flood consequence documents in the planning submission now evidence that the red Line Boundary for the new Fitzalan School including the Cae had been in place since early 2017, before the Cae was closed due to asbestos concerns. It can now be evidenced that the Council has misled interested parties as to when and why the decision was made to remove the Cae from use by Ysgol Pwll Coch.*

*g) The applicant's priorities for this development while rightly aimed at improving educational and community facilities for the Fitzalan community don't just completely overlook the needs of Ysgol Pwll Coch children; in many cases they are positively to the detriment of this specific group of future generation children. What matter the health and wellbeing of 400 Welsh-speaking primary school children when you are looking to provide a shiny new school for 1,700 Fitzalan pupils, eh?*

*Cardiff Council's Education team should be ashamed of its conduct in this regard.*

*h) The flood risk assessment for this phase is insufficient and incomplete. The most recent flood consequences assessment takes no account of the landscape changes resulting from the Fitzalan enabling works phase currently underway, and that the adjacent fields (several hectares) to be covered in playing surfaces. No matter how much drainage has been put in place for these enabling phase pitches, it will not withstand 1 in 100 year flood event, which the NRW has identified this site at risk from. Indeed, the only flood risk assessment that takes account of the whole development site (Mott MacDonald, 2017) encompassing the enabling works area and main school construction works states:*

*The construction of a school at this site may be contrary to Planning Policy*

*Wales guidance in relation to flood risk and flooding consequences, as available escape and evacuation routes are not operational under all conditions and therefore the development does not meet all the acceptability criteria detailed in TAN15 Section 7 and Appendix 1.*

*Acceptance by NRW and the LPA of a departure from this guidance would just about be acceptable if there were no sensitive properties nearby, but Ysgol Pwll Coch is adjacent to the Fitzalan site, and at a lower level. Indeed, the most recent Flood Consequences Assessment (Jubb, 2020) identifies Ysgol Pwll Coch to be in an area at higher risk of flooding than the proposed Fitzalan site.*

*This development is therefore putting the children of Ysgol Pwll Coch at risk. Risk to their safety, and risk to their ongoing education should the school face the devastating consequences of flooding.*

- i) The effects of lack of greenness and nature on mental health and well-being are well known to us all. As part of this process, I would like a guarantee that facilities that were important to Ysgol Pwll Coch, particularly as part of its eco-school status, such as a forest school and an abundance of greenery on the school grounds, will be restored to the school to make up for what has been lost as a result of this development.*

7.7 These are the comments a parent has submitted made by his children:

*I don't want high noise and busy traffic ruining my fun and opportunity to learn at school. Please think of us also at Ysgol Pwll Coch... ... and we have monkey bars in the play area ;) - Gruff, (6) The two-floor buses scare me and make me nervous when crossing the road. Please look at our own. (Owain 4)*

7.8 Four of the letters received were written in Welsh and have been translated. The comments are similar to the above but also include the additional matters:

*Needs of parents dropping off their children at YPC needs to be considered*

*The bus drop off could be relocated at Cardiff football stadium*

*In view of the increased number of pupils that will have to cross Lawrenny Avenue a pedestrian footbridge be provided as a pedestrian crossing would not cope.*

7.9 This letter was sent to the Children's Commissioner for Wales

*I am 10 years old and a pupil at the welsh school, Ysgol Pwll Coch. I would like to discuss the destruction of our green playing field. Monday was my first day back at school since July and my first day in Year 6. I noticed that building work on our old field had begun and I felt angry that we are being robbed of our green space. It is vital that we have a large green child friendly space in our school and the new field is no replacement. On the new field there is no shade, no trees and my brother found a hubcap and I have found litter there.*

*The year 6 classrooms are right next to the old field so I found it difficult to concentrate because of the noise of the building work and it was annoying at playtime.*

*I could feel the difference in the air quality to when there was no building work going on and I am concerned for the health of other children who may suffer badly from any breathing problems.*

*I feel very sad when thinking about all those animals who have lost their lives and all the children who will have to miss out on forest school.*

*I also feel that no one is looking at it from our perspective (pupils at Pwll Coch). Sometimes I feel that I do not want to speak up in front of a crowd however when children do speak up and say what they want and do not want, we are often told by adults that we are wrong and that we actually want this and don't want that. It is confusing for me when adults say they are listening and want to hear what we think when really they just want us to say what they want to hear. I also feel frustrated that I as a child cannot do anything about it.*

- 7.10 Canton RFC submitted representations in respect of 20/01647/MJR but in view of the nature of their comments it is believed that those comments should be for this application. Canton RFC state:

*Canton RFC met with Cardiff Council & Keir representatives on 24/09/2020 to discuss issues re. phase 2 enabling works.*

*It was asked by the club if the existing steps that run down the grass bank from the 3G pitch to car park could be reinstated/retained. This being so, the 3m high boundary fence (running from MUGA 15 to Ysgol Pwll Coch) would require an aligned gate installed which would be locked during school hours but only accessible out of school hours when required.*

*The above issue was raised due to the fact that the club may be able to book & have use of the 3G pitch in the future. This amendment would significantly benefit supporter access to the 3G pitch.*

## 8. **ANALYSIS**

### Policy

- 8.1 Fitzalan High School is one of the schools categorised as D rating, which means it is life expired. A replacement High School is a priority for the Council and it falls within the Band B funding programme. Nevertheless the current application has to be assessed against the LDP policies and on its individual planning merits.
- 8.2 The application site falls within the settlement boundary as defined by the LDP Proposals Map. The proposal is intended to facilitate the development of a new Fitzalan High School located on Lawrenny Avenue, close to the existing school site.
- 8.3 The replacement school will serve the same catchment as the existing school

serves.

- 8.4 Policy C7: Planning for Schools is of relevance which recognises that the Council has a statutory duty as local education authority to ensure that there is a sufficient number and variety of school places available to meet the needs of the population of the County. Policy C7 advises that new secondary schools should be well designed, well related to neighbourhood services and amenities and easily accessible to sustainable transport modes and; include, where appropriate, provision for other appropriate community uses in addition to their education use.
- 8.5 Assessed against this policy framework and taking into account the nature of the development and the context of the area, the site is in a sustainable location benefitting from good sustainable transport options, including public transport and the proposed improvements to the local cycling routes. In addition the new school will serve the same catchment as the existing school and the new school and community could benefit from the adjacent sports facilities.
- 8.6 The application raises no land use policy concerns.

#### Design

- 8.7 The proposed school building is 12.6m high. Buildings such as the Air Dome, Cardiff City Football Stadium and the Sports Stadium building are all higher than the proposed school which is set behind two rows of trees fronting Leckwith Road. Most of the school is set back over 100m from Lawrenny Avenue so would be less visible from that direction. The school will be most visible by north bound traffic at the traffic lights on Leckwith Road at the junction with the Football Stadium, Retail Park and Athletics Stadium.
- 8.8 The school is considered to have a coherent architectural strategy for the design of the facades with a variety of fenestration, changes of materials for different elements/functions, attractive/interesting contemporary elevations with bold lettering to sign post functions. Condition 21 would further control the materials to be used. There is plenty of room for a large building on this site and there are no scale or massing issues. The front elevation sits well behind a generous public entrance area
- 8.9 The design of the metal gate to the main pedestrian access from Lawrenny Avenue is to be part of an art and design project with the school, so detailed design will need to be finalised. The applicant says that the proposed gate to Leckwith Road would be 3m wide and 2.4m high steel weldmesh and railing gates. It is considered that a well-designed gate welcoming pupils walking from the east of this site and visible from the public highway is also considered appropriate in this case. The details can be controlled by condition 14.

## Transportation

- 8.11 Lawrenny Avenue is a relatively wide road at 10m at its widest with verges on one side and for much of its length verges on two sides. Lawrenny Avenue is also well established as the main vehicular access to Fitzalan HS for staff cars and school buses. The Council's aim is to shift the modal split and the proposed cycle superhighway along Lawrenny Avenue and the covered cycle parking to be provided to serve the school will assist in reducing car movements to this site.
- 8.12 No additional bus drop off spots are envisaged in view of the relatively modest increase in post 16 numbers and the Active Travel Plan which will seek to reduce numbers travelling by bus and increase numbers of pupils cycling.
- 8.13 There are 5 existing dedicated bus services. The submitted Transport Assessment shows the existing school bus zone in front of the existing Fitzalan HS and YPC. The applicant says that the school bus stops will be relocated to the east of YPC entrance to minimise any clashes and so that pupils will be dropped without needing to cross Lawrenny Avenue. There will be no change to the existing arrangements until the new cycle super highway 5 proposal is finalised, which will be tied into the required relocation of the school bus drop-off layby. The bus stop relocation does not form part of this application and will be the subject of future consideration under condition 24.
- 8.14 The Active and Sustainable Transport Planner for New Schools has addressed the issue of relocating the school bus drop-off layby in alternative positions in para 5.5. of this report.
- 8.15 The proposed crossing arrangement has been discussed and designed in conjunction with Cardiff Highways Officers. This has been modelled and the proposed crossing will be designed to accommodate the pupils crossing. There is an existing number of pupils that cross Leckwith Road at present to access the existing school. The introduction of the crossing from Jubilee Gardens will ensure safe pedestrian access for both pupils and the public.
- 8.16 A footpath running from the west and then south of YPC to the new school will only be open morning and evening for pupils coming from Broad Street to access the safest route to school. The details and information relating to the footpath were submitted (planning application ref 20/000921/MJR (enabling works)) and approved on 18 March 2020. It should be noted that this is not a 24/7 public pathway. The footpath will only be open morning and evening for pupils coming to or leaving school. It will only be open for sports access outside of normal school hours.
- 8.17 Peak labour levels will be 180 during the main works. Parking for construction workers will be at Cardiff City Stadium. However, whilst establishing the site the car park next to the existing changing room will be used for contractor's vehicles. The submitted Construction Management Plan specifies that the main access to the main works site will be via Leckwith Road and the A4232. There will be a peak of 50/60 vehicle movements per day during the cut and fill operation reducing to 8-10 daily movements at later stages.
- 8.18 The Transport Officer has submitted no objection to the access arrangement subject to a number of conditions (23-29).

## Ecology

- 8.19 An Ecological Impact Assessment (EclA) has been submitted which establishes the baseline conditions of the site and evaluates the importance of any identified ecological features. The Assessment confirms that the majority of the site is amenity grassland which has a negligible impact.
- 8.20 The Canton Common Ditch is a designated SINC that is located on the eastern edge of the application site. The site is designated a SINC due to it being the only surviving remnant of the Canton Common marshlands. However, today it is essentially a dry ditch and the EclA contains the survey findings and there are no species recorded within the SINC. The ecological quality of the SINC is relatively low. A small section of the northern part of the SINC would be filled to match existing surface levels to facilitate the creation of a pedestrian access from Leckwith Road. The applicant states that approximately half of the surface water drainage (school and hard playing areas) will discharge into the ditch. This discharge of water will seek to reinstate the function and purpose of the SINC as a drainage system.
- 8.21 NRW comments that the site is considered to have moderate suitability for foraging and commuting bats. Potential impact includes habitat loss and fragmentation of the central woodland belt which will cause short to medium term significant effects on commuting pipistrelle bats. To address this a new tree line is to be planted to the west of the new pitch to maintain connectivity across the site for pipistrelle bats, thus mitigating any impact in the long-term. Furthermore, a new footpath is proposed to the north of the tree line which will have trees planted on either side. These trees will be behind the acoustic fence identified in the applicant's Noise Report and required by the Council's Noise Officer. The applicant says that this will be allowed to grow to maturity (with a gap between canopies of 7m or less) and will provide new habitat for bats.
- 8.22 As a measure to enhance the site for bats, bat boxes will be placed within the retained broad-leaved woodland. Also, the landscaping of the site includes native tree and shrub planting, woodland edge planting and wildflower meadow, which are insect rich habitats. A survey undertaken to support this planning application did not identify any features suitable for roosting bats in trees to be affected by the development, which are considered to be of negligible suitability for roosting bats.

Proposed condition 15 is recommended by NRW and endorsed by the Council's ecologist.

- 8.23 The SINC will be actively used for surface water drainage purposes and falls within the school grounds as an Education responsibility.

## Landscaping

- 8.24 The issues raised by the Tree Officer are addressed by proposed conditions 16-21. It should be noted that 70 Extra-heavy standard, 11 semi-mature, mixed



native hedge, native and ornamental shrubs and rain gardens are to be planted. As the landscaping matures alongside existing trees within the site and adjacent to the site the appearance of the school building will be enhanced along with biodiversity interests.

#### River Corridor

- 8.25 The application site falls within the River Ely corridor. The River Ely runs to the west of the site, some considerable distance outside the application boundary. It is a material consideration that there are a number of existing buildings and sports facilities which have been constructed within the River Corridor designation. The proposed school is at the edge of the River Ely Corridor set away from the river behind the Athletics Stadium, the relocated Air Dome and YPC. It is not considered that this development would adversely affect the natural heritage, character or any other feature of the river corridor. In assessing the development proposals for this River corridor, significant weight should be afforded to the pressing need to relocate the existing Fitzalan High School. It is considered that the proposal will make a very important contribution towards helping to meet existing and future needs of the community, and that this outweighs the loss of any part of the site within the river corridor that is undeveloped. Paragraph 4.4.2 of PPW 10 states that 'when considering development proposals planning authorities should consider the needs of the communities and ensure that community facilities continue to address the requirements of residents in the area'

#### Noise

- 8.26 The submitted Noise Impact Assessment explains that the site and surrounding areas are subject to high ambient noise levels and that the most appropriate way to measure the likely impact of the sports pitches and new school is to calculate the anticipated change in noise levels. This analysis demonstrates that the change in noise levels at the nearest residential dwellings will be less than 1dB, thus likely to be imperceptible. It is considered that no mitigation measures are therefore required.
- 8.27 The applicant states that the school will be mechanically ventilated and provided with double glazing to ensure that internal noise levels are appropriate.
- 8.28 The details and information relating to the acoustic fence and hoardings required under application 20/00035 was approved on 18<sup>th</sup> March 2020 (ref 20/000921/MJR) which discharged various conditions attached to the enabling works consent. Proposed condition 31 would address the issue of the impact of noise from the proposed pitch on YPC in a similar manner to that required for the enabling works. Condition 15 of application 20/00035 states:

Prior to development commencing on site and notwithstanding the submitted plans details of a 3m high acoustic barrier to be erected along those boundaries identified in Mach Acoustics Sports Noise Impact Assessment Figure 6.1 and a timetable for its installation shall be submitted to and approved in writing by the Local Planning Authority and then implemented in accordance with the approved details and timetable.

Reason. To mitigate noise arising from the use of this land on the users of Ysgol Pwll Coch (LDP policy EN13).

- 8.29 The Sports Noise Impact Assessment identifies that mitigation measures are required for the rear of YPC. A 3m high solid acoustic fence along the southern boundary of the school is identified as necessary. It was previously agreed that an acoustic fence is required and this was conditioned under application 20/00035 and discharged under 20/00921. To the north of that fence a hedge is to be planted before a 12m slope planted with wildflowers and then the playground of YPC. The Noise Officer has no objection and his proposed condition is included as condition 31 in the Recommendation. The first condition he has proposed is a matter normally addressed under the Control of Pollution Act 1974 and is usual included as an advisory (Recommendation 3) on a planning decision. Government advice on the use of planning conditions says that planning should not duplicate controls exercised under other legislative powers.
- 8.30 The proposed fencing around the sports facilities would be the same as that for the facilities to the west. The proposed fence materials and heights are shown on the proposed site plan submitted as part of the planning application documents (ref 20/00035).
- 8.31 The eastern side of YPC faces an existing playing field and that relationship and associated noise levels remains unchanged. There is a 25m gap between the boundary to YPC grounds and the boundary of the retained sports pitch. Between the pitch and YPC is a band of mature trees within the grounds of the future Fitzalan HS which create a visual barrier. It should be noted that vegetation is not an effective noise barrier and where it is necessary to control noise a solid barrier is required.
- 8.32 During construction a 2.4m high hoarding will be temporarily erected around the school site for safety and security purposes.

#### Air Quality

- 8.33 Stoma Built Environment has submitted an Air Quality Impact Assessment with this application. The Assessment concludes that:
- i The likely impact of dust soiling and PM10 are negligible
  - ii Predicted No2 and PM10 concentrations from the impact of vehicle emissions are below the relevant air quality objectives.
- 8.34 There would be no increase in air pollution as the number of vehicles arriving/departing from the school would remain unchanged and could be reduced with the Active Travel Plan and improved provision for cyclists.

#### Flooding/Drainage

- 8.35 The site is protected by significant flood alleviation infrastructure providing a level of protection in excess of 1 in 200 years. Most of the application site is in flood zone B with part in C1. By comparison all of YPC is within C1.
- 8.36 The proposed school building and associated buildings will be set (10.025 AOD) above the flood level of a 1.1000 probability in one year (8.99AOD).
- 8.37 TAN 15 advises that all development in zones C1 and C2 should only be

permitted if determined by the Local Planning Authority that they can be justified. There are 4 criteria for justification:

- i) the location is necessary to assist local authority regeneration initiative or a local authority strategy required to sustain an existing community
- ii) necessary to contribute to key employment objectives, to sustain an existing settlement
- iii) concurs with aims of Planning Policy Wales and meets definition of previously developed land
- iv) potential consequences of a flooding event for this particular type of development have been considered and found to be acceptable.

8.38 It is considered that the above tests are met as the school is required to replace an existing school, there would be some 200 persons employed during construction, staff permanently employed at the school with young people receiving education in modern facilities which would assist with future employment; the land has been previously developed as a sports pitch and air dome; and the only area likely to be affected by flooding would be the northern staff car park. NRW has raised no objections. It is considered that the proposals are acceptable in flood risk terms

8.39 The Flood Consequence Assessment by Jubb dated 2020 confirms that all future users of the facilities will be advised to follow all guidance provided by NRW during extreme flood events. The Assessment identifies 3 evacuation routes in the event of a flood event.

8.40 The existing ground provides 2673 cubic metres of storage and this will be increased to 3051 cubic metres. The SUDS design will attenuate surface water run-off on site and reduce the peak run-off during storm events, thereby reducing flood risk both within and beyond the development. The SUDS application is a separate application assessed by the Drainage Team and must also obtain consent prior to development commencing on site. Welsh Water's recommended condition is included in the recommendation as proposed condition 13.

#### Contamination

8.41 NRW's proposed contamination conditions are similar to Pollution Control's and should be applied to any approval. In addition the first and last 3 conditions recommended by Pollution Control are included within the recommendation as proposed conditions.

8.42 Pollution Control have made reference to the control of Japanese knotweed and this is identified in Recommendation 2 above. NRW has raised no issues in respect of this matter. In any event there is no Japanese knotweed on the current application site. The previous application for the enabling works to the west of this site did identify knotweed towards the western edge of that application.

8.43 Conditions 9 and 10 are to cover the importation of material into the site to ensure it is safe in line with advice from Pollution Control.

8.44 The applicant has confirmed that the requested conditions to be attached will require

further information, which will be submitted and approved prior to the commencement of development.

## Sport

- 8.45 The Sports Council for Wales is satisfied that all the proposals combined will result in improved sports provision. However SCfW did express concern about YPC sporting facilities and cricket provision. SCfW also mentioned the sufficiency of playing facilities for Fitzalan with reference to social distancing. The school and associated sporting facilities will not be open to pupils until September 2022 at the earliest and social distancing is widely viewed as a temporary measure.

- 8.46 In response to the SCfW's comments the applicant states:

### "Ysgol Pwll Coch

Please refer to approved planning application 20/00035, which received planning approval on the 18<sup>th</sup> March 2020. The proposed development has not reduced the team game playing area of Ysgol Pwll Coch and will actually provide a betterment in area.

### Cricket

In relation to the requirements for a cricket pitch, the applicant understands and acknowledges the concern for a new cricket facility. There is sufficient space for junior cricket to be played on Pitch 5, with adequate space, should a temporary wicket be centrally positioned. In regard to planning application 20/01648/MJ the authority has reviewed the sports provision following consultation with stakeholders and has amended the application to include for cricket nets .

It is understood that there is a cricket wicket located in Sanatorium Park which is managed by Cardiff Council parks department and is freely available for community use."

- 8.47 The current application and funding provisions are in respect of the replacement of Fitzalan HS not providing additional sporting facilities for other schools within the City. This application does not include any land within the curtilage of Ysgol Pwll Coch and therefore does not reduce the land available for recreational use by the adjoining school. An exchange of land between YPC and the enabling works was addressed when application 20/00035/MJR was determined.
- 8.48 Education confirms that at the Pre-Application Consultation stage there were a few members of the public and local clubs who asked about Cricket and that the Head of Education is liaising with local members to enhance the access to the cricket wicket on Sanatorium Park. Pitch 5 has the circumference for a junior cricket but there is no statutory requirement for a cricket pitch to be provided. Education have the outline proposal on the existing school site and access to Leckwith stadium, the Dome and associated pitches. The school will also have access to Sanatorium Park and Jubilee Park. There is no LEA school in Cardiff with its own standalone cricket pitch. There is no planning requirement to provide a cricket pitch within this school but the applicant's amended proposal to include nets (on the site the subject of application 20/01647/MJR) and the confirmation that a junior cricket pitch can be provided on pitch 5 are all considered to be positive measures. The existence of a cricket pitch in Sanatorium Park managed by the Council is noted. It is also noted that the school also plays baseball in the summer.

- 8.49 The applicant says that Heads of Terms have been agreed with CAVC for the school to use the throwing area for 4 hours per week, one of the re-sited pitches for 4 hours per week and the dome for 2 hours per week, discussions are ongoing to increase this to 4 hours per week.
- 8.50 The applicant says that - The Local Education Authority (LEA) is unable to confirm the timetable arrangements at this stage for access to community/sporting facilities. Access and bookings to external sports facilities outside of school hours will be managed by CAVC. In addition, there are community groups that use Fitzalan High School for drama, dance and sport. Access arrangements will be made for these groups in the new school. Community access to facilities at the school are important and confirmation that community groups will have access arrangements is helpful. The management of these facilities is a matter for the LEA and CAVC.

#### Representations

- 8.51 In respect of a neighbour's objections I have the following comments:
- (a) The superblock is at its nearest 37m from the nearest rear garden boundary of a dwelling in Lawrenny Avenue and 53m from the nearest part of a dwellinghouse. There will be a 2m high fence at the end of the school's useable ground before a rear maintenance footpath which is to be gated. It is considered that there is adequate separation distance and fencing between the school and properties in Lawrenny Avenue to safeguard local residents' privacy.
  - (b) There is no Japanese knotweed on this site and in any event Recommendation 2 states that the responsibility for dealing with the issue of Japanese knotweed rests with the developer. The importation of soil would be controlled by condition 9.
  - (c) The concerns in respect of transportation are addressed in paras 5.5, 8.11-8.14 of this report.
  - (d) Occurrences of littering in the surrounding streets alleged to be attributed to pupils is not considered likely to increase as a consequence of a replacement school but the precise locations of such occurrences may change. This is not sufficient justification to refuse this application.
  - (e) There is a maintenance path at the rear of dwellings at Lawrenny Avenue which is to be gated. The school boundary fence will be set on the southern side of this path.
  - (f) The pitch nearest the objector is to be re-sited away from the rear of dwellings in Lawrenny Avenue, as part of the enabling works, which would address the existing situation identified by the objector.
  - (g) The issue of drainage/flooding is addressed in paras 8.23 and 8.35-8.40 in this report. Google Maps shows a drainage channel running from the rear

of the objector's property to the larger ditch that is the SINC close to Leckwith Road. The school and LEA will be responsible for the maintenance of land within the application site which extends to the rear boundary of adjoining dwellings in Lawrenny Avenue. A separate SAB approval will be required to address drainage matters

8.52 In respect of the issues raised by parents of pupils at Ysgol Pwll Coch (YPC) I have the following comments:

- (a) The Management of the community sporting facilities will be managed by CAVC and the LEA and not by Planning. This issue of access to these facilities has been addressed in paras 8.49 and 8.50 of this report.
- (b) Noise Mitigation has been addressed in paras 8.26-8.30 of this report. The Noise Officer has no objection to the development and recommends a condition (31) to ensure the provision of the acoustic fence south of YPC.
- (c) The acoustic fence along most of the southern boundary of YPC was required as a noise mitigation measure arising from the anticipated noise associated with a re-sited pitch close to YPC. That fence is to be set back some 12m from the edge of the school playground behind a hedge to be planted. The embankment between the playground and hedge would be seeded with wildflowers. There are a few existing trees on this bank. This is a matter that has previously been determined as part of the enabling works. The additional section of acoustic fence is required for a similar reason to reduce noise that would result from the creation and use of a new pitch.

Vegetation is not an effective noise attenuation barrier unlike an acoustic fence. No noise objection has been received from the Noise Officer subject to condition 31.

- (d) The LPA is responsible for determining the planning application as submitted and considering whether it is acceptable or not. The re-location of the new bus drop off to the east of YPC is considered acceptable and does not worsen the existing situation as the existing bus drop off is located between the existing Fitzalan HS and YPC. Associated transportation matters are covered in paras 8.11-8.14 of this report. The Transport Officer has no objection subject to conditions (23-29).

The Active and Sustainable Transport Planner for New Schools has stated at para 5.5 of this report that it was not possible to plan the site layout in a way that created sufficient space for the provision of the bus drop offs to be served via the Leckwith Stadium access.

The suggestion of using an area near to Cardiff Stadium for buses to drop pupils off would lead to numerous children having to cross a very busy "A" road twice a day with the inherent risks that would result. In addition children would then have to pass A3 uses, which not be in line with healthy living objectives.

- (e) The footpath to the south of YPC is to be gated and its hours of use controlled as described in para 8.16 of this report. As such it is not considered that this would cause any significant issues and would address objectors' concerns.
- (f) The outlook from the grounds of YPC has been addressed in paras 8.29 and 8.31 of this report. There is a band of trees to the east, a grassed area that is to be included within the school grounds and to the south there is a bank with a few existing trees and which will be planted with a wildflower mix, topped with a hedge before an acoustic fence.
- (g) There will be a certain level of disruption during the construction of the school but this is for a temporary period only. Most of the work on the school will be over 100m from YPC. Construction traffic will access the site from the Athletics Stadium access.

The temporary site offices and welfare area submitted as part of the current application would be some 20m from the south eastern corner boundary with YPC. The end of YPC nearest these temporary facilities would have a blank wall facing. When the site offices are removed a sand dressed pitch would then be created some 15 m from the south eastern corner boundary with YPC. The 3G pitch to the east of YPC would remain unchanged. The duration of any disruption associated with the development the subject of this application near YPC is likely to be of a considerably lesser period than that feared by some of the objectors.

The Enabling works detailed in application 20/00035/MJR are scheduled to be completed 41 weeks from the commencement of work.

- (h) The issue of the "Cae" was addressed when planning application 20/00035/MJR was determined and earth works are underway on this land.
- (i) Flood risk has been addressed in paras 8.35 -8.40. It should also be noted that the Mott Macdonald report is dated 2017 and was in respect of both this site and that covered by the enabling works and only one aspect of concern identified. That assessment said that the available escape and evacuation routes are not operational under all conditions school development on this site will therefore be subject to acceptance by NRW and the LPA. The likelihood of flooding of the proposed school building is calculated to be flood free during a 0.1% (1 in 1000 year) annual probability fluvial flood event. The 2 MUGAs adjoining Lawrenny Avenue and the northern staff car park would be more vulnerable.
- (j) In addition to the transport points covered in paras 8.11-8.14 the Transport Officer has provided the following response to the issues identified by some parents namely:

There is very little increase in overall pupil numbers as a result of the new school, and thus there should not be additional buses using Lawrenny

Avenue in comparison with the existing situation.

A range of sustainable transport measures are to be implemented on Lawrenny Avenue prior to the new school opening, including the provision of the west-east Cycleway, controlled pedestrian crossing facilities, and improvements to the Lawrenny Avenue/Leckwith Road junction. These will result in improved pedestrian/cyclist accessibility and enhanced safety.

In addition, I understand a School Street scheme is proposed for the existing Fitzalan School, which will seek to limit access at peak school times, and I assume this would follow-on in operation with the new school.

Whilst we need to comment on the application before us, which is for bus access from Lawrenny Avenue, I understand there are operational issues in buses accessing the new school from the south, and we would not wish for buses to drop off on the east of Leckwith Road and for passengers to have to cross that road to get to school.

- (k) Relocating bus drop off points to the east further away from YPC may assist parents dropping off their children at YPC. In addition the cycle superhighway and Active Travel Plan will help with a shift in means of travel for pupils and staff at the new school. The staff car park for the new school will also be substantially further from YPC than is currently the case.
- (l) There is no proposal to construct a pedestrian bridge for the increased number of pupils that will have to cross Lawrenny Avenue. The Transport Officer has no objection to the means of crossing Lawrenny Avenue subject to Parallel zebra crossings on Lawrenny Avenue required by proposed condition 24. There are a number of speed bumps on Lawrenny Avenue which help reduce traffic speed.
- (m) The criticism of the Planning department is unwarranted. The planning application for the Enabling works (20/00035/MJR) was determined by Committee after careful consideration and debate and was the subject of a number of conditions.

The Local Planning Authority were required to publicise this planning application in accordance with the Regulations and have fully complied with these requirements. Local Members, adjoining residents and the Head teacher of YPC were notified in writing, over 10 site notices were erected, including one in front of YPC, the application was advertised in the press and submitted documents were available to inspect on line. The publicity exercise was undertaken on receipt of the application following a publicity exercise undertaken by the applicant as part of the required Pre-Application Consultation process, which had to be carried out whilst complying with the Covid 19 safety requirements agreed by the Welsh Government.

In view of the representations received it would appear the publicity



exercise conducted by the Planning Department was successful and members of the public have been able to make representations and have them considered by the LPA.

- (n) The letter sent to the Children's Commissioner is in respect of the enabling works that have been approved (20/0035/MJR) and are currently being implemented. The enabling works application was carefully assessed by the Local Planning Authority. The Local Planning Authority are required to determine the current planning application on its own particular merits.

- 8.53 It would appear that the representations submitted by Canton RFC in respect of 20/01647/MJR has been submitted in error and should have been submitted in respect of 20/01648/MJR. In any event the comments have been forwarded to the agent. The agent has responded stating:

A meeting has been held with Canton Rugby club to explain the proposed plans and access arrangements to the new school and the existing 3G pitch. Due to security and safeguarding requirement the club have accepted the proposed layouts.

- 8.54 Introducing another access into the school for possible use of the 3G pitch by supporters of the rugby club is not considered necessary as a planning requirement, could prejudice security to the school, is not a justification for a refusal and according to the agent is now accepted by the Rugby Club.
- 8.55 Notwithstanding the concerns and objections raised, it is considered that the matters they have identified relating to this particular application have been properly addressed within this report.

#### Environmental Screening

- 8.56 An environmental screening has been undertaken in respect of the proposed school which included land to the west and south of Ysgol Pwll Coch for sports pitches and the new school site. It was concluded that the submission of an Environmental Statement was not required (SC/19/0003/MJR). The current application excludes those elements covered by 20/00035/MJR in respect of land west and south of YPC which were considered as part of the same project under the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016. It was considered that sufficient information had been submitted to enable the Local Planning Authority to form a screening opinion. It was also considered that relocating existing facilities on the same and adjoining land and a replacement school would not give rise in this case to significant environmental effects that would necessitate the preparation of an EIA.
- 8.57 The relevant Circular suggests that an EIA will be needed for Schedule 2 development in three main types of case:
- for major developments which are of more than local importance;
  - for developments which are proposed for particularly environmentally sensitive or vulnerable locations; and

- for developments with unusually complex and potentially hazardous environmental effects

8.58 Having assessed the proposals against the selection criteria it was concluded that the development would not give rise to any significant environmental effects that would necessitate the preparation of an EIA for the following reasons:

The proposal is not of more than local importance;

There will be no effect on any environmentally sensitive location; (the nearest Historic Park and gardens, Victoria Park, is over 1 kilometres distant .The site is not in a Conservation Area, not close to any Listed Buildings and not within a Special Landscape Area. The Canton Common Ditch along the eastern boundary of the site is a SINC. The SINC is described as a single ditch acting as a pond that is the only surviving remnant of the Canton Common marshlands that once supported Distant Sedge and Flowering Rush, today has varied emergent and bankside vegetation including Austrian Yellow Cress). The details submitted with this application are sufficient to assess the impact on the SINC and are covered by paras 8.19, 8.20 and 8.23 and that the NRW/Council's Ecologist have not objected.

The development has no unusually complex and potentially hazardous environmental effects.

8.59 The River Ely which is a SINC is separated by the A 4232 and Cardiff International Sports centre. The site is not within an archaeological sensitive area. There will be no significant environmental effect on any of the following environmental aspects: Socio-economic; cultural heritage; air quality; daylight and sunlight; wind micro-climate; ground conditions; noise and vibration; water resources; waste. The overall project is for a school and playing facilities, which have no complex or potentially hazardous environmental effects.

8.60 In conclusion the environmental impact is capable of being considered as part of the normal planning application process and this application did not therefore require the submission of an Environmental Statement.

Wellbeing

8.61 Section 3 of the Well-Being of Future Generations Act 2016 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. The replacement of a D school and its replacement by a modern school for children from the local community would promote wellbeing.

## Crime and Disorder

- 8.62 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. No adverse comments have been received from the Police in the processing of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder because of this proposal.

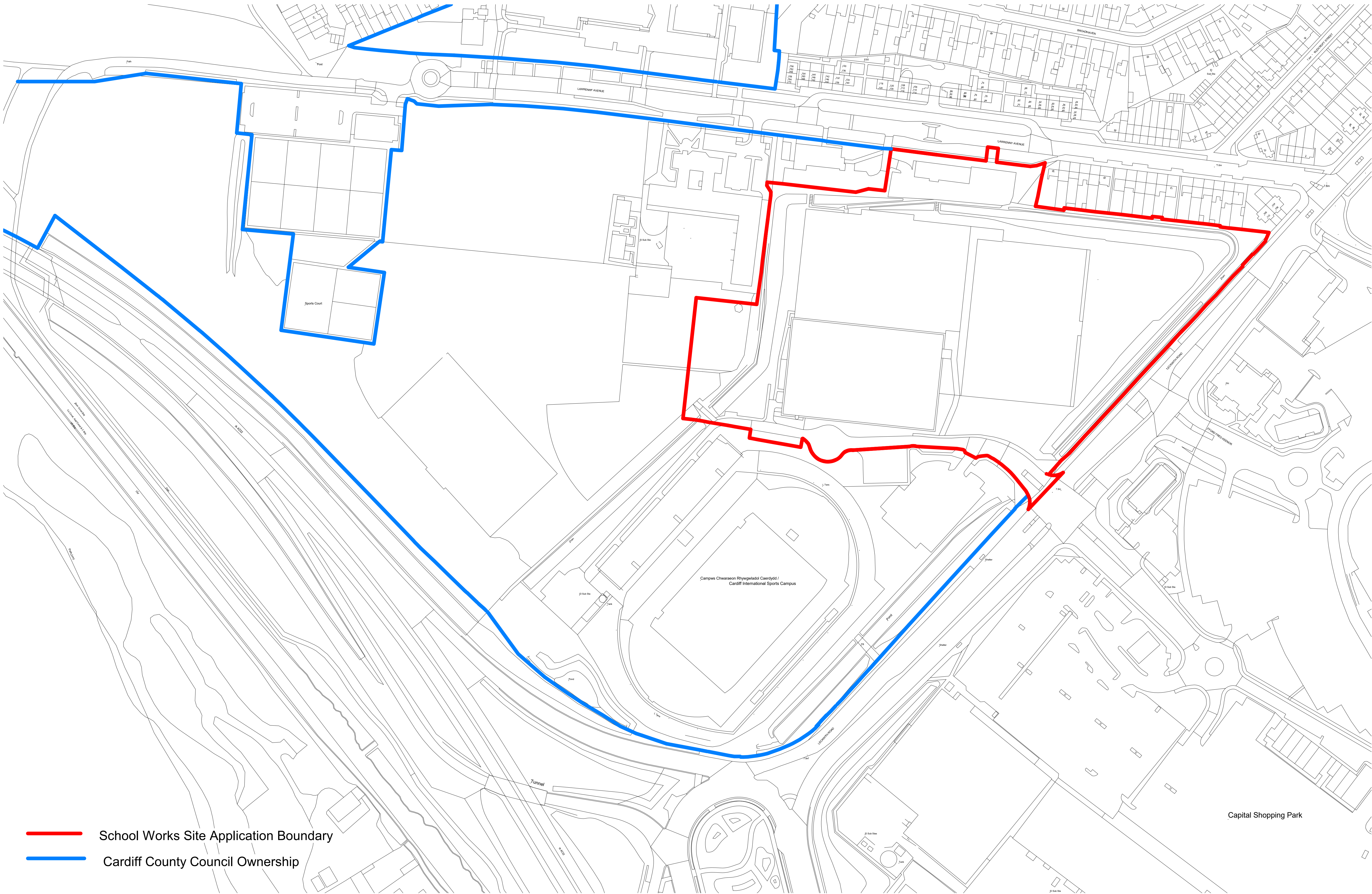
## Equality

- 8.63 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 other than providing a better educational environment for secondary school aged children.

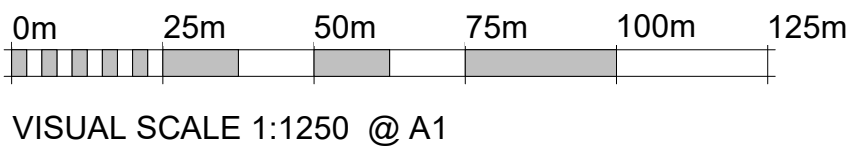
## 9 **CONCLUSION**

- 9.1 There are no policy objections to this proposal. There are no objections from internal or external consultees subject to conditions, other than the concern raised by the SCfW which has been addressed in section 8. There has been an objection from one local resident and a number of parents of pupils attending YPC and these have also been addressed in section 8 of this report.
- 9.2 It is considered that there is no valid reason for refusing this application which will provide a significantly enhanced educational facility for the children of this area in a well-designed building in a sustainable location with 3 sporting pitches, 6 MUGAs, a 25m swimming pool and sports hall, and shared access of other sporting facilities.





1 Location Plan Redline Boundary  
1 : 1250



Rev	Description	Drawn	Checked	Date Issued
P1	Stage 2			20.9.19
P2	Draft PAC			11.12.19
P3	PAC issue	CM		31.01.20
P4	Stage 3	CM		14.02.20
P5	Stage 4A issue	CM		01.06.20
P6	Redline amended at access road	CM		03.11.20
P7	Redline amended to North staff car park entrance	CM	VS	09.11.20

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Drawn	Author
Date	Issue Date
Scale @ A1	1 : 1250
Status	S2

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## Austin-Smith:Lord

Project Fitzalan High School

Description Landscape (School Contract Works) Site Location Plan Redline Boundary

Job No. 119021 Drawing No. FHS- ASL- 90- XX- DR- L- 0900 Revision P7





### 3.1 SITE LOCATION & CONTEXT

The site proposed for the new Fitzalan School development is a large area of land adjacent to Leckwith Road, and forms part of the existing International Sports Village. The site currently consists of a range of amenity and sports areas and is owned by Cardiff Council.

Vehicular access to the site is currently via the established junction off of Leckwith Road. The site also has the following pedestrian and informal access points:

- Pedestrian access to the open air all weather pitch is available from Canton Rugby Club
- Pedestrian access to the grass playing fields is possible from Lawrenny Avenue opposite the current Fitzalan High School
- The Ely trail section of the site has pedestrian access from the northern and southern sides

The eastern end of the site is the most densely populated, currently housing all weather pitches associated with the International Sports Village, including a large air dome which provides an enclosure to one of the pitches.

At the far western end of the CAVC site sits a section of the Ely Trail, which is fairly densely populated by vegetation. Further beyond the site boundary, to the west, is the River Taff.

The proposed site as a whole has a number of neighbours along the northern boundary. Gol 5-a-side centre, Ysgol Gymraeg Pwll Coch and Canton RFC are the closest neighbours, all located along Lawrenny Avenue. Beyond these facilities, to the north of Lawrenny Avenue, is the current site for Fitzalan High School. Further north again are the large residential areas of Canton which make up the school's main caption area.

The site is bordered to the east by Leckwith Road, one of the primary vehicular routes in to Cardiff. On the opposite side of Leckwith Road is the Cardiff City Stadium and a large retail park. The city centre of Cardiff is approximately 2 miles north east of the proposed school site.

To the south, the site is bordered by Cardiff International Sports Campus' athletics stadium and the A4232 dual carriageway.

The proposed site is generally flat across the majority of the footprint, however there are some localised areas with steep banks.

There is also a level change where the site drops down to the section of land alongside Lawrenny Avenue which currently houses changing rooms adjacent to Canton RFC.



Fig. 013: Existing aerial view of proposed school site (red line) and adjacent CAVC/Enabling Works site (blue line)

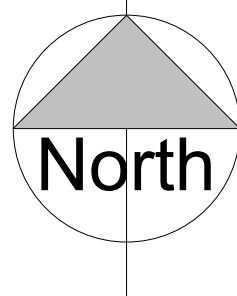


Key

- Existing Fitzalan High School Boundary
- Proposed Fitzalan High School Boundaries covered in Planning Applications
- Fitzalan High School area covered in previous Enabling Works Planning Application
- CAVC/HoS Facilities Boundary covered in previous Enabling Works Planning Application

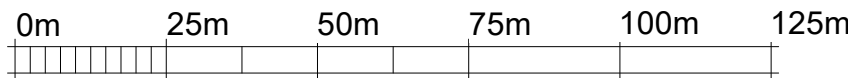
- FAW Tier 2 Ready Grass Stitched Pitch
- Existing 3G Rugby/Football Pitch
- Relocated Football Airdome
- 3G Rugby/Football Pitch
- Grass Pitch U13/14 Football
- Sand Dressed U19 Hockey/Football Pitch
- Relocated Athletics Throws Practice Area
- Changing Rooms with Seminar & Community Room
- Changing Rooms
- Senior Grass Sports Pitch & Cricket Training Nets
- MUGA Type 4/5
- MUGA Type 4/5
- MUGA Type 1/2/3
- Cycle spaces

Note:  
Works to existing Fitzalan School site are subject to outline application only



This drawing has been prepared based on survey data provided by a third party. Coordinate and level data has been generated from this data and relies upon the accuracy of the survey information provided. Any inaccuracies should be reported to the design team & survey data provider.

The survey data was provided by: Kier - Alpine Land Surveyors



VISUAL SCALE 1:1250 @ A1

Rev	Description	Drawn	Checked	Date Issued
P10	Revised issue for PAC - pitch layout and site boundary amended to suit SUDs scheme	VS	VS	08.06.20
P11	Key updated - Final PAC issue	VS	VS	30.06.20
P12	New school landscape validated, boundary to existing school site works updated	HL	VS	16.08.20
P13	Revised pitch layout with introduction of cricket practice nets	VS	VS	13.10.20
P14	Red line boundary revised to suit new Seale design	VS	VS	30.10.20
P15	Revised existing school site layout and red line boundary update to include access road	VS	VS	03.11.20
P16	Revised redline boundary to North of Main School site	VS	CM	09.11.20

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Drawn VS  
Date Oct 2019  
Scale @ A1 1 : 1250  
Status S4

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Austin-Smith:Lord

Project Fitzalan High School

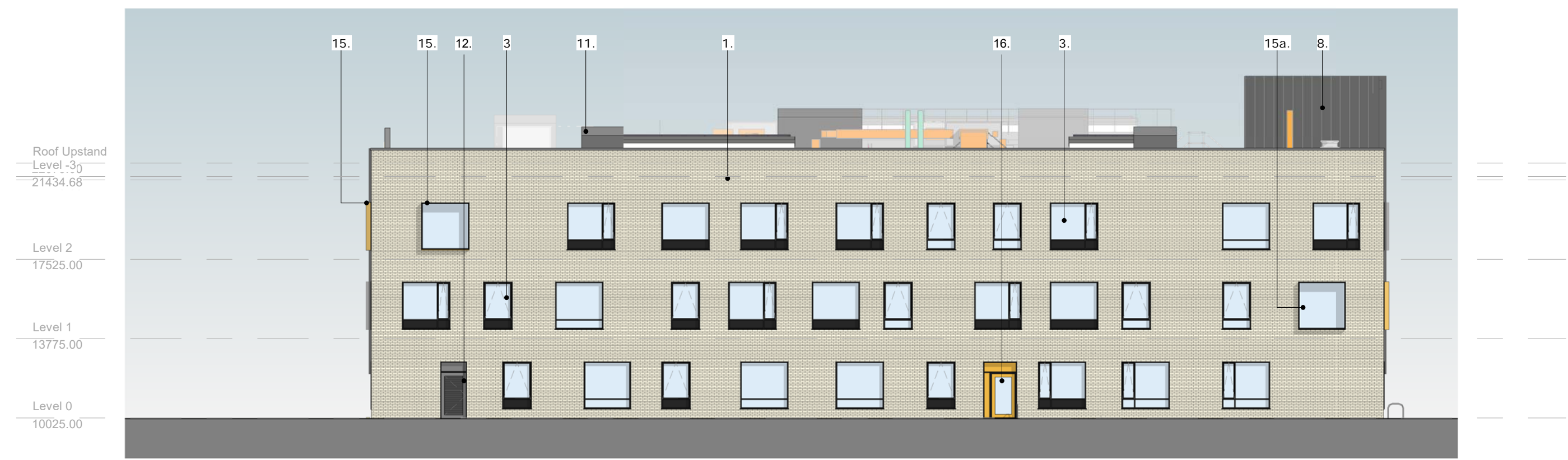
Description Proposed Masterplan - Site Plan

Job No. Drawing No. Revision P16  
Project Number FH5- ASL- ZZ- DR- A- 0005





1 School - South Elevation  
1:200



2 School - North Elevation  
1:200

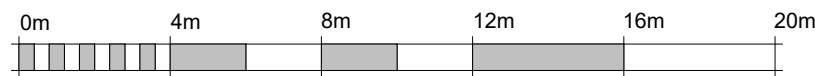


3 School - East Elevation  
1:200



4 School - West Elevation  
1:200

- 1 - Facing Brickwork; Multi Buff - Stretcher bond
- 2 - Facing Brickwork; Red - Stretcher bond
- 3 - External Glazing - PPC Double glazed aluminium framed units incorporating opening lights where indicated
- 4 - External Glazing - Silicone Jointed Curtain Walling to key spaces
- 4a - External Glazing - Silicone Jointed Curtain Walling to key spaces - with manifestation/fritted glass design to control overheating
- 5 - External Glazing - PPC Aluminium curtain walling incorporating windows, spandrel panels and extended fin caps; Dark Grey/Black
- 6 - PPC Double glazed Aluminium curtain walling incorporating sliding doors to main entrances
- 7 - Coloured board cladding panel feature to main entrance reveals; Golden Yellow
- 8 - Standing seam metal cladding, Vioo system; Dark Grey/Black
- 9 - Standing seam metal cladding, Vioo system - Light Grey
- 10 - Metal screening/louvers; Dark Grey/Black
- 11 - Composite metal cladding to rooftop plant housing; Dark Grey/Black
- 12 - PPC Metal external door incorporating louvers to plant spaces; Dark Grey/Black
- 13 - Facing Brickwork; Dark Grey/Black - Stretcher bond
- 14 - Brise Soleil solar shading; Dark Grey/Black
- 15 - Feature projecting PPC Aluminium frame to window; Golden Yellow
- 15a - Feature projecting PPC Aluminium frame to window; Dark Grey/Black
- 16 - PPC Aluminium external door; Dark Grey/Black or Golden Yellow depending on location
- 17 - PPC Aluminium Railing mounted to roof parapet
- 18 - Horizontal PPC aluminium loured screen



VISUAL SCALE 1:200 @ A1

Rev.	Description	Checks		
		Drawn	Checked	Date Issued
P3	Draft PAC issue for review and comment	HL	VS	30/01/20
P4	Draft WIP issue for Stage 3 costing	TE	VS	13/02/20
P5	Revised issue to BAA for stage 03 costing	VS	HL	21/02/20
P6	Issued for Stage 3 Approval	TE	VS	28/02/20
P7	Revised issue for PAC	VS	HL	29/05/20
P8	Initial issue for Stage 4a Costing	VS	HL	29/05/20
P9	Revised issue for Planning Application	VS	HL	13/08/20

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Date  
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Status

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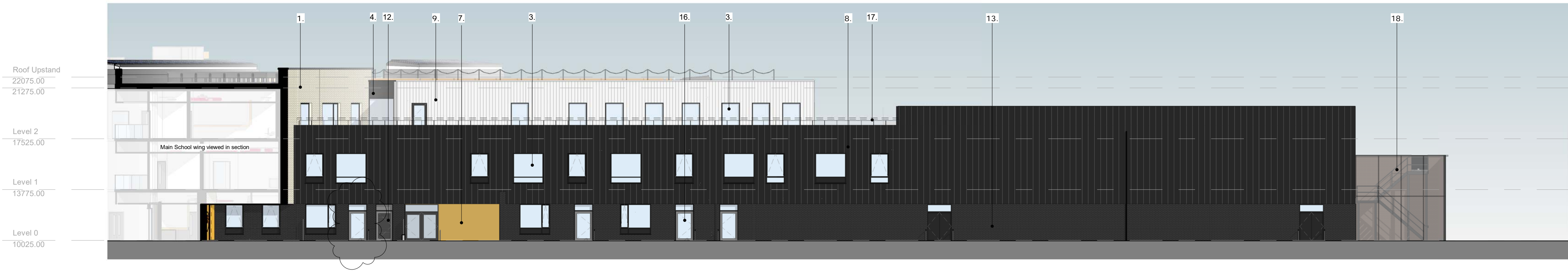
**Austin-Smith:Lord**

Project Fitzalan High School

Description GA Elevations 01

Job No.	Drawing No.	Revision	P9
318079	FHS- ASL- 10- ZZ- DR- A- 0130		

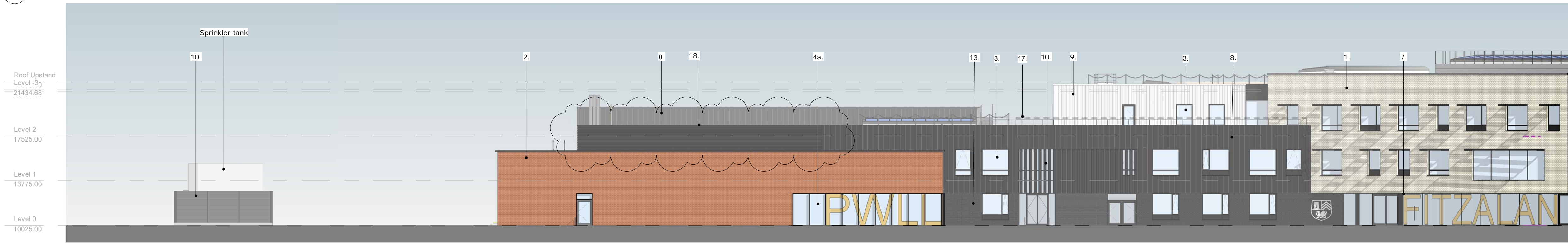




1 Sports - North Elevation  
1:200



2 Sports - West Elevation  
1:200

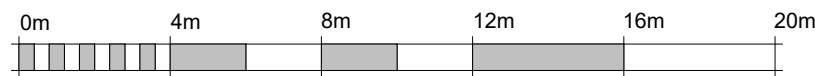


3 Sports - South Elevation  
1:200



4 Sports - East Elevation  
1:200

- 1 - Facing Brickwork; Multi Buff - Stretcher bond
- 2 - Facing Brickwork; Red - Stretcher bond
- 3 - External Glazing - PPC Double glazed aluminium framed units incorporating opening lights where indicated
- 4 - External Glazing - Silicone Jointed Curtain Walling to key spaces
- 4a - External Glazing - Silicone Jointed Curtain Walling to key spaces - with manifestation/fritted glass design to control overheating
- 5 - External Glazing - PPC Aluminium curtain walling incorporating windows, spandrel panels and extended fin caps; Dark Grey/Black
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- 17 - PPC Aluminium Railing mounted to roof parapet
- 18 - Horizontal PPC aluminium louvred screen



VISUAL SCALE 1:200 @ A1

Rev	Description	Drawn	Checked	Date Issued
P4	Draft WIP issue for Stage 3 costing	TE	VS	13/02/20
P5	Revised issue to Kior for stage 03 costing	VS	HL	21/02/20
P6	Issued for Stage 3 Approval	TE	VS	28/02/20
P7	Revised issue for PAC	VS	HL	29/05/20
P8	Initial issue for Stage 4a Costing	VS	HL	29/05/20
P9	Louvers screen added to sports wing in lieu of cladding, external door ED 0.34 added, external door hoops added	HL	VS	29/07/20
P10	Revised issue for Planning Application	VS	HL	13/08/20

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Drawn	VS	Austin-Smith Lord Ltd Architects Designers Planners Landscape Architects one Dunleavy Drive Cardiff CF11 0SN t +44 (0)2920 225 208 e cardiff@austinsmithlord.com
Date	May 2020	
Scale @ A1	As indicated	
Status	S4	Drawings and models powered by Austin-Smith Lord Ltd BIM using AutoDesk Revit

## Austin-Smith:Lord

Project Fitzalan High School

Description GA Elevations 02

Job No.	Drawing No.	Revision	P10
318079	FHS- ASL- 10- ZZ- DR- A- 0131		









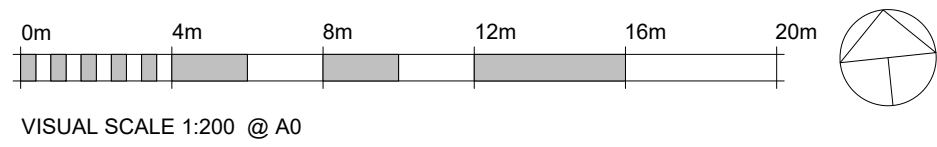
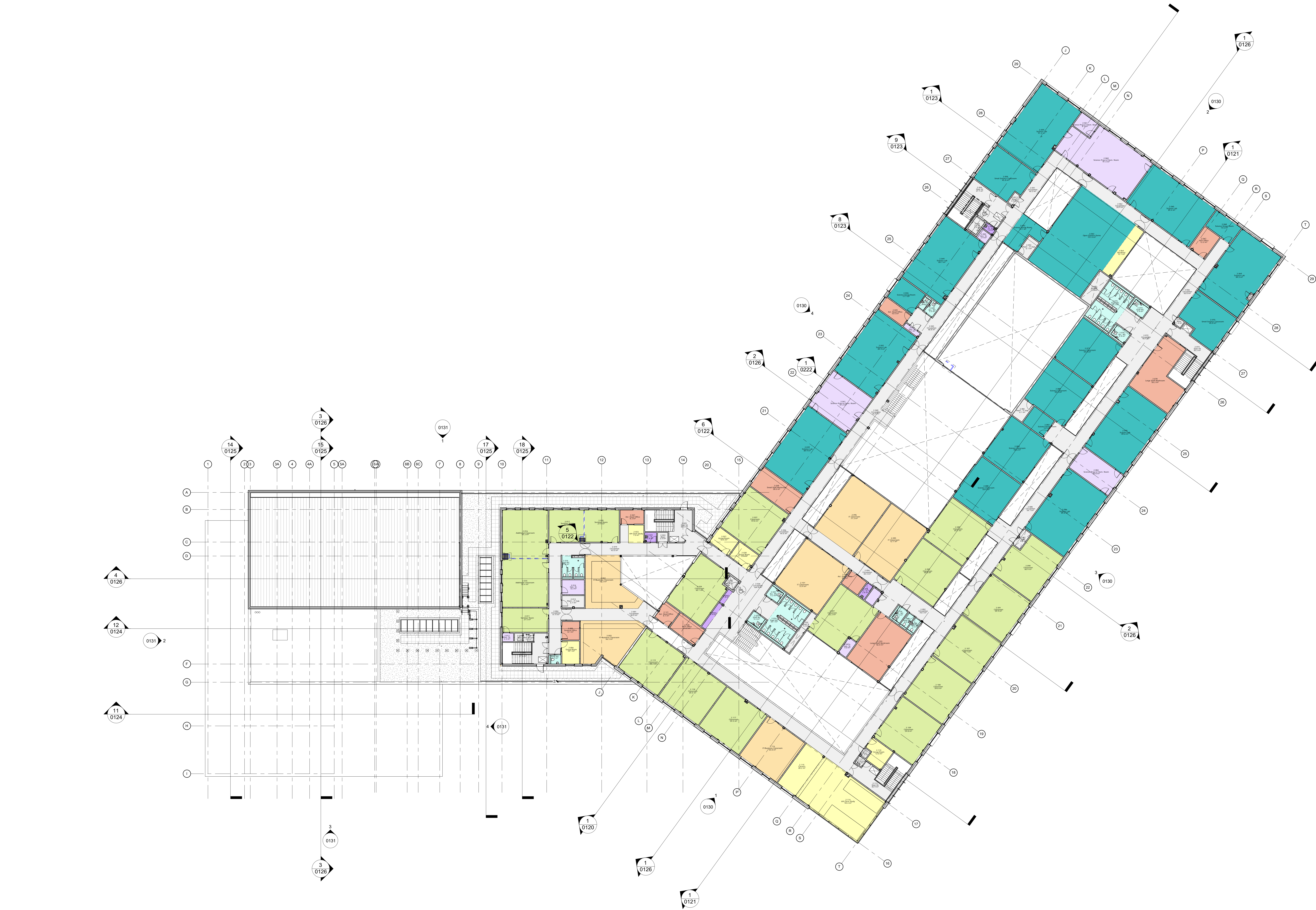
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  - Changing & WCs
  - Design / Technology
  - General Teaching
  - Hall
  - IT
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  - Nurture
  - Other
  - Store
  - Stores (Teaching)

No.	Description	Drawn	Checked	Date Issued
01	1:100 Scale	SL	SL	14/11/2019
02	Preparation of school consultation comments	SL	SL	14/11/2019
03	Preparation of school consultation comments	SL	SL	14/11/2019
04	Preparation of school consultation comments	SL	SL	14/11/2019
05	Preparation of school consultation comments	SL	SL	14/11/2019
06	Preparation of school consultation comments	SL	SL	14/11/2019
07	Preparation of school consultation comments	SL	SL	14/11/2019
08	Preparation of school consultation comments	SL	SL	14/11/2019
09	Preparation of school consultation comments	SL	SL	14/11/2019
10	Preparation of school consultation comments	SL	SL	14/11/2019
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12	Preparation of school consultation comments	SL	SL	14/11/2019
13	Preparation of school consultation comments	SL	SL	14/11/2019
14	Preparation of school consultation comments	SL	SL	14/11/2019
15	Preparation of school consultation comments	SL	SL	14/11/2019
16	Preparation of school consultation comments	SL	SL	14/11/2019
17	Preparation of school consultation comments	SL	SL	14/11/2019
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21	Preparation of school consultation comments	SL	SL	14/11/2019
22	Preparation of school consultation comments	SL	SL	14/11/2019
23	Preparation of school consultation comments	SL	SL	14/11/2019
24	Preparation of school consultation comments	SL	SL	14/11/2019
25	Preparation of school consultation comments	SL	SL	14/11/2019
26	Preparation of school consultation comments	SL	SL	14/11/2019
27	Preparation of school consultation comments	SL	SL	14/11/2019
28	Preparation of school consultation comments	SL	SL	14/11/2019

Drawn	Author	Author
SL	Austin-Smith Lord Ltd	Architects Designers Planners
SL	Landscapes Architects	www.fairway-drive.com
SL	May 2020	CP11.024
SL	Scale 1:200	1:444 (03)920 225 208
SL	Status	54
SL	54	Created and made possible by
SL	54	Austin-Smith Lord Ltd (BSM) using Autodesk Revit

Austin-Smith:Lord		
Project: Fitzalan High School		
Description: First Floor - CA Plan		
Job No.	Drawing No.	Revision
3180374	FHS-ASL-10-01-DR-A-0101	P11





Rev	Description	Drawn	Checked	Date Issued
01	Issue	VS	VS	14/01/2020
02	Revised plan to include consultation comments	VS	VS	14/01/2020
03	Revised plan to include consultation comments	VS	VS	14/01/2020
04	Revised plan to include consultation comments	VS	VS	14/01/2020
05	Revised plan to include consultation comments	VS	VS	14/01/2020
06	Revised plan to include consultation comments	VS	VS	14/01/2020
07	Revised plan to include consultation comments	VS	VS	14/01/2020
08	Revised plan to include consultation comments	VS	VS	14/01/2020
09	Revised plan to include consultation comments	VS	VS	14/01/2020
10	Revised plan to include consultation comments	VS	VS	14/01/2020
11	Revised plan to include consultation comments	VS	VS	14/01/2020
12	Revised plan to include consultation comments	VS	VS	14/01/2020
13	Revised plan to include consultation comments	VS	VS	14/01/2020
14	Revised plan to include consultation comments	VS	VS	14/01/2020
15	Revised plan to include consultation comments	VS	VS	14/01/2020
16	Revised plan to include consultation comments	VS	VS	14/01/2020
17	Revised plan to include consultation comments	VS	VS	14/01/2020
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22	Revised plan to include consultation comments	VS	VS	14/01/2020
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27	Revised plan to include consultation comments	VS	VS	14/01/2020
28	Revised plan to include consultation comments	VS	VS	14/01/2020
29	Revised plan to include consultation comments	VS	VS	14/01/2020

Drawn	VS	Austin-Smith Lord Ltd
Checked	VS	Architects Designers Planners
Date	May 2020	Landscapes Architects
Scale	1:200	1:444 (03)920 225 208
Status	54	1:444 (03)920 225 208

- By Department Legend
- Admin
  - Changing & WCs
  - Circulation
  - General Teaching
  - IT
  - Learning Resource
  - Other
  - Science
  - Store
  - Stores (Teaching)

Austin-Smith:Lord

Description: Second Floor - CA Plan

Job No: 3180374

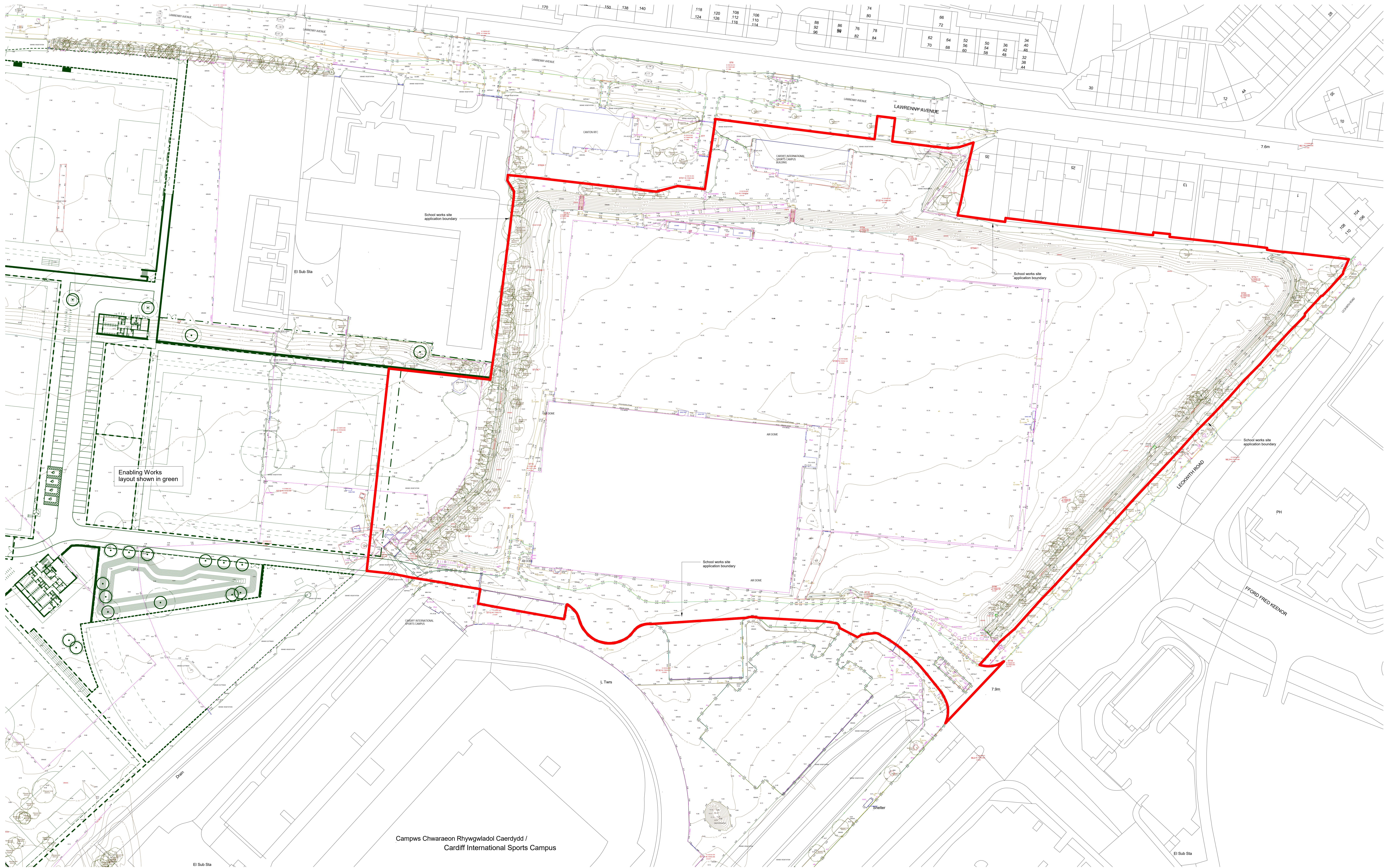
Drawing No: FHS-ASL-10-CD-DR-A-0102

Revision: P10

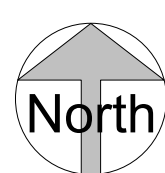








1 Existing Site Plan  
1:500



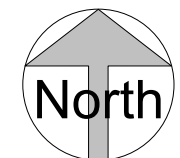
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VISUAL SCALE 1:500 @ A0

Rev	Description	Drawn	Checked	Date
1	Issue for approval			11.11.20
2	Issue for approval			11.11.20
3	Issue for approval			11.11.20
4	Issue for approval			11.11.20
5	Issue for approval			11.11.20
6	Issue for approval			11.11.20
7	Issue for approval			11.11.20
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10	Issue for approval			11.11.20

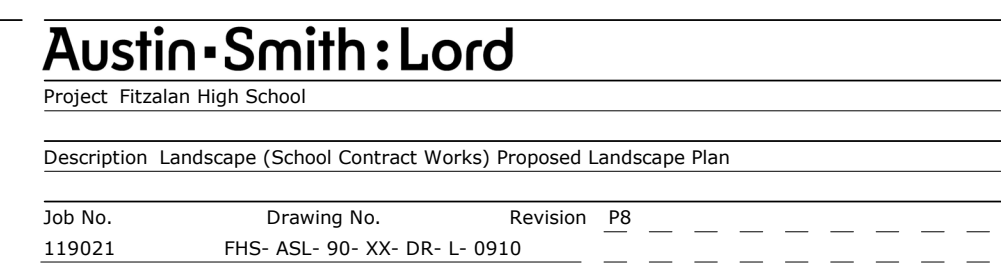
DO NOT SCALE: Use figure dimensions only. This drawing is intended to show the general layout of the site and is not to be used for construction purposes. All dimensions are given in metres and are rounded to the nearest 0.1m. The drawing is not to be used for construction purposes. All dimensions are given in metres and are rounded to the nearest 0.1m. The drawing is not to be used for construction purposes. All dimensions are given in metres and are rounded to the nearest 0.1m.	Drawn	Author
Date	Issue Date	Issue Date
Scale 1:500	1:500	1:500
Status	52	52

<b>Austin-Smith:Lord</b>	<b>Project</b> Ffardar High School
Description: Landscape (School Contract Works) Existing Site Plan	
Job No. 119023	Drawing No. FHS-ASL-10-1X-DB-1-0005
Revision	07





SEE DRAWING NOS. L\_ 0936-39 FOR 1:200 PLANTING PLANS

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Architects  
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Contract Works

Revision  
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Landscape Plan  
P8

Page 10 of 10

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### 5.1.9 3D Views



Fig. 062: External CGI View - Main Entrance plaza





Fig. 063: External CGI View - Main Entrance plaza





Fig. 064: External CGI View - Main Entrance plaza, looking towards Leckwith Road





Fig. 065: External CGI View - Approach from Lawrenny Avenue

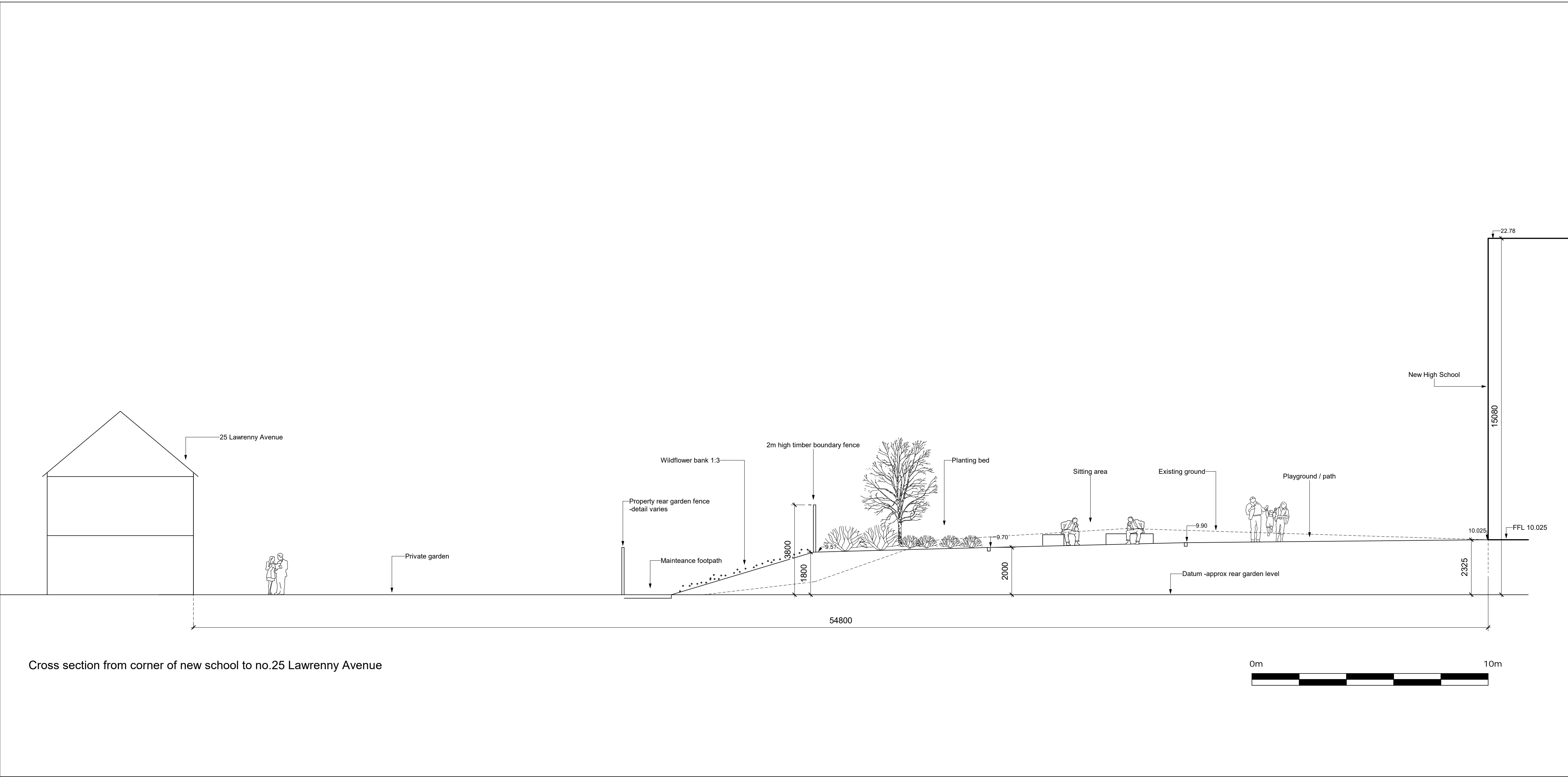




Fig. 067: External CGI View - Looking towards Pupil Entrance







1

Section at rear of 25 Lawrenny Avenue

1 : 100

Rev	Description	Drawn	Checked	Date Issued
P1	First issue	CM	d	28.8.20

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Drawn	Author
Date	Issue Date
Scale @ A1	1 : 100
Status	S2

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Architects Designers Planners  
Landscape Architects  
Port Of Liverpool Building  
Pier Head, Liverpool  
L3 1BY  
t +44 (0)151 227 1083  
e liverpool@austinsmithlord.com  
Drawings and models powered by  
Austin-Smith Lord Ltd BIM using Autodesk Revit

**Austin-Smith:Lord**

Project Fitzalan High School

Description Section at rear of 25 Lawrenny Avenue

Job No.	Drawing No.	Revision	P1
119021	FHS- ASL- 90- XX- DR- L- 0946		



5.1.10 Landscape Design

The material palette has been developed to be robust and carefully considered with respect to maintenance, longevity and aesthetic appeal. A hierarchy of palettes and materials, including high quality finishes to entrance and frontage areas and a more utilitarian approach to service and ‘back of house’ areas. Areas with a more informal character such as nature and habitat areas have a more informal natural feel and materials and site the furniture reflects this.

Refer to drawing no. FHS-ASL-90-XX-DR-L-0910 for site layout in fig. 074, for a more detailed look at the materiality and use of the proposed landscape design.



Fig. 074: Proposed Landscape plan

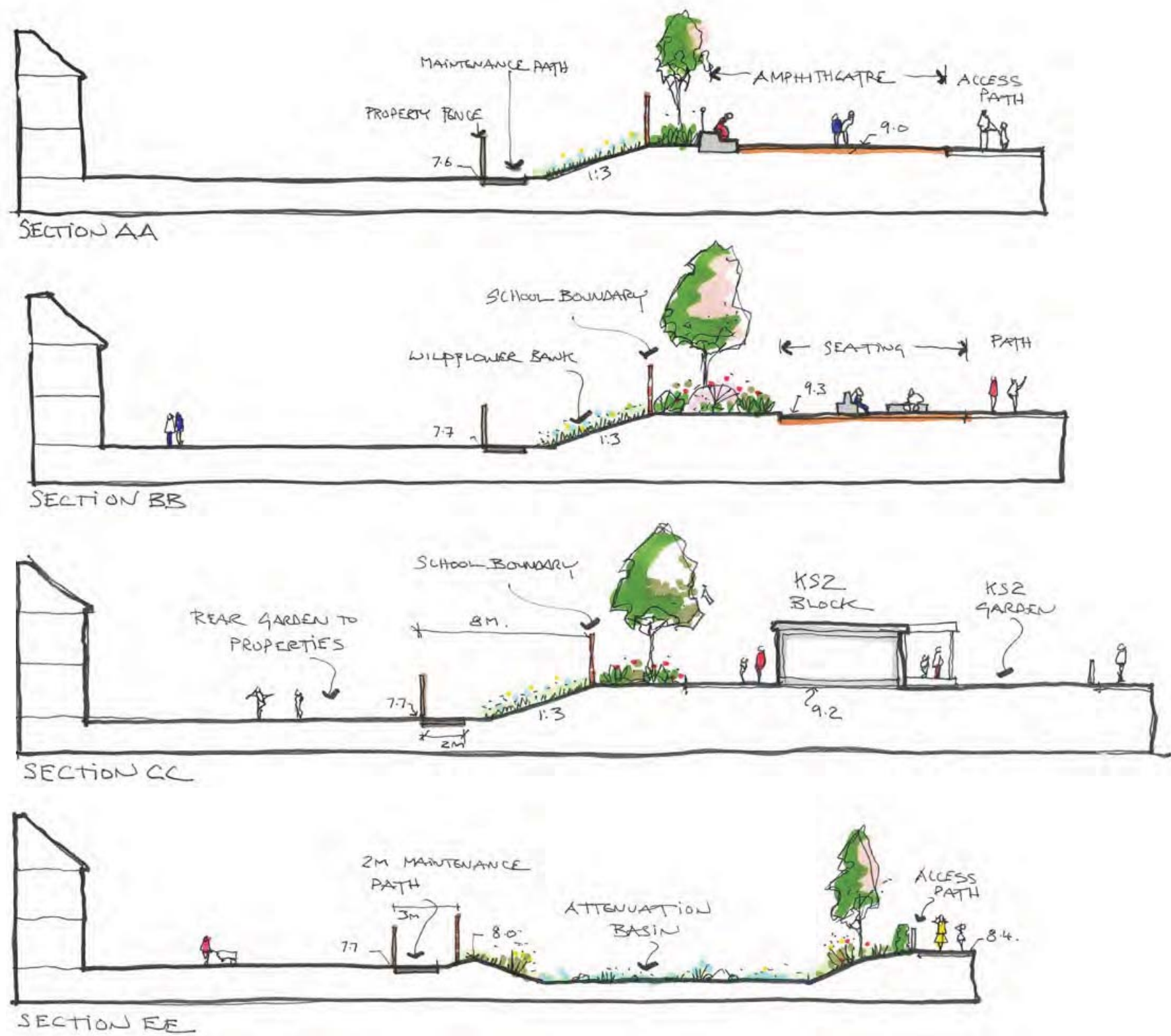
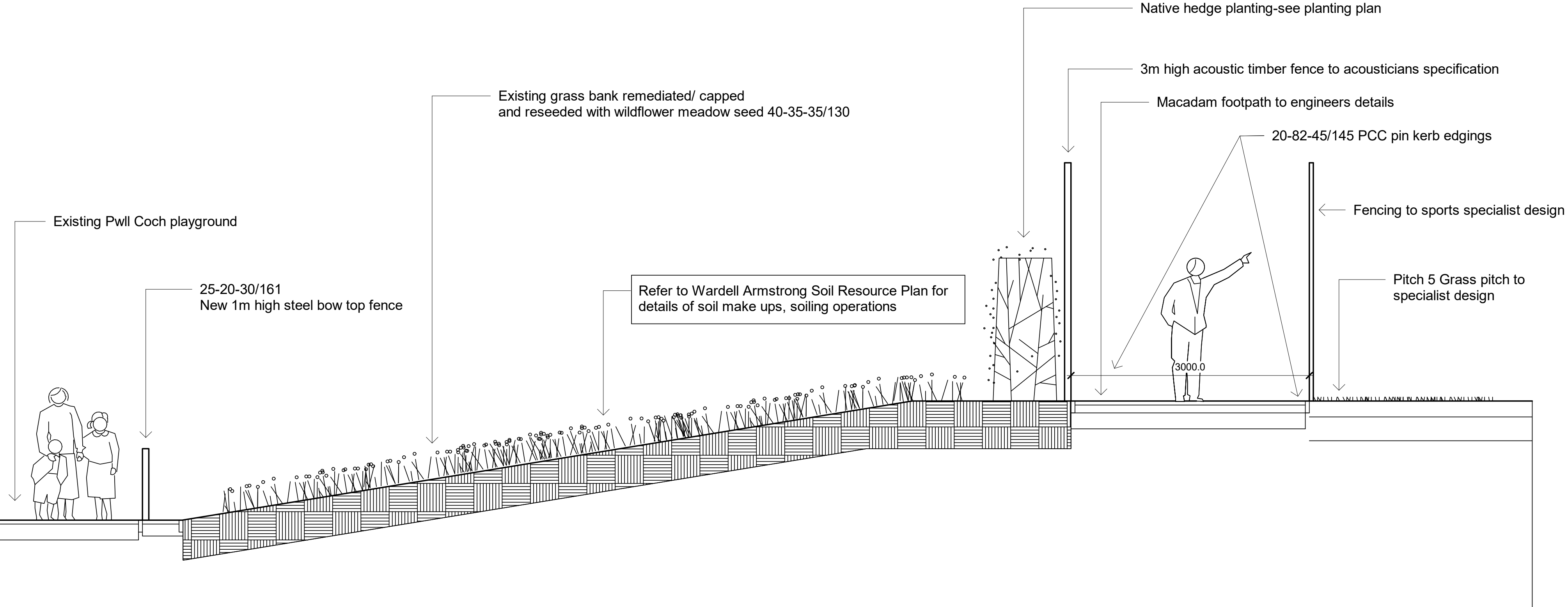


Fig. 075: Developed Landscape Sketch Sections of proposed hard and soft play areas in relation to neighbouring properties and sloping wildflower bank





# LOCAL MEMBER SUPPORT

COMMITTEE DATE: 18/11/2020

APPLICATION No. **20/00262/MNR** APPLICATION DATE: 03/02/2020

ED: **BUTETOWN**

APP: TYPE: Full Planning Permission

APPLICANT: CAVC

LOCATION: PART OF CANAL PARK ADJACENT TO CARDIFF AND VALE COLLEGE, DUMBALLS ROAD, BUTETOWN, CARDIFF

PROPOSAL: CONSTRUCTION OF 3G PITCH WITH FLOODLIGHTING AND SPECTATOR SEATING PLUS CHANGING FACILITIES WITH EXTERNAL PATHWAYS ALL WITHIN FENCED ENCLOSURE

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

1. The development permitted shall be commenced before the expiration of five years from the date of this planning permission.  
Reason: In accordance with the provisions of Sec. 91(1)(b) of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and details unless otherwise expressly required by the ensuing Conditions:

- 3089/3g03/B – Proposed Site Plan
- 3089/3g04 – Changing Facility Plan
- 3089/3g05/C – Changing Facility Elevations
- 3089/3g06 – Proposed Seating
- 5419/NIA1\_REV2 – Noise Impact Assessment

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 commence until such time as an Operational Management Plan has been submitted to the Local Planning Authority confirming the details of the arrangements for members of the public and community groups to access and use the development, hereby permitted. The facility shall be operated at all times in accordance with the approved plan and any changes to such plan shall not be implemented prior to the further approval of the Local Planning Authority.

Reason: In order to ensure that the use of the public open space remains accessible for the benefit of the health and well-being of the

local and wider community in accordance with Policies KP5, KP13, KP14, C1, C4 and C6 of the Cardiff Local Development Plan 2006-2026.

4. No development shall take place until full details of soft landscaping, to include mitigation for removed trees and lost soil resource, 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 prepared by a qualified landscape architect.
- Evidence to demonstrate that existing and proposed services will not conflict with proposed planting.
- 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. The landscape plan and specification shall be informed by the Soil Resource Survey and Plan.
- Planting methodology and 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.

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 Policies KP15, KP16, EN6 and EN8 of the Cardiff Local Development Plan 2006-2026.

5. The '3G Pitch', hereby approved, shall only be operated during the hours of 07:00 and 21:30 hours on any day.

Reason: In the interests of the amenities of the area and neighbouring occupiers in accordance with Policies KP5 and EN13 of the Cardiff Local Development Plan 2006-2026.

6. Notwithstanding the approved plans no floodlighting shall be installed until such time as full details of such an installation have been approved by the Local Planning Authority to provide that:

- Light into neighbouring residential windows generated from the floodlights shall not exceed 5 Ev (lux) (vertical illuminance in lux).
- Each floodlight must be aligned to ensure that the upper limit of the main beam does not exceed 70 degrees from its downward vertical.
- The floodlighting shall be designed and operated to have full horizontal cut-off and such that the Upward Waste Light Ratio does not exceed 2.5%.
- The submitted scheme shall include an isolux diagram showing the predicted illuminance in the vertical plane (in lux) at critical locations on the boundary of the site and at adjacent properties.

Any floodlighting shall be installed and operated in accordance with the approved details at all times.

Reason: In the interests of the amenities of the area and neighbouring occupiers in accordance with Policies KP5 and EN13 of the Cardiff Local Development Plan 2006-2026.

7. Any floodlighting installed, in accordance with Condition 6, shall only be operated between the hours of 15:00 and 21:00 hours Monday to Friday and 15:00 and 19:00 hours on Saturday and Sunday.

Reason: In the interests of the amenities of the area and neighbouring occupiers in accordance with Policies KP5 and EN13 of the Cardiff Local Development Plan 2006-2026.

8. No development shall commence until such time as a Noise Impact Assessment has been submitted which demonstrates that the design and installation of the weld mesh fence and any low level boundary retention systems would result in an upper limit of 45dB LAMax not being exceeded, when measured in the first floor bedrooms with window ajar of the nearest noise sensitive premises. The development shall be implemented and operated at all times in accordance with the approved details.

Reason: In the interests of the amenities of the area and neighbouring occupiers in accordance with Policies KP5 and EN13 of the Cardiff Local Development Plan 2006-2026.

9. The noise emitted from fixed plant shall not exceed 40dBA between the hours of 07:00 and 19:00 and 35dbA at any other time at the nearest



noise sensitive premises when measured and corrected in accordance with BS 4142: 2014 + A1: 2019 (or any standard amending or superseding that standard). Reason: In the interests of the amenities of the area and neighbouring occupiers in accordance with Policies KP5 and EN13 of the Cardiff Local Development Plan 2006-2026.

10. Notwithstanding the approved plans, prior to beneficial use of the development, hereby approved, cycle storage facilities shall be provided within the site in accordance with details which shall first be approved by the Local Planning Authority.  
Reason: In the interests of promoting sustainable modes of transport in accordance with Policies KP8, T1 and T5 of the Cardiff Local Development Plan 2006-2026.
11. Prior to beneficial use of the development, hereby approved, a scheme of lighting to the eastern perimeter of the site to light the public footpath shall be provided in accordance with details which shall first be approved by the Local Planning Authority. The approved lighting shall remain lit at all times during the hours of sunset and sunrise.  
Reason: In the interests of amenity and safety in accordance with Policies KP5 and C3 of the Cardiff Local Development Plan 2006-2026.
12. Prior to beneficial use of the development, hereby approved, litter bins shall be provided within the site in accordance with details which shall first be approved by the Local Planning Authority.  
Reason: In the interests of amenity and management of waste in accordance with Policies KP5 and W2 of the Cardiff Local Development Plan 2006-2026.
13. The development, hereby approved, shall not be occupied until such time as a drainage scheme, incorporating where viable sustainable drainage techniques, has been implemented in accordance with details that have been approved by the Local Authority.  
Reason: In the interests of water cycle management and averting flood risk in accordance with Policies EN10 and EN14 of the Cardiff Local Development Plan 2006-2026.

**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.

**RECOMMENDATION 3: Welsh Water advise:** 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](http://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.

## **1. DESCRIPTION OF THE SITE AND AREA**

- 1.1 Canal Park, an area of Open Space, has a northern boundary with Maria Court, an apartment block accessed off Canal Parade and a short walk from the City Centre, and extends southwards to Cardiff Bay incorporating the 'Recreation Ground'. The park incorporates a range of facilities including formal and informal open space including children's play areas and sports pitches.
- 1.2 The application site comprises primarily an existing football pitch to the northern end of the park. The site is bounded by Industrial Estates beyond a treeline, which are allocated for mixed use development proposals including residential, and Cardiff and Vale College (CAVC) to the west. A community centre and continuation of the park lies to the south, an area of park with the afore mentioned apartment block beyond lies to the north and Butetown housing estate lies to the east.
- 1.3 It is suggested that the site is currently subject to instances of anti-social behaviour, drug misuse and crime.
- 1.4 The site is partly within the C1 Flood Zone and a drainage easement runs through the site.

## **2. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1 Planning permission is sought for the provision of a 3G pitch and a changing facility.
- 2.2 The 3G pitch would essentially occupy the footprint of the existing football pitch and be enclosed by a 3m wire/mesh fence with a 2m stopping net above. Access to the enclosure is provided from the north boundary via the changing

facility compound. Four spectator stands would be sited partly along the western boundary, at mid point of the pitch and five floodlights are proposed to both the western and eastern perimeter of the pitch.

- 2.3 The changing facility would sit just north of the 3G pitch compound in its own compound enclosed by a 3m high wire mesh fence. The building would be of contemporary design and a single storey in height measuring approximately 20m(l) x 15m(w) x 3.7m(h). The compound can be accessed via CAVC and the POS to the north.
- 2.4 A footpath will be retained through the park along the eastern perimeter of the proposal measuring 3m in width with total space between the boundaries of the housing estate and proposed fencing being up to 5m. To the south east limit of the footpath, access can be gained to the housing estate and, via an area in front of the community centre, the park.
- 2.5 Three trees are required to be removed to facilitate the pitch and replacement planting is proposed.
- 2.6 The proposal would be provided with Welsh Government funding with Council land transferred and is a collaborative project headed by CAVC with support from the WRU, various community groups, local primary schools, local sports clubs, Cardiff Blues RFC, Cardiff Metropolitan University and Sport Cardiff. It has been detailed that:
  - the four Butetown Primary schools would have access for two free sessions to the facility each week, as would organised community sports and play events;
  - the college would organise free after school sport and play activities, to promote and extend the provision of its Family Learning programmes;
  - local sports clubs would have access to the facility with discounted rates;
  - a Community Stakeholder Group would be established to monitor the community use of the facility and encourage community groups to develop;
  - the College would provide resources to the community including qualified coaches, links to sporting academies and free day to day management;
  - the facility would be chargeable to some groups, note the afore mentioned discounts and exemptions, however, it would not be operated for profit and any fees received would cover only the operational costs, maintenance etc.

The applicant has further verified that the main focus of this facility, and the other recently granted planning permission on the colleges land, will be to increase the participation in sport and the physical activity of the local community to improve both physical health and mental wellbeing. The college's main sporting facilities are at its Cardiff International Sports Campus, Leckwith and the initial plans indicate that the College would utilise this proposed 3G pitch for only 25% of the available hours each week during term time, and less during holidays. The facility would also be largely bookable by the local community after 6pm and all day at weekends during term time.



### **3. PLANNING HISTORY OF RELEVANCE**

- 3.1 17/00159/MJR – Land at Dumballs Road (between Anchor & Canal Park Ind. Est. – Mixed Use Development – Resolved to Grant Subject to Legal Agreement
- 3.2 19/01569/MNR – Part of Canal Park adjacent to CAVC – Construction of 3G Pitch plus Spectators Seating Area – Withdrawn – 29/01/2020
- 3.3 19/01570/MNR – Part of Canal Park adjacent to CAVC – Construction of Enclosed Sports Pitches plus Construction of Changing Facilities – Withdrawn – 29/01/2020
- 3.4 20/00384/MJR – CAVC – Construction of Multi Use Games Area Sports Pitches with Airdome Cover plus Changing Pavilion and Amendments to Parking Layout – Permitted – 17/08/2020
- 3.5 20/01543/MJR – Anchor Ind. Est – Multi Use Development - Undecided

### **4. POLICY FRAMEWORK**

- 4.1 National Planning Policy
  - Planning Policy Wales (10<sup>th</sup> Ed, 2018)
  - Technical Advice Note 5: Nature Conservation and Planning (2009)
  - Technical Advice Note 11: Noise (1997)
  - Technical Advice Note 12: Design (2016)
  - Technical Advice Note 15: Development and Flood Risk (2004)
  - Technical Advice Note 16: Sport Recreation and Open Space (2009)
- 4.2 Cardiff Local Development Plan 2006-2026
  - Policy KP1: Level of Growth
  - Policy KP3(B): Settlement Boundaries
  - Policy KP5: Good Quality and Sustainable Design
  - Policy KP6: New Infrastructure
  - Policy KP8: Sustainable Transport
  - Policy KP13: Responding to Evidenced Social Needs
  - Policy KP14: Healthy Living
  - Policy KP15: Climate Change
  - Policy KP16: Green Infrastructure
  - Policy EN6: Ecological Networks and Feature of Importance for Biodiversity
  - Policy EN7: Priority Habitats and Species
  - Policy EN8: Trees, Woodlands and Hedgerows
  - Policy EN10: Water Sensitive Design
  - Policy EN11: Protection of Water Resources
  - Policy EN13: Air, Noise, Light Pollution and Land Contamination
  - Policy EN14: Flood Risk
  - Policy T1: Walking and Cycling

- Policy T5: Managing Transport Impacts
- Policy T6: Impact on Transport Networks and Services
- Policy C1: Community Facilities
- Policy C3: Community Safety/Creating Safe Environments
- Policy C4: Protection of Open Space
- Policy C6: Health
- Policy W2: Provision for Waste Management Facilities in Development)

#### 4.3 Supplementary Planning Guidance

- Green Infrastructure (November 2017) incorporating:
- Ecology & Biodiversity TGN
- Trees and Development TGN
- Protection and Provision of Open Space in New Developments TGN
- Soils and Development TGN
- Managing Transportation Impacts (July 2018)
- Planning for Health and Wellbeing (November 2017)
- Waste Collection and Storage (October 2016)

### 5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 The Operational Manager (Flood & Coastal Risk Management) advises that insufficient information to determine whether the site can be adequately drained has been submitted, however, confirms that the development will require SAB approval and a review of records confirms the applicant has engaged in the SAB pre-application process
- 5.2 The Operational Manager (SRS – Noise and Air – Neighbourhood Services) advises that the Noise Impact Assessment has been reviewed and no objection is raised to the proposal. It is, however, advised that the use of the facility until 21:30 hours will result in a major impact on the closest residential receivers in the evenings, being between 19:00 and 23:00, the proposed operating time will result in 2.5 hours of major impact, which cannot be supported. Further measures will be required to be introduced to reduce noise resulting from the proposed weld-mesh fencing and any low level boundary retention system as detailed in the Noise Impact Assessment (NIA), a condition is requested in this regard. An operating time of 21:30 can be supported on this basis. Furthermore, the noise emitted from fixed plant should not exceed those detailed within the NIA.
- 5.3 The Operational Manager (Parks Services) confirms that the site is under 'Parks ownership' and is supported. There are currently high levels of anti-social behaviour and drug use within the area. The current grass pitch is used by the local community and 2 local football clubs in addition to providing access between Cardiff Bay and the City Centre. The proposed 3G pitch is considered to equate to 4 grass pitches in terms of the additional use it would encourage by increasing participation, improving standards, eliminating cancellations and would generally raise aspirations of the young people within the local community. The proposal would be a significant benefit to the football club and community and represents investments in assets that may not

otherwise be attainable whilst also deterring anti-social behaviour and drug use. The introduction of the 3G pitch is in line with the 'Playing Pitch Strategy' to increase the number of these facilities in the City and the dual use arrangement for education is critical.

5.4 The Operational Manager (Traffic and Transportation) advises that:

- ideally a 5m, as opposed to 4.5m, width route would be retained along the eastern edge of the proposal through the path. It, however, is recognised this would not appear feasible;
- the path should benefit from appropriate lighting given the change in circumstance;
- the proposed cycle parking is proposed outside of the site and a significant distance and should be relocated.

5.5 The Operational Manager (Waste Management) advises that the location for storage of waste and recycling to serve the development is noted and acceptable. Litter bins should be provided within the site.

5.6 The Councils Planner (Trees & Landscaping) raises concerns with regards to the proposed development and its impact upon 'B' category trees, which should be retained and protected as part of development unless overriding considerations necessitate their removal. Three trees are to be removed along the western boundary and two trees may require pruning to maintain reasonable clearance from the development. Twelve replacement trees are proposed, however, it is not clear what has informed the species selection since no Soil Resource Survey and Plan has been provided and some will be shoe-horned into a corridor that does not link with other green corridors and may conflict with drainage apparatus. Furthermore, some trees are not well suited to their siting. It is considered, however, that more appropriate planting would be acceptable, and advice is provided in this regard, in terms of offsetting the loss of existing green infrastructure, including trees and vegetated soil.

5.7 The Councils Planner (Ecology) advises that there are no specific concerns in respect of the developments impact upon protected species or habitats, however, the proposal would result in the interruption of a green infrastructure corridor. Section 6 of the Environment (Wales) Act require the Local Planning Authority to seek to maintain and enhance biodiversity. The proposed development will also be subject to the requirement for SuDS approval, and to gain this approval the SuDS must meet six standards, one of which is the biodiversity standard. Therefore, any planting associated with SuDS features should demonstrably enhance the biodiversity of the site. In terms of the nature and location of planting and landscaping to deliver requirements under KP16 and EN6 and other policies in relation to climate change advice from the appropriate consultee (Planner (Trees & Landscaping) see para. 5.7) should be sought.

## **6. EXTERNAL CONSULTEE RESPONSES**

6.1 Natural Resources Wales have no objection to the proposed development. It is advised that:

- The site is partially within Flood Zone C1 of the Development Advice Map (DAM) contained in TAN15 and the 0.5% (1 in 200 year) and 0.1% (1 in 1000 year) annual probability tidal flood outlines of the River Taff, a designated main river. The risk of tidal flooding to the proposed development, however, is negligible, as the site benefits from the presence of the Cardiff Bay Barrage. This operates in a flood risk capacity, providing significant protection to Cardiff from tidal flood risk. Therefore, we have no further comment regarding tidal flood risk in this instance;
- The site overlays the Glamorganshire Canal historic landfill site, however, it is considered that the controlled waters at this site are not of the highest environmental sensitivity, therefore we do not have any adverse comments to make with regards to land contamination.

6.2 Welsh Water raise no objection to the proposal, it is advised that surface and land water should be disposed of by sustainable means. General advice is provided including in respect of foul sewerage and public sewer records.

6.3 South Wales Police raise no objection to the proposal, it is advised that:

- The surrounding area offers very little natural surveillance over the proposed spectator stand. Therefore, it is important that unauthorised access is denied into the pitch and stand areas during hours of closure;
- The layout appears to show that the pitch and stand are protected by a fence which is gated at various points. Ensure that the fence follows the contours of the land and prevents persons from entering underneath the fence. The gates should be secured with a suitable locking mechanism and the design of the gates should not include footholds which may assist climbing;
- South Wales Police would be happy to work with developers to achieve Secured by Design (SBD) which can reduced crime risk by 75%.

## **7. REPRESENTATIONS**

7.1 The application was advertised by way of site notices. A single letter of representation has been received. The owner/occupier of 25 Carlotta Way supports the proposal, however, queried the initial lack of access from the community side, as the facility is to support the community and CAVC, such access has now been integrated into the scheme as amended.

7.2 The Local Ward Member, Cllr Ebrahim, has provided a letter supporting the application. Detailing that:

- *'The new 3G pitch is in the heart of Butetown, development of the existing football pitch is long overdue and will greatly benefit the local community.'*



*The new pitch will significantly boost participation in sporting activities in what is historically considered a deprived community.*

- *The new pitch will encourage more people in Butetown to appreciate the benefits of improved physical health and mental wellbeing that participating in sporting activities generate.*
- *The new pitch, facilities, changing rooms and proposed multi use gaming area will also support Butetown's primary schools, local sports teams and the wider community.'*

## **8. ANALYSIS**

### **8.1 Introduction**

- 8.1.1 The application site falls within the settlement boundary as defined by the Local Development Plan proposals map and is designated as public open space (POS). Principally as formal outdoor sports facilities space, of which there is a deficit in terms of quality and quantity within the area. Whilst a small area of the site is amenity open space, of which there is a significant surplus throughout the area.
- 8.1.2 Policy KP3(B) has purpose of strategically managing the spatial growth of Cardiff and there will be a presumption against development outside of the boundary, however, within the boundary the principle of development is acceptable.
- 8.1.3 Policy KP5 requires that new development should '*make a positive contribution to the creation of distinctive communities*' and generally supports the improvement of community facilities, providing a healthy and convenient environment and connected open spaces.
- 8.1.4 Policy KP13 recognises that '*a key part of the successful progression of the city will be to develop sustainable neighbourhoods, tackle deprivation, and improve the quality of life for all*' through mechanisms including encouraging a range of social, health, leisure and education facilities and community infrastructure for all; supporting the regeneration of deprived communities; encouraging the enhancement of communities and creating places that encourage social interaction and cohesion; and developing new cultural and sporting facilities.
- 8.1.5 Policy KP14 seeks to ensure that '*Cardiff will be made a healthier place to live by seeking to reduce health inequalities through encouraging healthy lifestyles, addressing the social determinants of health*'.
- 8.1.6 Planning Policy Wales recognises the importance of recreational and community facilities *which 'are vital for our health, well-being, amenity and can contribute to an areas green infrastructure'*. Formal and informal open green spaces should be protected from development and all playing fields, notwithstanding public or private ownership, should be protected except where facilities can be retained and enhanced. It is detailed that '*the multiple use of open space and facilities, where appropriate, to increase their effective use*'

should be encouraged. TAN16 also generally supports the enhancement of facilities.

8.1.7 Policy C1 states *‘that proposals for new and improved community facilities, health and religious facilities will be encouraged’*. Whilst Policy C4 details development will not be permitted on areas of open space’ unless it would not cause or exacerbate a deficiency in open space, the space has no significant functional or amenity value and is of no significant quality.

8.1.8 The proposal seeks to introduce significant enhancements to existing recreational and sporting facilities within a ward that has limited access to such facilities. Provided the development is available for use by the local community it is considered that no open space would be lost, rather enhancements would be provided. Whilst the facility would be managed the applicant has confirmed that local community access would be retained (see para. 2.6), which would be further secured by condition, and the quality of such facilities would, therefore, be a benefit to the community as a whole. With regard to the afore mentioned Key Policies and Policies C1 and C4 it is considered that the proposal is acceptable in principle, with regard to land use considerations, according with the key aims of policy.

8.1.9 The principle matters that remain for consideration, therefore, are the effect of the proposal in terms of:

- Quality of design and impact upon the character of the area;
- the impact upon the amenities of the area and neighbouring occupiers;
- Green Infrastructure and ecology;
- it’s transport impact
- Flood risk and water sensitive design.

## **8.2 Quality of Design and Impact Upon the Character of the Area**

8.2.1 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’* and *‘provide legible development which is easy to get around and which ensures a sense of continuity and enclosure’*. Also, in conjunction with Policy C3 community safety is a key consideration.

8.2.2 The site benefits from an open aspect enclosed by buildings to all directions. The proposed buildings are of limited scale and would appear appropriate in views across the park. The proposed means of enclosure, whilst up to 5m in height, are of an open nature that continue to allow views across the park and which would not unduly harm the character of the area.

8.2.3 The proposal incorporates and continues existing access through the park, from the north east and south east, which is legible and an obvious route from the main access and egress points of the park. The width of the route is considered adequate and whilst enclosed on both sides an open aspect is

retained to the west through the proposed development and lighting would be provided, secured by condition, to enhance safety and encourage use. Existing access points to the west, north and south of the pitch, are retained with other north south routes also available through the nearby housing estates, Bute Street and Dumballs Road.

- 8.2.4 Accordingly it is considered that the proposal has due regard to the context of the area is of high quality design and would not harm its character nor community safety, and, therefore, accords with the principles of Policies KP5 and C3.

### **8.3 Impact Upon the Amenity of the Area and Neighbouring Occupiers**

- 8.3.1 Policy KP5 seeks to ensure that *'no undue effect on the amenity of neighbouring occupiers'* results from development. Policy EN13 details *'development will not be permitted where it would cause or result in unacceptable harm to health, local amenity, the character and quality of the countryside, or interests of nature conservation, landscape or built heritage importance because of air, noise, light pollution or the presence of unacceptable levels of land contamination'*.

- 8.3.2 The proposed development in terms of its scale, siting and open aspect would have no adverse impact upon the amenity of neighbouring occupiers being designed with due regard to such constraints and to minimise any overbearing impact, loss of light or otherwise un-neighbourly impact.

- 8.3.3 The proposal would continue sporting activities upon the site, however, there would be intensification of use and the introduction of structures that, through use, have potential to impact upon the amenity of neighbouring residents. In this regard it is considered any noise or impact from light can be appropriately managed and conditions are recommended in this regard, as referenced at para. 5.2. Subject to the required additional measures and controls, over both the hours of operation and use of floodlighting which accord with similar developments throughout the city, it is considered that there would be no undue impact upon neighbouring amenity relative to the existing use of the land as formal recreational space.

- 8.3.4 The proposal includes a range of service facilities to allow for the orderly management of the development.

- 8.3.5 Accordingly, it is considered that the proposal would not have any undue impact upon the general amenity of neighbouring occupiers or the area, and, therefore, accords with the principles of Policies KP5 and EN13.

### **8.4 Green Infrastructure and Ecology**

- 8.4.1 Policy KP16 details that *'Cardiff's distinctive natural heritage which provides a network of green infrastructure'*, including trees and soil, will be protected, enhanced and managed to ensure the integrity and connectivity of this important resource is maintained. Furthermore, Policy KP15 acknowledges

the benefit of such infrastructure to mitigating against the effects of climate change. Policies EN6 and EN8 further support the principles of the afore mentioned key policies in relation to ecological networks, biodiversity and trees.

- 8.4.2 It is acknowledged that three trees (2x Sycamores, 1 x Red Oak) will be removed and two (Norway Maple) will require pruning to facilitate the development, also vegetated soil will be lost. With due regard to the design requirements for the facility to be provided and the constraints of the site it is considered that a development, which provides significant overall benefit, would be otherwise unviable without the afore mentioned actions occurring. Subject, however, to planting being provided to mitigate the loss and overall impact of the development it is considered that the development would be acceptable.
- 8.4.3 Whilst a scheme of landscaping has been proposed it is considered insufficient, therefore, conditions are recommended in this regard to ensure an adequate level and quality of planting is undertaken. It should be noted in addition to the site area adjoining land, within Council ownership, offers further potential to enhance landscaping and biodiversity. The relevant consultees, see para. 5.7 & 5.8, have no in principle objection to the proposal subject to appropriate planting being provided.
- 8.4.4 Accordingly, it is considered that the proposal could provide a level of mitigation and enhancement such that accordance with Policies KP15, KP16, EN6 and EN8 will be secured.

## **8.5 Transport Impact**

- 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'*. Whilst Policy KP6 details that *'development will not be permitted which would cause unacceptable harm to the safe and efficient operation of the highway, public transport and other movement networks'*.
- 8.5.2 The proposal is inherently sustainable in nature being located in close proximity to the communities which will use and benefit from it's provision and being accessible by public transport, cyclists and pedestrians through good quality and available networks.
- 8.5.3 Car parking spaces are available for use within the existing facility serving the college.
- 8.5.4 Cycle parking spaces are proposed, however, are considered inadequate in



terms of their siting. Improved facilities are sought through condition.

- 8.5.5 Accordingly, it is considered, subject to conditions, that the proposal would have no adverse transport impact, have a minimal impact upon the road network and promotes sustainable transport goals according with the principles of Policies KP8, T1, T5 and T6.

## **8.6 Flood Risk and Water Sensitive Design**

- 8.6.1 Guidance within Technical Advice Note 15 details that development should be directed away from Flood Zone C1 and only less vulnerable development should be permitted subject to a justification test, this guidance is essentially supported by the provisions of Policy EN14.
- 8.6.2 Policy EN10 details that *'development should apply water sensitive urban design solutions'* the process of integrating water cycle management with the built environment through planning and urban design. Furthermore, the purpose of Policy EN14 *'is to avert development from where it would be at risk from river, ordinary watercourse, coastal, surface water flooding or where it would increase the risk of flooding or additional run off from development elsewhere'*. With regard to Chapter 6 of PPW and guidance within TAN15 surface water drainage is a material planning consideration and consideration to flooding caused by heavy rainfall and runoff from development in areas of known flooding is required to be given on a case by case basis. It should, however, be noted that since January 2019 additional control under the Water Management Act 2010 has been enacted in this regard and the proposed development requires approval under the 'SAB process'.
- 8.6.3 The risk of flooding within the area is noted to be negligible and the proposal represents less vulnerable development. With regard to the justification tests set out at Sec. 6.2 of TAN 15, the location of development would be necessary to sustain an existing settlement and can be viewed as part of the wider regeneration of the area, the site is within an area of previously developed land and given the nature of the proposal and risk of flooding posed the potential consequences of flooding can be effectively managed. It is, therefore, considered the proposal is unlikely to have any adverse flood risk impact and implementation of adequate surface water drainage, which should incorporate disposal by sustainable means, can be secured. A condition is recommended to ensure that adequate drainage is implemented.
- 8.6.4 Accordingly, it is considered, subject to conditions, the proposal would have no adverse effect in terms of flood risk and would incorporate sustainable drainage solutions and, therefore, accords with the principles of TAN 15 and Policies EN10 and EN14.

## **8.7 Other Matters**

- 8.7.1 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 would not have any significant implications for, or effect on, biodiversity.

8.7.2 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.

8.7.3 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 on the achievement of wellbeing objectives as a result of the recommended decision.

8.7.4 The works are not a Schedule 2 development for the purposes of assessment under the Environmental Impact Assessment regulations and are not considered to have any significant environmental effects warranting the submission of an Environmental Statement to allow the Local Planning Authority to determine the application.

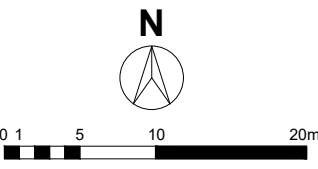
## 8.8 **Conclusion**

8.8.1 Having regard to the policy context above, the proposal is considered acceptable and it is recommended, subject to conditions, that planning permission be granted.

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Project  
**3g Pitch & Changing Facilities**  
Client  
**Cardiff & Vale College**  
Drawing Title  
**Existing Site Plan**

Job Number	Drawing Number	Revision	Scale @A3	Date
3089	3g 02		1:1000	feb 20

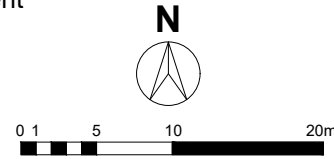
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REVISIONS		
No	DESCRIPTION	DATE
A	Pitch relocated + tree work amended+ floodlights amended	17.04.2020
B	Trees and fence amended	06.07.2020



- Rugby/Football pitch area and in-goal area
- Rugby pitch safety margin
- Grass
- Grass existing
- Hard landscaping
- Additional 12 covered cycle spaces
- Existing trees retained
- Existing trees removed/pruned as tree report
- Proposed trees  
CRATAEGUS MONOGYNA  
10l pot size  
QUERCUS RUBRA  
15l pot size  
double-staked with pressure treated softwood.  
Tree pits 1500x1500x1500 + aeration pipe
- Floodlights
- 64 seat stand
- 3m high fence with 2m ball stop netting above.
- 3m high fence
- Existing fence to be retained
- Drainage Easement



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**3g Pitch & Changing Facilities**  
Client  
**Cardiff & Vale College**  
Drawing Title  
**Proposed Site Plan**

Job Number	Drawing Number	Revision	Scale @A3	Date
3089	3g 03	B	1:1000	feb 20



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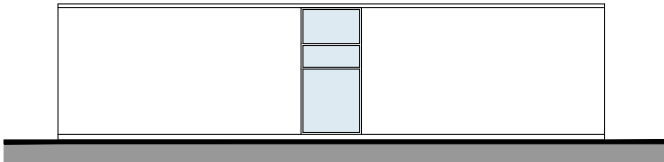
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REVISIONS

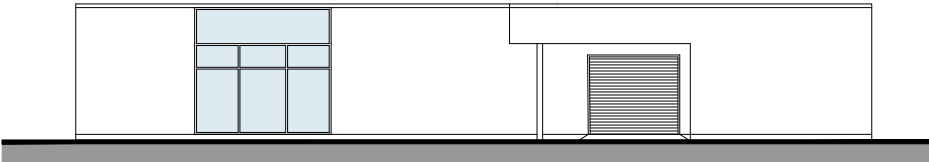
No	DESCRIPTION	DATE
A	Pitch relocated + tree work amended+ floodlights amended	17.04.2020
B	Elevation anomaly corrected	21.04.2020
C	Tree and fence amended	06.07.2020

EXTERIOR FINISHES

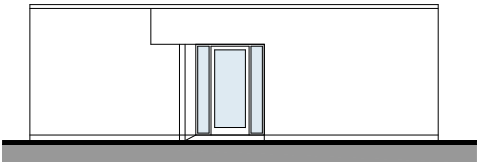
Buff brickwork to match College Building, with dark brown aluminium door and window frames with dark brown aluminium panels above. Roller shutter door to Maintenance room.



East Elevation



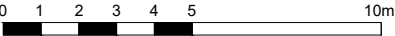
South Elevation



West Elevation



North Elevation



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Project

3g Pitch & Changing Facilities

Client

Cardiff & Vale College

Drawing Title

Changing Facility Elevations

Job Number	Drawing Number	Revision	Scale @A3	Date
3089	3g 05	C	1:200	feb 20



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REVISIONS		
No	DESCRIPTION	DATE
A	Pitch relocated + tree work amended+ floodlights amended	17.04.2020
B	Trees and fence amended	06.07.2020



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Project  
**3g Pitch & Changing Facilities**  
Client  
**Cardiff & Vale College**  
Drawing Title  
**Site Perspectives**

Job Number	Drawing Number	Revision	Scale @A3	Date
3089	3g 07	B	NTS	feb 20

## PETITION, A.M. OBJECTION AND LOCAL MEMBER OBJECTION

COMMITTEE DATE: 18/11/2020

APPLICATION No. **18/00762/MNR** APPLICATION DATE: 04/04/2018

ED: **HEATH**

APP: TYPE: Full Planning Permission

APPLICANT: Mr RUSSELL

LOCATION: THANE & MEARS, 304A CAERPHILLY ROAD,  
BIRCHGROVE, CARDIFF, CF14 4NS

PROPOSAL: PROPOSED DEMOLITION OF 304A CAERPHILLY RD &  
ERECTION OF NEW DEVELOPMENT TO FORM A3  
COMMERCIAL UNIT TO GROUND FLOOR WITH 5 NO  
FLATS OVER

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

1. The development shall begin not later than **two years** from the date of this decision.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990, and to enable the Local Planning Authority to take into account any changes in economic conditions that affect the viability of the proposed development and its capacity for the provision of a financial contribution under the provisions of Section 106 of the Town and Country Planning Act 1990.

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

P551A L_001	Location Plan
P551A L_003 C	Site Plan as Proposed
P551A L_004 B	Ground Floor Site Plan
P551A L_200 A	Ground Floor Plan as Proposed
P551A L_201 A	First Floor Plans as Proposed
P551A L_202 A	Second Floor Plans as Proposed
P551A L_210 A	Elevations 1 of 3 as Proposed
P551A L_211 A	Elevations 2 of 3 as Proposed
P551A L_212 A	Elevations 3 of 3 as Proposed
P551A L_214 A	Street View as Proposed
P551A L_220 A	Perspective Views as Proposed

Reason: For the avoidance of doubt as to the extent of the permission.

3. Notwithstanding the details shown on the approved plans, prior to the commencement of development details of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall show that a minimum of 6 no. secure and sheltered cycle parking spaces shall be provided for residents of the flats and at least 2 no. cycle parking spaces (1 no. long-stay for staff and 1 no. short-stay for customers) shall be provided for the commercial unit. The approved cycle parking/storage spaces shall be installed before the development hereby approved is brought into beneficial use and shall be maintained thereafter and shall not be used for any other purpose.

Reason: To ensure that adequate provision is made for the secure and sheltered parking of cycles in accordance with policies KP5 and T5 of the Cardiff Local Development Plan.

4. Prior to the commencement of development details of the highway access onto Caerphilly Road, including any changes to the existing parking bays, bollards and crossovers, 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.

Reason: To ensure that the use of the proposed development does not interfere with the safety and free flow of traffic passing along the highway, in accordance with policies T5 and T6 of the Cardiff Local Development Plan.

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

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

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

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



accordance with policies KP5 and EN13 of the Cardiff Local Development Plan.

6. A scheme of sound insulation works to the floor/ceiling structure between the ground floor commercial premises and first floor residential units shall be submitted to and agreed in writing by the Local Planning Authority and implemented prior to occupation.  
Reason: To ensure that the amenities of future occupiers are protected, in accordance with policies KP5 and EN13 of the Cardiff Local Development Plan.
7. No member of the public shall be admitted to or allowed to remain on the ground floor commercial premises, and no preparation and/or cooking of hot food shall take place, between the hours of 18:00 and 08:00 Monday to Saturday or at any time on Sundays.  
Reason: To ensure that the amenities of future occupiers are protected, in accordance with policies KP5 and EN13 of the Cardiff Local Development Plan.
8. There shall be no arrival, departure, loading or unloading of delivery vehicles between the hours of 18:00hrs and 08:00hrs.  
Reason: To ensure that the amenities of future occupiers are protected, in accordance with policies KP5 and EN13 of the Cardiff Local Development Plan.
9. Prior to the installation of any fixed, noise-emitting plant and equipment on the site, a noise assessment shall be carried out and submitted to the Local Planning Authority to ensure the noise emitted from the fixed plant and equipment achieves a rating noise level of background -10dB at the nearest noise sensitive premises when measured and corrected in accordance with BS 4142: 2014 (or any British Standard amending or superseding that standard).  
Reason: To ensure that the amenities of occupiers of nearby properties are protected, in accordance with policies KP5 and EN13 of the Cardiff Local Development Plan.
10. If at any time the use of the ground floor premises is to involve the preparation and cooking of hot food, the extraction of all fumes from the food preparation areas shall be mechanically extracted to a point to be agreed with the Local Planning Authority, and the extraction system shall be provided with a de-odorising filter. Details of the above equipment shall be submitted to, and approved by, the Local Planning Authority in writing and the equipment installed prior to the commencement of use for the cooking of food. The equipment shall thereafter be maintained in accordance with the manufacturers' guidelines, such guidelines having previously been agreed by the Local Planning Authority in writing.  
Reason: To ensure that the amenities of occupiers of nearby properties are protected, in accordance with policies KP5 and EN13 of the Cardiff Local Development Plan.

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, in accordance with policy EN10 of the Cardiff Local Development Plan.

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

Following completion of the approved monitoring scheme, the proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing to the LPA. If no protection measures are required then no further actions will be required.

All required gas protection measures shall be installed and appropriately verified before occupation of any part of the development which has been permitted and the approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required.

\* 'Gases' include landfill gases, vapours from contaminated land sites, and naturally occurring methane and carbon dioxide, but does not include radon gas. Gas Monitoring programmes should be designed in line with current best practice as detailed in CIRIA 665 and or BS8485 year 2007 Code of Practice for the Characterization and Remediation from Ground Gas in Affected Developments,.

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

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

The report of the findings shall include:

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

assesses all identified potential source, pathway, and receptor linkages;

- (ii) An intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;
- (iii) An assessment of the potential risks to:
  - human health,
  - ground waters and surface waters
  - adjoining land,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - ecological systems, archaeological sites and ancient monuments; and
  - any other receptors identified at (i)
- (iv) An appraisal of remedial options, and justification for the preferred remedial option(s).

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

\* A 'suitably qualified competent person' would normally be expected to be a chartered member of an appropriate professional body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment in accordance with policy EN13 of the Cardiff Local Development Plan.

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

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

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

15. The remediation scheme approved by condition 14 must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

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

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

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



the above actions shall be agreed with the LPA within 2 weeks of the discovery of any unsuspected contamination.

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

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

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

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

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

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

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

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

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

accordance with policy EN13 of the Cardiff Local Development Plan.

20. The means of site enclosure shall be constructed in accordance with the approved details prior to the development being put into beneficial use.  
Reason: to ensure that the amenities of the area are protected, in accordance with policy KP5 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 developer is advised that, as mentioned in section 3.11 of the Waste Collection and Storage Facilities Supplementary Planning Guidance, it is considered best practice to have a Site Waste Management Plan for demolition projects. Materials should be reused and recycled as much as possible. Further information is available in the Supplementary Planning Guidance "Waste Collection and Storage Facilities", which can be found on the Council's website.

**RECOMMENDATION 4:** The applicant is advised that the owners/developers of new residential units are required to purchase the bins required for each unit. The bins have to meet the Council's specifications and individual bins can be purchased via Connect to Cardiff at (029) 2087 2087. Bulk supply of individual bins, or 660litre/1100 litre wheeled bins should be ordered via the bin order form located at [www.cardiff.gov.uk/wasteplanning](http://www.cardiff.gov.uk/wasteplanning). Further information regarding waste/recycling and the types of bins required is available in the Supplementary Planning Guidance "Waste Collection and Storage Facilities", which can be found on the Council's website. If communal bins for the flats are preferred, the development will require 1 x 660 litre bin for general waste, 1 x 240 litre bin for food waste and 1 x 660 litre bin for mixed recycling. If communal bins are used the waste can be collected from the bin store providing the distance from the refuse vehicle to the bin store is less than 25 metres. Individual bins for each flat would need to be presented on Caerphilly Road.

**RECOMMENDATION 5:** The applicant is advised that a commercial contract is required for the collection and disposal of all commercial waste. By law (Environmental Protection Act, 1990, section 34) all commercial premises have a duty of care to ensure that their waste is transferred to and disposed of by a registered waste carrier. Owners or developers of commercial developments/properties who require Cardiff County Council to collect and dispose of their waste can contact the commercial services department on 029 20717500.

**RECOMMENDATION 6:** The applicant is advised that any required access junction and highway works relating to the adopted highway will be subject to an agreement under Section 278 of the Highways Act 1980 between the developer and the Local Highway Authority.

**RECOMMENDATION 7:** The applicant 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](http://www.dwrcymru.com). Some public sewers and lateral drains may not be recorded on maps of public sewers because they were originally privately owned. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

**RECOMMENDATION 8 :** The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

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

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

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

**RECOMMENDATION 9:** The applicant is advised to contact Western Power Distribution (WPD) with regard to the possible presence of underground services associated with the electricity substation in the vicinity of the application site.

## **1. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 The application seeks full planning permission for the demolition of a commercial garage and the construction in its place of a three storey building containing a 98 square metre class A3 (i.e. “food and drink”) commercial unit at ground floor level with 5 no. flats above, comprising four 1 bedroom flats at the front of the building on the first and second floors and one 2 bedroom flat at the rear which would have its bedrooms at first floor level and living room/kitchen on the second floor.
- 1.2 Five car parking spaces would be provided, accessed via a new crossover and a drive passing between the new building and 304 Caerphilly Road. Two of the parking spaces would be in an undercroft below the rear flat. Cycle parking facilities would also be provided and there would be more than 70 square metres of shared outdoor amenity space at the rear of the site along with a 14 sq.m single storey pitched roofed storage building. To the front of the commercial premises, on Caerphilly Road, there would be a 3m deep area for outdoor seating enclosed by a low wall and railings.
- 1.3 The building will be three storeys in height, with the upper storey partly within the roof space. The roof will be pitched and finished in slate grey tiles and there will be two projecting flat-roofed gables to the front which will be finished in grey cladding. The main walls will be white render. Windows and doors will be grey and the front and rear facing windows will have glazed external balustrades.
- 1.4 The application was reported to the Planning Committee on 13<sup>th</sup> June 2018 and was approved subject to conditions and subject to those having an interest in the site entering into a binding planning obligation in agreement with the Council under Section 106 of the Town and Country Planning Act 1990 encompassing the matters referred to in paragraph 5.5 of this report. The applicant has since submitted evidence regarding the viability of the scheme, which has been reviewed by the District Valuer who has concluded that the scheme proposed is not viable if a planning obligation payment or provision of affordable housing is required. Therefore the application is reported back for the Planning Committee to make a decision as to whether the proposal is acceptable without the contribution to affordable housing of £69,426 (in lieu of 1 x 1 bedroom apartment) that would have been required by the planning obligation.

## **2. DESCRIPTION OF SITE**

- 2.1 The application site measures approximately 460 square metres in area and lies on the eastern side of Caerphilly Road, between two end-of –terrace



properties (an estate agent's office to the south and a hot food takeaway to the north). There are detached dwellings to the rear of the site, located within a modern housing estate. A public footpath runs along the northern boundary, linking Caerphilly Road and Milestone Close and there is an electricity substation between the footpath and the north eastern section of the application site.

- 2.2 The site currently contains a commercial garage/workshop with detached office cabin to the side and associated forecourt which is used for the parking of customers' vehicles.
- 2.3 Directly opposite is a large site which formerly contained warehouse and depot buildings and has now been redeveloped as a 1254 sq.m retail unit with associated car park.

### 3. **SITE HISTORY**

- 3.1 14/00455/DCO – Construction of single storey extension to create additional service bay with relocation of office unit.
- 3.2 09/00805/E – Single storey side extension of existing garage /workshop.

### 4. **POLICY FRAMEWORK**

#### 4.1 *Cardiff Local Development Plan 2006-2021:*

KP5 (Good Quality and Sustainable Design);  
KP7 (Planning Obligations);  
KP13 (Responding to Evidenced Social Needs);  
H3 (Affordable Housing);  
H6 (Change of Use or Redevelopment to Residential Use);  
EC3 (Alternative Use of Employment Land and Premises);  
EN10 (Water Sensitive Design);  
EN13 (Air, Noise, Light Pollution and Land Contamination);  
T5 (Managing Transport Impacts);  
R8 (Food and Drink Uses);  
C3 (Community Safety/Creating Safe Environments);  
W2 (Provision for Waste Management Facilities in Development).

#### 4.2 *Supplementary Planning Guidance:*

Waste Collection and Storage Facilities (October 2016);  
Planning Obligations (January 2017);  
Managing Transportation Impacts (Incorporating Parking Standards) (2018);  
Cardiff Infill Sites (November 2017);  
Food, Drink and Leisure Uses (November 2017).

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

2.2 All development decisions, either through development plans policy choices

or individual development management decisions should seek to contribute towards the making of sustainable places and improved well-being.

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

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

3.7 Developments should seek to maximise energy efficiency and the efficient use of other resources (including land), maximise sustainable movement, minimise the use of non-renewable resources, encourage decarbonisation and prevent the generation of waste and pollution.

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

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

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

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

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

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

4.1.37 Planning authorities must ensure the layout, density and mix of uses of new development support the use of public transport and maximise accessibility potential. In particular, higher densities and mixed-use development should be encouraged in areas highly accessible by public transport.

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.

4.2.21 Where up-to-date development plan policies have set out the community benefits expected from development, planning applications which comply with them should be assumed to be viable and it should not be necessary for viability issues to be considered further. It is for either the applicant or the planning authority to demonstrate that particular exceptional circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision-maker, having regard to all the circumstances in the case, including whether the development plan and the viability evidence underpinning it are up-to-date, and any change in circumstances since the plan was adopted. Such circumstances could include, for example, where further information on infrastructure or site costs is required or where a recession or similar significant economic changes have occurred since the plan was adopted. Where negotiation is necessary, the planning authority and developer should operate in an open and transparent manner with all information provided on an 'open book' basis.

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

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

4.2.25 A community's need for affordable housing is a material planning consideration which must be taken into account in formulating development plan policies and determining relevant planning applications.

4.2.29 Where development plan policies make clear that an element of affordable housing or other developer contributions are required on specific sites, this will be a material consideration in determining relevant applications. Applicants for planning permission should therefore demonstrate and justify how they have arrived at a particular mix of housing, having regard to development plan policies. If, having had regard to all material considerations, the planning authority considers that the proposal does not contribute sufficiently towards the objective of creating mixed communities, then the authority will need to negotiate a revision of the mix of housing or may refuse the application. Development plan policies should also state what the authority would regard as affordable housing and the arrangements it would expect for ensuring that such housing remains reserved for those who need it in perpetuity.

4.2.31 Site specific targets are indicative affordable housing targets which should be established for each residential site and for each mixed-use site which includes a residential component. For sites which fall below the site threshold planning authorities may secure commuted sums using a Section 106 agreement. Commuted sums should be used by the planning authority solely for facilitating or providing affordable housing. When setting the affordable housing thresholds and/or site-specific targets planning authorities must consider their impact on site viability to ensure residential sites remain deliverable.

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

6.6.17 New developments of more than one dwelling or where the area covered by construction work equals or exceeds 100 square metres also require approval from the SuDS Approval Body (SAB) before construction can commence. Adoption and management arrangements, including a funding mechanism for maintenance of SuDS infrastructure and all drainage elements are to be agreed by the SAB as part of this approval. This will ensure that SuDS infrastructure is properly maintained and functions effectively for its design life.

6.7.4 The planning system should consider the long-term effects of current and predicted levels of air and noise pollution on individuals, society and the environment and identify and pursue any opportunities to reduce, or at least, minimise population exposure to air and noise pollution, and improve soundscapes, where it is practical and feasible to do so.

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

4.5 *Technical Advice Note 11 – Noise* (1997):

10. Local planning authorities should consider whether proposals for new noise-sensitive development would be incompatible with existing activities, taking into account the likely level of noise exposure at the time of the application and any increase that may reasonably be expected in the foreseeable future. Such development should not normally be permitted in areas which are, or are expected to become, subject to unacceptably high levels of noise and should not normally be permitted where high levels of noise will continue throughout the night.

4.6 *Technical Advice Note 12 - Design* (March 2016)

4.7 *Technical Advice Note 18 – Transport* (2007)

## 5. **INTERNAL CONSULTEE RESPONSES**

5.1 *Transportation:* The revised car parking layout is generally acceptable, although the space furthest south does not have a full 6m space in front of it as stated, however there should be room for residents to access it by turning in the area marked on the plan as 'Tarmacadam'. There are still concerns with the proposed cycle storage. The facility needs to be covered, and it does not appear that a door is proposed. Also, semi-vertical systems can be more difficult for some cyclists to access. However, it would be acceptable if an appropriate cycle storage facility were provided within the rear garden/amenity area (but within close proximity to its entrance to ensure distance from the residential area is not too great), as there are less space issues there. On that basis cycle storage can be dealt with via condition. A minimum of 6 cycle spaces should be provided for the residents (1 per bedroom), as well as a long-stay space for the commercial unit. In addition, a short-stay space should be provided for customers, although there should be space for this in front of the unit. More details of the cycle parking should be provided, showing the locations of cycles and the type of building/access point.

5.2 The principle of highway access onto Caerphilly Road from the southern part of the site (adjacent to Hern & Crabtree) is likely to be acceptable, subject to the provision of further details, and a Section 278 agreement would be required, given that there are a number of highway issues, including TRO's. It appears that the proposed access road would cut across an existing parking bay, and this would need to be moved, although the existing crossover towards the north of the site would be closed. In addition, some of the bollards could be removed. The details of the access junction/works for the Aldi store opposite the site are currently at an advanced stage, and this residential application would need to tie in with those works.

5.3 *Pollution Control (Noise & Air):* Request conditions requiring the submission of



a road traffic noise assessment, a scheme of sound insulation between the ground floor commercial use and the flats, restriction of opening hours of the A3 use to 08:00 – 18:00, restrictions on delivery times, submission of an assessment of plant noise, insulation works for any room in which amplified music will be played, and details of kitchen extraction if the premises is to be used for the preparation of hot food.

- 5.4 *Waste Strategy & Minimisation Officer:* The amended plans detailing waste storage are acceptable. These facilities must be retained for future use for waste storage. As mentioned in section 3.11 of the Waste Collection and Storage Facilities Supplementary Planning Guidance it is considered best practice to have a Site Waste Management Plan for demolition projects. Materials should be reused and recycled as much as possible.
- 5.5 *Housing Strategy:* In line with the Local Development Plan (LDP), an affordable housing contribution of 20% of the 5 units (1 unit) is sought on this brown-field site. Our priority is to deliver on-site affordable housing, in the form of affordable rented accommodation, built to Welsh Government Development Quality Requirements. However, given the proposed design 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 of the above, we would seek a financial contribution of **£69,426** in lieu of 1 x 1 bedroom apartment) which is calculated in accordance with the formula in the Planning Obligations– Supplementary Planning Guidance (SPG)(2017).
- 5.6 Comments following receipt of the District Valuer’s report on viability:  
As the financial viability of the proposed scheme has been independently assessed by the District Valuation Service (DVS), then we can accept the findings of the DVS report. However, the affordable housing request does need to be noted in the committee report and we would suggest that an appropriate timescale and/or review mechanism is included within the s106 agreement for future proofing, should the viability improve with any changes in market conditions.
- 5.7 *Pollution Control (Contaminated Land):* Not consulted on this application but provided detailed requirements at pre-application stage, including conditions relating to ground gas and remediation works.

## 6. **EXTERNAL CONSULTEES RESPONSES**

- 6.1 *Welsh Water:* Request conditions and advisory notes relating to surface water / land drainage and connection to the public sewer.
- 6.2 *Western Power Distribution:* No response to consultation.

## 7. **REPRESENTATIONS**

- 7.1 The application was advertised by site notice and neighbour notification. 3 individual representations have been received objecting to the development as follows:

1. The A3 use will lead to the same problems as caused by other A3 uses in the area, i.e. parking congestion in Milestone Close, litter and vermin.
2. Existing parking spaces will be lost and there will be limited parking places for the residents of the flats. Any additional residents' and visitors' cars are likely to be parked on Milestone close leading to increased congestion in a residential road.
3. Groups of teenagers congregate in the footpath between Caerphilly Road and Milestone close, drinking alcohol etc. The new building will cause the footpath to become more secluded, leading to an increase in anti-social behaviour.
4. Loss of sunlight to the house at the rear.
5. Loss of privacy.
6. The building is too tall and won't fit in with neighbouring 2 storey buildings.
7. The nature of the A3 use is uncertain and could lead to more parking problems.
8. Windows will open over the access lane.
9. Existing small businesses have already suffered due to loss of short-term parking following the creation of the bus lane. This development will result in the loss of another parking bay and the businesses may suffer further.

7.2 A petition of 75 signatures has been received, opposing the development on the grounds of further loss of parking provision (the removal of the northerly parking bay outside 304A Caerphilly Road) "in an area already under serious parking pressures by reason of the bus lane – 5 bays were lost on the Aldi side". The petitioners urge the local authority to require compensatory provision to replace the lost space and are also concerned about the lack of detail about the A3 use and the impact this could have on parking.

7.3 Two individual representations have also been received raising concerns that at least 5 parking spaces should be provided (one per flat) and stating that replacing the current garage with a new building would be a good thing, that they are pleased that the building will be further away from the house at the rear and that the building will not be too tall, but raising concerns that the developer has not contacted them regarding the shared boundary wall, that the opening times of the A3 use should be restricted, it should be prevented from serving alcohol and a former CCTV camera should be re-instated (due to existing problems of anti-social behaviour in the area), the parking spaces should be restricted to residents only, any increase in parking on Milestone Close should be monitored, construction traffic should not be allowed to use Milestone Close, all waste should be removed from the site and the developer should take care not to damage the underground cables associated with the adjacent substation.

7.4 Julie Morgan, Assembly Member for Cardiff North, has asked that the following points be taken into consideration:

1. The proposed building is too high and overbearing. It is out of character with other buildings.
2. There is a paucity of detail on the proposed A3 commercial unit. Within

the use class what activities will be carried out? This is important for determining the intensity of the proposed use. What will be the opening hours? There is concern that a takeaway with late hours will exacerbate existing anti-social behaviour in the vicinity of the nearby public footpath, putting community safety at risk. (Gating the lane has been suggested as well as restoring cctv to the street light pole, removed a few years ago).

3. Moreover, an A3 use will generate significant parking needs for the proposed 8 staff and customers for which there is no provision. There is concern that the proposed development will exacerbate parking and congestion in Milestone Close by visitors to this site who access it via the lane. I welcome the 10 cycle spaces but being realistic most customers are unlikely to be cyclists.
4. Overall the parking provision is insufficient. Only 5 bays for 5 residential units and nothing proposed for the other site use.
5. The position of the proposed entrance/exit results in the loss of a 1 hour restricted parking bay only designated as such in January 2018. There is no evidence of this factor being taken into account and provision to compensate proposed.
6. The width of the new vehicular access to/from the main road is insufficient. Traffic needs to be able to enter whilst other traffic is exiting otherwise there is a danger of vehicles backing up on the main road, creating a traffic hazard – see point 7.
7. This development should be considered in conjunction with the uncontrolled crossing being constructed across main road between the public footpath on the east side and the new entrance to Aldi's on the west side. There is no evidence of such consideration in the application.
8. Windows of the proposed unit overhang the public footpath, projecting into the local authority's super-incumbent airspace. At a minimum a certificate B is surely required.
9. There is an electricity substation in the corner of the plot on which the site is located and the cables which run to and fro are under the site. I also understand water mains run close by, if not under the site.

It is therefore clear that there are a number of very unsatisfactory features to this development which requires complete rethinking. It is a pity that the applicant's agent did not undertake any consultation with the local community before submission. The creation of the bus lane and associated loss of parking in Caerphilly Road and the subsequent approval of the Aldi planning application, which includes the uncontrolled crossing over the main road, has aggravated a site already under pressure. Although the obligation to file a Design and Access Statement under the Town and Country Planning (Development management) Procedure Order 2012 as amended has not been triggered this is clearly a case where there is a need for more information and where the applicant should be encouraged to submit a voluntary statement in accordance with section 6 Design and Access Statements in Wales published by the Welsh Government in April 2017.

- 7.5 Having read the original committee report, Julie Morgan submitted the following additional comments – 'I have seen the officers' report to the Planning

Committee published last Friday and have the following further comments to make which please place before the Planning Committee. Whilst I am glad that the most significant of the issues raised appear to have been addressed and changes made in consequence I am concerned about three matters.

1. I note Recommendation 1, paragraph 4, proposes that the applicant must submit further details of the proposed highway access on to Caerphilly Road, including any changes to the existing parking bays, bollards and crossovers for consideration of the Council as LPA (vindicating my criticisms on the absence of sufficient detail on access which I note the Highways Department also says is needed - see paragraph 5.2) and that the LPA's approval must be obtained and the approved scheme implemented before the development can be put into beneficial use. The access arrangements and impact on the highway is not simply a private matter between the Council as Highway Authority and the developer for disposal under S278 Agreement. There is a public interest and one of the disadvantages of proceeding in the above way is that consultation on the final scheme for access in the normal course of events does not take place. In my opinion this is undesirable when there is significant public concern, as here, and I would ask that the objectors be sent a copy of the further details when they are submitted with an opportunity given to them to comment before final approval is given.

2. The observations at paragraph 7.9 are insensitive and unfortunate and I feel do not reflect the overall view of the Council. The observations indicate a lack of knowledge of the recent history of this part of Caerphilly Road where small traders have suffered significantly from poor management of highway alterations and careless traffic regulation resulting in a defective TRO. Nobody is suggesting that a local authority cannot alter highways by adding bus lanes or other measures in the interests of the wider community but the impact on small businesses, which are a driving force in expanding the local economy, must be considered and efforts made to mitigate adverse impact. I am sure that the Council would not want to convey otherwise.

3. I am particularly concerned at the comment in paragraph 7.9, viz. *"In this case, it should also be noted that this proposal will result in the loss of only one parking bay (which is likely to be replaced elsewhere as part of the future highway works) and that there will be a large new car park on the opposite side of the road."* The "large new car park on the opposite side of the road" referred to is, of course, the privately owned car park being constructed by Aldi for its customers. It seems that Planning and Highway officers have come to see this car park as a panacea for car parking difficulties in this area. This notion is quite misconceived and the car park is irrelevant in the formulation of public policy. It is true that Aldi have been flexible and helpful (not least in the information that they have provided directly to me in writing). Parking in their car park will be monitored by a "Parking Eye" but in their absolute discretion they have agreed to turn this off at 10 p.m. and not turn it back on till 8 a.m., permitting residential neighbours to use it between these hours without risk of being penalised. When the Parking Eye is on, those customers who park beyond a 2 hour limit will be subject to a penalty (£70). I have been informed categorically that it is not the policy of



Aldi to encourage use of its car park by non-customers between 8 a.m. and 10 p.m. Whilst Aldi may turn a blind eye to occasional use by a non-customer, widespread abuse is likely to lead to tighter controls being imposed. As I understand the position, there is no enforceable agreement between the local authority and Aldi on public use of the Aldi car park, merely an understanding limited to the 10 p.m. - 8 a.m. Parking Eye concession. It is therefore quite wrong for public policy on parking provision for this area to be formulated relying on the availability of a privately owned car park where a change in management policy could result in the imposition of restrictions without notice.

7.6 Councillor Graham Hinchey submitted the following objections:

Please refuse the A3 element as this will cause significant problems of noise, litter and parking issues for local families. It contravenes our own SPG Guidance on locating all A3 (takeaway and evening fast food outlets) to within the local shopping centre where there are currently a number of vacant units within the nearby Birchgrove Shopping Centre, where adequate bins and parking exist to support any A3 fast food proposal.

- 7.7 If A3 is not rejected it should have a limited range of daytime hours and usage – not open after 17.30 and not fast food take away. For example a coffee shop may be more appropriate
- 7.8 The height and scale of the this 3 Storey development is out of keeping with other building in the street scene. The height should be reduced in accord with two storey buildings.
- 7.9 The angled side windows overhang the public area of the through lane between Caerphilly Rd and Milestone Close estate and directly view the private neighbouring property of 314A Caerphilly Rd. These windows should be made flat to the building and opaquely glazed to ensure privacy is protected.
- 7.10 The side doorways on the same north elevation access directly onto the above public lane. This access should be redesigned or moved to a front facing Caerphilly Rd elevation.
- 7.11 I do not have any objection to the introduction of suitable housing / apartments to replace the existing garage business, providing all other conditions, as set out above and below, are accepted and introduced as conditions for granting this application.
- 7.12 The electrical substation is located alongside the development and served from Caerphilly Rd side. It and serves a wide community. In order to prevent potential access should be maintained but the development covers the line of power which serves the community.
- 7.13 Parking and right turn into the proposed development would be reduced by the extended / moved access crossover into the site. The narrow access to the parking bays at the rear would cause vehicles to reverse onto the busy

Caerphilly Rd. A wider passing passage is needed under the development to ensure safe access and egress to the off street parking bays.

## 8. **ANALYSIS**

- 8.1 The application site falls within the settlement boundary as defined by the LDP Proposals Map and has no specific designation or allocation. The existing commercial garage has no protection in land use policy terms. The application site is outside of a defined shopping centre and not located in an area where A3 uses are considered most appropriately located (Policy R8). However the site is already in commercial use as a garage/mot centre and car sales. In addition there are commercial premises adjacent (including an A3 use) and a retail unit is under construction opposite. Taking the above factors into account, the application raises no land use policy concerns.
- 8.2 The appearance of the proposed building is acceptable. A three storey development will not appear out of place on this site as the street is wide, there is a satisfactory gap between the new development and existing properties and there are buildings of a different heights and designs in the surrounding area. The development will respect the frontage building line and will include an enclosed space to the front of the A3 unit which, whilst differing from existing commercial units in the area, which have open frontages, will reflect the enclosed front gardens of the houses on Caerphilly Road and is considered to be appropriate. The proposed development will replace a less attractive commercial use and will add interest to the street scene. The finishing materials will be appropriate to the site's context.
- 8.3 With regard to impact on adjoining residents, the rear-facing bedroom windows will overlook only a blank side wall of the neighbouring house and the side-facing windows will not overlook habitable room windows. Those in the southern side elevation will be angled and partially obscure to provide a reasonable outlook whilst protecting the neighbours' privacy. A 2.1m high brick wall will be erected around the rear boundary to screen the outdoor amenity area.
- 8.4 The standard of accommodation for future residents will be satisfactory – the flats are of an acceptable size, each will have an off-street parking space and cycle storage facility and the outdoor amenity space accords with the requirements of the Residential Design Guidance SPG. This SPG states that there should be a minimum of 75 sq.m of communal outdoor amenity space for up to 5 flats. The plans show that there will be 73 sq.m of garden, which will be secure, private and accessible to all occupants, plus an outdoor storage building, separate bin storage space and car/cycle parking areas.
- 8.5 In response to the objections set out in section 7 above:
1. No concerns have been raised by highways or pollution control officers with regard to parking, congestion or public health. Litter is subject to separate control under the Environmental Protection Act 1990. A potential increase in litter in the vicinity of A3 premises is not usually considered adequate grounds in itself for refusal of a planning

application.

2. One existing on-street parking bay will be lost. However, the highway arrangements on this part of Caerphilly Road are to be altered as part of the Aldi development and Highways officers have indicated that the space could be moved elsewhere. This is an issue that will be resolved as part of the S278 process under the Highways Act. The number of parking spaces provided for residents of the flats complies with the relevant Supplementary Planning Guidance and Highways / Transportation officers have raised no concerns.
3. The new building will have windows overlooking the footpath, which will provide better surveillance and a deterrent to anti-social behaviour.
4. Houses at the rear of the site will be to the east of the new building and will still receive an acceptable amount of sunlight.
5. Habitable room windows will not overlook adjoining properties at short distances and there will be a high wall around the new amenity space (see 8.3 above).
6. The scale of the building is considered to be acceptable in this context (see 8.2 above).
7. Neither Planning Policy Wales nor Cardiff Council's own Supplementary Planning Guidance on parking standards require a minimum number of parking spaces for any type of A3 development and Highways / Transportation officers have raised no concerns regarding parking. The site is in a sustainable location with good public transport links and there will be a 103-space car park (related to the Aldi development) on the opposite side of the road.
8. The plans have been amended so that windows will not project over the lane.
9. Businesses should not rely on customers always being able to park on the public highway directly outside their premises. Local Authorities often need to amend highways by adding bus lanes etc and it would be unreasonable to prevent such measures, which have city-wide public benefits, just to retain parking spaces close to private commercial premises. In this case, it should also be noted that this proposal will result in the loss of only one parking bay (which is likely to be replaced elsewhere as part of the future highway works) and that there will be a large new car park on the opposite side of the road.

8.6 The petition relates only to the loss of one on-street parking space and the lack of detail about the A3 use. These issues are discussed above.

8.7 The concerns raised by the two neighbours have also been addressed – there will be 5 parking spaces for residents of the development, the boundary wall will have to be erected before the flats are occupied, the opening times of the A3 use will be restricted so that it cannot open late at night or on Sundays, the serving of alcohol is controlled by other legislation (a licence would be needed), the footpath will be overlooked by new windows, highways officers have no concerns about increased parking problems, the disposal of waste is covered by other legislation and the developer can be advised to contact Western Power Distribution regarding the substation. With regard to construction traffic, it is unlikely that Milestone Close would be used to access the site as there is no

road link between the two. It would not be possible to prohibit vehicles associated with the development from parking on the public highway (including on Milestone Close) but this would be a temporary situation and any illegal, dangerous or obstructive parking would be controllable under other legislation.

8.8 Considering the initial points raised by Julie Morgan AM:

1. This issue is dealt with at 8.2 above.
2. Further detail of the A3 use is not required – the possibility that it may be used for any type of food and drink use (coffee shop, café, hot food takeaway etc.) has been considered. There is no difference in the parking requirements for different A3 uses and pollution control officers have considered the possibility that hot food may be cooked on the premises and have requested a suitable condition. Consideration has been given to opening hours and a condition is recommended preventing late night opening. These hours (08:00 to 18:00) are more restrictive than those imposed on the adjacent hot food takeaway, which can open from 9am to 10.30pm. The footpath alongside the site will be overlooked by windows and as a result will become a less attractive venue for anti-social behaviour. The proposed development will not make it a more dangerous place and it would therefore be unreasonable to require the developer to provide additional security arrangements. Gating the path would severely reduce permeability within the surrounding area and would discourage walking and cycling. Use of the path by local residents is likely to increase substantially once the Aldi supermarket is built.
3. Planning Policy Wales states that parking standards should be flexible to allow lower levels of parking than have generally been achieved in the past. Minimum parking standards are no longer appropriate. The Council's Supplementary Planning Guidance also indicates that there is no minimum requirement for parking for A3 uses and Highways/Transportation officers have not requested that any off-street parking be provided for the A3 unit. The site is in a sustainable location close to an existing residential area from which customers and staff will be drawn, and which is well served by public transport and accessible by bicycle. The Council wishes to encourage non-car modes of transport and therefore a condition can be used to ensure that cycle parking facilities are provided.
4. Five off-street parking spaces for 5 small flats is considered to be adequate and is in accordance with the Council's guidelines and with Welsh Government policies.
5. The issue of the parking bay is discussed above. As part of the highway works in the vicinity of this site, the parking bay can be relocated. This will be a matter between the developer and the Highway Authority. Such works are not shown on the plans as the public highway is not within the application site.
6. Highways officers have raised no concerns regarding the width of the access. This is a private drive serving a small number of private parking spaces and as such does not need to be wide enough for two vehicles to pass.
7. See point 5. This is a matter that will be resolved between the developer and the Highway Authority. Details do not need to be included in the



planning application. Highways officers have no objections to the proposals.

8. The plans were amended to remove the overhanging windows.
  9. Western Power Distribution have not responded to consultation but the developer can be advised to contact them before work commences to ensure that no equipment is disturbed. Welsh Water have not identified any water main in the area that could be affected.
- 8.9 In response to the additional points, it is not considered necessary to request any amendments to the scheme. The applicant was not obliged to consult the local community before submitting the application, and an adequate amount of information has been supplied by the applicant to enable a full assessment of the proposals. As this is not a case where further information is necessary to enable the application to be determined, it is not appropriate to request a Design and Access Statement.
- 8.10 With regard to the objections raised by Councillor Graham Hinchey: the issues of noise, litter etc. are addressed in the response given at paragraph 8.5 above. The guidance contained in the "Food, Drink and Leisure Uses" SPG has been taken into consideration but in this instance it is felt that as the site is already in commercial use and as there are commercial premises adjacent (including an A3 use) and opposite, the area is not purely residential but is mixed in character and the replacement of a garage use with a mixed residential and commercial use is acceptable in principle. Furthermore, the A3 use will not necessarily be a fast food takeaway and conditions will be used to restrict its opening and cooking hours and control the installation of kitchen extraction equipment.
- 8.11 Restricted opening hours are recommended to ensure that the commercial use does not cause disturbance to residents. A closing time of 18:00, and no opening on Sundays, is suggested as this will tie in with the hours that the adjacent A3 use is permitted to cook hot food. Requiring the proposed use to close at 17:30, which would be an hour earlier than the existing A3 premises has to stop cooking hot food, would be unreasonable. The adjacent A3 premises can be open to customers between 09:00 and 22:30 Monday to Saturday but can only sell hot food between 12 noon and 18:30.
- 8.12 The issue of the height and scale of the building is addressed at 8.2 above.
- 8.13 The plans have been amended so that windows will not project over the lane but will be flush with the building. They will not face towards habitable room windows or private garden areas of the adjacent properties therefore do not need to be obscurely glazed.
- 8.14 There are no doors directly into the building on the side elevation, only a doorway in the boundary wall leading to the rear of the site from the public path, from which the building is accessed. Pedestrian access to the building can also be gained via the access drive off Caerphilly Road on the southern side. There are no planning reasons in this instance to require access into the upper floors of the building to be from the front of the building only.

- 8.15 The issue of the electrical substation is addressed above. The proposed development will have no impact on access to the substation.
- 8.16 Highways and Transportation officers have raised no concerns regarding access or parking issues, which area addressed earlier in this report. There is space within the site to turn a vehicle so as to avoid reversing onto Caerphilly Road.
- 8.17 Policy H3 of the Cardiff Local Development Plan seeks to secure 20% affordable housing on brownfield sites such as this, where the proposed development relates to 5 or more dwellings. Affordable housing is sought to be delivered on-site in all instances unless there are exceptional circumstances. In this case, the proposed development does not include any affordable housing but the Housing Strategy officer indicated that a financial contribution (£69,426) in lieu of on-site affordable housing provision would be appropriate. The applicant's agent initially confirmed that the applicant was happy with the Section 106 contribution, and on that basis the application was approved by the Planning Committee on 13<sup>th</sup> June 2018 subject to the signing of a S106 obligation requiring the financial contribution to be provided.
- 8.18 The S106 obligation was not signed and the applicant has since submitted a viability assessment claiming that this scheme will not be viable if the contribution is made and that the S106 requirement should therefore be removed. Members must therefore consider whether this proposal remains acceptable with no Section 106 contribution towards affordable housing.
- 8.19 The proposal without the S106 contribution does not comply with Local Development Plan Policies KP6 and H3. Policy KP6 requires new development to make appropriate provision for, or contribute towards, all essential, enabling and necessary infrastructure required as a consequence of the development, and Policy H3 requires the provision of affordable housing in developments of 5 or more units.
- 8.20 However, paragraph 4.2.31 of Planning Policy Wales (Dec 2018) states that "When setting the affordable housing thresholds and/or site-specific targets planning authorities must consider their impact on site viability to ensure residential sites remain deliverable" and Circular 13/97 (Planning Obligations) requires S106 obligations to be "fairly and reasonably related in scale and kind to the development." The Supplementary Planning Guidance "Cardiff Planning Obligations" (January 2017) states that "It is recognised that there may be occasions where development proposals are unable to meet all the relevant policy requirements whilst still remaining viable" and makes provision for applicants to submit a viability appraisal to the Council (which is then independently reviewed) setting out how they are not able to meet the full policy requirements deemed necessary to be secured through a Section 106 agreement. The application should then be considered against the potential under provision or delayed provision of infrastructure (including affordable housing). Based on independent financial viability findings and other evidence, planning obligations may potentially be deferred / phased, or discounted. Any reduction in contributions should be to the minimum necessary to make the

scheme financially viable and the Council would need to determine whether a development is acceptable in planning terms with a reduced level of contributions.

- 8.21 In this case, the District Valuer has reviewed the application details and provided an independent appraisal of the scheme, concluding that the scheme would not produce a competitive rate of return if any planning obligation payment or provision of affordable housing were required. The Council's Housing Strategy Officer has accepted this assessment and concludes that it is appropriate to remove the S106 requirement.
- 8.22 Members may also wish to consider whether the proposed development would be deliverable, given that it would not provide the amount of profit normally expected. However, the question of whether a development is likely to be implemented is not normally a material planning consideration - the view is usually taken that if a proposal is acceptable in planning terms, an applicant has the right to a permission regardless of whether or not they have the finance or ability to carry the development through.
- 8.23 On balance, it is considered that the failure of the development to make a contribution towards meeting a local need for affordable housing is outweighed by the potential benefits of achieving a mixed residential and commercial development on this site, which currently accommodates a garage use which is less compatible with nearby residential properties and is potentially capable of generating high parking demand and frequent vehicle movements.
- 8.24 The development itself is not necessarily made unacceptable by the developer's inability to make the financial contribution and, given the advice of the District Valuer, it is recommended that the application be approved without the requirement for a S106 contribution.
- 8.25 Given that the District Valuer's appraisal is based on costs and revenues appropriate to the review date, it is therefore valid only if the building construction work commences promptly and proceeds at a rate consistent with achieving sales in the market. If commencement of the works were to be delayed and is then undertaken at some other time when market conditions may be different, then a re-appraisal will be required. The Housing Strategy officer also recommends either a shorter time period for commencing the development or some other review mechanism.
- 8.26 Applicants are normally given five years from the grant of full planning permission in which to commence the development. However, Section 91 of the Town and Country Planning Act 1990 states that:  
*"(1)..planning permission.....shall be granted.....subject to the condition that the development to which it relates must be begun not later than the expiration of—*  
*(a) five years beginning with the date on which the permission is granted..; or*  
*(b) such other period (whether longer or shorter) beginning with that date as the authority concerned with the terms of planning permission may direct.*  
*(2) The period mentioned in subsection (1)(b) shall be a period which the*

*authority consider appropriate having regard to the provisions of the development plan and to any other material considerations.”*

- 8.27 Given the recommendations that a shorter time period be allowed for the commencement of this development, a time limit of two years is considered appropriate. A time period of two years is advised in the Welsh Government's document "Delivering affordable housing using Section 106 agreements : a guidance update" (2009), which states (para. 5.7) that "reducing or otherwise altering planning obligations (including affordable housing requirements) should not be agreed without mechanisms in place (such as a reduced time limit permission) to encourage early development of the scheme and to guard against an advantageous permission being "pocketed" and not developed until market conditions improve" and (para.5.17) " A relatively simple mechanism that can be applied to a wide variety of site types is to ally a reduced requirement for planning obligations (especially affordable housing) with a time limited planning permission e.g. a two year permission. At the end of the specified period the local authority has to be assured that substantial progress in the development of the scheme has been achieved or the permission will lapse."
- 8.28 The application is therefore recommended for approval subject to the conditions that the Planning Committee previously resolved to approve but with an amended condition 1 which will require the development to commence within 2 years of planning permission being granted, rather than the standard 5 years, in order to ensure that should the development be delayed by more than 2 years, planning permission will have to be renewed, at which time any changes in market conditions will be taken into account via an up to date viability assessment and financial contributions can be required via a S106 obligation as appropriate, bearing in mind that requests for planning obligations must be fairly and reasonably related in scale and kind to the development and fair to both the developer and the community.

## **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.

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A3

Original Sheet Size



Location Plan

1 : 1250

Planning Issue

date	rev	name	chk	note
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Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design  
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PROJECT  
Proposed demolition of 304a Caerphilly Rd & erection of new development to form A3 commercial unit to GF with 5 No flats over

304A Caerphilly Rd, Cardiff CF14 4NS

DRAWING TITLE			
Location Plan			
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DRAWING NUMBER		REVISION	
P551a	L_001		

21/02/2018 16:06:03

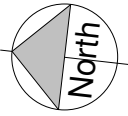
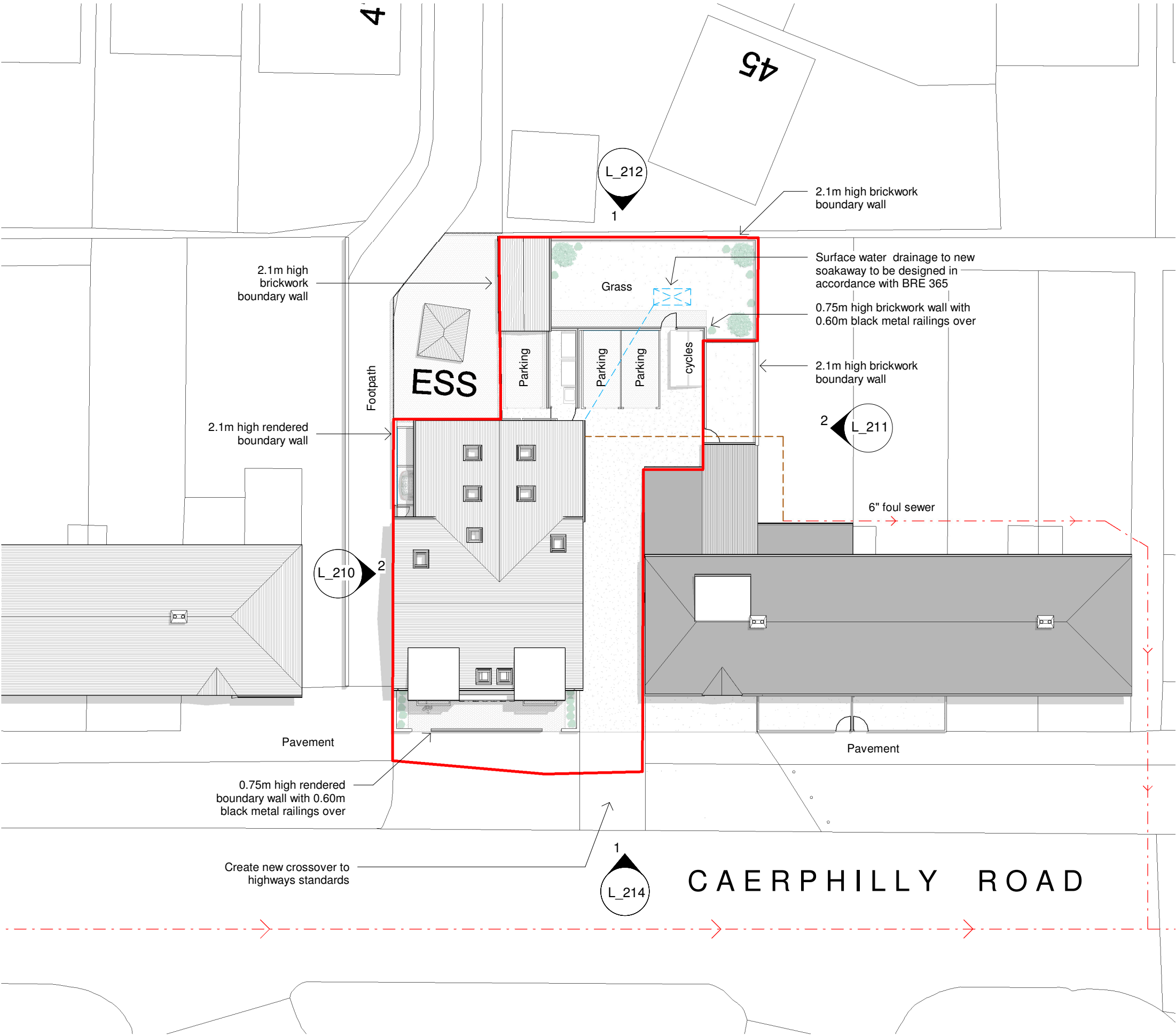












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A3 Original Sheet Size

**DRAINAGE NOTES:**

Surface water drainage to new soakaway to be designed in accordance with BRE 365

**HARDSTANDING FINISHES KEY:**

- GRASS
- PERMEABLE PAVIOURS

**DRAINAGE LEGEND:**

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

**WASTE STORAGE**

- Flats:
- Recycling: 1 x 660L bins
- Composting: 1 x 240L bins
- Waste: 1 x 660L bins
- Commercial: 5 x 360L bins

**Planning Issue**

28/04/18	C	PL		Side windows amended
26/04/18	B	PL		Parking & cycle storage amended
24/04/18	A	PL		Refuse storage amended
date	rev	name	chk	note



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Proposed demolition of 304a Caerphilly Rd & erection of new development to form A3 commercial unit to GF with 5 No flats over

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**DRAWING TITLE**

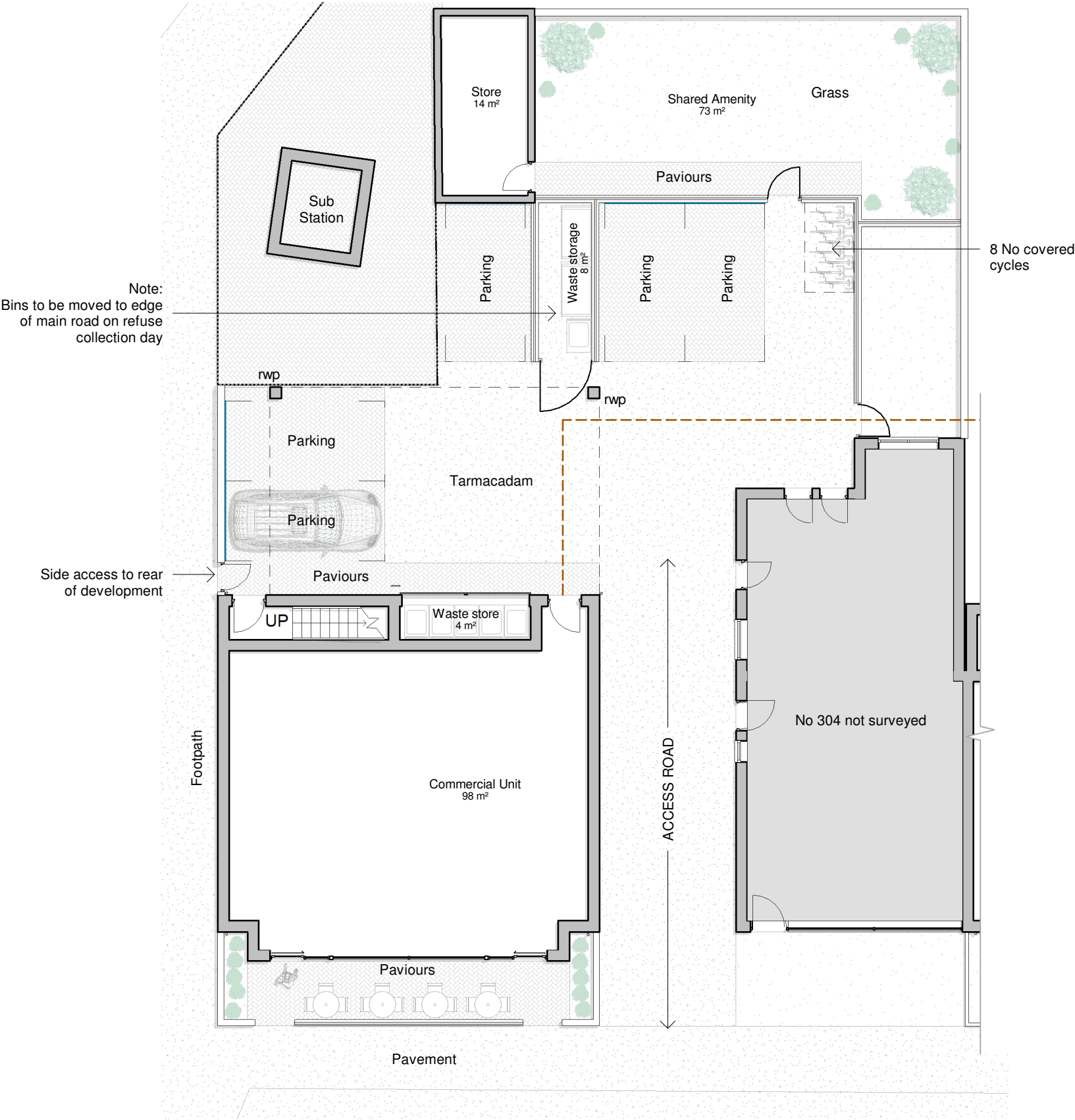
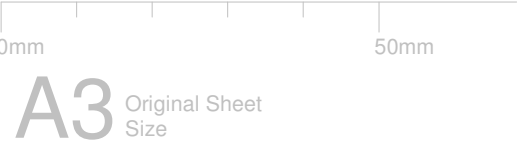
Site Plan as Proposed

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Site Plan as Proposed  
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**DRAINAGE NOTES:**

Surface water drainage to new soakaway to be designed in accordance with BRE 365

**HARDSTANDING FINISHES KEY:**

- GRASS

- PERMEABLE PAVIOURS

**DRAINAGE LEGEND:**

-FOUL DRAINAGE RUN - EXISTING

-FOUL DRAINAGE RUN - PROPOSED

-SURFACE WATER DRAINAGE RUN

**WASTE STORAGE**

Flats:

Recycling: 1 x 660L bins

Composting: 1 x 240L bins

Waste: 1 x 660L bins

Commercial: 5 x 360L bins

# Planning Issue

26/04/18	B	PL		Parking & cycle storage amended
24/04/18	A	PL		Refuse storage amended
date	rev	name	chk	note

Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design

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PROJECT

Proposed demolition of 304a Caerphilly Rd & erection of new development to form A3 commercial unit to GF with 5 No flats over

304A Caerphilly Rd, Cardiff CF14 4NS

DRAWING TITLE

Ground Floor Site Plan

SCALE	DATE	DRAWN BY	CHECKED BY
As indicated	21/02/18	PL	JR
DRAWING NUMBER	REVISION		
P551a L_004	B		

Ground Floor Site Plan

1 : 150



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A3 Original Sheet Size

FINISHES KEY:

- A : SLATE GREY ROOFING TILES
- B : GREY WINDOWS & DOORS
- C : BLACK UPVC RAINWATER GOODS
- D : WHITE SMOOTH FACED RENDERED EXTERNAL WALLS
- E : BROWN / RED BRICKWORK EXTERNAL WALLS
- F : ANTHRACITE GREY CLADDING
- G : GLAZED BALUSTRADE



West (Front) Elevation  
1 : 100

Planning Issue

28/04/18 A PL Side windows amended

date	rev	name	chk	note
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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 demolition of 304a Caerphilly Rd & erection of new development to form A3 commercial unit to GF with 5 No flats over

304A Caerphilly Rd, Cardiff CF14 4NS

DRAWING TITLE  
Elevations 1 of 3 as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
1 : 100	21/02/18	PL	JR

DRAWING NUMBER	REVISION
P551a L_210	A



North (Side) Elevation  
1 : 100

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

0mm50mm

A3Original Sheet Size

FINISHES KEY:

- A : SLATE GREY ROOFING TILES  
B : GREY WINDOWS & DOORS  
C : BLACK UPVC RAINWATER GOODS  
D : WHITE SMOOTH FACED RENDERED EXTERNAL WALLS  
E : BROWN / RED BRICKWORK EXTERNAL WALLS  
F : ANTHRACITE GREY CLADDING  
G : GLAZED BALUSTRADE



South (Side) Elevation  
1 : 100

Planning Issue

28/04/18 A PL Side windows amended

date	rev	name	chk	note
------	-----	------	-----	------



Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design  
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304A Caerphilly Rd, Cardiff CF14 4NS

DRAWING TITLE  
Elevations 2 of 3 as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
1 : 100	21/02/18	PL	JR

DRAWING NUMBER	REVISION
P551a L_211	A

24/05/2018 11:04:50



East (Rear) Elevation  
1 : 100

- FINISHES KEY:**
- A : SLATE GREY ROOFING TILES
  - B : GREY WINDOWS & DOORS
  - C : BLACK UPVC RAINWATER GOODS
  - D : WHITE SMOOTH FACED RENDERED EXTERNAL WALLS
  - E : BROWN / RED BRICKWORK EXTERNAL WALLS
  - F : ANTHRACITE GREY CLADDING
  - G : GLAZED BALUSTRADE

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

0mm50mm

A3Original Sheet Size

Planning Issue



Street View - Caerphilly Road  
1 : 100

28/04/18 A PL Side windows amended

date	rev	name	chk	note
------	-----	------	-----	------



Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design

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PROJECT  
Proposed demolition of 304a Caerphilly Rd & erection of new development to form A3 commercial unit to GF with 5 No flats over

304A Caerphilly Rd, Cardiff CF14 4NS

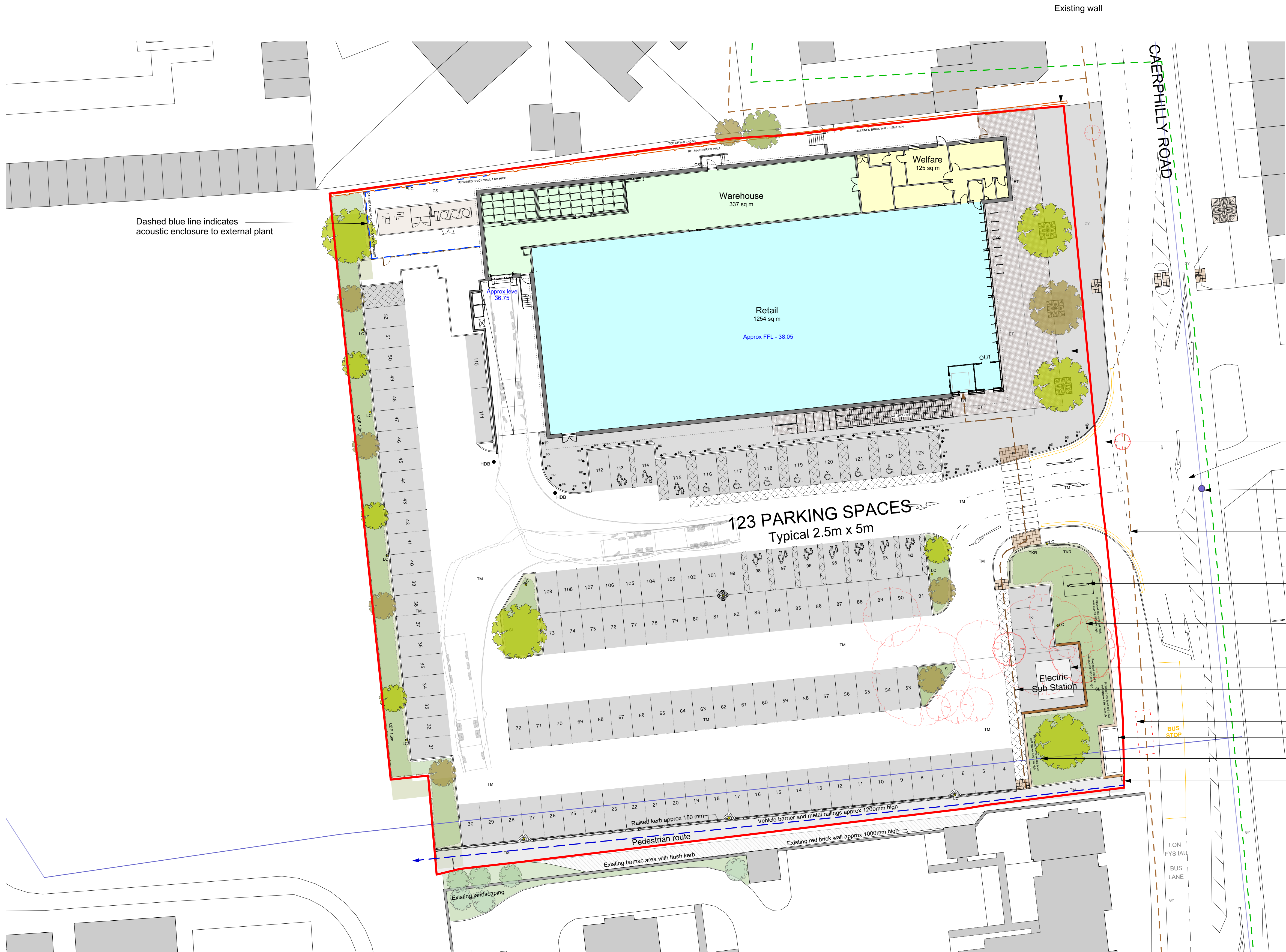
DRAWING TITLE  
Street View as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
1 : 100	21/02/18	PL	JR

DRAWING NUMBER	REVISION
P551a L_214	A

24/05/2018 11:05:58





- KEY:**
- Application Area
  - TM Tarmacadam Surfacing to Car Park
  - TM Parking Bays Tarmacadam Surface
  - ET 200sq ARGELITH FEINSTEINZEUG R12 External Tiles under canopy. Colour 'Dark Grey'
  - CS Concrete Slabs
  - BP Tactile / blister paving
  - SL Surface finish with soft landscaping
  - C/C Concrete Surface
  - BD Stainless steel bollard
  - HGB Heavy duty bollard
  - LC Lighting Column
  - Proposed/Retained Tree / green
  - Removed Trees
  - TR Trolley Rails
  - CYS Cycle Spaces
  - TM Tarmac
  - CBF Close Boarded Fence (1.8m high)
  - TKR Timber Knee Rail Fence
  - Existing Brick Wall
  - Proposed red brick wall approx 1.8m high
  - Proposed low level red brick wall approx 450mm high
- SERVICES KEY**
- Existing surface water sewer
  - Existing water mains
  - Existing foul water sewer, with 3M easement
  - Existing fire hydrants

Dashed blue line indicates acoustic enclosure to external plant

Existing wall

CAERPHILLY ROAD

New paved public realm area

Site access and right turn lane

Fire hydrant location (approximate)

Existing foul water sewer

Aldi 6M double pole sign

Landscaping to street frontage

Retained sub station

Proposed pedestrian access

Existing bus shelter repositioned

Proposed repositioning of bus shelter

Blue line indicates water main - Easement required

Proposed pedestrian footpath

123 PARKING SPACES  
Typical 2.5m x 5m

Electric Sub Station

BUS STOP

Pedestrian route

Existing tarmac area with flush kerb

Existing red brick wall approx 1000mm high

Raised kerb approx 150 mm

Vehicle barrier and metal railings approx 1200mm high

Kendall Kingscott

Chartered Architects  
Chartered Building Surveyors  
Interior Designers  
CDM Services

Glentworth Court, Lime Kiln Close  
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Project	Aldi Stores, Caerphilly Road, Cardiff	Drawing Title	Proposed Site Plan
Client	ALDI Stores Ltd	Project Number	120334 P(1)103 G
Scale	1:250	Paper Size	A1
Filename	120334 SITE MASTER.vwx	Date	11/5/17
Drawn	HB	Checked	NR
Status	PLANNING		

Only to be used on the site for which designed. The electronic transmission of design information contained in this drawing is carried out entirely at the User's risk and Kendall Kingscott Ltd, shall have no liability for any errors or inaccuracies arising therefrom. The production of amended or updated information from the said design information by the User is entirely the responsibility of the User and Kendall Kingscott Ltd, shall have no responsibility in respect thereof whatsoever.



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



A3 Original Sheet Size

FINISHES KEY:

- A : SLATE GREY ROOFING TILES
- B : GREY WINDOWS & DOORS
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- G : GLAZED BALUSTRADE



West Perspective Views

Planning Issue

28/04/18	A	PL	Side windows amended	
date	rev	name	chk	note



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PROJECT  
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304A Caerphilly Rd, Cardiff CF14 4NS

DRAWING TITLE			
Perspective Views as Proposed			
SCALE	DATE	DRAWN BY	CHECKED BY
1 : 100	21/02/18	Pete Legg	JR
DRAWING NUMBER		REVISION	
P551a	L_220	A	

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

**PETITION, LOCAL MEMBER, MP & AM OBJECTIONS**

COMMITTEE DATE: 18/11/2020

APPLICATION No. **20/00844/MNR** APPLICATION DATE: 19/05/2020ED: **PENYLAN**

APP: TYPE: Variation of conditions

APPLICANT: Mr HANNAN

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

PROPOSAL: VARIATION OF CONDITION 2 OF 17/01765/MNR TO ALTER APPROVED PLANS

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

1. The single storey rear extension has an overbearing impact upon the rear garden of no. 223 Albany Road, contrary to Policy KP5 of the Cardiff Local Development Plan (2006-2016) and advice contained within the Residential Extensions and Alterations SPG (2017).

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 The application seeks permission to vary condition 2 of planning permission 17/01765/MNR to alter the approved drawings to enable alterations to a single storey rear extension, a rear dormer roof extension and the first floor rear elevation. The alterations are largely complete. Condition 2 was imposed as follows:
 

*2) The development shall be carried out in accordance with the following approved plans and documents: P584 L\_200 Revision B; P584 L\_210 Revision B; P584 L\_201; P584 L\_211 Revision B; P584 L\_002 Revision B; P584 L\_212 Revision B.*
- 1.2 The roof of the single storey rear extension has been constructed to a height of 3.08m adjacent to the boundary where it adjoins an existing single storey structure at no. 223 Albany Road. The height adjacent to the rear lane is 3.55m.
- 1.3 Window/door openings in the external elevations of the single storey extension have been altered. A window opening in the first floor rear elevation has also been enlarged. The rear dormer extension has been constructed approximately 0.4m wider with a flat roof in lieu of a pitched roof, and roof lights have been repositioned.
- 1.4 The originally submitted drawings did not accurately show the development as constructed, revised drawings were subsequently received.

## 2. **DESCRIPTION OF SITE**

- 2.1 The site comprises a two storey end of terrace building, last used as a class C3 dwelling house.

## 3. **SITE HISTORY**

- 3.1 17/01765/MNR – planning permission granted on appeal for rear extension, loft conversion with rear dormers & conversion of dwelling to form 4 no. flats.
- 3.2 15/01837/DCH – planning permission granted for single storey rear extension and separate single storey games room.

## 4. **POLICY FRAMEWORK**

### 4.1 Relevant National Planning Guidance:

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

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

Policy KP5 (Good Quality and Sustainable Design)

### 4.3 Relevant Supplementary Planning Guidance

Residential Extensions & Alterations (2017).

## 5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 None.

## 6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 None.

## 7. **REPRESENTATIONS**

- 7.1 The initial application and revised drawings were publicised by letter and site notice. A petition of objection was received, signed by 69 residents with addresses in Cardiff, 8 of which could reasonably be affected by the matter. Full details are viewable online.

- 7.2 Objections have been received from the following addresses:

- 180, 221, 223, 227, 235 Albany Road.
- 102, 104 Marlborough Road.
- Three undisclosed addresses.



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

- a) *The height of the single storey extension exceeds the approved height;*
- b) *Loss of privacy and amenity from Juliet balcony, it would lead to the occupants using the flat roof of the extension as a full size balcony terrace. Turning the rear window into a balcony has already been rejected by the planning committee before citing the loss of privacy posed to neighbours using their gardens;*
- c) *Loss of privacy and amenity from rear dormer;*
- d) *Loss of amenity from the side dormer.*
- e) *Overlooking from the windows in the rear elevation of the single storey extension;*
- f) *Footprint of the single storey extension.*
- g) *Visual appearance of the extensions as built;*
- h) *Incorrect planning procedure followed. The proposed variations have already been constructed thus the developer should be asking for retrospective planning approval;*
- i) *Lack of regard for health and safety at the site;*
- j) *Damage to adjoining properties/Breach of party wall agreements;*
- k) *Impact upon parking and traffic;*
- l) *Impact upon flood risk;*
- m) *Inadequate capacity of sewers;*
- n) *Bin storage.*

7.3 Councillor Boyle has offered support to residents who object, summarised as follows:

*For context, here are some of the comments I made about the initial proposals in 2017 (17/01765/MNR):*

*I begin by saying that I am no fan of the design, feeling that the size of the flat-roofed three-story extension, with additional ground floor extension, could constitute a case of massing. The comments of several residents, particularly close neighbours, regarding the over-bearing design need careful consideration.*

*In particular paragraph 5.23 of Policy H5 of the Local Development Plan: Sub-Division or conversion of residential properties, notes:*

*'...unsatisfactory conversion work can result in accommodation which is an overintensification form of development resulting in inadequate and poor quality accommodation. Occupants may be exposed to problems, such as overlooking, poor outlook, overcrowding, and lack of amenity space, noise and disturbance from neighbouring premises, and inconvenient and unsafe access.'*

*We are now seeing those concerns about unsatisfactory and inadequate work come to pass. I have twice in recent months written to the Council to point out that the planning permission was being breached and that there appeared to be unsafe practices on site.*

*In reply, I was told:*

*Please be assured that the LPA have powers to pursue action against unauthorised development for a significant period even after completion. Such action may ultimately be taken against development, of any part of it, to ensure that any unacceptably breach of planning control is remedied. The LPA will pursue such action where it is warranted in due course.*

*Officers have been in contact with the developer and they are fully aware of the concerns and have been advised not to proceed with any works which have not been authorised. They have been made fully aware that they will be liable to enforcement action should the works be considered unacceptable in planning terms.*

*Nonetheless, it is clear that the developer has ploughed on with the development despite knowing that it was in breach of the permission. The removal of the door leading into the rear alley because it was now floating at a considerably higher height than planned demonstrates this.*

*As a result, the resubmitted plans do not affect a small aspect of the overall design. Rather, the whole development needs to be reconsidered in light of the following paragraphs within the Residential Extensions SPG:*

*7.3 The extension should preferably be set in from the end gable of the building in order to ensure it is subservient to the existing dwelling.*

*Comment: The extension is not subservient to the existing dwelling, with the impact of this worsened by the change in height in the extension,*

*7.7 Side extensions should normally be set in from the neighbouring boundary. This can help to ensure that the street scene does not appear cramped. It will also help to prevent a terracing effect should your neighbours also extend their property. On a practical level it will ensure that sufficient space remains to allow for future maintenance.*

*Comment: The side extension is not set in from the neighbouring boundary.*

*7.16 Depending on their height, side return extensions with flat roofs can often be overbearing.*

*Comment: The side return extension has a flat roof and, now that it is raised from what had been permitted, its overbearing nature is exacerbated.*

*7.55 Flat roofs, particularly in prominent positions are best avoided as they can present long-term maintenance problems and rarely appear as though they blend harmoniously with the existing property.*

*Comment: The side return extension's flat roof does not blend harmoniously and, now that it is raised from what had been permitted, that lack of harmony is exacerbated.*

*7.57 Any dwelling can accommodate only a finite amount of extension. In addition to the visual impact, the over-development of a property will result in an inadequate amount of amenity space within the plot and could have a detrimental impact on neighbouring amenity through overshadowing and loss of light or privacy. Any extension should not result in the overdevelopment of the original garden area.*

*Comment: This is an over-development and, now that the proposed extension is raised from what had been permitted, that detrimental impact is worsened.*

*The applicant is an intelligent individual who well understands the planning process, its permissions and its limitations. It is therefore disappointing that, knowing the unhappiness caused by his application, he has overstepped the permission that he was granted under appeal.*

*The result, possibly as a consequence of shoddy workmanship, means he has been forced to come back for retrospective permission in an attempt to rectify his mistakes. The impact will be felt not by him but by his neighbours. The planning process is there to protect people from poor design and poor build quality. There are ample grounds within the SPG to prevent this application being granted or for the applicant to return to the permission he was granted and deliver that.*

7.4 Councillors Berman and Boyle also object to the revised drawings, as follows:

*Nothing in the latest revisions alters our previously expressed views. Indeed, the way they are submitted with no measurements does nothing to reassure us that this project will meet the requirements of good development. The broad lines of the objection submitted in our original submission stand and we would wish them to be taken into consideration when considering these amendments. In summary, our objection rests on the following, all of which this application contravenes: Paragraph 5.23, Policy H5, Cardiff Local Development Plan Paragraph 7.3 Residential Extension SPG Paragraph 7.7 ibid Paragraph 7.16 ibid Paragraph 7.55 ibid Paragraph 7.57 ibid.*

7.5 Councillors De'Ath, Wong, McGarry & Lent object, as follows:

*Although this development is not in Plasnewydd ward, the opposite side of Albany Road is part of our ward and we are writing to object to this proposal on behalf of a number of Plasnewydd constituents living in Albany Road and nearby streets.*

*We note that the previous planning application 17/01765/MNR was rejected by the Planning Committee in 2017, but was this decision was unfortunately overturned by the Planning Inspectorate.*

*We also note that this new application to alter the approved plans comes after multiple residents' complaints that the current ongoing building work is in breach of those approved plans. I understand Planning Department officers have been in contact with the developer and advised the applicant not to proceed with any works which have not been authorised. Residents have reported that the proposed amendments in this application have already been wholly or partially built. We believe this is effectively a planning application seeking permission after the event, seemingly to sidestep enforcement action.*

*Overdevelopment and impact on Neighbours. The planning committee previously rejected the planning application for 225 Albany Road for being overbearing to neighbours and an overdevelopment of the site. The development would have an undue effect on the amenity of neighbouring and future occupiers and surrounding communities, and the cumulative impact would adversely affect the amenity and character of the area, contrary to the provisions of policies KP5 (x) & H5 (i) & (iii) of the adopted Local Development Plan.*

*This application has been submitted because the actual development has already contravened the plans previously rejected. This new variation is for proposals that are larger than the previous application, and will have an even more significant impact on neighbouring properties and surrounding communities. The Juliet window and balcony offer no screening, and will enable occupiers to see directly into the garden of 223 Albany Road, the garden/dining room/bedroom of 221 Albany Road, and the gardens and back bedrooms of Marlborough Road properties. This will lead to an adverse loss of privacy to all the immediate neighbours. The latest planning application does not meet Policy KP5 as it maintains just as close proximity to the adjoining boundaries and is still overbearing, and significantly impacts upon the amenities of the adjoining neighbours.*

*The developer also appear to have increased the size of the two dormers to that which was approved in the plans and also changed a window to patio doors, a part of the plans that was expressly refused by the planning committee.*

**7.6 Jo Stevens MP objects, as follows:**

*This new application to alter the approved plans comes after multiple residents have complained to me (and local Councillors) that the current ongoing building work is in breach of those approved plans.*

*I understand Planning Department officers have been in contact with the developer and advised the applicant not to proceed with any works which have not been authorised. Residents have reported that the proposed amendments in this application have already been wholly or partially built - I've been contacted by many constituents in recent weeks about this and I know local Councillors have too.*

*The planning committee previously rejected the planning application for 225*



*Albany Road for being overbearing to neighbouring houses and an overdevelopment of the site.*

*The development would have a negative effect on the amenity of neighbouring and future occupiers and surrounding communities, and the cumulative impact would adversely affect the amenity and character of the area, contrary to the provisions of policies KPS (x) & HS (i) & (iii) of the adopted Local Development Plan.*

*This application has now been submitted because the actual development has already contravened the plans previously rejected. This new variation is for proposals that are larger in size than the previous application and will have an even more significant impact on neighbouring properties and surrounding communities. The Juliet window and balcony offer no screening and will enable occupiers to see directly into the garden of neighbours at 223 Albany Road, the garden/dining room/bedroom of 221 Albany Road, and the gardens and back bedrooms of Marlborough Road properties. This will lead to an adverse loss of privacy to all the immediate neighbours. The latest planning application does not meet Policy KPS as it maintains just as close proximity to the adjoining boundaries and is still overbearing, and significantly impacts upon the amenities of the adjoining neighbours.*

*The developer also appears to have increased the size of the two dormers to that which was approved in the plans and also changed a window to patio doors, a part of the plans that was expressly refused by the planning committee. I urge the Committee to refuse this application.*

**7.7 Jenny Rathbone AM objects, as follows:**

*I am writing to object to the latest planning application relating to this address. I also objected to the previous application which the Council rejected on 10/11/17. I am concerned that that decision was subsequently overturned on appeal by the Planning Inspectorate on 25/05/18, despite the overwhelming opposition to that proposed overdevelopment by the local community.*

*I have been contacted by a range of concerned constituents about the actions of the developer DLP Architecture, who they claim is in breach of the approved plans.*

*I wrote to Cllr Keith Jones, Chair of Planning, and received a reply on 22nd May, advising that a new application had been submitted and that Council officials had been notified by neighbours that the developer had already made changes to the approved plans in line with the proposal the Planning Committee is now being asked to consider. I am told that Planning Officers have already advised the developer not to proceed without authorisation in light of the risk of formal planning enforcement being pursued. My understanding is that whilst work could be considered unauthorised in planning terms, it does not necessarily mean that they are considered unacceptable and that the nature of the works already undertaken by the developer will now be considered through the normal planning process as if it*

*were a new application. A planning enforcement notice would only then be served if it was found that the development was considered unacceptable.*

*This application does not meet Policy KP5 and H5(i) and (iii) of the adopted Local Development Plan. This relates to the development being overbearing to neighbours and an overdevelopment of the site. My constituents have provided photographic evidence that the variations, specifically the size of the 2 dormers and the change from a window to nonscreened patio doors and a juliet balcony in Flat 4 will result in a significant loss of privacy for residents of 223, 221 Albany Rd and the back bedrooms of Marlborough Rd.*

*My concern remains that this application has been applied for retrospectively following the developer changing the plans and initiating building work not agreed by the Planning Inspectorate. I hope that the Planning Committee will be able to reject the application on these grounds.*

## 8. **ANALYSIS**

### 8.1 **Overview**

Prior to being allowed on appeal by the Planning Inspectorate, planning application 17/01765/MNR was refused by Planning Committee on 8<sup>th</sup> November 2017 solely for reason relating to the impact of the subdivision to flats. The extensions were considered acceptable, and the overall length and height of the single storey extension was identical to that permitted by a previous extant permission (15/01837/DCH).

### 8.2 **Residential Amenity**

The single storey extension as constructed is taller than that approved by permissions 17/01765/MNR and 15/01837/DCH. It is considered that the single storey rear extension has an overbearing impact upon the rear garden of the neighbouring property at 223 Albany Road by virtue of the increased height, failing to accord with the principles of Policy KP5 (x) of the Local Development Plan and section 7 of the Residential Extensions & Alterations SPG. It is considered that the height of the extension approved by the previous permissions was the maximum appropriate. It is noted that at the time planning application 17/01765/MNR was submitted, there was previously a garage/outbuilding structure at no. 223 Albany Road of approximately 5m length directly adjacent to the application site, however the adjoining occupier has subsequently removed that structure.

It is considered that the single storey rear extension does not have an unreasonable impact upon the neighbouring property at no. 227 Albany Road having regard that it is sited directly adjacent to an existing single storey outbuilding/garage structure at no. 227.

It is considered that alteration of the door in the rear elevation of the single storey extension to a window does not result in loss of amenity. The windows in this elevation look across the lane to the boundary walls of the rear gardens

of nos. 104 & 106 Marlborough Road, and not into the rear gardens. It should also be noted that windows/doors could be inserted in the rear lane elevations of garages/outbuildings at the surrounding dwelling houses as 'permitted development' not requiring planning permission.

The rear facing windows of the main roof rear dormer are sited a similar distance (approximately 26m) from the rear gardens of nos. 104 & 106 Marlborough Road as the previously approved dormer, which complies with the minimum of 10.5m specified by the Residential Extensions & Alterations Design Guide.

The enlarged first floor window has no differing amenity impact as the lower panes are fixed such that access to the flat roof of the single storey extension is prevented. It is noted that a Juliet balcony was originally proposed, however this was deleted. It should also be noted that enlargement/alteration of a window opening could be undertaken as 'permitted development' to a dwelling house not requiring planning permission.

### 8.3 Design

The single storey rear extension is finished in appropriate material, as previously approved. Omission of the door to the rear lane, enlargement of the first floor rear window and repositioning/insertion of additional roof lights have minimal visual impact in relation to the previously approved design and character of the building.

The rear dormer is considered visually acceptable as it is set back from the rear elevation, set below the roof ridge and finished in the same material as previously approved, in accordance with the Residential Extensions & Alterations SPG. Furthermore, the rear dormer is within the dimensions which can be constructed at a dwelling house without requiring planning permission.

### 8.4 Representations

The representations received from the neighbouring residents, ward Councillors, Jo Stevens MP and Jenny Rathbone AM are noted. Specific issues are addressed as follows:

- a) Height of rear extension. It is considered that the increased height of the single storey rear extension has an overbearing un-neighbourly impact upon the rear garden of the neighbouring property at 223 Albany Road as detailed in the amenity analysis, the application is recommended for refusal for this reason.
- b) Loss of privacy/amenity from Juliet balcony. It is considered that the proposal would not result in any unreasonable amenity impact or loss of privacy to adjoining properties as detailed within the amenity analysis. It is noted that a Juliet balcony was originally proposed, however this was deleted. The fixed first floor window panes prevent access to the flat roof of the single storey extension.
- c) Loss of privacy/amenity from rear dormer. It is considered that the

proposal would not result in any unreasonable amenity impact or loss of privacy to adjoining properties as detailed within the amenity analysis. The windows of the dormer are sited a similar distance (approximately 26m) from the rear gardens of nos. 104 & 106 Marlborough Road as the previously approved dormer, which complies with the minimum of 10.5m specified by the Residential Extensions & Alterations Design Guide.

- d) Loss of amenity from the rear annexe dormer. The dimensions of the side facing rear annexe dormer are as approved by permission 17/01765/MNR, therefore is not a matter for consideration by the current application. Condition 6 of that permission requires the side facing windows of the rear annex dormer shall be non-opening below a height of 1.7m above internal floor level and glazed with obscure glass.
- e) Overlooking from the windows in the rear elevation of the single storey extension. Windows in the rear elevation of the extension facing the rear lane were approved by permission 17/01765/MNR, it is not considered that alteration of a door to a window results in loss of amenity as detailed within the design analysis. The windows in this elevation look across the lane to the boundary walls of the rear gardens of nos. 104 & 106 Marlborough Road rather than into the rear gardens.
- f) Footprint of single storey extension. The footprint of the extension is as approved by permission 17/01765/MNR.
- g) Visual appearance. The materials of the extensions as built is considered acceptable having regard to the character of the area, as detailed within the design analysis.
- h) Incorrect planning procedure followed. Planning applications can be made retrospectively, retrospective applications are considered in the same manner as those where development has not been commenced/completed. In cases where a condition of permission is imposed specifically referring to the approved plans/drawings, a variation of conditions application can be made to vary the approved plans of the existing permission, rather than a full application. The type of application submitted is therefore procedurally correct in accordance with the regulations.
- i) Health & Safety: Not a material planning matter, this matter is addressed by the Building Regulations and/or the Health & Safety Executive. Welsh Government Circular 016/2014 (The Use of Planning Conditions for Development Management) advises that *'Conditions should not repeat the provisions of other conditions or duplicate controls under other legislation unless there is a planning reason for doing so.'*
- j) Damage to adjoining properties/breach of Party Wall agreements. Not material planning considerations. Any matters with regard to the party walls/boundaries with adjoining properties would be a private civil matter between the property owners concerned as set out by the party wall legislation.
- k) Parking/traffic impacts. Conversion to four flats was approved by permission 17/01765/MNR with no provision of off street parking, therefore parking is not a matter for consideration by the current application.
- l) Impact upon flood risk. A Flood Consequences Assessment was considered acceptable in support of application 17/01765/MNR which identified that the existing floor level of the main front part of the building



was 9.065m AOD. Condition 7 specified finished ground floor levels of 9.06m AOD for the front portion of the building and 8.75m AOD for the rear portion. As the level of the front part has not been altered, and the rear part is the same as the front, the level is no lower than required by condition 7. The increase in internal floor level within the rear part of the building does not constitute development requiring planning permission. Accordingly, the development as constructed is not subject to greater flood risk than that approved by permission 17/01765/MNR, and not a matter for consideration by the current application.

- m) Inadequate capacity of sewers. Conversion to four flats was approved by permission 17/01765/MNR. In any case, new connections to sewerage infrastructure would be a separate matter considered by the building regulations procedure, requiring agreement from the sewerage undertaker (Welsh Water) for connections to the foul sewerage system.
- n) Bin Storage. Bin storage details were approved by permission 17/01765/MNR, therefore bin storage is not a matter for consideration by the current application.

## 8.5 Other Legal Considerations

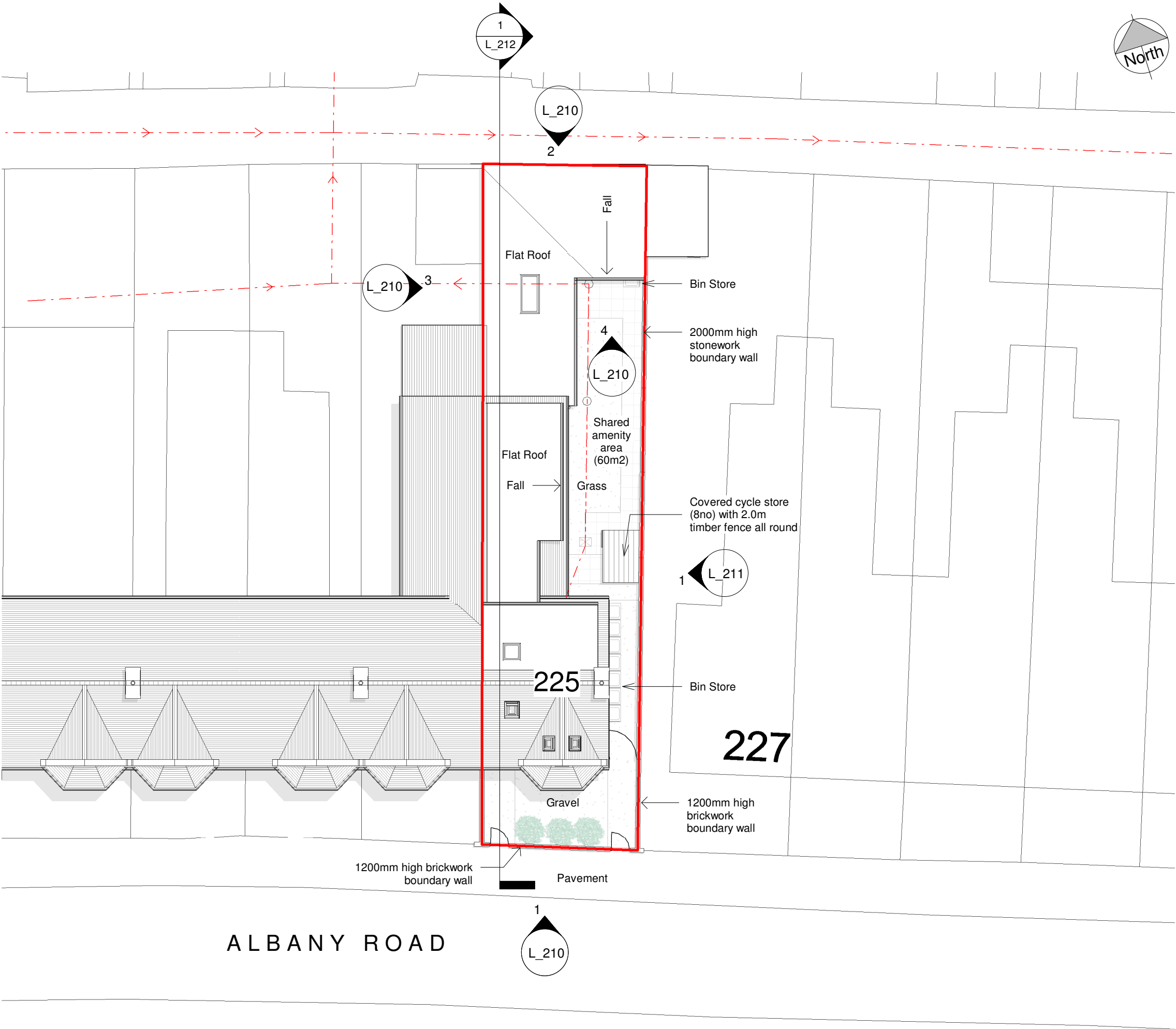
*Crime and Disorder Act 1998* – Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder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

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

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

## 8.6 Conclusion

It is concluded that the application is contrary to the planning policy listed, and is recommended that planning permission be refused.



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

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A3 Original Sheet Size

**FINISHES KEY:**

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

**DRAINAGE LEGEND:**

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

## Planning Issue

09/09/20	F	PL	HH	Amended in line with planners comments dated 20/08/20
06/04/20	E	PL	HH	Rear dormer roof amended to flat roof, rooflights repositioned & added, rear window amended to flat 4 Living Area & window replaced with doors & juliet balcony
08/03/19	D	PL	HH	Building regulation notes & setting out added
28/02/19	C	PL	HH	Section & notes added
20/10/17	B	PL		Balcony removed, bin store repositioned & entrance to flat 1 amended
07/09/17	A	PL		Balcony screens & cycle store amended
date	rev	name	chk	note

**dlp** ARCHITECTURE

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

PROJECT  
Proposed rear extension, loft conversion with dormers & conversion of dwelling to form 4 no. flats

225 Albany Road, Roath, Cardiff, CF24 3NW

DRAWING TITLE  
Site Plan as Proposed

Site Plan as Proposed  
1 : 200

SITE AREA: 285m2

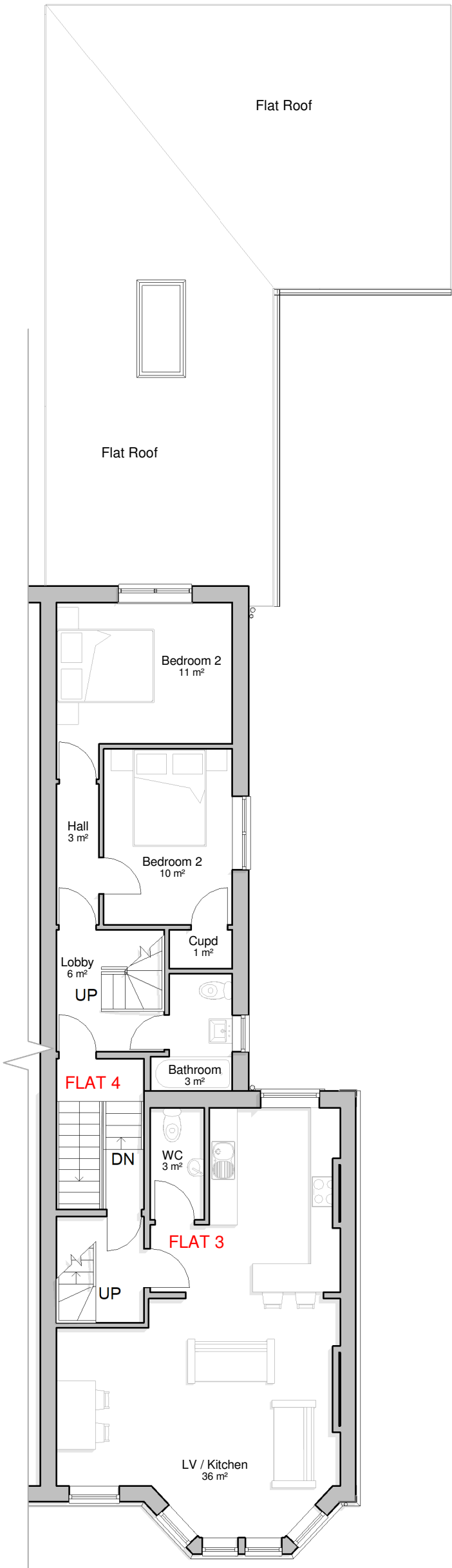
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As indicated	05/07/17	PL	HH
DRAWING NUMBER	REVISION		
P584	L_002		F

09/09/2020 17:29:01





A3 Original Sheet Size



First Floor Plan  
1 : 100

## Planning Issue

09/09/20	C	PL	HH	Amended in line with planners comments dated 20/08/20
06/04/20	B	PL	HH	Rear dormer roof amended to flat roof, rooflights repositioned & added, rear window amended to flat 4 Living Area & window replaced with doors & juliet balcony
08/03/19	A	PL	HH	Building regulation notes & setting out added

date	rev	name	chk	note
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PROJECT  
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225 Albany Road, Roath, Cardiff, CF24 3NW

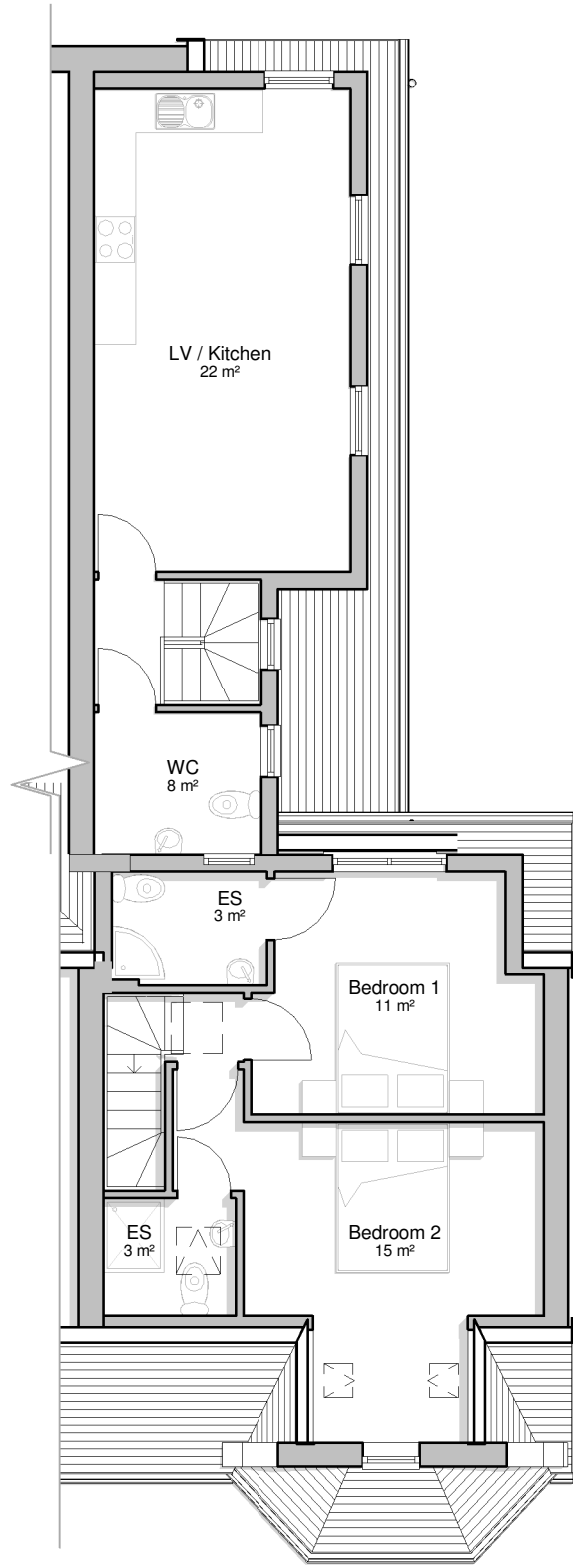
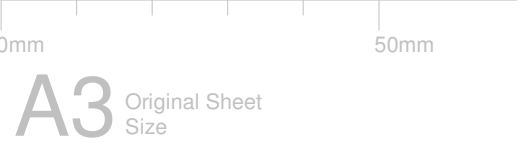
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First Floor Plan as Proposed

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DRAWING NUMBER	REVISION
P584 L_201	C



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



Second Floor  
1 : 100

# Planning Issue

09/09/20	C	PL	HH	Amended in line with planners comments dated 20/08/20
06/04/20	B	PL	HH	Rear dormer roof amended to flat roof, rooflights repositioned & added, rear window amended to flat 4 Living Area & window replaced with doors & juliet balcony
08/03/19	A	PL	HH	Building regulation notes & setting out added
date	rev	name	chk	note



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

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

DRAWING TITLE  
Second Floor Plan as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
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DRAWING NUMBER	REVISION		
P584	L_202	C	

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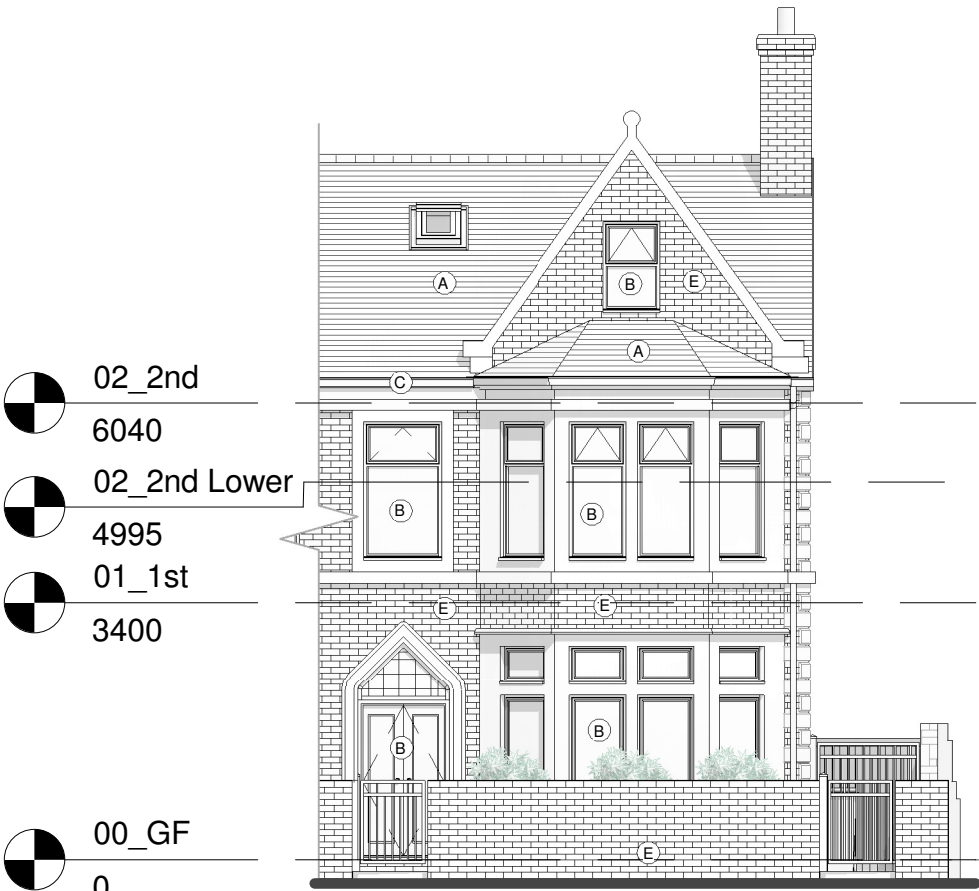
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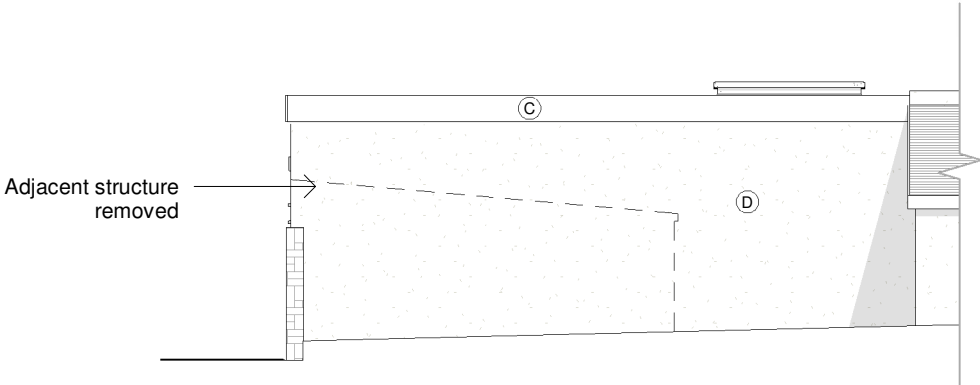
- A : GREY SLATE ROOFING & RED RIDGE TILES  
B : WHITE DOUBLE GLAZED UPVC WINDOWS & DOORS  
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F : GREY SLATE VERTICAL CLADDING TILES



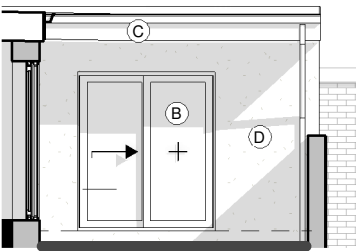
South (Front) Elevation  
1 : 100



North (Rear) Elevation  
1 : 100



West (Side) Elevation  
1 : 100



South Elevation  
1 : 100

Planning Issue

09/09/20	E	PL	HH	Amended in line with planners comments dated 20/08/20
06/04/20	D	PL	HH	Rear dormer roof amended to flat roof, rooflights repositioned & added, rear window amended to flat 4 Living Area & window replaced with doors & juliet balcony
08/03/19	C	PL	HH	Building regulation notes & setting out added
20/10/17	B	PL		Balcony removed, bin store repositioned & entrance to flat 1 amended
07/09/17	A	PL		Balcony screens & cycle store amended
date	rev	name	chk	note

dlp | ARCHITECTURE

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T 02920316857 M 07785582007 info@dlparchitecture.co.uk

PROJECT  
Proposed rear extension, loft conversion with dormers & conversion of dwelling to form 4 no. flats

225 Albany Road, Roath, Cardiff, CF24 3NW

DRAWING TITLE  
Elevations 1 of 2 as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
As indicated	05/07/17	PL	HH
DRAWING NUMBER	REVISION		
P584 L_210	E		

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

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Original Sheet Size

- FINISHES KEY:
- A : GREY SLATE ROOFING & RED RIDGE TILES

B : WHITE DOUBLE GLAZED UPVC WINDOWS & DOORS

C : BLACK UPVC RAINWATER GOODS ON BLACK FASCIA

D : WHITE RENDERED EXTERNAL WALLS

E : RED / ORANGE BRICKWORK EXTERNAL WALLS

F : GREY SLATE VERTICAL CLADDING TILES

Planning Issue



East (Side) Elevation  
1 : 100

09/09/20	E	PL	HH	Amended in line with planners comments dated 20/08/20
06/04/20	D	PL	HH	Rear dormer roof amended to flat roof, rooflights repositioned & added, rear window amended to flat 4 Living Area & window replaced with doors & juliet balcony
08/03/19	C	PL	HH	Building regulation notes & setting out added
20/10/17	B	PL		Balcony removed, bin store repositioned & entrance to flat 1 amended
07/09/17	A	PL		Balcony screens & cycle store amended
date	rev	name	chk	note

dlp

ARCHITECTURE

Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design

Systems House 89 Heol Don Cardiff CF14 2AT

T 02920316857 M 07785582007 info@dlparchitecture.co.uk

PROJECT

Proposed rear extension, loft conversion with dormers & conversion of dwelling to form 4 no. flats

225 Albany Road, Roath, Cardiff, CF24 3NW

DRAWING TITLE

Elevations 2 of 2 as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
As indicated	07/07/17	PL	HH
DRAWING NUMBER			REVISION
P584	L_211		E

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



**CYNGOR CAERDYDD  
CARDIFF COUNCIL**

**PLANNING COMMITTEE**

**18 NOVEMBER 2020**

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**REPORT OF APPROVING OFFICER – ASSISTANT DIRECTOR,  
STREET SCENE**

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**Section 257 Town And Country Planning Act 1990, Diversion Order For  
Public Footpath Lisvane No.15**

**Reason for this Report**

1. Planning Committee to approve the Section 257 Diversion Application to allow the Public Rights of Way Team to instruct Legal Services to process the Legal Order.
2. Public Footpath, Lisvane No.15 requires a diversion through a green corridor as part of the Churchlands Development.

**Background**

3. This footpath is dissected at the northern part by Lisvane No.28 therefore both applications were initially consulted upon at the same time to help consultees understand the entirety of the site and changes being made rather than each path in isolation.
4. Lisvane 15 currently crosses a farm field with stiles at either end. The proposed diversion realigns the footpath along on the eastern boundary of the site, within a green corridor and with a surfaced 1.5m width path. The stiles will be replaced with gates to improve access for all or removed altogether if they are no longer needed.
5. Overall the footpath will only have minor changes and will become a popular place to walk for the new residents, existing community and visitors to the area.

## **Issues**

6. The Public Footpath Diversion Application must be confirmed in order to allow the proposed diversion and development plan to go ahead as approved. If the application is objected to then the applicant will need to amend the northern section of the planning application to allow for the existing footpath alignment to be retained.

### **Local Member consultation (where appropriate):**

- Ward Members: Cllr David Walker
- Lisvane Community Council
- Lisvane Environment Group
- Graig Protection Society
- Parks Department
- Adjacent landowners

### **Utilities:**

- Virgin
- BT Openreach
- Welsh Water
- Wales & West Utilities
- Western Power

### **Users groups:**

- Ramblers
- Auto Cycle Union
- British Horse Society
- Byways and Bridleways Trust
- Open Spaces Society
- Cycling UK
- Welsh Trail Riders Association

## **Financial Implications**

7. There are no financial implications, the Legal Orders costs are paid for by the applicant.

**Legal Implications (including Equality Impact Assessment where appropriate)**

8. Legal Advice has been provided as part of the Officer Decision Report and EIA, Section 5.

**HR Implications**

9. There are no HR implications.

**Reason for Recommendations**

10. Public Rights of Way Team and consultees are satisfied with the new proposed path alignment as the path will be retained within a green corridor.

**RECOMMENDATIONS**

11. To approve the application in order to instruct Legal Services to undertake the Legal Order process. This is necessary to enable the Churchlands development to be carried out and provide the new Public Footpath alignment.

**Andrew Gregory**

**Date 2 November 2020**

*The following appendices are attached:*

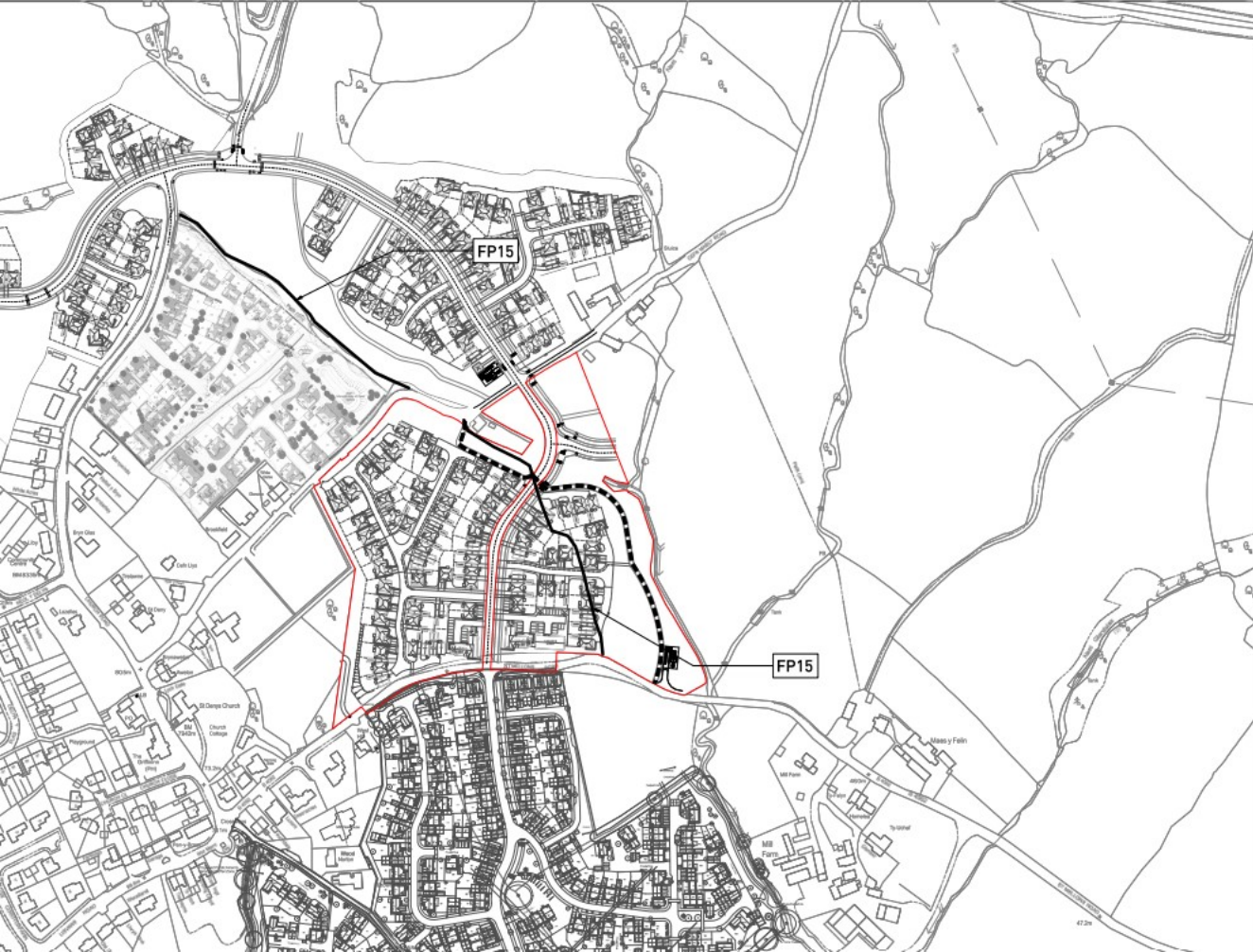
Officer Decision Report  
Map of Proposed Diversion

*The following background papers have been taken into account*




Equalities Impact Assessment

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





**KEY:**

	APPLICATION BOUNDARY
	EXISTING PUBLIC RIGHT OF WAY
	PROPOSED PUBLIC RIGHT OF WAY

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

**CYNGOR CAERDYDD  
CARDIFF COUNCIL**

**PLANNING COMMITTEE**

**18 NOVEMBER 2020**

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**REPORT OF APPROVING OFFICER – ASSISTANT DIRECTOR,  
STREET SCENE**

---

**Section 257 Town and Country Planning Act 1990, Diversion Order For Public  
Footpath Lisvane No.28**

**Reason for this Report**

1. Planning Committee to approve the Section 257 Diversion Application to allow the Public Rights of Way Team to instruct Legal Services to process the Legal Order to divert the Public Footpath, Lisvane 28 as part of the approved Churchlands Development.

**Background**

2. The footpath is being diverted through the new housing development on a footway for approximately 190metres. The final 60 metres is through a green corridor and ends on St Mellons Road.
3. As compensation for the loss of green space, a new Public Footpath is being dedicated to link from Lisvane No.28 to the adjacent Public Open Space behind St Denys Church, Lisvane. A new vehicle access gate with adjacent pedestrian gate will also be installed on St Mellons Rd for Parks to access the site maintenance purposes.
4. The confirmed Legal Order will allow the footpath to be realigned within the new proposed development and the Definitive Map and Statement to be modified to reflect this change.

**Issues**

5. There are two footpaths which cross the development site, Lisvane 15 and Lisvane 28. Both applications are being presented to Planning Committee at the same time to assist with understanding the two path realignments as they

both start off Graig Road, Lisvane and both terminate on St Mellons Road, Lisvane.

6. It was not achievable to have both Lisvane No.28 and Lisvane No.15 within a green corridor due to constraints with protected habitats and species along the western boundary of the site. Lisvane No.28 footpath will be realigned within the housing development along a new footway but generally following a similar route alignment to the existing path.
7. Through negotiation with the Lisvane Consultees and Redrow Officers, a minor amendment to the southern section of the proposed route was undertaken to realign the footpath through a short section of green corridor and linking to the adjacent Public Open Space by St Denys Church.

#### **Local Member consultation (where appropriate)**

- Ward Members: Cllr David Walker
- Lisvane Community Council
- Lisvane Environment Group
- Graig Protection Society
- Parks Department
- Adjacent landowners

#### **Utilities:**

- Virgin
- BT Openreach
- Welsh Water
- Wales & West Utilities
- Western Power

#### **Users groups:**

- Ramblers
- Auto Cycle Union
- British Horse Society
- Byways and Bridleways Trust
- Open Spaces Society
- Cycling UK
- Welsh Trail Riders Association

#### **Financial Implications**

8. There are no financial implications, the Legal Orders costs are paid for by the applicant.



### **Legal Implications (including Equality Impact Assessment where appropriate)**

9. Legal Advice has been provided as part of the Officer Decision Report.

### **HR Implications**

10. There are no HR implications.

### **Reason for Recommendations**

11. The Public Footpath will be an improvement from crossing a field to becoming more accessible along a footway and linking to green spaces through the new housing community.

### **RECOMMENDATIONS**

12. To approve the application in order to instruct Legal Services to undertake the Legal Order process.

**Andrew Gregory**  
**2 November 2020**

*The following appendices are attached:*





Officer Decision Report  
Proposed Diversion of Footpath

*The following background papers have been taken into account*

Equalities Impact Assessment  
Lisvane Environment Group and Graig Protection Society's suggested alternative routes

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



<b>KEY:</b>	
	APPLICATION BOUNDARY
	EXISTING PUBLIC RIGHT OF WAY (A to B)
	PROPOSED PUBLIC RIGHT OF WAY (C to D)
	CREATION OF NEW FOOTPATH TO PUBLIC OPEN SPACE

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



# Cardiff Council : Strategic Planning And Environment : Development Control

## Applications Decided between 05/10/2020 and 09/10/2020

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
<b>ADAMSDOWN</b>								
20/01511/MJR	03/08/2020	United Welsh	FUL	ADAMS COURT AND BAILEY'S COURT, NORTH LUTON PLACE, ADAMSDOWN	CONSTRUCTION OF BOUNDARY TREATMENT AND OTHER ASSOCIATED ALTERATIONS	07/10/2020	Permission be granted	Other Consent Types
20/01532/MJR	05/08/2020	United Welsh Housing Association	FUL	ADAMS COURT, NORTH LUTON PLACE, ADAMSDOWN, CARDIFF, CF24 0NA	CONSTRUCTION OF A SINGLE STOREY EXTENSION TO FORM A RECEPTION AREA AND ASSOCIATED WORKS	07/10/2020	Permission be granted	Minor - Other Principal Uses
<b>BUTETOWN</b>								
20/01650/MJR	21/08/2020	Welsh Ministers	FUL	LAND ADJACENT TO CARGO ROAD, CARDIFF BAY	RETENTION OF TWO MATERIALS STOCKPILES	09/10/2020	Permission be granted	Other Consent Types
20/01258/MNR	10/07/2020	Farkas	FUL	5 ST STEPHENS MANSIONS, MOUNT STUART SQUARE, BUTETOWN, CARDIFF, CF10 5LQ	RETROSPECTIVE APPLICATION FOR ADDITION OF A DISABLED ACCESS DOOR TO DESIGNATED PARKING SPACE FOR 5 ST STEPHENS MANSION (SPACE 31)	06/10/2020	Permission be granted	Householder
A/20/00044/MNR	03/08/2020	Associated British Ports South Wales	ADV	LAND AT FORESHORE ROAD, CARDIFF BAY	DIGITAL PRINTED TEXT AND LOGOS SIGN ADVERTISING VACANT PROPERTIES	06/10/2020	Permission be granted	Advertisements
<b>CAERAU</b>								
20/01729/DCH	01/09/2020	Singh	HSE	25 THE SANCTUARY, CAERAU, CARDIFF, CF5 4RW	REAR SINGLE STOREY EXTENSION	08/10/2020	Permission be granted	Householder

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
<b>CANTON</b>								
20/01387/DCH	13/08/2020	GALEO	HSE	625 COWBRIDGE ROAD EAST, CANTON, CARDIFF, CF5 1BG	GROUND FLOOR REAR AND SIDE EXTENSION	06/10/2020	Permission be granted	Householder
20/01676/MJR	27/08/2020	Ely Bridge Development Company Ltd	DOC	FORMER PAPER MILL ARJO WIGGINS, OLD MILL BUSINESS PARK, SANATORIUM ROAD, CANTON, CARDIFF	PARTIAL DISCHARGE OF CONDITION 12 (PHASING OF ROADS AND FOOTPATHS) OF 18/01190/MNR	05/10/2020	Partial Discharge of Condition (s)	Renewals and Variation of Conditions
<b>CATHAYS</b>								
20/01765/MNR	09/09/2020	Nichols	FUL	31 GRAND ARCADE, ST DAVID'S DEWI SANT, CITY CENTRE, CARDIFF, CF10 2ER	REFIT AND SUBDIVISION OF EXISTING STORE AND INSTALLATION OF NEW SHOPFRONT SECTION	06/10/2020	Permission be granted	Other Consent Types
A/20/00055/MNR	09/09/2020	Nichols	ADV	31 GRAND ARCADE, ST DAVID'S DEWI SANT, CITY CENTRE, CARDIFF, CF10 2ER	INSTALLATION OF NEW FASCIA PANEL AND PROJECTING SIGN	06/10/2020	Permission be granted	Advertisements
20/01098/MNR	09/06/2020	Jones	FUL	26-28 CHURCHILL WAY, CITY CENTRE, CARDIFF, CF10 2DY	CHANGE OF USE FROM A2 OFFICE SPACE TO PUBLIC HOUSE & RESIDENTIAL MANAGERS ACCOMODATION	07/10/2020	Withdrawn by Applicant	Minor - Other Principal Uses
20/01562/DCH	11/08/2020	Turner	HSE	65 CWMDARE STREET, CATHAYS, CARDIFF, CF24 4JZ	CONSTRUCTION OF SHED IN REAR GARDEN FOR PERSONAL TRAINING BUSINESS USAGE	09/10/2020	Permission be granted	Householder

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/01585/MNR	17/08/2020	P&P Investment Properties Ltd	FUL	13 COBURN STREET, CATHAYS, CARDIFF, CF24 4BQ	CHANGE OF USE FROM C3 DWELLING HOUSE TO C4 HOUSE OF MULTIPLE OCCUPATION WITH REAR DORMER ROOF EXTENSION AND PART DEMOLITION OF EXISTING SINGLE STOREY REAR EXTENSION WITH NEW PITCHED LEAN TO ROOF	09/10/2020	Planning Permission be refused	Minor - Dwellings (C3)
20/01589/MNR	17/08/2020	JP Acquisitions Ltd	FUL	48 COBURN STREET, CATHAYS, CARDIFF, CF24 4BS	CHANGE OF USE FROM C3 DWELLING HOUSE TO C4 HOUSE OF MULTIPLE OCCUPANCY WITH REAR DORMER ROOF EXTENSION AND THE INSERTION OF ROOF LIGHTS	09/10/2020	Planning Permission be refused	Minor - Dwellings (C3)
<b>CREIGAU/ST FAGANS</b>								
20/01624/DCH	25/08/2020	Fox	CLD	20 PRINCE OF WALES DRIVE, ST FAGANS, CARDIFF, CF5 6HG	REAR SINGLE STOREY EXTENSION	06/10/2020	Permission be granted	Other Consent Types
20/01691/DCH	26/08/2020	FRASER-JONES	HSE	SWN Y DERW, 8 MAES-Y-GOLLEN, CREIGIAU, CARDIFF, CF15 9JW	PROPOSED REAR SINGLE STOREY EXTENSION TO REPLACE CONSERVATORY	05/10/2020	Permission be granted	Householder
<b>CYNCOED</b>								
20/01553/DCH	17/08/2020	Reynolds	HSE	29 LAKE ROAD WEST, ROATH PARK, CARDIFF, CF23 5PG	SINGLE STOREY REAR EXTENSION	05/10/2020	Permission be granted	Householder
20/01478/DCH	12/08/2020	Marshall	HSE	52 BEATTY AVENUE, ROATH PARK, CARDIFF, CF23 5QU	SINGLE STOREY REAR EXTENSION	06/10/2020	Permission be granted	Householder

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
<b>ELY</b>								
20/01388/DCH	13/08/2020	YOUNG	HSE	97 COEDRIGLAN DRIVE, ELY, CARDIFF, CF5 4UJ	TWO STOREY SIDE EXTENSION	05/10/2020	Permission be granted	Householder
<b>FAIRWATER</b>								
20/01382/DCH	28/07/2020	Ramage	HSE	32 CARTWRIGHT LANE, FAIRWATER, CARDIFF, CF5 3DD	FIRST FLOOR REAR EXTENSION	08/10/2020	Planning Permission be refused	Householder
<b>GRANGETOWN</b>								
20/01612/DCH	18/08/2020	Sufian	HSE	34 ALLERTON STREET, GRANGETOWN, CARDIFF, CF11 6SL	PROPOSED SINGLE STORY REAR EXTENSION	05/10/2020	Planning Permission be refused	Householder
20/01711/MJR	01/09/2020	Hale Construction	DOC	LAND AT JUNCTION OF FERRY ROAD AND CLIVE LANE, GRANGETOWN, CARDIFF	DISCHARGE OF CONDITION 6 (SAMPLES OF EXTENAL MATERIALS) OF 18/00529/MJR	05/10/2020	Full Discharge of Condition	Discharge of Conditions
20/01444/MNR	31/07/2020	Poleon	FUL	GARAGES TO THE REAR OF 52 PENARTH ROAD, GRANGETOWN, CARDIFF, CF11 6NG	CHANGE OF USE FROM GARAGES TO A1 RETAIL UNIT	06/10/2020	Permission be granted	Minor - Retail (A1-A3)
A/20/00043/MNR	31/07/2020	Poleon	ADV	GARAGES TO THE REAR OF 52 PENARTH ROAD, GRANGETOWN, CARDIFF, CF11 6NG	INSTALLATION OF A FASCIA SIGN	06/10/2020	Permission be granted	Advertisements
<b>HEATH</b>								
20/01939/DCH	29/09/2020	LESLIE	NMH	15 MAES-Y-COED ROAD, HEATH, CARDIFF, CF14 4HA	CHANGE THE CLADDING ON DORMER FROM VERTICALLY HUNG TILES TO GREY UPVC CLADDING - PREVIOUSLY APPROVED UNDER 20/00596/DCH	06/10/2020	Permission be granted	Non Material Householder



<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/01631/MJR	21/08/2020	Wates Residential	DOC	FORMER HIGHFIELDS CENTRE, 18 ALLENSBANK ROAD, HEATH, CARDIFF	DISCHARGE OF CONDITION 16 (SCHEME TO INCORPORATE KEEP CLEAR HATCHING FOR THE TURNING AREA AND ACCESS TO THE GARDEN CENTRE TO THE REAR OF DWELLINGS 11 AND 12) OF 17/02464/MJR	07/10/2020	Full Discharge of Condition	Discharge of Conditions
20/01087/MNR	22/06/2020	Cohen	FUL	6 GREENFIELD ROAD, WHITCHURCH, CARDIFF, CF14 1TE	CHANGE OF USE TO A 5 BEDROOM HOUSE IN MULTIPLE OCCUPATION	09/10/2020	Permission be granted	Minor - Dwellings (C3)
<b>LISVANE</b>								
20/01763/MJR	08/09/2020	Redrow Homes	NMA	PHASE 1B(II) & PHASE 1C(I), CHURCHLANDS LAND NORTH AND EAST OF LISVANE, MAERDY LANE, LISVANE	ALTERNATIVE HOUSE TYPES TO PLOTS 104, 106 AND 110 AND AMEND POSITIONING OF DWELLING ON PLOT 109 - PREVIOUSLY APPROVED UNDER 19/02053/MJR	07/10/2020	Permission be granted	Non Material Amendment
19/01575/DCH	07/06/2019	Gropetis	HSE	CHANNEL VIEW FARM, GRAIG ROAD, LISVANE, CARDIFF, CF14 0UF	CONVERSION OF EXISTING STABLES TO ANCILLARY POOL/GYM/SAUNA AND FAMILY ANNEX	09/10/2020	Planning Permission be refused	Householder
19/02445/DCH	09/09/2019	DIBLEY	HSE	THE PINES, LISVANE ROAD, LISVANE, CARDIFF, CF14 0SF	PROPOSED SINGLE STOREY POOL AND GYM BUILDING	09/10/2020	Permission be granted	Householder
20/01011/DCH	03/06/2020	Jones	HSE	43 MILLWOOD, LISVANE, CARDIFF, CF14 0TL	REPLACING BOUNDARY HEDGE WITH LOWER GARDEN FENCE	09/10/2020	Permission be granted	Householder

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
<b>LLANDAFF</b>								
20/01635/DCH	20/08/2020	Elias	HSE	12 BAYNTON CLOSE, LLANDAFF, CARDIFF, CF5 2NZ	LEAN TO CONSERVATORY TO REAR OF THE DWELLING	08/10/2020	Permission be granted	Householder
18/00642/MNR	26/03/2018	Ramsey	OUT	WINDRUSH, 58 PWLLMELIN ROAD, LLANDAFF, CARDIFF, CF5 2NL	PROPOSED DEMOLITION OF EXISTING DORMA BUNGALOW AND CONSTRUCTION OF 5 NEW DETACHED HOUSES	08/10/2020	Permission be granted	Minor - Dwellings (C3)
<b>LLANDAFF NORTH</b>								
20/01671/DCH	24/08/2020	Evans	CLD	41 GABALFA ROAD, LLANDAFF NORTH, CARDIFF, CF14 2JJ	REAR SINGLE STOREY EXTENSION	05/10/2020	Permission be granted	Other Consent Types
<b>LLANISHEN</b>								
A/20/00046/MNR	10/08/2020	Morrisons Supermarket	ADV	MORRISONS, ASHBOURN WAY, LLANISHEN, CARDIFF, CF14 5EY	NEW SIGNAGE	05/10/2020	Permission be granted	Advertisements
<b>LLANRUMNEY</b>								
20/00798/MNR	27/05/2020	TANC Estates Ltd	FUL	781 NEWPORT ROAD, LLANRUMNEY, CARDIFF, CF3 4AJ	CHANGE OF USE OF GROUND FLOOR FROM CLASS A2 (FINANCIAL AND PROFESSIONAL SERVICES) TO CLASS A3 (FOOD AND DRINK) WITH NEW SHOP FRONT AND CHANGE OF USE OF FIRST FLOOR REAR FROM CLASS A2 (FINANCIAL AND PROFESSIONAL SERVICES) TO CLASS C3 (DWELLING) AND ASSOCIATED WORKS	05/10/2020	Permission be granted	Minor - Dwellings (C3)

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
<b>PENTWYN</b>								
18/01028/MJR	11/05/2018	Patel	FUL	56 WERN GOCH WEST, LLANEDEYRN, CARDIFF, CF23 7AB	PROPOSED DEMOLITION OF EXISTING SHOP AND 56 WERN GOCH WEST AND ERECTION OF NEW BUILD DEVELOPMENT TO FORM 11 FLATS.	08/10/2020	Permission be granted	Major - Dwellings (C3)
<b>PENTYRCH</b>								
20/01653/DCH	21/08/2020	Page	CLD	9 HEOL BERRY, GWAELOD-Y-GARTH, CARDIFF, CF15 9HA	PART DEMOLITION OF EXISTING REAR OUTBUILDING AND CONSTRUCTION OF SINGLE STOREY EXTENSION	05/10/2020	Permission be granted	Other Consent Types
<b>PENYLAN</b>								
19/03215/MNR	11/12/2019	Aldawoodi	CLU	TY JORDAN, 375 NEWPORT ROAD, ROATH, CARDIFF, CF24 1RN	ESTABLISH THE USE AS A C4 HOUSE OF MULTIPLE OCCUPATION	06/10/2020	Permission be granted	Other Consent Types
20/01285/DCH	23/07/2020	NADEEM	HSE	22 CYNCOED ROAD, PENYLAN, CARDIFF, CF23 5SG	REAR SINGLE STOREY LINK EXTENSION AND ALTERATIONS TO REAR GARAGE TO CREATE ANCILLARY ACCOMMODATION & GAMES ROOM ABOVE.	06/10/2020	Planning Permission be refused	Householder
20/01244/DCH	21/07/2020	Mr Ashraf	HSE	89 COLCHESTER AVENUE, PENYLAN, CARDIFF, CF23 9AY	BRICK UP GARAGE DOOR AND RETENTION OF CONVERTED GARAGE AS HABITABLE ROOM, W.C. & STUDY	09/10/2020	Permission be granted	Householder

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/01554/DCH	07/08/2020	Laxton	HSE	9 CLOS DERWEN, PENYLAN, CARDIFF, CF23 5HJ	FRONT AND SIDE TWO STOREY EXTENSION AND SINGLE STOREY REAR EXTENSION	09/10/2020	Permission be granted	Householder
<b>PLASNEWYDD</b>								
20/01565/MNR	11/08/2020	ALI	FUL	206 CITY ROAD, ROATH, CARDIFF, CF24 3JG	CHANGE OF USE FROM A1 RETAIL SHOP TO A3 USE CLASS (FOOD AND DRINK)	06/10/2020	Permission be granted	Minor - Retail (A1-A3)
20/01438/DCH	28/07/2020	SCOTT	HSE	40 SHIRLEY ROAD, ROATH, CARDIFF, CF23 5HN	REAR DORMER LOFT EXTENSION AND ROOFLIGHT	05/10/2020	Permission be granted	Householder
<b>PONTPRENNAU/ST MELLONS</b>								
20/01579/DCH	12/08/2020	Anthony	HSE	THE CONIFERS, DRUIDSTONE ROAD, OLD ST MELLONS, CARDIFF, CF3 6XA	REAR SINGLE STOREY EXTENSION	05/10/2020	Permission be granted	Householder
19/03267/MNR	18/12/2019	St Johns College	FUL	ST JOHNS COLLEGE, WILLIAM NICHOLLS DRIVE, OLD ST MELLONS, CARDIFF, CF3 5YX	EXTENSION TO SIDE OF EXISTING DINING ROOM	06/10/2020	Permission be granted	Minor - Other Principal Uses
20/01366/MJR	23/07/2020	Persimmon Homes	NMA	PHASE 5, LAND EAST OF CHURCH ROAD AND NORTH AND SOUTH OF, BRIDGE ROAD, OLD ST MELLONS	AMENDMENT TO PROVIDE SERVICING ZONES TO THE GAS EASEMENT PREVIOUSLY APPROVED UNDER 19/03238/MJR	06/10/2020	Permission be granted	Non Material Amendment
20/01451/DCH	04/08/2020	FERIM	HSE	20 CRANBOURNE WAY, PONTPRENNAU, CARDIFF, CF23 8SL	PROPOSED REAR CONSERVATORY EXTENSION	09/10/2020	Permission be granted	Householder
<b>RADYR</b>								
20/00746/DCH	18/05/2020	Fudge	HSE	14 PLAS Y MYNACH, RADYR, CARDIFF, CF15 8GB	REAR DOUBLE AND SINGLE STOREY EXTENSION	06/10/2020	Permission be granted	Householder



<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/01503/DCH	13/08/2020	Mr Hurley	HSE	23 MEADOWFIELD WAY, MORGANSTOWN, CARDIFF, CF15 8FL	REAR SINGLE STOREY EXTENSION WITH WRAP AROUND GARAGE AND FRONT AND REAR DORMER EXTENSIONS	05/10/2020	Planning Permission be refused	Householder
<b>RHIWBINA</b>								
20/01360/DCH	07/08/2020	Pearson	HSE	9 MINAFON, RHIWBINA, CARDIFF, CF14 6SY	GROUND FLOOR REAR EXTENSION AND CONVERSION OF GARAGE INTO CHILDREN'S PLAYROOM	05/10/2020	Permission be granted	Householder
20/01614/DCH	19/08/2020	Rees	HSE	23 CAEDELYN ROAD, WHITCHURCH, CARDIFF, CF14 1BH	REMOVAL OF EXISTING REAR EXTENSION AND REPLACEMENT WITH SINGLE STOREY REAR AND SIDE EXTENSION	08/10/2020	Permission be granted	Householder
20/01534/DCH	05/08/2020	MORRIS	HSE	36 LANSDOWNE AVENUE, RHIWBINA, CARDIFF, CF14 6AT	ERECTION OF GARAGE	07/10/2020	Planning Permission be refused	Householder
20/01636/DCH	20/08/2020	Davies	FUL	49 CEFN GRAIG, RHIWBINA, CARDIFF, CF14 6SW	REMOVE REAR WINDOW AND WALL BELOW AND INSTALL A DOUBLE GLAZED PATIO DOOR	08/10/2020	Permission be granted	Householder
<b>RIVERSIDE</b>								
20/01393/MNR	21/07/2020	Holt	FUL	13 COLDSTREAM TERRACE, RIVERSIDE, CARDIFF, CF11 6LJ	CONVERSION OF EXISTING DWELLING TO CREATE 3NO. SELF CONTAINED APARTMENTS	07/10/2020	Permission be granted	Minor - Dwellings (C3)

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/01764/MNR	07/09/2020	Salauddin	FUL	46 NINIAN PARK ROAD, RIVERSIDE, CARDIFF, CF11 6JA	CHANGE OF USE FROM CHARITY OFFICE (B1) TO GROCERY STORE (A1)	05/10/2020	Permission be granted	Minor - Retail (A1-A3)
20/01546/DCH	07/08/2020	Thompson	HSE	40 PLANTAGENET STREET, RIVERSIDE, CARDIFF, CF11 6AP	RAISED DECK AND STEPS TO REAR WITH ADDITION OF BIFOLD DOOR ACCESS	06/10/2020	Permission be granted	Householder

#### RUMNEY

20/01684/DCH	25/08/2020	Ellis	CLD	13 GREENWAY AVENUE, RUMNEY, CARDIFF, CF3 3HQ	SINGLE STOREY REAR EXTENSION, SIDE PORCH AND DETACHED GARAGE	05/10/2020	Permission be granted	Other Consent Types
20/01443/MNR	28/07/2020	Price	FUL	LAND ADJACENT TO 1 BRACHDY LANE, RUMNEY, CARDIFF, CF3 3AR	CONSTRUCTION OF A TWO BEDROOM END OF TERRACE HOUSE	05/10/2020	Planning Permission be refused	Minor - Dwellings (C3)
20/01807/MJR	10/09/2020	Cardiff Living and Wates Residential	NMA	EASTERN HIGH SCHOOL, NEWPORT ROAD, RUMNEY, CARDIFF, CF3 3XG	AMENDMENT TO REWORD CONDITION 28 TO ALLOW FOR GREATER FLEXIBILITY REGARDING THE TRIGGER (IN LIGHT OF THE ISSUE WITH THE HV CABLE) - PREVIOUSLY APPROVED UNDER 18/02519/MJR	07/10/2020	Permission be granted	Non Material Amendment

#### TROWBRIDGE

20/01379/MNR	03/08/2020	Cardiff Council	FUL	LAND TO THE REAR OF 47 RHODFA CRUGHYWEL, TROWBRIDGE, CARDIFF, CF3 0FH	CHANGE OF USE FROM PUBLIC HIGHWAY TO RESIDENTIAL CURTILAGE	08/10/2020	Permission be granted	General Regulations
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#### WHITCHURCH/TONGWYNLAIS

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/01716/DCH	03/09/2020	CHAYTOR	HSE	64 FORELAND ROAD, WHITCHURCH, CARDIFF, CF14 7AS	REBUILD FRONT WALL AND HIP TO GABLE PLUS DORMER ROOF CONVERSION	08/10/2020	Permission be granted	Householder
20/01795/DCH	15/09/2020	O' Rourke	NMH	1 PANTMAWR ROAD, WHITCHURCH, CARDIFF, CF14 7TA	EXISTING CONSERVATORY TO REMAIN IN PLACE AND NOT BE REMOVED AS PER THE PROPOSED PLANS - PREVIOUSLY APPROVED UNDER 20/00970/DCH	08/10/2020	Permission be granted	Non Material Householder
20/01262/DCH	02/07/2020	Hutchinson	HSE	HERMAN CHAPEL, QUEEN STREET, TONGWYNLAIS, CARDIFF, CF15 7NL	CONVERSION OF LOFT SPACE, ADDITION OF 3NO. VELUX WINDOWS IN ANNEX ROOF, RAISING OF 2NO. MAIN ROOF BEAMS AND CONVERSION OF INTERIOR WINDOW INTO DOORWAY	06/10/2020	Permission be granted	Householder
20/01263/DCH	14/07/2020	Hutchinson	LBC	HERMAN CHAPEL, QUEEN STREET, TONGWYNLAIS, CARDIFF, CF15 7NL	CONVERSION OF LOFT SPACE, ADDITION OF 3NO. VELUX WINDOWS IN ANNEX ROOF, RAISING OF 2NO. MAIN ROOF BEAMS AND CONVERSION OF INTERIOR WINDOW INTO DOORWAY	06/10/2020	Permission be granted	Listed Buildings

**Cardiff Council : Strategic Planning And Environment : Development Control****Applications Decided between 12/10/2020 and 16/10/2020**

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
<b>ADAMSDOWN</b>								
20/01793/MNR	10/09/2020	The Trustees of the Trinity Centre and the Managing Trustees of the Cardiff Meth	FUL	TRINITY METHODIST CHURCH, FOUR ELMS ROAD, ADAMSDOWN, CARDIFF, CF24 1LE	REPLACEMENT OF EXISTING EXTENSION WITH GLAZED ENTRANCE SPACE, ALTERATIONS TO EXTERNAL FORECOURT TO IMPROVE RAMP AND STEP ACCESS WITH AN EXTERNAL TERRACE AND OTHER AMENITIES AND REPAIRS TO EXISTING BUILDING FABRIC	14/10/2020	Permission be granted	Minor - Other Principal Uses
<b>BUTETOWN</b>								
17/00699/MJR	30/03/2017	Cadwyn Housing Association	FUL	BAY CHAMBERS, WEST BUTE STREET, BUTETOWN, CARDIFF, CF10 5BB	PROPOSED DEMOLITION OF THE INNER ANNEX, CHANGE OF USE, CONVERSION AND ALTERATION OF EXISTING OFFICE TO RESIDENTIAL APARTMENTS WITH ON SITE CYCLE AND REFUSE STORAGE FACILITIES.	14/10/2020	Permission be granted	Major - Dwellings (C3)
<b>CAERAU</b>								
20/01667/DCH	27/08/2020	Perks	CLD	28 ARLES ROAD, CAERAU, CARDIFF, CF5 5AP	SINGLE STOREY REAR EXTENSION WITH WRAP AROUND TO THE SIDE	12/10/2020	Permission be granted	Other Consent Types
<b>CANTON</b>								



<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/01679/MJR	01/09/2020	Ely Mill Development Company	DOC	PHASE C, FORMER PAPER MILL ARJO WIGGINS, OLD MILL BUSINESS PARK, SANATORIUM ROAD, CANTON, CARDIFF	PARTIAL DISCHARGE OF CONDITION 14 (CONSTRUCTION MANAGEMENT PLAN) OF 18/01190/MNR	12/10/2020	Partial Discharge of Condition (s)	Discharge of Conditions
19/00222/MJR	04/02/2019	Ely Mill Development Company	DOC	PART OF FORMER PAPER MILL ARJO WIGGINS, OLD MILL BUSINESS PARK, SANATORIUM ROAD, CANTON, CARDIFF, CF11 8DS	DISCHARGE OF CONDITION 2 (FULL ENGINEERING DETAILS OF PEDESTRIAN/CYCLE LINK) OF 16/00813/MJR	16/10/2020	Full Discharge of Condition	Discharge of Conditions
20/01539/MJR	12/08/2020	Ely Mill Development Company	DOC	PART OF FORMER PAPER MILL ARJO WIGGINS, OLD MILL BUSINESS PARK, SANATORIUM ROAD, CANTON, CARDIFF, CF11 8DS	DISCHARGE OF CONDITION 2 (PEDESTRIAN/CYCLE LINK) OF 16/00812/MJR	16/10/2020	Full Discharge of Condition	Discharge of Conditions

#### CATHAYS

20/00886/MNR	04/06/2020	C & P HARRIS	FUL	92 CRWYS ROAD, CATHAYS, CARDIFF, CF24 4NP	CONVERSION TO 5NO. FLATS WITH THE CONSTRUCTION OF A MANSARD ROOF SECOND FLOOR EXTENSION TO THE ANNEX AND SECOND FLOOR ADDITION TO THE MAIN BUILDING	12/10/2020	Planning Permission be refused	Minor - Dwellings (C3)
20/01536/MJR	13/10/2020	Cardiff University	DOC	PHASE 3 MAINDY CAMPUS, CARDIFF UNIVERSITY, MAINDY ROAD, CATHAYS, CARDIFF, CF24 4HQ	DISCHARGE OF CONDITION 4 (MATERIALS AND ARCHITECTURAL DETAILING) OF 16/01623/MJR	16/10/2020	Full Discharge of Condition	Discharge of Conditions

#### CYNCOED

20/01843/DCH	17/09/2020	Macey	CLD	10 CELYN GROVE, CYNCOED, CARDIFF, CF23 6SH	HIP TO GABLE ROOF EXTENSION WITH REAR DORMER	12/10/2020	Permission be granted	Other Consent Types
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<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
<b>FAIRWATER</b>								
20/01454/MNR	29/07/2020	Cardiff Council	CLD	74 OAKWAY, FAIRWATER, CARDIFF, CF5 3EH	CHANGE OF USE FROM DWELLINGHOUSE (CLASS C3) TO RESIDENTIAL CARE HOME (CLASS C2) FOR UP TO 2 CHILDREN	12/10/2020	Permission be granted	Other Consent Types
<b>GABALFA</b>								
20/01700/DCH	27/08/2020	Roberts	HSE	145 CLODIEN AVENUE, GABALFA, CARDIFF, CF14 3NN	GROUND FLOOR REAR EXTENSION AND RAISED TERRACE AREA	12/10/2020	Permission be granted	Householder
<b>GRANGETOWN</b>								
20/01768/DCH	07/09/2020	O'Brian	HSE	7 DINAS STREET, GRANGETOWN, CARDIFF, CF11 6QY	SINGLE STOREY REAR EXTENSION	12/10/2020	Permission be granted	Householder
<b>HEATH</b>								
20/01290/DCH	23/07/2020	THORRINGTON	HSE	223 ALLENSBANK ROAD, HEATH, CARDIFF, CF14 3QZ	GROUND FLOOR REAR EXTENSION	12/10/2020	Permission be granted	Householder
20/01680/DCH	25/08/2020	Lambert	HSE	15 ST MALO ROAD, HEATH, CARDIFF, CF14 4HL	HIP TO GABLE LOFT EXTENSION WITH REAR DORMER AND DEMOLITION OF EXISTING REAR GARAGE AND RE-CONSTRUCTION IN NEW POSITION	12/10/2020	Permission be granted	Householder
<b>LISVANE</b>								
20/01690/DCH	27/08/2020	Salmon	CLD	48 RIDGEWAY, LISVANE, CARDIFF, CF14 0RS	REAR SINGLE STOREY EXTENSION	12/10/2020	Permission be granted	Other Consent Types
<b>LLANDAFF</b>								

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/01672/DCH	25/08/2020	Smith	HSE	20 PENCISELY ROAD, LLANDAFF, CARDIFF, CF5 1DG	TWO STOREY REAR EXTENSION	12/10/2020	Permission be granted	Householder
20/01563/DCH	25/08/2020	Charalambous	HSE	1 MITRE COURT, MITRE PLACE, LLANDAFF, CARDIFF, CF5 2EZ	INSTALLATION OF NEW ROOF WINDOW TO SINGLE STOREY PITCHED ROOF TO REAR OF PROPERTY	12/10/2020	Permission be granted	Householder
20/01401/DCH	24/07/2020	Morgan	HSE	106 PENCISELY ROAD, LLANDAFF, CARDIFF, CF5 1DQ	SINGLE STOREY FLAT ROOF REAR EXTENSION AND NEW PORCH TO SIDE OF DWELLING	16/10/2020	Permission be granted	Householder
<b>LLANDAFF NORTH</b>								
20/01929/DCH	30/09/2020	Mccracken	CLD	20 HAWTHORN ROAD EAST, LLANDAFF NORTH, CARDIFF, CF14 2LS	SINGLE STOREY REAR EXTENSION	12/10/2020	Permission be granted	Other Consent Types
<b>LLANISHEN</b>								
20/01613/DCH	19/08/2020	Francis	HSE	5 CLOS-Y-DRAENOG, THORNHILL, CARDIFF, CF14 9EY	CONVERSION OF HALF OF DOUBLE GARAGE AND FIRST FLOOR EXTENSION OVER EXISTING GARAGE	12/10/2020	Permission be granted	Householder
20/01561/DCH	21/08/2020	Mahmood	HSE	13 LLANGFNI PLACE, LLANISHEN, CARDIFF, CF14 5JR	RETROSPECTIVE REMOVAL OF CHIMNEY AND SLIGHT RELOCATION OF ENTRANCE PORCH WALL WITH ASSOCIATED WORKS	12/10/2020	Permission be granted	Householder
20/01338/DCH	26/08/2020	MORSE	CLD	25 USK ROAD, LLANISHEN, CARDIFF, CF14 0NN	DEMOLITION OF EXISTING CONSERVATORY AND ERECTION OF SINGLE STOREY REAR EXTENSION	12/10/2020	Permission be granted	Other Consent Types

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
<b>LLANRUMNEY</b>								
20/01955/DCH	01/10/2020	Pearse	NMH	78 LYNTON TERRACE, LLANRUMNEY, CARDIFF, CF3 4BS	AMENDMENT TO THE COLOUR OF THE TILE ROOF - PREVIOUSLY APPROVED UNDER 19/01677/DCH	12/10/2020	Permission be granted	Non Material Householder
<b>PENTWYN</b>								
PRAP/20/00048/M25	25/09/2020	Willis Construction Ltd	DEM	113 BRYNHEULOG, PENTWYN, CARDIFF, CF23 7JD	DEMOLITION OF EXISTING TRADITIONAL BUILT STRUCTURE FORMERLY THE PENTWYN ARMS PUBLIC HOUSE/MY LOCAL CONVENIENCE STORE TOGETHER WITH THE EXTERNAL HARD LANDSCAPING (CAR PARK, FOOTPATHS), DRAINAGE, SOFT LANDSCAPING	16/10/2020	Prior Approval be granted	Other Consent Types
<b>PENTYRCH</b>								
PRNO/20/00010/M14	14/09/2020	Woodruff	DEM	SERVONETIC CONTROL INSTRUMENTS LTD, VIADUCT ROAD, GWAELOD-Y-GARTH, CARDIFF, CF15 9JN	DEMOLITION OF SINGLE STOREY BUILDING	12/10/2020	No Prior Approval required	Other Consent Types
<b>PLASNEWYDD</b>								
20/00764/MNR	01/04/2020	MSM HOMES	FUL	75 SHIRLEY ROAD, ROATH, CARDIFF, CF23 5HL	CONVERSION TO 4NO. FLATS WITH GROUND FLOOR REAR EXTENSION AND SIDE AND REAR DORMERS	12/10/2020	Planning Permission be refused	Minor - Dwellings (C3)
<b>PONTPRENNAU/ST MELLONS</b>								



<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/01363/MNR	21/07/2020	Carvalho	FUL	FORMER STRATSTONE, AVENUE INDUSTRIAL PARK, CROESCADARN CLOSE, PONTPRENNAU, CARDIFF, CF23 8HE	NEW CLADDING TO REMOVED MISSING CLADDING ON FRONT AND SIDE ELEVATIONS, NEW EXTERNAL ROLLER SHUTTER DOOR TO SIDE ELEVATION AND NEW WASH BAY ENCLOSURE TO REAR SERVICE YARD	12/10/2020	Permission be granted	Minor - Other Principal Uses
20/01903/DCH	23/09/2020	Tomic	CLD	16 PARKSTONE AVENUE, OLD ST MELLONS, CARDIFF, CF3 5TY	SINGLE STOREY REAR EXTENSION	12/10/2020	Planning Permission be refused	Other Consent Types
<b>RHIWBINA</b>								
20/00936/DCH	19/05/2020	Cridland	HSE	208 PANTBACH ROAD, RHIWBINA, CARDIFF, CF14 6AG	SINGLE STOREY REAR AND SIDE EXTENSIONS	12/10/2020	Permission be granted	Householder
20/01161/DCH	19/06/2020	Jones	HSE	7 HEOL UCHAF, RHIWBINA, CARDIFF, CF14 6SP	PROPOSED DORMER TO FRONT ELEVATION, JULIET BALCONY TO EXISTING REAR DORMER, REPLACEMENT OF DORMER CLADDING FROM TIMBER TO WHITE RENDER, RAISE DORMER ROOF BELOW RIDGE, CONSTRUCTION OF A REAR PATIO WITH CANOPY AND OTHER ALTERATIONS	12/10/2020	Permission be granted	Householder
20/01463/DCH	31/07/2020	wing	HSE	73 WENALLT ROAD, RHIWBINA, CARDIFF, CF14 6TP	HIP TO GABLE AT REAR OF PROPERTY AND REAR SINGLE STORY EXTENSION	12/10/2020	Permission be granted	Householder

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/01844/DCH	17/09/2020	Davies	CLD	14 LON-Y-DERI, RHIWBINA, CARDIFF, CF14 6JN	HIP TO GABLE ROOF EXTENSION WITH REAR DORMER AND REMOVAL OF REAR CHIMNEY	12/10/2020	Permission be granted	Other Consent Types
<b>RIVERSIDE</b>								
20/01607/DCH	17/08/2020	Vernon	HSE	29 GLYNNE STREET, PONTCANNA, CARDIFF, CF11 9NS	SINGLE STOREY SIDE EXTENSION AND FIRST FLOOR REAR EXTENSION	12/10/2020	Permission be granted	Householder
<b>SPLOTT</b>								
20/01627/DCH	20/08/2020	martin	HSE	140 CLYDESMUIR ROAD, TREMORFA, CARDIFF, CF24 2PZ	REAR AND SIDE SINGLE STOREY EXTENSION	12/10/2020	Permission be granted	Householder
18/02335/MNR	03/10/2018	Rhodri	FUL	PART OF LAND REAR OF 34 RAILWAY STREET, SLOTT, CARDIFF, CF24 2DG	CREATION OF TWO BEDROOM DWELLING	14/10/2020	Permission be granted	Minor - Dwellings (C3)
20/01545/MNR	06/08/2020	Qureshi	FUL	171 RAILWAY STREET, SLOTT, CARDIFF, CF24 2NB	CONVERSION OF PROPERTY TO FORM TWO SELF-CONTAINED FLATS	15/10/2020	Permission be granted	Minor - Dwellings (C3)
<b>TROWBRIDGE</b>								
20/01649/DCH	21/08/2020	Chambers	HSE	61 ORCHARD PARK, ST MELLONS, CARDIFF, CF3 0AQ	SINGLE STOREY REAR EXTENSION	12/10/2020	Permission be granted	Householder
<b>WHITCHURCH/TONGWYNLAIS</b>								
20/01157/MNR	22/06/2020	McGee	FUL	53 THE PHILOG, WHITCHURCH, CARDIFF, CF14 1DZ	GROUND AND FIRST FLOOR EXTENSIONS WITH CONSTRUCTION OF REAR DORMER EXTENSION CONVERTING THE UPPER FLOORS INTO AN APARTMENT	12/10/2020	Planning Permission be refused	Minor - Dwellings (C3)

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/01440/DCH	28/07/2020	Duncan	CLD	21 CASTLE ROAD, TONGWYNLAIS, CARDIFF, CF15 7JQ	REAR SINGLE STOREY EXTENSION TO UPPER GROUND FLOOR	12/10/2020	Permission be granted	Other Consent Types
20/01644/DCH	21/08/2020	Downes	HSE	26 GLAS-Y-PANT, WHITCHURCH, CARDIFF, CF14 7DB	GROUND FLOOR SIDE EXTENSION	12/10/2020	Permission be granted	Householder

# Cardiff Council : Strategic Planning And Environment : Development Control

## Applications Decided between 19/10/2020 and 23/10/2020

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
<b>ADAMSDOWN</b>								
20/01637/MJR	20/08/2020	Crosslane Student Developments (Howard Gardens) Ltd	DOC	PRIME STUDENT LIVING, HOWARD GARDENS, ADAMSDOWN, CARDIFF, CF24 0FA	DISCHARGE OF CONDITION 10 (CONTAMINATED LAND MEASURES - REMEDIATION AND VERIFICATION) OF 20/01637/MJR	21/10/2020	Full Discharge of Condition	Discharge of Conditions
20/01024/MNR	02/07/2020	PENRISE PROPERTIES	FUL	6 CYRIL CRESCENT, ROATH, CARDIFF, CF24 1DQ	CONVERSION FROM 3 TO 5 FLATS WITH GROUND & FIRST FLOOR REAR EXTENSION AND PARTIALLY RAISE REAR ANNEX	22/10/2020	Planning Permission be refused	Minor - Dwellings (C3)
<b>BUTETOWN</b>								
19/02618/MJR	16/10/2019	United Welsh Housing Association	FUL	ST CUTHBERTS CHURCH, 14A POMEROY STREET, BUTETOWN, CARDIFF, CF10 5GS	DEMOLITION OF EXISTING BUILDING AND REDEVELOPMENT FOR 12 NO. AFFORDABLE APARTMENTS AND ASSOCIATED WORKS	23/10/2020	Permission be granted	Major - Dwellings (C3)
20/01409/DCH	23/07/2020	Matthews	HSE	29 LOUDOUN SQUARE, BUTETOWN, CARDIFF, CF10 5JD	PROPOSED SIDE EXTENSION	23/10/2020	Permission be granted	Householder
20/02057/MNR	09/10/2020	St. Mary's Church	LBC	ST MARY THE VIRGIN CHURCH, NORTH CHURCH STREET, BUTETOWN, CARDIFF, CF10 5HB	ALTERATIONS TO EAST BOUNDARY TO REINSTATE A CENTRAL GATEWAY	19/10/2020	Withdrawn by Applicant	Listed Buildings



<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/01460/MNR	07/09/2020	Loran Properties	FUL	104-105 BUTE STREET, BUTETOWN	MINOR INTERNAL ALTERATIONS TO RESIDENTIAL APARTMENT APPROVED BY 19/02608/MNR, FLEXIBLE USE OF COMMERCIAL UNIT (CLASSES A1,A2, B1), AND EXTERNAL ALTERATIONS TO REAR ELEVATION AND SHOPFRONT	23/10/2020	Permission be granted	Minor - Dwellings (C3)
<b>CANTON</b>								
20/01856/DCH	16/09/2020	Gantley	HSE	4 FORREST ROAD, CANTON, CARDIFF, CF5 1HR	SINGLE STOREY REAR EXTENSION	20/10/2020	Permission be granted	Householder
19/03021/MJR	18/11/2019	Investment Construction Ltd	DOC	CANTON FAMILY CENTRE SUFFOLK HOUSE, ROMILLY ROAD, CANTON	DISCHARGE OF CONDITIONS 8 (BOUNDARY ENCLOSURES), 12 (LANDSCAPING), 13 (TREE PROTECTION) 18 (SCHEDULE OF WORKS) AND 19 (MATERIAL SAMPLES) OF 18/01064/MJR	22/10/2020	Full Discharge of Condition	Discharge of Conditions
20/01461/MNR	17/08/2020	CASHIN	FUL	17 LANSDOWNE ROAD, CANTON, CARDIFF, CF5 1PQ	CONVERSION TO FOUR FLATS WITH REAR AND SIDE SINGLE AND DOUBLE STOREY EXTENSIONS AND REAR DORMER EXTENSION	19/10/2020	Planning Permission be refused	Minor - Dwellings (C3)

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/00757/MJR	19/05/2020	Investment Construction Ltd	NMA	CANTON FAMILY CENTRE SUFFOLK HOUSE, ROMILLY ROAD, CANTON	AMENDMENT TO APPROVED PLANS TO ALTER HOUSE ENTRANCES OFF ROMILLY ROAD - PREVIOUSLY APPROVED UNDER 18/01064/MJR	22/10/2020	Permission be granted	Non Material Amendment
20/01976/MJR	06/10/2020	Cardiff City Council	DOC	LAND OFF LECKWITH ROAD, CANTON, CARDIFF	DISCHARGE OF CONDITION 4 (GAS PROTECTION MEASURES) OF 20/00035/MJR	22/10/2020	Partial Discharge of Condition (s)	General Regulations
<b>CATHAYS</b>								
20/01802/MJR	10/09/2020	Ropemaker Properties Limited	NMA	LANDORE COURT, 47-53 CHARLES STREET, CITY CENTRE, CARDIFF	VARIATION OF THE WORDING OF CONDITION 2 TO ALLOW DEMOLITION TO BE COMMENCED UPON THE APPLICANT EVIDENCING THAT WITHIN 12 MONTHS OF THE DATE OF THE DEMOLITION OF THE BUILDING ON THE LAND, THE SITE WILL BE REDEVELOPED FOR A SCHEME FOR WHICH PLANNING PERMISSION HAS BEEN GRANTED - PREVIOUSLY APPROVED UNDER 19/02464/MJR	21/10/2020	Permission be granted	Non Material Amendment
20/01604/MNR	01/09/2020	FROTAN	FUL	2-4 DUKE STREET, CITY CENTRE, CARDIFF, CF10 1AY	CONVERSION OF PART OF EXISTING A1 RETAIL SHOP TO A3 HOT FOOD TAKEAWAY WITH ASSOCIATED SEATING	22/10/2020	Permission be granted	Minor - Retail (A1-A3)

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20/01617/MNR	20/08/2020	Legal and General Investment Management	VAR	IMPERIAL GATE, 65-76 ST MARY STREET, CITY CENTRE, CARDIFF, CF10 1FA	VARIATION OF CONDITION 12 OF 98/00530/C TO ALLOW UNIT 1 TO BE USED FOR D2	23/10/2020	Permission be granted	Renewals and Variation of Conditions
A/20/00051/MNR	23/09/2020	NewRiver Retail (Cardiff) Limited	ADV	THE GYM GROUP, CAPITOL ARCADE, CITY CENTRE, CARDIFF, CF10 2HQ	NEW SIGNS	23/10/2020	Permission be granted	Advertisements
A/20/00060/MNR	23/09/2020	SURIS ANNAPURNA	ADV	FORMER FED, MARY ANN STREET, CITY CENTRE, CARDIFF, CF10 2EN	NEW SIGNS	23/10/2020	Permission be granted	Advertisements
20/01834/MNR	21/09/2020	Nichols	FUL	1-3 ST DAVID'S DEWI SANT, HAYES ARCADE, CITY CENTRE, CARDIFF, CF10 2EJ	COMBINE 2NO. EXISTING RETAIL UNITS TO CREATE A LARGER RETAIL SPACE WITH ASSOCIATED WORKS TO THE SHOPFRONT	19/10/2020	Permission be granted	Minor - Retail (A1-A3)
A/20/00058/MNR	21/09/2020	Nichols	ADV	1-3 ST DAVID'S DEWI SANT, HAYES ARCADE, CITY CENTRE, CARDIFF, CF10 2EJ	2NO. FASCIA SIGNS AND 1NO. PROJECTING SIGN	19/10/2020	Permission be granted	Advertisements
PRAP/20/00046/MNR	21/09/2020	HUTCHISON 3G UK LTD	PAT	LAND AT ALLENSBANK ROAD, HEATH, CARDIFF	PROPOSED TELECOMMUNICATIONS INSTALLATION: PROPOSED 20.0M PHASE 8 MONOPOLE C/W WRAPROUND CABINET AT BASE AND ASSOCIATED ANCILLARY WORKS	23/10/2020	No Prior Approval required	Other Consent Types
<b>CYNCOED</b>								
20/01642/DCH	03/09/2020	Reeves	CLD	40 MOUNTBATTEN CLOSE, ROATH PARK, CARDIFF, CF23 5QH	REAR DORMER LOFT EXTENSION	20/10/2020	Permission be granted	Other Consent Types

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20/01482/DCH	31/07/2020	Gardiner	HSE	12 PONTFAEN, CYNCOED, CARDIFF, CF23 7DU	REAR SINGLE STOREY ORANGERY EXTENSION	19/10/2020	Permission be granted	Householder
20/01486/DCH	04/08/2020	Devonald	HSE	45 MOUNTBATTEN CLOSE, ROATH PARK, CARDIFF, CF23 5QG	TWO STOREY SIDE EXTENSION WITH SINGLE STOREY FRONT PORCH AND REAR DORMER LOFT EXTENSION	22/10/2020	Permission be granted	Householder
<b>ELY</b>								
20/01656/DCH	25/08/2020	Huntington	HSE	20 DROPE ROAD, ELY, CARDIFF, CF5 4SZ	SIDE AND REAR SINGLE STOREY EXTENSION	19/10/2020	Permission be granted	Householder
<b>GABALFA</b>								
20/01928/MNR	02/10/2020	Wickens	NMA	195-197 NORTH ROAD, MAINDY, CARDIFF, CF14 3AG	ALTERATIONS TO DESIGN AND LAYOUT AND ADJUSTMENT TO REAR FIRST FLOOR EXTENSION - PREVIOUSLY APPROVED UNDER 18/01936/MNR	23/10/2020	Withdrawn by Applicant	Non Material Amendment



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20/01694/DCH	03/09/2020	Care	HSE	143 ALLENSBANK ROAD, HEATH, CARDIFF, CF14 3PQ	PARTIAL DEMOLITION OF EXISTING REAR EXTENSION AND CONSTRUCTION OF SINGLE STOREY EXTENSION WITH ACCESS STEPS TO GARDEN, REPLACEMENT OF EXISTING BOUNDARY WALL AND CONSTRUCTION OF LEAN-TO GREENHOUSE, FRONT ACCESS GATE AND RAMP TO REAR GARDEN, AND WORKS TO GARAGE INCLUDING CONSTRUCTION OF A HIPPED ROOF	23/10/2020	Permission be granted	Householder
<b>GRANGETOWN</b>								
20/01416/DCH	30/07/2020	Young	HSE	27 BESSBOROUGH DRIVE, GRANGETOWN, CARDIFF, CF11 8NE	GARAGE CONVERSION TO A GRANNY ANNEXE	19/10/2020	Permission be granted	Householder
20/01655/MNR	21/08/2020	AHMED	FUL	COACH HOUSE ADJACENT TO 2 LUDLOW CLOSE, GRANGETOWN, CARDIFF, CF11 7DG	CONVERSION OF COACH HOUSE INTO ONE BED ROOM FLAT WITH EXTERNAL ALTERATIONS	19/10/2020	Planning Permission be refused	Minor - Dwellings (C3)
<b>HEATH</b>								

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20/01971/DCH	02/10/2020	Cadogan	CLD	59 KYLE AVENUE, WHITCHURCH, CARDIFF, CF14 1SR	LOFT CONVERSION. HIP TO GABLE DORMER, PLUS FLAT ROOF REAR DORMER. GABLE WINDOW OBSCURE GLAZED AND NON OPENING. ALL TILED TO MATCH EXISTING ROOF MATERIAL. 2 NO VELUX WINDOWS TO THE FRONT ELEVATION, TWO UPVC WINDOWS TO THE REAR DORMER.	19/10/2020	Permission be granted	Other Consent Types
20/01972/DCH	02/10/2020	Powell	CLD	17 ST ASAPH CLOSE, HEATH, CARDIFF, CF14 4LD	REMOVAL OF OLD LOFT CONVERSION, AND REPLACING WITH NEW. HIP TO GABLE LOFT CONVERSION PLUS FULL WIDTH REAR DORMER. TILED TO MATCH EXISTING ROOF MATERIAL. 2 NO VELUX WINDOWS TO THE FRONT ELEVATION, 2 NO UPVC WINDOWS TO THE REAR DORMER. GABLE WINDOW, NON OPENING AND OBSCURE GLAZED	19/10/2020	Permission be granted	Other Consent Types
20/01494/MNR	31/07/2020	Silver Crescent Estates Ltd.	DOC	FIVE FALLS, KING GEORGE V DRIVE EAST, HEATH, CARDIFF, CF14 4ER	DISCHARGE OF CONDITION 2 (EXTERNAL FINISHING MATERIALS) OF 13/02254/DCO	20/10/2020	Full Discharge of Condition	Discharge of Conditions
20/00900/DCH	18/05/2020	Evans	HSE	1 HEOL GWENT, BIRCHGROVE, CARDIFF, CF14 4PL	HIP TO GABLE LOFT EXTENSION WITH REAR DORMER	19/10/2020	Planning Permission be refused	Householder

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20/01735/DCH	01/09/2020	Wheeler	HSE	141 PANTBACH ROAD, BIRCHGROVE, CARDIFF, CF14 1TY	TWO STOREY SIDE EXTENSION	19/10/2020	Permission be granted	Householder
20/01737/MNR	03/09/2020	Travis Perkins	FUL	TRAVIS PERKINS TRADING CO LTD, FIELD WAY, HEATH, CARDIFF, CF14 4HY	INSTALLATION OF EXTERNAL STORAGE RACKING IN YARD	22/10/2020	Permission be granted	Minor - Industry/Storage/Dis tribution

#### LISVANE

20/01702/MJR	27/08/2020	Cardiff Council	DOC	LAND ON THE EAST SIDE OF THORNHILL ROAD AND NORTH OF M4, LISVANE, CARDIFF	DISCHARGE OF CONDITIONS 13 (CONTAMINATED LAND MEASURE - UNFORESEEN CONTAMINATION), 14 (IMPORTED SOIL), 15 (IMPORTED AGGREGATES) AND 16 (USE OF SITE WON MATERIALS) OF 18/01545/MJR	22/10/2020	Full Discharge of Condition	General Regulations
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#### LLANDAFF

20/01962/MJR	06/10/2020	Intelle Construction	DOC	SITE OF THE RISE, PEN-HILL ROAD, PONTCANNA, CARDIFF, CF11 9PR	DISCHARGE OF CONDITION 10 (MATERIALS) OF 18/00576/MJR	22/10/2020	Full Discharge of Condition	Discharge of Conditions
20/01419/MJR	27/07/2020	Intelle Construction	NMA	SITE OF THE RISE, PEN-HILL ROAD, PONTCANNA, CARDIFF, CF11 9PR	REVISED ARBORICULTURAL METHOD STATEMENT - PREVIOUSLY APPROVED UNDER 18/00576/MJR	22/10/2020	Permission be granted	Non Material Amendment

#### LLANDAFF NORTH

20/01829/DCH	14/09/2020	Toynton	HSE	198 ABERPORTH ROAD, LLANDAFF NORTH, CARDIFF, CF14 2PR	SINGLE STOREY EXTENSION TO FRONT, REAR AND SIDE ELEVATIONS	19/10/2020	Permission be granted	Householder
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20/01773/MNR	15/09/2020	Cardiff Steiner School	CLD	CARDIFF STEINER EARLY YEARS CENTRE LTD, HAWTHORN ROAD WEST, LLANDAFF NORTH, CARDIFF, CF14 2FL	EXTENSION TO LOBBY AREA AND FORMATION OF RECEPTION/OFFICE AND CHANGE OF EXISTING STEEL FRAMED DOORS TO GLAZED TIMBER WITH FEATURE WINDOWS EITHER SIDE	19/10/2020	Permission be granted	Other Consent Types

#### LLANISHEN

20/01615/DCH	18/08/2020	Babbage	HSE	83 SOUTH RISE, LLANISHEN, CARDIFF, CF14 0RG	FIRST FLOOR FRONT AND SIDE EXTENSIONS AND TWO STOREY EXTENSION TO FRONT ELEVATION	19/10/2020	Permission be granted	Householder
20/01310/DCH	24/09/2020	Andrews	HSE	82 SOUTH RISE, LLANISHEN, CARDIFF, CF14 0RG	SINGLE STOREY FRONT AND REAR/SIDE FLAT ROOF EXTENSIONS	22/10/2020	Permission be granted	Householder
20/01706/DCH	01/09/2020	Brown	HSE	3 GERAINT CLOSE, THORNHILL, CARDIFF, CF14 9BE	REAR AND SIDE SINGLE STOREY EXTENSION AND EXTENSION TO FRONT ENTRANCE PORCH AND REAR DORMER ROOF EXTENSION	23/10/2020	Permission be granted	Householder
20/01480/DCH	30/07/2020	Rhead	HSE	96 HEOL HIR, LLANISHEN, CARDIFF, CF14 5AD	SINGLE STOREY SIDE EXTENSION AND FRONT CANOPY	23/10/2020	Permission be granted	Householder

#### LLANRUMNEY

20/01916/DCH	06/10/2020	Tremeling	CLD	116 RIDGEWAY ROAD, LLANRUMNEY, CARDIFF, CF3 4AB	CONSTRUCTION OF A GABLE END ROOF EXTENSION WITH REAR DORMER	19/10/2020	Permission be granted	Other Consent Types
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#### PENYLAN

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/01815/DCH	14/09/2020	Lowe	CLD	1 FFORDD BODLYN, PENYLAN, CARDIFF, CF23 5NG	REMOVAL OF EXISTING CONSERVATORY AND CONSTRUCTION OF A SINGLE STOREY EXTENSION	19/10/2020	Permission be granted	Other Consent Types
20/01611/DCH	18/08/2020	Rees	HSE	6 BLENHEIM ROAD, PENYLAN, CARDIFF, CF23 5DS	LOFT CONVERSION WITH REAR DORMER ROOF EXTENSION AND JULIET BALCONY	19/10/2020	Permission be granted	Householder
20/01465/DCH	04/08/2020	O'Donnel	HSE	58 OAK WOOD AVENUE, PENYLAN, CARDIFF, CF23 9HB	SINGLE AND DOUBLE STOREY SIDE AND REAR EXTENSION	19/10/2020	Permission be granted	Householder
20/01199/DCH	24/06/2020	Williams	HSE	88 KIMBERLEY ROAD, PENYLAN, CARDIFF, CF23 5DN	SINGLE STOREY REAR EXTENSION	22/10/2020	Permission be granted	Householder
<b>PLASNEWYDD</b>								
20/01526/DCH	06/08/2020	Griffiths	HSE	70 NINIAN ROAD, ROATH, CARDIFF, CF23 5EN	SINGLE STOREY REAR EXTENSION AND INSERTION OF ONE ROOF LIGHT	22/10/2020	Permission be granted	Householder
20/01616/MNR	20/08/2020	Cunningham	FUL	8 DALCROSS STREET, ROATH, CARDIFF, CF24 4SE	REMOVAL OF EXISTING ROOF, FORMING OF COURTYARD AND NEW FRONTAGE TO OFFICE	22/10/2020	Permission be granted	Other Consent Types
20/01956/MJR	08/10/2020	Linc Cymru	DOC	48-54 CITY ROAD, ROATH, CARDIFF, CF24 3DN	PARTIAL DISCHARGE OF CONDITIONS 17 (IMPORTATION OF AGGREGATES) AND 18 (IMPORTATION OF TOPSOILS) OF 19/03194/MJR	22/10/2020	Partial Discharge of Condition (s)	Discharge of Conditions
20/01663/DCH	07/09/2020	Twahid	HSE	23 ANGUS STREET, ROATH, CARDIFF, CF24 3LW	PROPOSED REAR DORMER EXTENSION	22/10/2020	Permission be granted	Householder
20/01275/DCH	22/07/2020	LANE	HSE	TY AWYR LAS, DIANA STREET, ROATH, CARDIFF, CF24 4TS	CONSTRUCTION OF SIDE DORMER	19/10/2020	Planning Permission be refused	Householder



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20/01760/MNR	07/09/2020	Leaman	FUL	140 DONALD STREET, ROATH, CARDIFF, CF24 4TN	CONVERSION OF EXISTING DWELLING INTO 2NO. FLATS WITH SINGLE STOREY REAR EXTENSION	19/10/2020	Permission be granted	Minor - Dwellings (C3)
<b>PONTPRENNAU/ST MELLONS</b>								
20/01781/DCH	07/09/2020	Robinson	CLD	66 HEOL WILLIAMS, OLD ST MELLONS, CARDIFF, CF3 6AQ	CONVERT GARAGE TO HABITABLE ROOM AND NEW BIFOLD DOORS TO REAR ELEVATION	19/10/2020	Permission be granted	Other Consent Types
20/01751/DCH	03/09/2020	Driscoll	CLD	60 HEOL BOOTHS, OLD ST MELLONS, CARDIFF, CF3 6WA	CONVERT GARAGE TO HABITABLE ROOM	19/10/2020	Permission be granted	Other Consent Types
19/03205/MJR	11/12/2019	Persimmon Homes	RES	PHASE 6, LAND EAST OF CHURCH ROAD AND NORTH AND SOUTH OF, BRIDGE ROAD, OLD ST MELLONS	APPROVAL IS SOUGHT FOR THE APPEARANCE, LANDSCAPING, LAYOUT AND SCALE ("THE RESERVE MATTERS") AS PRESCRIBED BY CONDITIONS 1A, 2, 15, 22 AND 23 OF THE OUTLINE PLANNING PERMISSION (13/00578/DCO) FOR PHASE 6 OF ST EDEYRNS VILLAGE, WHICH COMPRISES OF A RESIDENTIAL DEVELOPMENT OF 186 DWELLINGS WITH ASSOCIATED LAND RE-PROFILING, ACCESS AND HIGHWAY WORKS	22/10/2020	Permission be granted	Major - Dwellings (C3)

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/01666/DCH	26/08/2020	DOBBS	HSE	4 TRAMORE WAY, PONTPRENNAU, CARDIFF, CF23 8PZ	SINGLE STOREY REAR EXTENSION AND DOUBLE STOREY SIDE EXTENSION	21/10/2020	Permission be granted	Householder
20/00509/MNR	02/03/2020	Edwards	FUL	BRIDGE FARM, BRIDGE ROAD, OLD ST MELLONS, CARDIFF, CF3 6YJ	THE DIVISION AND CONVERSION OF AN EXISTING AGRICULTURAL BUILDING INTO 2NO. DWELLINGHOUSES	23/10/2020	Permission be granted	Minor - Dwellings (C3)
20/00760/MNR	29/03/2020	Edwards	LBC	BRIDGE FARM, BRIDGE ROAD, OLD ST MELLONS, CARDIFF, CF3 6YJ	DIVISION AND CONVERSION OF EXISTING AGRICULTURAL BUILDING INTO 2NO. DWELLING HOUSES WITH PROPOSED DEMOLITION OF POOR QUALITY 20TH CENTURY ADDITIONS AT THE FRONT, SIDE AND REAR	23/10/2020	Permission be granted	Listed Buildings
20/00510/MNR	02/04/2020	Edwards	FUL	BRIDGE FARM, BRIDGE ROAD, OLD ST MELLONS, CARDIFF, CF3 6YJ	THE SUB-DIVISION OF AN EXISTING LISTED FARMHOUSE AND CONVERSION INTO 2NO. DWELLINGHOUSES	23/10/2020	Permission be granted	Minor - Dwellings (C3)
20/00511/MNR	02/04/2020	Edwards	LBC	BRIDGE FARM, BRIDGE ROAD, OLD ST MELLONS, CARDIFF, CF3 6YJ	THE SUB-DIVISION OF AN EXISTING LISTED FARMHOUSE AND CONVERSION INTO 2NO. DWELLINGHOUSES	23/10/2020	Permission be granted	Listed Buildings
<b>RADYR</b>								
20/01842/DCH	17/09/2020	Treharne	HSE	109 GOETRE FAWR, RADYR, CARDIFF, CF15 8ET	SINGLE STOREY REAR EXTENSION AND REAR DORMER ROOF EXTENSION	19/10/2020	Permission be granted	Householder

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
<b>RHIWBINA</b>								
20/00945/DCH	19/05/2020	Gillen	HSE	46 HEOL CAERHYS, RHIWBINA, CARDIFF, CF14 6AP	SINGLE STOREY SIDE AND REAR EXTENSION AND DORMER LOFT EXTENSION	19/10/2020	Permission be granted	Householder
20/01307/DCH	09/07/2020	Gidwell	HSE	23 LON-Y-DDERWEN, RHIWBINA, CARDIFF, CF14 6JQ	SINGLE STOREY SIDE EXTENSION AND HIP TO GABLE ROOF EXTENSIONS WITH DORMERS TO FRONT ELEVATION	19/10/2020	Permission be granted	Householder
20/01610/DCH	18/08/2020	Ford	HSE	28 HEOL ISAF, RHIWBINA, CARDIFF, CF14 6RJ	SINGLE STOREY REAR EXTENSION AND HIP TO GABLE LOFT EXTENSION WITH REAR DORMER	19/10/2020	Permission be granted	Householder
20/01791/DCH	10/09/2020	Darcy	HSE	54 HEOL LLANISHEN FACH, RHIWBINA, CARDIFF, CF14 6LF	DEMOLITION OF REAR CONSERVATORY AND SINGLE GARAGE, CONSTRUCTION OF REAR AND SIDE SINGLE STOREY EXTENSION WITH A PORCH TO THE FRONT ELEVATION	22/10/2020	Permission be granted	Householder
<b>RIVERSIDE</b>								
20/02045/MNR	09/10/2020	Taffinder	DOC	148 CATHEDRAL ROAD, PONTCANNA, CARDIFF, CF11 9JB	DISCHARGE OF CONDITION 4 (SAMPLES OF MATERIALS) OF 19/02872/MNR	23/10/2020	Full Discharge of Condition	Discharge of Conditions
20/01809/DCH	10/09/2020	Leyshon	HSE	47 PONTCANNA STREET, PONTCANNA, CARDIFF, CF11 9HR	SIDE RETURN SINGLE STOREY EXTENSION	23/10/2020	Permission be granted	Householder
<b>RUMNEY</b>								

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/01661/DCH	25/08/2020	King	HSE	25 TY-MAWR AVENUE, RUMNEY, CARDIFF, CF3 3AF	SINGLE STOREY REAR EXTENSION	22/10/2020	Permission be granted	Householder
20/01755/MJR	04/09/2020	Property Index	VAR	599 NEWPORT ROAD, RUMNEY, CARDIFF, CF3 4FA	VARIATION OF CONDITION 2 OF 15/00362/MJR TO ALLOW SUBSTITUTION OF AMENDED PLANS	19/10/2020	Withdrawn by Applicant	Renewals and Variation of Conditions

#### **SPLOTT**

20/01542/MNR	11/08/2020	Anthony	FUL	45 TWEEDSMUIR ROAD, TREMORFA, CARDIFF, CF24 2QZ	CHANGE OF USE FROM VACANT CLASS A1 USE (PHARMACY/CHEMIST) TO CLASS A3 USE (FOOD AND DRINK)	23/10/2020	Permission be granted	Minor - Retail (A1-A3)
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#### **WHITCHURCH/TONGWYNLAIS**

20/00594/MNR	09/03/2020	HOLMES	DOC	LAND AT IRON BRIDGE ROAD, TONGWYNLAIS	DISCHARGE OF CONDITIONS 3 (GAS MONITORING), 8 (SITE ASSESSMENT), 9 (TREE PLAN, SCHEDULE AND TREE PROTECTION MEASURES) AND 10 (CONSTRUCTION METHOD STATEMENT) OF 17/00620/MNR	23/10/2020	Full Discharge of Condition	Discharge of Conditions
20/01390/DCH	22/07/2020	Miss Rebecca Fox	HSE	20 HEOL GABRIEL, WHITCHURCH, CARDIFF, CF14 1JT	TWO STOREY SIDE AND REAR EXTENSION WITH SINGLE STOREY EXTENSION TO FRONT ELEVATION AND HIP TO GABLE LOFT CONVERSION WITH REAR DORMER	23/10/2020	Permission be granted	Householder

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/01686/MNR	27/08/2020	Ton Dental	REM	TONGWYNLAIS DENTAL PRACTICE, 49 MERTHYR ROAD, TONGWYNLAIS, CARDIFF, CF15 7LG	REMOVAL OF CONDITION 3 OF 04/00616/W REGARDING USE AND MAINTENANCE OF PARKING SPACES	23/10/2020	Permission be granted	Renewals and Variation of Conditions
20/01963/DCH	09/10/2020	Rose	CLD	48 CORYTON RISE, WHITCHURCH, CARDIFF, CF14 7EN	HIP TO GABLE AND REAR ELEVATION DORMER EXTENSION	23/10/2020	Permission be granted	Other Consent Types
20/01817/DCH	14/09/2020	JONES	HSE	26 WHITWORTH SQUARE, WHITCHURCH, CARDIFF, CF14 7DR	REAR SINGLE STOREY EXTENSION	22/10/2020	Permission be granted	Householder



**Cardiff Council : Strategic Planning And Environment : Development Control****Applications Decided between 26/10/2020 and 30/10/2020**

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
<b>ADAMSDOWN</b>								
20/00181/MNR	28/01/2020	Garrick	FUL	18 STACEY ROAD, ADAMSDOWN, CARDIFF, CF24 1DU	CONVERSION TO 4 FLATS WITH TWO STOREY, SINGLE STOREY AND REAR DORMER EXTENSIONS	30/10/2020	Permission be granted	Minor - Dwellings (C3)
<b>BUTETOWN</b>								
20/00294/MJR	06/02/2020	Ronsons Developments Ltd	DOC	ABERDARE HOUSE, MOUNT STUART SQUARE, BUTETOWN, CARDIFF, CF10 5FJ	DISCHARGE OF CONDITION 9 (WRITTEN SCHEME OF HISTORIC ENVIRONMENT MITIGATION) OF 18/03002/MJR	30/10/2020	Full Discharge of Condition	Discharge of Conditions
<b>CAERAU</b>								
20/01981/DCH	09/10/2020	Nash	CLD	64 HEOL EGLWYS, CAERAU, CARDIFF, CF5 5NZ	SINGLE STOREY REAR EXTENSION	27/10/2020	Permission be granted	Other Consent Types
<b>CANTON</b>								
20/01538/DCH	10/08/2020	Aslam	HSE	58 ALDSWORTH ROAD, CANTON, CARDIFF, CF5 1AB	DEMOLITION OF EXISTING REAR SINGLE STOREY STRUCTURES AND CONSTRUCTION OF NEW SINGLE STOREY WRAP-AROUND REAR EXTENSION	29/10/2020	Permission be granted	Householder
20/01775/MNR	07/09/2020	P4C Properties Ltd	FUL	63 CLIVE ROAD, CANTON, CARDIFF, CF5 1HH	CHANGE OF USE FROM AN A1/A2 COMMERCIAL UNIT AND CONVERSION TO 3NO. FLATS WITH DORMER ROOF EXTENSIONS	29/10/2020	Permission be granted	Minor - Dwellings (C3)

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/01540/MJR	12/08/2020	Ely Mill Development Company	DOC	FORMER PAPER MILL ARJO WIGGINS, OLD MILL BUSINESS PARK, SANATORIUM ROAD, CANTON, CARDIFF	PARTIAL DISCHARGE OF CONDITION 9 (WALKWAY/CYCLEWAY ) OF 18/01190/MNR	26/10/2020	Partial Discharge of Condition (s)	Discharge of Conditions
20/01689/DCH	25/08/2020	Newman	HSE	27 BROADHAVEN, CANTON, CARDIFF, CF11 8DA	EXISTING PORCH TO BE EXTENDED AND ACCUSTOMED TO ALLOW DISABLED ACCESS WITH SINGLE STOREY SIDE EXTENSION	30/10/2020	Permission be granted	Householder
20/01732/MNR	02/09/2020	Bolding	FUL	359 COWBRIDGE ROAD EAST, CANTON, CARDIFF, CF5 1JF	CONVERSION OF EXISTING HOUSE INTO 3NO. FLATS WITH REAR SINGLE STOREY EXTENSION AND REAR DORMER ROOF EXTENSION	30/10/2020	Permission be granted	Minor - Dwellings (C3)
20/01780/MNR	11/09/2020	Arora	FUL	PART OF LAND AT 61 ATLAS ROAD, CANTON, CARDIFF, CF5 1PJ	PROPOSED CONVERSION OF 2 STOREY GARAGE INTO 2 BED STUDIO APARTMENT	30/10/2020	Planning Permission be refused	Minor - Dwellings (C3)
<b>CATHAYS</b>								
20/01828/MJR	28/09/2020	Cardiff University	NMA	LAND AT SENGHENNYDD ROAD, CATHAYS, CARDIFF	AMENDMENT TO WORDING OF CONDITION 7 TO ALLOW FOR THE APPROVED DRAINAGE SYSTEM DESIGN TO BE ALTERED - PREVIOUSLY APPROVED UNDER 18/02019/MJR	30/10/2020	Permission be granted	Non Material Amendment

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/02082/MJR	15/10/2020	Ascent Development Limited	DOC	FORMER CUSTOM HOUSE, CUSTOM HOUSE STREET, CITY CENTRE, CARDIFF, CF10 1AP	DISCHARGE OF CONDITION 23 (WASTE STRATEGY) OF 17/01906/MJR	30/10/2020	Full Discharge of Condition	Discharge of Conditions
20/01669/MNR	23/09/2020	NewRiver Retail (Cardiff) Limited	FUL	THE GYM GROUP, CAPITOL ARCADE, CITY CENTRE, CARDIFF, CF10 2HQ	CHANGE OF USE OF PART OF FIRST FLOOR TO CLASS D2 (ASSEMBLY AND LEISURE) AND NEW GROUND FLOOR ACCESS ONTO NORTHERN ELEVATION WITH ASSOCIATED ALTERATIONS	26/10/2020	Permission be granted	Minor - Other Principal Uses
20/01871/MNR	23/09/2020	SURIS ANNAPURNA	FUL	FORMER FED, MARY ANN STREET, CITY CENTRE, CARDIFF, CF10 2EN	EXTENSION BY ENCLOSURE OF BALCONY WITH GLAZING	26/10/2020	Permission be granted	Other Consent Types
20/01174/MNR	22/06/2020	PATEL	FUL	35 COLUM ROAD, CATHAYS PARK, CARDIFF, CF10 3EE	CONVERSION OF HOUSE IN MULTIPLE OCCUPANCY TO FORM FOUR FLATS WITH REAR GROUND AND UPPER FLOOR STOREY EXTENSIONS AND DORMER ROOF EXTENSION	29/10/2020	Planning Permission be refused	Minor - Dwellings (C3)
20/02085/MJR	14/10/2020	Rightacres Property Company Limited	DOC	PARKGATE HOUSE, WESTGATE STREET, CITY CENTRE, CARDIFF, CF10 1NW	FULL DISCHARGE OF CONDITION 9 (HISTORIC FEATURES) OF 19/01540/MJR	27/10/2020	Full Discharge of Condition	Discharge of Conditions

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/01317/MJR	12/08/2020	Millennium Stadium Plc	FUL	PRINCIPALITY STADIUM, WESTGATE STREET, CITY CENTRE, CARDIFF, CF10 1NS	INSTALLATION OF STAIRWAY TO EXISTING MAST STRUCTURES AND FEATURES TO ALLOW TOURISTS TO ACCESS THE ROOF AND EXPERIENCE THE CARDIFF SKYLINE. ADDITIONAL INSTALLATION OF WALKWAYS SECURED TO MAIN ROOF AND MAIN TRUSS (WEST SIDE OF BUILDING), PLATFORM TO SOUTH WEST MAST AT ROOF LEVEL AND SUSPENSION WIRE BRIDGE WITH VIEWING PLATFORM TO NORTH WEST MAST	27/10/2020	Permission be granted	Minor - Other Principal Uses
<b>CYNCOED</b>								
20/01917/DCH	25/09/2020	Henderson	HSE	28 MOUNTBATTEN CLOSE, ROATH PARK, CARDIFF, CF23 5QH	TWO STOREY SIDE EXTENSION AND SINGLE STOREY GARDEN STORE	26/10/2020	Permission be granted	Householder
20/01800/DCH	15/09/2020	Evans	HSE	207 CYNCOED ROAD, CYNCOED, CARDIFF, CF23 6AJ	REMOVAL OF EXISTING HEDGE AND REPLACE WITH FENCE	26/10/2020	Permission be granted	Householder

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/01066/DCH	05/06/2020	Rahman	HSE	1 PADARN CLOSE, LAKESIDE, CARDIFF, CF23 6ER	SINGLE STOREY REAR EXTENSION AND TWO STOREY SIDE EXTENSION WITH PORCH ADDED TO FRONT ELEVATION AND OTHER ALTERATIONS. DEMOLITION OF EXISTING GARAGE	29/10/2020	Permission be granted	Householder

#### ELY

20/01658/DCH	24/08/2020	Thomas	HSE	470 COWBRIDGE ROAD WEST, ELY, CARDIFF, CF5 5DA	DEMOLITION OF EXISTING SHED AND CONSTRUCTION OF SINGLE STOREY DETACHED GARAGE/WORKSHOP WITH PLAYROOM AREA	26/10/2020	Permission be granted	Householder
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#### FAIRWATER

20/01830/DCH	15/09/2020	Cardiff Council Housing	HSE	10 FREWER AVENUE, FAIRWATER, CARDIFF, CF5 3JY	SINGLE STOREY REAR EXTENSION WITH AN EXTERNAL ACCESS RAMP	26/10/2020	Permission be granted	General Regulations
20/00859/MNR	18/05/2020	FORDHAM	FUL	LAND ADJACENT TO LAUREL COURT, FAIRWATER, CARDIFF	ERECTION OF NEW DEVELOPMENT TO FORM 2NO. FLATS	29/10/2020	Planning Permission be refused	Minor - Dwellings (C3)
20/01095/DCH	09/06/2020	Read	HSE	17 LLANGYNIDR ROAD, FAIRWATER, CARDIFF, CF5 3BR	PROPOSED HIP TO GABLE AND REAR DORMER LOFT EXTENSION	30/10/2020	Planning Permission be refused	Householder



<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/01812/DCH	15/09/2020	Donovan	HSE	90 ASHCROFT CRESCENT, PENTREBANE, CARDIFF, CF5 3RP	DEMOLITION OF EXISTING GARAGE. PROPOSED 2 STOREY SIDE EXTENSION, ALTERATIONS TO PORCH AND FRONT ELEVATION AND ROOF EXTENSION AND REAR DORMER	30/10/2020	Planning Permission be refused	Householder
<b>GRANGETOWN</b>								
20/01851/MNR	28/09/2020	Royal Mail Group	FUL	ROYAL MAIL HEAD POST OFFICE, 220-228 PENARTH ROAD, LECKWITH, CARDIFF, CF11 8TA	RAISING OF 1NO. BAY CANOPY TO THE NORTH WEST ELEVATION, REMOVAL OF CLADDING TO THE NORTH EAST ELEVATION AND INSTALLATION OF BARRIER TO THE RE-GRADED AREA	26/10/2020	Permission be granted	Other Consent Types
20/00985/MNR	29/05/2020	AG Quidnet UK Industrial 2 BV	FUL	FREEMANS PARC, PENARTH ROAD, LECKWITH, CARDIFF	DEMOLITION OF EXISTING SECURITY/RECEPTION BUILDING AND DEVELOPMENT OF COFFEE SHOP/CAFE USE (CLASS A1/A3) WITH DRIVE-THRU LANE AND ALTERATIONS TO CAR PARKING AND ACCESS	26/10/2020	Permission be granted	Minor - Retail (A1-A3)
<b>HEATH</b>								
20/01683/DCH	25/08/2020	Roberts	HSE	42 CAERPHILLY ROAD, BIRCHGROVE, CARDIFF, CF14 4AF	HIP TO GABLE REAR DORMER & LOFT CONVERSION	26/10/2020	Permission be granted	Householder
20/01313/DCH	09/07/2020	Regan	HSE	19 PUM ERW ROAD, BIRCHGROVE, CARDIFF, CF14 4PE	SINGLE AND TWO STOREY SIDE AND REAR EXTENSIONS	29/10/2020	Permission be granted	Householder

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/01805/MNR	11/09/2020	Fletcher	FUL	71 CAERPHILLY ROAD, BIRCHGROVE, CARDIFF, CF14 4AE	DIVISION OF GROUND FLOOR INTO COMMERCIAL UNIT TO THE FRONT AND A RESIDENTIAL UNIT TO THE REAR, AND CREATION OF AN ADDITIONAL DWELLING TO THE FIRST FLOOR INCLUDING CONSTRUCTION OF A SIDE DORMER EXTENSION AND ASSOCIATED WORKS	30/10/2020	Planning Permission be refused	Minor - Dwellings (C3)
20/02089/DCH	19/10/2020	McRae	CLD	3 FAIRFAX ROAD, BIRCHGROVE, CARDIFF, CF14 4SG	REAR DORMER ROOF EXTENSION	29/10/2020	Permission be granted	Other Consent Types
<b>LISVANE</b>								
20/01141/MNR	18/06/2020	Woods Property (Whitchurch) Ltd	DOC	WESTWINDS, 4 HEOL Y DELYN, LISVANE, CARDIFF, CF14 0SQ	DISCHARGE OF CONDITION 15 (SUSTAINABLE DRAINAGE) OF 19/00998/MNR	30/10/2020	Full Discharge of Condition	Discharge of Conditions
20/01966/MJR	02/10/2020	Redrow Homes (South Wales) Ltd	NMA	PHASE 2B, CHURCHLANDS LAND NORTH AND EAST OF LISVANE, LISVANE, CARDIFF	REMOVAL OF CONDITION 7 OF 19/02677/MJR AS THE CONDITION DOES NOT SATISFY ALL TESTS SET OUT IN WELSH GOVERNMENT CIRCULAR AND IS NOT REQUIRED	30/10/2020	Permission be granted	Non Material Amendment
<b>LLANDAFF</b>								

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/02063/DCH	14/10/2020	Snaith	CLD	7 FAIRWATER GROVE EAST, LLANDAFF, CARDIFF, CF5 2JS	DEMOLITION OF EXISTING EXTENSION AND CONSTRUCTION OF A NEW REAR EXTENSION	29/10/2020	Permission be granted	Other Consent Types
20/01726/DCH	02/09/2020	Maclean	HSE	26 BLETHIN CLOSE, DANESCOURT, CARDIFF, CF5 2RR	PROPOSED SINGLE STOREY EXTENSION TO THE REAR OF THE EXISTING PROPERTY INCLUDING MINOR EXTERNAL WORKS	26/10/2020	Permission be granted	Householder

#### LLANISHEN

20/01488/DCH	31/07/2020	Hudson	HSE	87 LLANGRANOG ROAD, LLANISHEN, CARDIFF, CF14 5BN	REAR AND FRONT SINGLE STOREY EXTENSION TO CREATE DISABLED ACCESS AND DISABLED SHOWER ROOM	26/10/2020	Permission be granted	Householder
20/01430/DCH	10/08/2020	Bailey	HSE	46 AVONRIDGE, THORNHILL, CARDIFF, CF14 9AU	ERECTION OF NEW WOODEN SHED	26/10/2020	Permission be granted	Householder
20/01850/DCH	17/09/2020	roche	HSE	11 HAVENWOOD DRIVE, THORNHILL, CARDIFF, CF14 9HX	REAR SINGLE STOREY EXTENSION	26/10/2020	Permission be granted	Householder
20/01287/DCH	08/07/2020	Mercer	HSE	8 MILL CLOSE, LLANISHEN, CARDIFF, CF14 0XQ	FIRST FLOOR SIDE EXTENSION OVER EXISTING GARAGE AND SINGLE STOREY REAR EXTENSION	27/10/2020	Permission be granted	Householder

#### LLANRUMNEY

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/02065/DCH	13/10/2020	Hayes	NMH	54 ELGAR CRESCENT, LLANRUMNEY, CARDIFF, CF3 5RU	ADDITION OF EXTERNAL GLAZED DOOR TO PROPOSED EXTENSION - PREVIOUSLY APPROVED UNDER 20/01124/DCH	26/10/2020	Permission be granted	Non Material Householder
20/01581/DCH	28/08/2020	Jones	HSE	5 WORLE AVENUE, LLANRUMNEY, CARDIFF, CF3 4BZ	SINGLE STOREY SIDE AND REAR EXTENSION	26/10/2020	Permission be granted	Householder
<b>PENTWYN</b>								
20/01937/MJR	01/10/2020	Capital, Estates and Operational Services, Cardiff and Vale University Health Bo	DOC	LAND ADJACENT TO LLANEDEYRN COMMUNITY HUB AND LLANEDEYRN HEALTH CENTRE, MAELFA, LLANEDEYRN, CARDIFF	DISCHARGE OF CONDITIONS 4 (DRAINAGE), 5 (CONTAMINATION) AND 6 (REMEDIATION) OF 19/01610/MJR	30/10/2020	Full Discharge of Condition	Discharge of Conditions
<b>PENYLAN</b>								
20/00960/MNR	15/05/2020	HARRIS	FUL	203 ALBANY ROAD, ROATH, CARDIFF	PROPOSED SINGLE STOREY REAR EXTENSION, ALTERATIONS AND REAR DORMER LOFT EXTENSION TO EXISTING PROPERTY FROM 2 SELF CONTAINED FLATS TO 4 SELF CONTAINED FLATS	29/10/2020	Permission be granted	Minor - Dwellings (C3)

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/01065/DCH	05/06/2020	John	HSE	26 LAKE ROAD EAST, PENYLAN, CARDIFF, CF23 5NN	PROPOSED LANDSCAPING/ENGINE ERING WORKS INCLUDING RECONFIGURED EXTERNAL ACCESS STEPS TO THE WESTERN GARDEN BOUNDARY/EMBANKM ENT	29/10/2020	Permission be granted	Householder
<b>PLASNEWYDD</b>								
20/01774/MNR	07/09/2020	Pryor	FUL	REAR OF 3 OAKFIELD STREET, ROATH, CARDIFF, CF24 3RD	PROPOSED DEMOLITION OF EXISTING COACH HOUSE AND REBUILD NEW COACH HOUSE DWELLING ON THE EXISTING FOOTPRINT	27/10/2020	Permission be granted	Minor - Dwellings (C3)
A/20/00065/MNR	01/10/2020	Praesepe	ADV	72 ALBANY ROAD, ROATH, CARDIFF, CF24 3RS	INSTALLATION OF 1NO. EXTERNALLY ILLUMINATED FASCIA SIGN AND 1NO. NON-ILLUMINATED PROJECTING SIGN	30/10/2020	Permission be granted	Advertisements
20/01907/MNR	30/09/2020	Majid	FUL	181 CITY ROAD, ROATH, CARDIFF, CF24 3JB	CHANGE OF USE OF GROUND FLOOR FROM A1 RETAIL TO A3 RESTAURANT USE	30/10/2020	Permission be granted	Minor - Retail (A1-A3)
<b>PONTPRENNAU/ST MELLONS</b>								
20/01880/DCH	21/09/2020	Nethercott	HSE	THE GRANGE, TY'R WINCH ROAD, OLD ST MELLONS, CARDIFF, CF3 5UX	GROUND FLOOR REAR EXTENSION	29/10/2020	Permission be granted	Householder
<b>RHIWBINA</b>								
20/01915/DCH	25/09/2020	Webb	HSE	55 HEOL-Y-DERI, RHIWBINA, CARDIFF, CF14 6HD	SINGLE STOREY REAR EXTENSION	29/10/2020	Permission be granted	Householder



<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class:</u>
20/01632/MNR	20/08/2020	Millfield Wealth Management Limited	FUL	23 HEOL-Y-DERI, RHIWBINA, CARDIFF, CF14 6YF	CHANGE OF USE FROM VACANT FINANCIAL ADVISORS (A2) TO RETAIL SHOP (A1)	30/10/2020	Permission be granted	Minor - Retail (A1-A3)
20/01670/DCH	26/08/2020	Fisher	HSE	89 CAE'R WENALLT, PANTMAWR, CARDIFF, CF14 7HQ	DEMOLITION OF EXISTING CONSERVATORY AND CONSTRUCTION OF SINGLE STOREY EXTENSION	29/10/2020	Permission be granted	Householder
<b>RIVERSIDE</b>								
20/01722/DCH	07/09/2020	Harries	HSE	30 PLASTURTON GARDENS, PONTCANNA, CARDIFF, CF11 9HF	CONSTRUCTION OF SINGLE STOREY GLAZED LEAN-TO EXTENSION TO SIDE ANNEXE	27/10/2020	Permission be granted	Householder
20/01896/MNR	23/09/2020	Redds Hairdressing	FUL	81 PONTCANNA STREET, PONTCANNA, CARDIFF, CF11 9HS	CHANGE OF USE OF PART OF FIRST FLOOR LEVEL FROM STORE/OFFICE SPACE TO RETAIL (A1)	29/10/2020	Permission be granted	Minor - Retail (A1-A3)
<b>RUMNEY</b>								
20/01782/DCH	07/09/2020	Powell	HSE	80 WENTLOOG ROAD, RUMNEY, CARDIFF, CF3 3EA	SINGLE STOREY SIDE/REAR EXTENSION	26/10/2020	Permission be granted	Householder
<b>SPLOTT</b>								
20/01605/MNR	01/09/2020	LEWIS	FUL	LAND ADJACENT TO 46 SKELMUIR ROAD, TREMORFA, CARDIFF, CF24 2PS	ERECTION OF DORMER STYLE BUNGALOW	26/10/2020	Planning Permission be refused	Minor - Dwellings (C3)
20/01744/DCH	14/09/2020	CHILES	HSE	7 EYRE STREET, SPLOTT, CARDIFF, CF24 2JR	SINGLE STOREY REAR EXTENSION	29/10/2020	Permission be granted	Householder
<b>TROWBRIDGE</b>								

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20/02038/DCH	14/10/2020	Whitehead	CLU	24 BRYTHON DRIVE, ST MELLONS, CARDIFF, CF3 0LR	SINGLE STOREY SIDE EXTENSION	29/10/2020	Permission be granted	Other Consent Types
20/00687/MNR	17/03/2020	Winners Chapel International Cardiff	FUL	UNIT 10, SPRING MEADOW BUSINESS PARK, SPRING MEADOW ROAD, WENTLOOG, CARDIFF, CF3 2EH	CHANGE OF USE FROM CLASS B1 (BUSINESS USE) TO D1 (PLACE OF WORSHIP)	29/10/2020	Permission be granted	Minor - Other Principal Uses
<b>WHITCHURCH/TONGWYNLAIS</b>								
20/01792/MNR	10/09/2020	Inkpen	FUL	10 PLAS MELIN, WHITCHURCH, CARDIFF, CF14 2BT	CHANGE OF USE FROM VACANT HAIRDRESSERS TO PODIATRY PRACTICE (D1)	29/10/2020	Permission be granted	Minor - Other Principal Uses
20/01730/MNR	04/09/2020	Miah	VAR	69 MERTHYR ROAD, WHITCHURCH, CARDIFF, CF14 1DD	VARIATION OF CONDITION 2 OF PLANNING PERMISSION 90/01646/N TO AMEND FUME EXTRACTION	26/10/2020	Permission be granted	Renewals and Variation of Conditions
20/01811/DCH	14/09/2020	Kingdon	CLD	12 FELIN FACH, WHITCHURCH, CARDIFF, CF14 1NZ	REAR SINGLE STOREY EXTENSION	26/10/2020	Permission be granted	Other Consent Types
20/02020/DCH	13/10/2020	Dunbar	CLD	71 CORYTON CRESCENT, WHITCHURCH, CARDIFF, CF14 7EQ	REAR AND SIDE SINGLE STOREY EXTENSION WITH REAR DORMER ROOF EXTENSION	26/10/2020	Permission be granted	Other Consent Types
20/01879/DCH	21/09/2020	Evans	HSE	23 HEOL-Y-FORLAN, WHITCHURCH, CARDIFF, CF14 1AX	HIP TO GABLE ROOF EXTENSION WITH REAR AND FRONT DORMER EXTENSIONS AND CONSTRUCTION OF A GROUND FLOOR PORCH	30/10/2020	Withdrawn by Applicant	Householder

Application No.

Date

Applicant

Type

Address

Proposal

Decision Date:

Decision:

Statutory Class:

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