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AGENDA

Pwyllgor	PWYLLGOR CYNLLUNIO
Dyddiad ac amser y cyfarfod	DYDD MERCHER, 16 RHAGFYR 2020, 10.30 AM
Lleoliad	CYFARFOD O BELL TRWY MS TEAMS
Aelodaeth	Cynghorydd K Jones (Cadeirydd) Cynghorwyr Ahmed, Asghar Ali, Driscoll, Gordon, Hudson, Jacobsen, Jones-Pritchard, Keith Parry, Sattar, Stubbs a/ac Wong

1 Ymddiheuriadau am Absenoldeb

2 Penodi Cadeirydd a Dirprwy Gadeirydd

I nodi, yng Nghyfarfod Blynyddol y Cyngor ar 26 Tachwedd 2020, penodwyd y Cynghorydd Keith Jones yn Gadeirydd y Pwyllgor hwn a'r Cynghorydd Edward Stubbs yn Ddirprwy Gadeirydd y Pwyllgor hwn.

3 Penodi'r Pwyllgor a'r Cylch Gorchwyl

Yng Nghyfarfod Blynyddol y Cyngor ar 26 Tachwedd 2020, penodwyd yr aelodaeth a'r Cylch Gorchwyl canlynol i'r Pwyllgor hwn:

Aelodaeth:

Cynghorwyr Ahmed, Asghar Ali, Driscoll, Gordon, Hudson, Jacobson, Keith Jones, Jones-Pritchard, Keith Parry, Sattar a Stubbs

Cylch Gorchwyl:

Y swyddogaethau hynny a restrir yn Adran A, Atodlen 1 Rheoliadau Trefniadau Gweithredol yr Awdurdodau Lleol (Swyddogaethau a Chyfrifoldebau) (Cymru) 2001 ac unrhyw ddiwygiadau o ran hynny ac unrhyw faterion ategol hefyd fel y diffinnir yn Rheoliad 4(2) i (6) y Rheoliadau. Y swyddogaethau hynny a restrir ym mharagraffau 1-12, Atodlen 1 Rheoliadau Trefniadau Gweithredol yr Awdurdodau Lleol (Swyddogaethau a Chyfrifoldebau) (Cymru) 2001 ac unrhyw ddiwygiadau o ran hynny ac unrhyw faterion ategol hefyd fel y diffinnir yn Rheoliad 4(2) i (6) y Rheoliadau.

4 Minutes (Tudalennau 1 - 4)

Cymeradwyo cofnodion y cyfarfod a gynhaliwyd ar 18 Tachwedd 2020 fel gwir gofnod.

5 Datgan Buddiannau

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

6 Deisebau

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

Rhif y cais - 19/02506/MJR, TIR ODDI AR RODFA'R HARBWR, BAE CAERDYDD

Rhif y cais - 19/02508/MNR, LOCKYS COTTAGE, RHODFA'R HARBWR, BAE CAERDYDD

Rhif y cais - 20/01481/MJR, TIR I'R GOGLEDD-ORLLEWIN O YSBYTY'R EGLWYS NEWYDD, HEOL Y PARC, YR EGLWYS NEWYDD

Rhif y cais - 20/01515/MJR, TIR I'R GOGLEDD-ORLLEWIN O YSBYTY'R EGLWYS NEWYDD, HEOL Y PARC, YR EGLWYS NEWYDD

Rhif y cais - 20/01346/MJR, 121-123 HEOL-Y-FRENHINES, CANOL Y DDINAS

Rhif y cais - 20/01952/MJR, PARC Y RHATH, 170 HEOL Y PLWCA, Y RHATH

7 Ceisiadau Rheoli Datblygu

Sesiwn y bore yn dechrau am 10:30PM

7a 19/02506/MJR, TIR ODDI AR RODFA'R HARBWR, BAE CAERDYDD
(*Tudalennau 5 - 146*)

7b 19/02508/MNR, LOCKYS COTTAGE, RHODFA'R HARBWR, BAE CAERDYDD
(*Tudalennau 147 - 162*)

7c 20/01952/MJR, PARC Y RHATH, 170 HEOL Y PLWCA, Y RHATH (*Tudalennau 163 - 204*)

Sesiwn y prynhawn yn dechrau am 2:00PM

7d 20/01481/MJR, TIR I'R GOGLEDD-ORLLEWIN O YSBYTY'R EGLWYS NEWYDD, HEOL Y PARC, YR EGLWYS NEWYDD (*Tudalennau 205 - 228*)

7e 20/01515/MJR, TIR I'R GOGLEDD-ORLLEWIN O YSBYTY'R EGLWYS NEWYDD, HEOL Y PARC, YR EGLWYS NEWYDD (*Tudalennau 229 - 256*)

- 7f 20/01346/MJR, 121-123 HEOL-Y-FRENHINES, CANOL Y DDINAS (*Tudalennau 257 - 278*)
- 7g 20/01279/MJR, TIR YN FFORDD ROVER, PENGAM (*Tudalennau 279 - 350*)
- 8 **Ceisiadau a bennir gan Bwerau Dirprwyedig** (*Tudalennau 351 - 394*)
- 9 **Eitemau Brys (os oes rhai)**
- 10 **Dyddiad y Cyfarfod Nesaf – 27 Ionawr 2021**

Davina Fiore

Cyfarwyddwr Llywodraethu a Gwasanaethau Cyfreithiol

Dyddiad: Dydd Iau, 10 Rhagfyr 2020

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

Bydd y cyfarfod hwn yn cael ei recordio â'r bwriad o'i ddarlledu ar wefan y Cyngor yn ddiweddarach. Bydd y cyfarfod cyfan yn cael ei recordio, ac eithrio pan fo eitemau cyfrinachol neu eitemau a eithrir. Caiff copi o'r cyfarfod ei gadw yn unol â pholisi cadw data'r Cyngor. Os ydych yn gwneud sylw yn y cyfarfod hwn, ystyrir eich bod wedi cydsynio i gael eich ffilmio a/neu eich recordio.

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

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

PLANNING COMMITTEE

18 NOVEMBER 2020

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

101 : APOLOGIES FOR ABSENCE

None

102 : MINUTES

The minutes of the 14 October 2020 was approved and signed as a correct record.

103 : DECLARATIONS OF INTEREST

COUNCILLOR	ITEM	REASON
GORDON	20/01110/MJR	Expressed a view
DRISCOLL	20/01647/MJR	Expressed a view
KEITH PARRY	20/01110/MJR	Expressed a view
WONG	20/00844/MNR	Expressed a view

104 : PETITIONS

Application no 20/1110/MJR, Whitchurch Hospital

Application no 20/00844/MNR, 225 Albany Road

In relation to the two applications the Petitioners spoke and the Agents responded.

105 : 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:

APPLICATION GRANTED

20/01110/MJR – WHITCHURCH/TONGWYNLAIS

WHITCHURCH HOSPITAL, PARK ROAD

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 the first.

Subject to the following condition:

That planning permission be **GRANTED** subject to the Local Planning Authority receiving a confirmation letter from the Welsh Ministers that the decision has not been called in, and authorises the Local Planning Authority to grant planning permission pursuant to its Direction dated 1st July 2020 made under Article 18 of the Town and Country Planning (Development Management Procedure)(Wales) Order 2012.

20/01647/MJR – CANTON

FITZALAN HIGH SCHOOL, LAWRENNY AVENUE

Outline for 1 Sports Grass Pitch and 2 No Multi use Games areas with provision for 104 cycles, requesting consideration of access and layout with all other matters reserved.

Subject to the re-numbering of Conditions after condition 3 so that condition 5 is re-numbered 4 and so on.

Subject to an additional Recommendation 6 to read:

“That the developer considers increasing the width of the footway/cycleway to 4m so as to better facilitate two way movement along this route”

20/01648/MJR – CANTON

PART OF LAND AT CARDIFF INTERNATIONAL SPORTS STADIUM, LECKWITH ROAD

Replacement of Fitzalan High School.

Subject to the following:

“Paragraph 8.45 refers to an opening date for the school. Education have clarified this and state:

“Subject to planning and starting on site we are looking completion for Academic year 2022/23; with hand over from the contractor in Spring 2023.

Subject to the following:

“Specified Reason for Condition 28: Reason, to ensure that the use of the proposed development does not interfere with safety of traffic or pedestrian accessibility (LDP policy T5).

20/00262/MNR – BUTETOWN

PART OF CANAL PARK ADJACENT TO CARDIFF AND VALE COLLEGE,
DUMBALLS ROAD

Construction of 3G pitch with floodlighting and spectator seating plus changing facilities with external pathways all within fenced enclosure.

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

18/00762/MNR – HEATH

THANE & MEARS, 30A CAERPHILLY ROAD

PROPOSED DEMOLITION OF 3304A CARPHILLY ROAD & ERECTION OF NEW DEVELOPMENT TO FORM A3 COMMERCIAL UNIT TO GROUND FLOOR WITH 5 NO FLATS OVER.

APPLICATIONS REFUSED

20/00844/MNR – PENYLAN

225 ALBANY ROAD

Variation of Condition 2 of 17/01765/MNR to alter approved plans.

Subject to the following:

RECOMMENDATION 2: That the Chief Legal Services Officer be authorised to issue an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 with respect to the unauthorised development.

106 : DIVERSION ORDER FOR PUBLIC FOOTPATH LISVANE NO.15

Planning Committee were asked to approve the Section 257 Diversion Application to allow the Public Rights of Way Team to instruct Legal Services to process the Legal Order.

Public Footpath, Lisvane No.15 requires a diversion through a green corridor as part of the Churchlands Development.

RESOLVED: The Planning Committee AGREED 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.

107 : DIVERSION ORDER FOR PUBLIC FOOTPATH LISVANE NO.28

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.

RESOLVED: The Planning Committee AGREED to approve the application in order to instruct Legal Services to undertake the Legal Order process.

108 : APPLICATIONS DECIDED BY DELEGATED POWERS - OCTOBER 2020

Noted

109 : URGENT ITEMS (IF ANY)

None

110 : DATE OF THE NEXT MEETING - 16 DECEMBER 2020

LOCAL MEMBER OBJECTION & PETITIONS

COMMITTEE DATE: 16/12/2020

APPLICATION No. **19/02506/MJR** APPLICATION DATE: 05/11/2019

ED: **BUTETOWN**

APP: TYPE: Full Planning Permission

APPLICANT: The Museum of Military Medicine

LOCATION: LAND OFF HARBOUR DRIVE, CARDIFF BAY,
CARDIFF

PROPOSAL: THE CONSTRUCTION OF A MILITARY MEDICINE MUSEUM ON LAND FORMING PART OF BRITANNIA PARK, HARBOUR DRIVE. THE BUILDING WOULD COMPOSE OF TWO DISTINCT ELEMENTS, A FULL GLAZED FLAT ROOFED BOX TO ITS SOUTH-WESTERN END AND PARTIALLY FRETTED CORTEN SKIN FINISHED BUILDING WITH SAWTOOTH ROOF DESIGN ALONG THE REST OF ITS LENGTH. THE DEVELOPMENT INCLUDES FOR THE DECONSTRUCTION AND RESITING OF LOCK KEEPERS COTTAGE

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

1. C01 - Statutory Time Limit

2. APPROVED PLANS

The Development approved is that indicated on drawing references:

TP	(00)	002	Rev2	Existing Site Plan
TP	(00)	003	Rev4	Site Plan [application boundary]
TP	(11)	100	Rev3	Elevations
TP	(10)	100	Rev4	Ground Floor Plan
TP	(10)	101	Rev4	First Floor Plan
TP	(10)	102	Rev4	Second Floor Plan
TP	(10)	103	Rev4	Third Floor Plan
TP	(10)	104	Rev4	Roof Plan

Reason: For the avoidance of doubt

3. RESTRICTION ON CHANGE OF USE

The building shall only be used for the purposes of a Museum and for no other purpose including any other purpose included within use class D1 of the Town and Country Planning Use Classes Order 1987 or in any

Order revising, amending or superseding that order.

Reason: Other uses within use class D1 may adversely impact on the character and amenities of the area, and have not been considered as part of these proposals in accordance with the aims of policy KP10 of the Adopted Cardiff Local Development Plan 2006-2026.

4. REQUIREMENT FOR PUBLIC REALM ENHANCEMENT

Prior to the opening of the Museum the surrounding landscape of Britannia park shall be improved in accordance with a scheme of landscaping/public realm enhancements which shall first have been submitted to and approved in writing by the Local Planning authority prior to the commencement of development. The scheme shall include but not be limited to all hard and soft scape areas; enclosures; tree works and tree planting; play areas and play equipment; public art installations; seating; lighting and other landscape features in the context of a specific microclimate study. The finalised scheme shall include an Arboricultural Impact Assessment, Method Statement and Tree Protection Plan.

Reason: The development is only considered acceptable subject to the upgrading of the park in compensation for the reduction in the area of available public open space in accordance with policy C4 of the Adopted Cardiff Local Development Plan 2006-2026.

5. WASTE STORAGE FACILITIES

The waste storage facilities indicated on the approved plans shall be maintained for that purpose at all times.

Reason To ensure that there is an adequate facility for the storage of waste in accordance with Policy W2 of the Adopted Cardiff Local Development Plan 2006-2026

6. FUME EXTRACTION

Should the use of the site involve the cooking or reheating of food, all fumes from kitchens and preparation areas shall be mechanically extracted and deodorized before exiting the building in accordance with a scheme of detail which shall first have been submitted to and approved in writing by the Local Planning Authority in writing; no cooking of food shall take place at the premises until such time as the approved fume extraction system has been installed and made operational.

Reason: To mitigate against the potential for olfactory nuisance in accordance with the aims of policy EN13 of the Adopted Cardiff Local Development Plan.

7. FOUL DRAINAGE [WWDC]

Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made between manhole reference number ST19744201 and ST19743201 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

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 Adopted Cardiff Local Development Plan.

8. CONTAMINATION INVESTIGATION / MITIGATION and VERIFICATION PLAN [NRW]

Prior to the commencement of the development approved by this planning permission (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

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

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason : The controlled waters at this site are of high environmental sensitivity and contamination is known/strongly suspected at the site from the previous use of the site in accordance with the aims of policy EN11 of the Adopted Cardiff Local Development Plan

9. VERIFICATION OF CONTAMINATION MITIGATION [NRW]

Prior to the beneficial use of any part of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that

the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason : To demonstrate that the remediation criteria relating to controlled waters have been met and (if necessary) to secure longer-term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site in accordance with the aims of policy EN11 of the Adopted Cardiff Local Development Plan.

10. LONG TERM CONTAMINATION MONITORING PLAN [NRW]
Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the local planning authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the local planning authority.

Reason : To ensure that longer term remediation criteria relating to controlled waters have been met. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site in accordance with the aims of policy EN11 of the Adopted Cardiff Local Development Plan.

11. UNFORSEEN CONTAMINATION [NRW]
If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason : Given the size/complexity of the site it is considered possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated in accordance with the aims of policy EN11 of the Adopted Cardiff Local Development Plan.

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

Following completion of the approved monitoring scheme, the proposed details of appropriate gas protection measures to ensure the safe and

inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing to the LPA. If no protection measures are required than no further actions will be required.

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

* 'Gases' include landfill gases, vapours from contaminated land sites, and naturally occurring methane and carbon dioxide, but does not include radon gas. Gas Monitoring programmes should be designed in line with current best practice as detailed in CIRIA 665 and or BS8485 year 2007 Code of Practice for the Characterization and Remediation from Ground Gas in Affected Developments,.

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

13. CONTAMINATED LAND MEASURES – ASSESSMENT [CC-CL]

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).

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

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

Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment in accordance with policy EN13 of the Cardiff Local Development Plan .

14. CONTAMINATED LAND MEASURES – REMEDIATION & VERIFICATION PLAN [CC-CL]

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.

15. CONTAMINATED LAND MEASURES - REMEDIATION & VERIFICATION [CC-CL]

The remediation scheme approved by condition 16 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.

16. CONTAMINATED LAND MEASURES – UNFORESEEN CONTAMINATION [CC-CL]

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. IMPORTED SOIL [CC-CL]

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. IMPORTED AGGREGATES [CC-CL]

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. USE OF SITE WON MATERIALS [CC-CL PC15B]

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. HISTORIC ENVIRONMENT MITIGATION

No development shall take place until the applicant, or their agents or successors in title, has secured agreement from the Local Planning Authority for a written scheme of historic environment mitigation; the scheme shall comprise of four parts which will provide for:

- (i) An archaeological watching brief relating to all ground works and the submission of a report to the National archive.
- (ii) A drawn, written, and photographic record of the building described in the application as the 'Lock keepers cottage' together with a detailed methodology of how it is intended to move the structure to its new location
- (iii) A photographic record of the undertaking of the works,
- (iv) A photographic and written account of the reconstruction of the building.

The archaeological work must be undertaken to the appropriate Standard and Guidance set by the Chartered Institute for Archaeologists (ClfA), and be carried out either by a ClfA Registered Organisation or an accredited MClfA Member.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource, and to capture the history, location and building technology of the lock keepers cottage at a point in time before it is moved; to mitigate against any risk to the building during the course of the works; and to record the exercise of reconstruction for the benefit of future research in accordance with policy KP17 and EN9 of the Adopted Cardiff Local Development Plan.

21. REBUILDING OF THE LOCK KEEPERS COTTAGE

The Lock Keeper's Cottage shall be rebuilt exactly as existing before deconstruction in accordance with the methodology approved under condition 20 before the opening of the museum to the public.

Reason: To ensure for the timely reconstruction of the building and prevention of damage to it in accordance with policy KP17 and EN9 of the Adopted Cardiff Local Development Plan.

22. PUBLIC PROTECTION DETAILS

The scheme of Urban Realm enhancements required by condition 4 shall include for appropriate methods of separating vehicles and pedestrians in critical areas e.g. a mix of street furniture/ bollards/ planters/gradients / levels to prevent vehicle impingement into the building and / or event space outside.

Reason: To ensure for the safety and security of users of the museum and adjacent park in accordance with policy C3 of the Adopted Cardiff Local Development Plan.

23. **LIGHTING**
Prior to beneficial use, the building and immediate demise shall be illuminated in accordance with a lighting scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include for full details of lighting fittings; a LUX plan and details of lighting timing and intensity.
Reason: To ensure persons visiting/ working in the area feel safe, and that lighting will not adversely impact on residents or or protected species by virtue of light pollution in accordance with policies C3 and EN7 of the Adopted Cardiff Local Development Plan.
24. **CCTV**
Prior to beneficial use, the museum shall be provided with a scheme of closed circuit television to cover interior and exterior spaces and all access points in accordance with a specification and details to be first agreed by the Local Planning Authority in writing.
Reason: To deter actual and potential crime in accordance with policy C3 of the Adopted Cardiff Local Development Plan.
25. **PUBLICLY ACCESSIBLE FACILITIES**
Free public access to the café, toilet facilities and retail shop on the ground floor of the museum shall be available to the general public at all hours when the museum is open.
Reason: The development is only acceptable on the basis of freely accessible facilities for users of the park and surrounding area in accordance with Policy C4 of the Adopted Cardiff Local Development Plan.
26. **ACCESS CONTROL**
Prior to the first beneficial use of the museum, access controls shall be provided to all restricted areas or pay to view areas of the museum in accordance with a scheme of detail which shall first have been agreed in writing by the Local Planning Authority and the access controls shall thereafter be so maintained.
Reason: To ensure for the safety and security of users and staff within the museum and users of the area generally in accordance with policy C3 of the Adopted Cardiff Local Development Plan.
27. **PUBLIC ADDRESS**
Prior to beneficial use the museum shall be provided with a public address system to allow ease of communication between staff and visitors
Reason: In the interests of the safety of users in accordance with policy C3 and KP5 of the Adopted Cardiff Local Development Plan.
28. **MATERIALS SPECIFICATION**
The building shall be completed in accordance with a detailed schedule of external materials and finishes (including submission of samples where requested) which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure for a high quality aesthetic to the building in accordance with Policy KP5 of the Adopted Cardiff Local Development Plan.

29. CEMP (CC-SRS-SPT-SWP)
Prior to the commencement of development, a Construction Environmental Management Plan must be submitted to and agreed in writing by the local planning authority; the plan must specify as a minimum, , site access and wheel washing facilities. construction traffic routes, site hoarding, phasing of works, contractor and plant parking/locations;hours of working and details of measures specific to the control of contamination, noise mitigation and for controls of noise as per the Code of Practice for noise and vibration control of construction and open sites BS5228 (latest edition) as a result of the proposed on-site activities; and dust suppression, paying particular consideration to neighbouring operations and activities at the Norwegian Church and Atradius Office accommodation; The scheme must thereafter be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the local planning authority.
Reason: to protect the amenities of occupiers of other premises in the vicinity in accordance with the aims of Policy EN13 of the Adopted Cardiff Local Development Plan and in the interests of highway safety and public amenity.
30. CYCLE PARKING PROVIISON
No development shall take place until details showing the provision of cycle parking spaces have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the development being put into beneficial use. Thereafter the cycle parking spaces shall be maintained and shall not be used for any other purpose.
Reason: To ensure that adequate provision is made for the secure parking of cycles.in accordance with Policy KP8 of the Adopted Cardiff Local Development Plan.
31. PUBLIC ART RETENTION
The scheme of Urban Realm enhancements required by condition 4 shall include for appropriate relocation of any existing pieces of public art as ay be affected by the development of the Museum.
Reason: The public art is recognized as making a positive contribution to the amenity of visitors and users of the park and it's loss would be contrary to the aims of Policies KP5 and KP6 of the Adopted Cardiff Local Development Plan 2006-2026.

RECOMMENDATION 2 : That the applicant/agent be advised of the following:
Natural Resources Wales strongly recommend that developers should:

- *Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.*
- *Refer to WLGA document 'Development of Land Affected by*

Contamination: A Guide for Developers' (2017) for the type of information that we require to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.

- Refer to the groundwater protection pages on Gov.UK <https://www.gov.uk/government/collections/groundwater-protection>
- Refer to British Standard for the Investigation of Potentially Contaminated Sites. Code of Practice (BS10175:2011)

RECOMMENDATION 3 : NRW advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

Advice for the Developer

The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit.

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Natural Resources Wales should be contacted for advice at an early stage to avoid any delays.

Natural Resources Wales recommends that developers should refer to our:

- Position statement on the Definition of Waste: Development Industry Code of Practice and;
- website at www.naturalresourceswales.gov.uk for further guidance. Contaminated soil that is excavated, recovered or disposed of, is controlled waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:
- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed off site operations is clear. If in doubt, the Natural Resources Wales should be contacted for advice at an early stage to avoid any delays. If you have any queries on the above, please do not hesitate to contact us.

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

that the responsibility for

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

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

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

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

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

RECOMMENDATION 6 : South Wales Police would welcome further dialogue with the applicant regarding management and operational procedures at the museum.

RECOMMENDATION 7 : New developments where the area covered by construction work 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. The developer is reminded to obtain all necessary approvals ahead of the commencement of development.

RECOMMENDATION 8 : The applicant is advised that section 3.25 of Planning Policy Wales states that the land use planning system should take account of the conditions which are essential to the Welsh language and in so doing contribute to its use and the Thriving Welsh Language well-being goal. In this context and with regard to the Welsh Language (Wales) Measure 2011, it is recommended that: (1) developments adopt a Welsh name that is consistent with the local heritage and history of the area, (2) during the construction phase, on site marketing information (i.e. text on construction hoardings / flags / banners – as consented) be provided bilingually and (3) for commercial developments, shopfront / premises signage be provided in Welsh or bilingually. Where bilingual signage is provided, Welsh text must not be treated less favourably in terms of size, colour, font, prominence, position or location (it is recognised that Welsh translation does not extend to company / business names). Cardiff Council's Bilingual Cardiff team (BilingualCardiff@cardiff.gov.uk) can provide advice on unique and locally appropriate Welsh names for developments, bilingual marketing / branding and bilingual signage.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

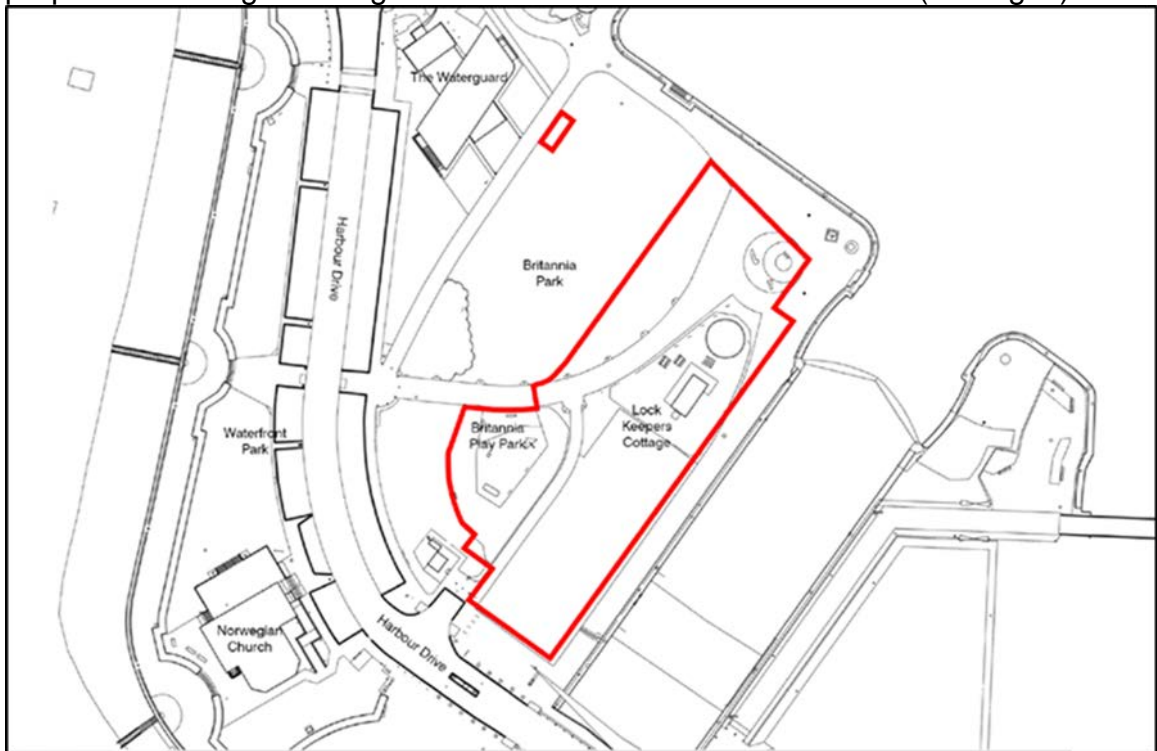
- 1.1 Full planning permission is sought for the construction of a museum (Use Class D1) on some 2670sqm of land adjacent to the Origami bridge at Britannia Park in Cardiff Bay.
- 1.2 The building would be orientated on a SW-NE axis, and would parallel the outer lock crossing of Roath Basin. The building would measure approximately 70m in length, would be approximately 24m in width and be approximately between 15.9m and 21.3m tall at its two principal roof heights, returning a gross internal area of 4733sqm within a building of part 4 and part 5 storeys.
- 1.3 Aesthetically, the building would present two distinctively different visual elements. A fully glazed flat roofed cuboid element to the SW and a Red Oxide saw-tooth roof element to the NE.
- 1.4 The proposed building would be located in the south eastern corner of

Britannia Park, and would, for the most part, be located on a large area of gravel (770m²), which formally provided a base for 'The Tube' building, (an exhibition space and visitor centre for Cardiff Bay dismantled and removed from the site in 2010). The building would however stretch beyond the gravel area into the landscaped area of the park to the north east and partially into the area currently forming part of the children's play park to the Northwest.

- 1.5 The proposed Museum would necessitate the relocation of the Grade II listed 'Lock Keepers Cottage' (Likely a non residential workman's hut serving the former swing bridge which once crossed the outer lock but which was removed in the 1990s).

2. **DESCRIPTION OF SITE**

- 2.1 Britannia Park is located to the Southwest corner of Roath Basin, which was once a sea locked dock providing shipping access between the tidal Cardiff Bay and Roath Dock and a number of dry docks. Britannia Park is of body of irregular shape of approximately 7703m², The principal area of the park parallels the northern edge of the outer lock of Roath Basin and is bounded by the Harbour Drive and Britannia Quay Highways. The park consists of part hard and part soft landscaped areas of open space which includes a grassed area, a children's play area; a hardscaped area of pavements; the 'Beastie Benches' (public art) and a small single storey stone built slate roofed building which was historically a workman's hut, as well as the aforementioned area of gravel chippings. Buildings cover approximately 316m² of the park currently.
- 2.2 The application site is also irregular in shape, but also roughly parallels the northern edge of the outer lock. It is drawn close to the perimeter of the proposed building covering an area around 90m x 30m / 2700m²(averages).



- 2.3 Harbour drive is an adopted highway up until its connection with the origami bridge. Thereafter Teigr way is a private road owned by Welsh Government. The Origami bridge is fitted with rising bollard barriers to prevent general access to Porth Teigr by cars other than at times when the inner lock (Tyneside Road) swing bridge is open (Road closed), or at times where there would be a need to evacuate the docks. The Origami bridge generally only allows passage to pedestrians, cyclists, buses and emergency service vehicles and so traffic use of this end of Harbour drive is light, as it only provides access to a limited number of adjacent car parking spaces which parallel the highway.
- 2.4 The site experiences a relative and continuous passing of pedestrians and cyclists accessing the barrage access path as a route to and from Penarth and Teigr way to access the BBC Roath Lock Studios. Harbour drive also provides the principal access between the Norwegian Church and other visitor attractions in the bay, the Oval Basin and Mermaid Quay shopping centre as well as for Office workers and residents of accommodation sited to the North of Roath Basin.
- 2.5 Although used for many years as a recreational space, Britannia park has previously been within the ownership of Associated British Ports. However the application site and remainder of Britannia Park have relatively recently (Dec 2018) been acquired by the Council.
- 2.6 In terms of character, the immediate surrounds present a rather incoherent mix of public and private vehicle carriageway, parking areas, undeveloped land with temporary uses, and further open space.
- 2.7 The application site is bounded by the perimeter pedestrian walkway around Roath basin to east and south, the remaining area of Britannia park to the North and is separated from Harbour Drive by a group of trees/landscaping bund.
- 2.8 The site is located approximately 30m South of the Grade II Listed Waterguard Public House, 30m from the undesignated Norwegian Church, 60m south of the Atradius Office development, 175m from the "Senedd" and 240m from the Grade I Listed Pierhead building. The site abuts the Pierhead Conservation Area and is visible from the Mount Stuart Square Conservation Area., but is not designated as being of architectural or historic interest in itself.
- 2.9 The site is approximately 500m from the Mermaid Quay, and Bute Place Car Parks and 600m from the Cardiff Bay Railway Station. The nearest bus stop is approximately 75m away on Britannia Quay.
- 2.10 The site is located within the Bay Business Area (BBA) of the Adopted Cardiff Local Development Plan 2006-2026.
- 2.11 The site falls predominantly within Development Advice Map Flood Zone B, however a very small part of the perimeter of the site falls within Flood Zone C2.

- 2.12 The waters of Cardiff Bay are managed by Cardiff Harbour Authority and of the Roath Basin by Associated British Ports.
- 2.13 The site is more than 450m from any part of the COMAH safety zone notified to the Local Authority by the Health and Safety Executive.
- 2.14 Given the open nature and gravel surfacing of the application site, its use is mostly seasonal, and for temporary events.

3. **SITE HISTORY**

- 3.1 20/01357 – Planning Permission for provision of a Ferris wheel for temporary periods for the next 5 summer seasons Granted August 2020.
- 3.2 17/01848/MJR - Outline planning permission for redevelopment of the site to provide a new landmark building of up to 24 storeys in height, a revised park and additional bay edge buildings and re-location of the former workmen's hut - Withdrawn
- 3.3 09/01953C - Proposed Skyflier Aerostat , gondola, landing platform , sea platform and bridge (North side of Roath Basin Lock) - Withdrawn.
- 3.4 09/01424C - Proposed Skyflier Aerostat balloon, gondola and landing platform (Britannia Park) - Refused .
- 3.5 08/02713C - Proposed Hyflier balloon, gondola, landing platform and winch house (Britannia Park) -Approved. Decision quashed at Judicial Review
- 3.6 08/01497C - Ferris Wheel from July to September 2008.- Granted
- 3.7 07/00462C- Construction of a themed adventure golf course with entrance and lighthouse feature.- Refused
- 3.8 94/00305R - Renewal of Outline PP 90/00479R. - Granted
- 3.9 90/00479R – [Development of Roath Basin, North Side] Outline Planning Permission for mixed uses: 800,000 sq ft office space plus retailing, residential, hotel, opera house, leisure uses, visitor centre and Public Open Space. - Granted

Other Development history

- 3.10 03/00099 - [Outline Planning Permission for the Development of Roath Basin - South Side] Granted 01/07/2008
- 3.11 09/01672 – Variation of Conditions of 03/00099 [Including Revised Masterplan] Granted 25/03/2015.
- 3.12 09/02120 - Full Planning Permission BBC Roath Lock Studios. Granted

- 3.13 19/01426 - Proposed temporary (30 weeks) recreational zip line development from the roof of St David's Hotel, to the Norwegian Church - Withdrawn. 07/11/2019.

4. **POLICY FRAMEWORK**

4.1 National Policy

Planning Policy Wales (Edition 10) December 2018

4.2 Technical Advice Notes

Tan 12 : Design (March 2016)

Tan 13: Tourism (October 1997)

Tan 15: Development and Flood Risk (July 2004)

Tan 16 : Sport Recreation and Open Space (January 2009)

Tan 18: Transport (March 2007)

Tan 23: Economic Development (February 2014)

Tan 24: The Historic Environment (May 2017)

4.3 Local Policy

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

KP5: Good Quality and Sustainable Design

KP7: Planning Obligations

KP8: Sustainable Transport

KP10: Central and Bay Business Areas

KP15: Climate Change

KP17: Built Heritage

EN3: Landscape Protection

EN4: River Corridors

EN8: Trees, woodlands and Hedgerows

EN9: Conservation of the Historic Environment

EN12: Renewable Energy and Low Carbon Technologies

EN13: Air, Noise, Light Pollution and Land Contamination

EN14: Flood Risk

TI: Walking and Cycling

TS: Managing Transport Impacts

T6: Impact on Transport Networks and Services

R8: Food and Drink Uses

C3: Community Safety/Creating Safe Environments

C4: Protection of Open Space

CS: Provision for Open Space, Outdoor Recreation, Children's Play and Sport

W2: Provision for Waste Management Facilities in Development

Supplementary Planning Guidance (SPG's) - Including Conservation Area Appraisals

Waste Collection and Storage Facilities (October 2016)

Planning Obligations (January 2017)
Managing Transportation Impacts (incorporating Parking Standards) (July 2018)
Green Infrastructure (Including - Trees and Development TGN) (March 2007)
Archaeology and Archaeologically Sensitive Areas (July 2018)
Food, Drink and Leisure Uses (November 2017)
Public Art (June 2006}

The Pierhead Conservation Area Appraisal 2009
The Mount Stuart Square Conservation Area Appraisal 2009

Other Legislation, Regulation and Guidance

The Cardiff Bay Barrage Act
Wellbeing of Future Generations Act
One Planet (Consultation at time of writing)

5. **INTERNAL CONSULTATIONS**

5.1 **Transportation Officer**

Transportation Observations 19/02506/MJR.

The construction of a military medicine museum on land forming part of Britannia Park, Harbour Drive. The building would compose of two distinct elements, a full glazed flat roofed box to its south-western end and partially fretted corten skin finished building with sawtooth roof design along the rest of its length. The development includes for the deconstruction and re-siting of lock keepers cottage. Land off Harbour Drive, Cardiff Bay, Cardiff

I refer to the above application and would confirm that the submission has been assessed and is considered to be acceptable in principle subject to the comments and conditions detailed below.

Comments:

The application seeks to relocate the existing Museum of Military Medicine (MMM) facility that is located on barracks and not readily accessible to the public, to a more accessible location housed in a new purpose built facility. The submission advises that the new facility aims to provide a 'world class visitor attraction' that is fully accessible and includes a mix of conferencing, retail, catering, exhibitions and event spaces.

The building footprint is approx. 70m x 24m, with an overall floor area of 4733sq/m, and will be located in the south east corner of Britannia Park, parallel to the dock. The proposed building location requires the relocation of the Lock Keepers Cottage and children's play area, along with a number public art benches. The site previously accommodated 'The Tube', an exhibition space/visitor centre, but has otherwise been vacant for a number of years.

The applicant has submitted two transport statements (TS), an initial one with the application that was followed up with a second some three months later. The statements do not vary significantly in their assessment of the context, available transport options and projections as to the number and nature of trips the museum might generate. However the later statement examines the proposed development in significantly more detail and provides a greater level of background material. The TS are supported by the information in the submitted Design and Access Statement.

In summary the statements confirm the area is well served by existing transport infrastructure including major road and rail links to the city centre and beyond; and is located on the strategic cycle network and is easily accessible by foot. In addition to which that the majority of trips will be combined with visits to other attractions and as such the predicted visitor numbers do not represent new trips to be added to existing. Predicted peak visits also primarily happen on the weekend and at times when commuter traffic is at its lowest.

Looking at the submitted statements, based on data from other similarly sized museums and galleries, the applicant anticipated (pre pandemic) annual visitor numbers to the museum of circa 175,000 in 2023, rising to 225,000 by 2025.

During the week the applicant estimates that there might be some 430 visitors daily, (860 person journeys) likely split between 44% arriving by foot; 25% by bus; 11% by rail; 9% by car; 4% as single person car users; 5% by coach and 0.3% by cycle. On Saturdays, there might be increased patronage to circa 950 visitors (1,900 person journeys) with a greater bias towards car usage (52%); 27% by foot; 19% using public transport and 1% travelling by cycle.

To put these visitor numbers into perspective, there are around 20 million tourist trips (day/holiday trips) to Cardiff as a whole annually; and of these around 55% will travel to the Bay, amounting to circa 11 million tourist trips to the Bay annually. In reality therefore, while the headline of circa 950 visitors (1,900 visitor trips) on a Saturday sounds significant, the impact when considered in the context of existing trips and in the understanding that the majority of trips will be linked rather than wholly new, confirms that the impact can be accommodated by the existing infrastructure.

In terms of accessibility the site is located within easy reach of good quality walking and cycling active travel infrastructure/opportunities, along with access to sustainable transport options with bus and train services within a short level walk. The site is also conveniently located in terms of car private transport, with access to nearby car parking and the local, and strategic highway networks.

There are a number of bus stops within easy level walk of the site, giving access to a wide range of services, both high frequency local and wider destinations, and onward connections. The nearest bus stops being adjacent to the Millennium Centre and on Pierhead Street with the Baycar providing a frequent service to the City Centre. Cardiff Bay railway station is also located

approximately 850m north of the site, and provides a shuttle service between Cardiff Queen Street and Cardiff Bay.

No dedicated car parking is proposed with the development and this is considered to be inline the Council's transport Supplementary Planning Guidance, which seeks to minimize reliance on car based journeys and maximize the use of public transport and active travel. There are however a number of surface level and multi storey car parks within close proximity of the site, as well as on street parking bays on Harbour Drive, including a number of disable spaces near the Norwegian Church.

In respect of the operation and management of the museum, the submission advises that exhibition and café deliveries will be infrequent and as such will be managed outside of peak traffic hours. Waste and recycling collections will to be undertaken by commercial contract, with the management being the responsibility of the contractor. The day to day operation of the museum is therefore considered to be comparable with other publically accessible/commercial operations in the area and as such acceptable.

A number of objectors have been submitted and I would offer the following comments:

Lack of car parking/disabled parking –

The proposed development is located in the Central and Bay Area as identified by the Managing Transport Impacts SPG, and as such attracts zero car parking spaces for both visitors and staff. In considering this objection I would reiterate that the site is in a sustainable location with very good access to public transport, walking and cycling. For those visitors that choosing to drive, ample existing car parking is also available in the area, with a 1200 space multi-storey car park some 500m north of the site. There are also three dedicated disabled spaces in front of the Norwegian Church and Blue Badge holders car park for free in the on-street Pay & Display spaces. The proposal is therefore considered both policy compliant and otherwise acceptable in terms of parking impact.

Concern over the adequacy of the traffic/visitor impact analysis detailed in the Transport Statement –

While questioning the validity of the visitor projection, objectors report concerns that the estimated 225,000 annual visitors amount will amount to an average of 200 car based journeys per day, even with Council's 50:50 modal split being achieved. However (even assuming this figure is accepted) as discussed elsewhere in my comments it must be understood that these are not going to be 200 new trips or 225,000 new annual individual visitors (trips) in traffic terms. The 225,000 annual visits will primarily consist of linked trips that are combined with and therefore part of the existing background leisure trips generated by Cardiff and the Bay. The vast majority of visitors will also be traveling as part of a group or with family members, rather than individually, further reducing the additional headline traffic impact of the development.

As also discussed elsewhere in my comments, Cardiff attracts in the region of 20 million visitor trips a year, with an estimated 11 million of those visiting the Bay, as such any new trips will represent a very small percentage of existing.

Inspection of the TRICS data submitted in the TS also identifies that the peak visitor trips occur between 10AM and 4PM and that the busiest days will be on weekends, with very little impact recorded during either the AM or PM commuter weekday peaks. Visitor trips to the proposed museum will therefore have a negligible impact on current peak hour commuter trips and as discussed the number of wholly new trips generated by the museum will be relatively small.

Conditions:

Standard Cycle Parking condition – C3S;

Construction management plan condition – No part of the development hereby permitted shall be commenced until a scheme of construction management has been submitted to and approved in writing by the Local Planning Authority, to include as required but not limited to details of site hoardings, site access and wheel washing facilities. 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.

Conclusion:

The application is considered to be policy compliant and the transport analysis provided by the applicant an acceptable assessment of the potential traffic impact. It is therefore concluded that there is sufficient capacity and flexibility within the existing transport network to accommodate the projected visitor numbers and other operational impacts of the proposed museum.

I therefore have no objection to the application as submitted, subject to the above comments and requested planning conditions.

5.2 **Drainage**

The Development will need to be considered by the Council as Sustainable Drainage Approving Body.

The architect has been asked to provide a statement which confirms how it is intended that the development address the key principles of Sustainable Drainage 'SUDs' (which will be necessary in order to obtain approval of the Council as Sustainable Drainage Approval Body (SAB approval). *This has been done.*

5.3 **Parks**

The Development involves a loss of open space.

Much of the space occupied by the Museum is laid to gravel but there is also some impact on the play area and part of the grass area (558m²), both of which are regularly used by the public.

The presence of a café and toilets accessible to the public within the building would have major benefit to people using the surrounding open spaces.

The DAS indicates that 'the children's play area would lose approximately 130m² of space but as much of it is laid to grass without play equipment it is felt that the play space could be better configured to make use of the remaining area'. I make a number of points on this :

- There is currently no largescale detailed plan indicating how the play area will be affected. This is essential to establish whether the building will impinge on the grass area only or upon the safety zones of the current equipment, determining whether the main equipment would need to be moved or just minor items of equipment relocated. The equipment currently present is of variable condition and age but any relocation of equipment and safety surfacing would require funding. The current play area is widely used by a number of families living locally as well as people visiting Britannia Quay.
- The entrances to the play area are located on the opposite side of the building and so will be unaffected by the Museum.
- During construction of the building consideration needs to be given as to whether the play area will need to be closed for safety reasons and loss of the play facility for any period of time is unlikely to be seen as acceptable by the public. However Parks have no objection to its relocation if a suitable site and funding can be found and it represents an opportunity to provide a new high quality play environment to enhance the open space.
- Longer term, having the play area so close to the new building may not be desirable for either the play area or Museum, so it is advisable that proposals are considered for an alternative location. I understand that a landscape study is due to be undertaken to cover this area up to the barrage and this would need to identify an alternative location for the play area and sources of funding. Much depends on the timescale for construction of the building as alterations to the play area would not be required until just before building work is due to start.

On the trees I have nothing further to add to the comments of the Strategic Planning Tree Officer.

I have some concerns that the appearance of the substation could detract from the key entrance to the Museum so I would suggest that options are looked at to determine if it's visual impact could be reduced e.g. by planting or screening / fencing of some sort.

5.4 Pollution Control

Noise

Request the following conditions:

PC4 HOURS OF OPERATION

No activities shall be carried out which create noise audible at the boundary of any residential accommodation between the hours of 23:00 and 08:00 on any day

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

PC5 OPENING HOURS

No member of the public shall be admitted to or allowed to remain on the premises between the hours of 23:00 and 08:00 on any day.

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

PC6 DELIVERY TIMES

There shall be no arrival, departure, loading or unloading of delivery vehicles between the hours of 20:00 and 08:00 on any day.

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

PLANT NOISE (2015)

Prior to implementation a noise assessment shall be carried out and submitted to the Local Planning Authority to ensure the noise emitted from fixed plant and equipment on the site achieves a rating noise level of background -10dB at the nearest noise sensitive premises when measured and corrected in accordance with BS 4142: 2014 (or any British Standard amending or superseding that standard).

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected, in accordance with policy 2.24 of the deposit Unitary Development Plan

R1 CONSTRUCTION SITE NOISE

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

CONSTRUCTION SITE DUST

Prior to the commencement of development, a Construction Environmental Management Plan (or equivalent) must be submitted and agreed in writing by the local planning authority which specifies provisions for controls of noise as per the Code of Practice for noise and vibration control of construction and open sites BS5228 (latest edition) as a result of the proposed on-site activities. The scheme

must be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: to protect the amenities of occupiers of other premises in the vicinity.

Odours

PC9a KITCHEN EXTRACTION

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

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

KITCHEN EXTRACTION NOISE

Prior to implementation a noise assessment shall be carried out and submitted to the Local Planning Authority to ensure the noise emitted from kitchen plant and equipment on the site achieves a rating noise level of background -10dB at the nearest noise sensitive premises when measured and corrected in accordance with BS 4142: 2014 (or any British Standard amending or superseding that standard).

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected, in accordance with policy 2.24 of the deposit Unitary Development Plan

Air Quality

No comments received

Contamination

In reviewing available records and the application for the proposed development, the site has been identified as formerly commercial/industrial including commercial docks with associated rail and other infrastructure. Activities associated with this use may have caused the land to become contaminated and therefore may give rise to potential risks to human health and the environment for the proposed end use.

In addition former landfill sites have been identified within 250m of the proposed development. Such sites are associated with the generation of landfill gases, within subsurface materials, which have the potential to migrate to other sites. This may give rise to potential risks to human health and the environment for the proposed end use.

The history of the site and risk to human health and the environment from associated potential contamination is acknowledged within the applicant's Design and Access Statement; this also refers to previous geo-environmental investigations at the site.

A robust contamination and ground gas assessment of the site, in line with current guidance and in the context of the above proposed development, is required to identify any associated risks and to determine whether further assessment and/or remediation is required to ensure the site is made suitable for use.

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

Shared Regulatory Services 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

PC14A - CONTAMINATED LAND MEASURES – ASSESSMENT

PC14B - CONTAMINATED LAND MEASURES – REMEDIATION & VERIFICATION PLAN

PC14C - CONTAMINATED LAND MEASURES - REMEDIATION & VERIFICATION

PC14D - CONTAMINATED LAND MEASURES – UNFORESEEN CONTAMINATION

PC15A - IMPORTED SOIL

PC15B - IMPORTED AGGREGATES

PC15C - USE OF SITE WON MATERIALS

and

R4 CONTAMINATION AND UNSTABLE LAND INFORMATIVE

5.5 Harbour Authority

No Comments Received

5.6 Building Control

An application for Building Regulations approval will be necessary.

5.7 School Services

No Comments received

5.8 Economic Development

No comments received

5.9 **Waste Manager**

The proposed waste strategy as documented in 5.4 page 52 of the design and access statement has been noted and is acceptable.

Waste management have no observations or objections to the proposed development.

6. **EXTERNAL CONSULTATIONS**

6.1 **Wales and West Utilities**

Have provided a response confirming the likely location of gas apparatus and pipelines in and around the site, together with advisory safe working practices and site visit /inspection protocols.

This has been passed to the agent.

6.2 **Natural Resources Wales**

We have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if you attach the following conditions to the permission. Otherwise, we would object to this planning application.

Conditions 1-4: Land potentially affected by Contamination

We note that the site may have undergone remediation during any reclamation and decommissioning works since the closure of the docks in the 1970s, but the potential for land contamination to be present following the previous land uses is still high. We therefore request the following suite of conditions to be imposed on any planning permission granted for the site.

Condition 1

Prior to the commencement of the development approved by this planning permission (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified;
 - a. all previous uses;
 - b. potential contaminants associated with those uses;
 - c. a conceptual model of the site indicating sources, pathways and receptors;
 - d. potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including

those off site.

3. The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason : Natural Resources Wales considers that the controlled waters at this site are of high environmental sensitivity and contamination is known/strongly suspected at the site from the previous use of the site.

Condition 2

Prior to [commencement of development]/ [occupation of any part of the permitted development], a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason : To demonstrate that the remediation criteria relating to controlled waters have been met and (if necessary) to secure longer-term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.

www.naturalresourceswales.gov.uk

www.cyfoethnaturiolcymru.gov.uk Page 3 of 6

Condition 3

Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the local planning authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the local planning authority.

Reason : To ensure that longer term remediation criteria relating to controlled waters have been met. This will ensure that there are no longer remaining

unacceptable risks to controlled waters following remediation of the site.

Condition 4

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason : Given the size/complexity of the site it is considered possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated.

Advice to Applicant

We strongly recommend that developers should:

- Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
- Refer to WLGA document 'Development of Land Affected by Contamination: A Guide for Developers' (2017) for the type of information that we require to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
- Refer to the groundwater protection pages on Gov.UK <https://www.gov.uk/government/collections/groundwater-protection>
- Refer to British Standard for the Investigation of Potentially Contaminated Sites. Code of Practice (BS10175:2011)

Flood Risk

We understand your Authority consider the proposed development is less vulnerable development. Please note, if this is not the case, we would wish to be reconsulted.

Our Flood Risk Map, which is updated on a quarterly basis, confirms the site to be partially within Zone C2 of the Development Advice Map (DAM) contained in TAN15 and partially within the 1% (1 in 100 year) / 0.5% (1 in 200 year) and the 0.1% (1 in 1000 year) annual probability fluvial / tidal flood outlines.

Section 6 of TAN15 requires the Local Planning Authority to determine whether the development at this location is justified. Therefore, we refer you to the tests set out in section 6.2 of TAN15. If you consider 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.

The FCA submitted (Cambria Constructive Thinking, Flood Consequence

Assessment (FCA), Museum of Military Medicine, Cardiff, dated October 2019) confirms that the site ranges in elevation levels from 8.39 – 9.30m AOD, with the FFL of the proposed building at 9.24m AOD.

Due to the site levels, the development is predicted to be flood free during both the 1% plus climate change and 0.1% fluvial flood events.

We 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.

In consideration of the above, we have no concerns regarding flood risk in this instance.

Further Advice

The FCA shows that access and evacuation is available along Harbour Drive then to the north west, providing clear access to the wider area road network.

It is for your Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN15. We cannot advise you on matters such as emergency plans, procedures and measures to address structural damage that may result from flooding. Please note, we do not normally comment on or grant the adequacy of flood emergency response plans and procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users.

Protected Species

We have reviewed the submitted ecology report by Ecological Services Ltd, 'Preliminary Ecological Assessment, Project: Land off Harbour Drive, Cardiff Bay, dated October 2019'.

We are satisfied with the conclusions and recommendation within the report and have no further comment to make in relation to protected species.

Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

Advice for the Developer

The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit.

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Natural Resources Wales should be contacted for advice at an early stage to avoid any delays.

Natural Resources Wales recommends that developers should refer to our:

- Position statement on the Definition of Waste: Development Industry Code of Practice and;
 - website at www.naturalresourceswales.gov.uk for further guidance.
- Contaminated soil that is excavated, recovered or disposed of, is controlled waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:
- Duty of Care Regulations 1991
 - Hazardous Waste (England and Wales) Regulations 2005
 - Environmental Permitting (England and Wales) Regulations 2010

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed off site operations is clear. If in doubt, the Natural Resources Wales should be contacted for advice at an early stage to avoid any delays.

If you have any queries on the above, please do not hesitate to contact us.

6.3 Council for British Archaeology

We would like to register our objection to this proposal due to the adverse impact on the significance of the Grade II Listed Building, Locky's Cottage. Please see response to application 19/02508/MNR.

6.4 South Wales Police

Thank you for facilitating the contact with the developers in respect to the above.

We can now confirm that we have had pre consultation meeting in relation to the design and layout and community safety issues. We have emphasized to the developers the importance of addressing community and crowded places

issues in this increasing popular area of Cardiff. We are aware that the developers have subsequently indicated to yourselves that the development will be built to secure by design standards and will incorporate the features discussed during our meeting. From this point of view South Wales Police welcome this commitment and do not have any objections to the proposal. However, the commitment does not go into great detail and the features listed below are not included in the design and access statement. South Wales Police would ask that Cardiff City Council in considering this application would include the Police recommendation where appropriate as conditions of the development in line with their joint statutory obligations under the Crime and Disorder Act.

The features and conditions we refer to are as follows:

1. A detailed scheme of work is submitted for approval by the council for appropriate methods of separating vehicle/ pedestrian separation methods in the area of the proposed development e.g. a mix of street furniture/ bollards/ planters/gradients in soil levels to prevent vehicle impingement into the building and / or event space outside.
Reason: To ensure adequate protection measures are in place and safety and protection of all using the facilities
2. The proposed development will be used for recreational, conferences, public events including in hours of darkness. For this reason a scheme of lighting will need to be produced for this development and a LUX PLAN agreed by the local authority.
Reason: To ensure persons visiting/ working in the area feel safe, particularly at night.
3. A scheme of work for a CCTV system that covers inside and out of the building and the green open events space adjacent to the development. This should be monitored. There should be recording facilities that retain images for more than 30 days. The quality should be of an evidential standard imagery of both day/night images. The system should be designed so that it could be monitored out of public view.
Reason: To provide reassurance, safety and protection for those using/ visiting the site.
4. There should be a scheme of work for access control for the building that directs visitors in through the main entrance and allows access to public areas only and prevents them from entering any restricted areas of the building.
Reason: To safeguard those using the facilities and prevent crime.
5. Submit a scheme of works that includes an install a Public address system that can be activated from the reception area to alert members of public/staff should the building have to be evacuated or placed in lockdown.
Reason: For clear instructions to be given should people using the premises need to be evacuated or evacuated at times of lockdown
6. Material and construction schedule of works to be submitted to the authority for approval e.g. laminated glass.
Reason: To enhance the safety and security of those using the building and visiting the area reducing fragmentation and progression into the

- building.
7. We aware that this proposed development will be utilised by multiple users and from other organisations. South Wales Police would recommended that there is a detailed Management plan implemented which details the roles and responsibilities as security, monitoring CCTV, control of events, supervision of areas of the building, who takes charge of evacuation and waste disposal from bins.
Reason: To enhance the safety and security of those using the building and visiting the area.
 8. Ensure that adequate risk assessments are in place in respect of fire prevention, detection Invacuation (lockdown) and evacuation.
Reason: To Preserve life/prevent damage.

South Wales Police are keen to work with both the developers and the council to ensure high level of safety and security and the success of the above proposal.

Secured by design can reduce crime by up to 75 %. More information about this can be found at securedbydesign.com

6.5 **Welsh Water Dwr Cymru**

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

In respect of the aforementioned planning application, we can confirm that Dwr Cymru Welsh Water have been previously informed of the proposed development and consulted, as a 'Specialist Consultee', in accordance with Schedule 1C Article 2D of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016. We note that our consultation response has been acknowledged within the accompanying Pre-Application Consultation (PAC) Report, prepared by Scott Brownrigg, which highlights that foul water flows only from the proposed development can be accommodated within the public sewerage system.

Accordingly, if you are minded to grant Planning Consent for the above development, we would request that the following Condition and Advisory Notes are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets:

Condition

Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made between manhole reference number ST19744201 and ST19743201 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

Advisory Notes

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

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

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrcymru.com

Please quote our reference number in all communications and correspondence.

6.6 **Glamorgan and Gwent Archaeological Trust**

The proposal will require mitigation.

You may recall that we have commented on the pre-planning for the development, which includes the removal of this building to another location, within the development boundary, and on the application 19/02598. We have consulted the information in the Historic Environment Record curated by this Trust, which details that there are both designated and non-designated historic assets within the area of the proposed development. The area is part of the Roath Dock and Basin, which was constructed from 1874 onwards, on land reclaimed from the sea. 19th century historic mapping shows the area as sea, the First Edition OS map shows the Basin, sea wall and graving docks. There are four Listed Buildings within or adjoining the site relate to the maritime use,

of which Locky's Cottage (Cadw ref. 14060) is one, the others being: the Sloping Stone Sea Wall (Cade ref. 14058), the Former H.M. Customs and Excise Office (Cadw ref. 14059), and the Dock Walls of Roath Basin (Cadw ref. 14062). Apart from the cottage, there will be no significant effect on any of these structures.

There is the potential that enabling works and groundworks during the construction phase may encounter archaeological deposits, particularly those associated with the creation of the Basin and associated dockside features such as tramways, sheds and other structures or buildings. It has been our experience that such features when described as demolished or cleared leave remains, and the likelihood of these being encountered can be mitigated by condition. It is unlikely that more deeply buried deposits relating to the tidal muds and other organic deposits would be encountered.

Regarding the Cottage, historic building recording can mitigate the impact on the removal of the cottage, by recording it within its current setting.

We recommend a condition requiring the applicant to submit a detailed written scheme of investigation for the implementation of a programme of archaeological work, to mitigate the impact of the development.

We envisage that this programme of work would take the form of a watching brief during ground disturbance works, to include but not be limited to, geotechnical and preparatory works, foundations, services and landscaping. It will also include provision for the recording of the cottage, to Level 3 within Historic England's Guide to Good Recording Practice, 2016. The written scheme would include detailed contingency arrangements including the provision of sufficient time and resources to ensure that any archaeological features or finds that are located are properly investigated and recorded; it should include provision for any sampling that may prove necessary, post-excavation recording and assessment and reporting and possible publication of the results. To ensure adherence to the recommendations the suggested condition should be worded as model condition 24 given in Welsh Government Circular 016/2014

No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

It is our Policy to recommend that all archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), <https://www.archaeologists.net/codes/cifa>) and that it is carried out either by a CIfA Registered Organisation or an accredited MCIfA

Member (<https://www.archaeologists.net/regulation/organisations>).

If you have any questions or require further advice on this matter please do not hesitate to contact us.

6.7 **Cardiff Civic Society**

19/02506/MJR

*The construction of the Museum of Military Medicine will result in a loss of green space in an area of the city where very little green space exists. The claim that a relatively small area would be lost is unjustifiable. The Butetown ward is identified as having a deficiency of open space. At a time when obesity is a huge problem, causing more cancer than smoking, eroding any green space cannot be justified. Furthermore, Cardiff Council has a legal obligation to provide open space.

The above application, if approved, would result in an unacceptable loss of open space.

Planning application documentation dating back to the early 1990s exists, proving categorically that these areas were designated as public open space. Indeed, the provision of these open spaces was the premise upon which planning permission was granted for the redevelopment of Cardiff Bay.

The open space provided by Britannia Park in its current form provides an invaluable open, recreational area where children can play – a vital resource in a part of Cardiff where apartments without gardens predominate. Exercise is vital for the health and well-being of children, and indeed, the population as a whole, as outlined in the Welsh Government's Well-Being of Future Generations (Wales) Act 2015.

The loss of trees, when Cardiff Council has declared a Climate Emergency, cannot be justified. Trees are our frontline defence against the effects of a warming climate, and we should be preserving our mature green infrastructure not compromising it for the sake of an ill-considered development.

*The proposed development site is in close proximity to an EU designated site (SAC, SPA RAMSAR sites). A Habitats Regulation Assessment ("HRA") is required by law. Failure to carry out such an assessment indicates that the applicant has failed to comply with EU law to protect coastal/estuary wetlands. furthermore, it is the duty of the Council as competent authority under the EU legislation to comply with this legal requirements).

*There has been no provision made for public transport or parking for visitors – according to the applicant, some 225,000 per year.

*The structure of the building is inappropriate to the location. At five storeys high, it will overshadow both what remains of the park, and the Norwegian Church.

19/02508/MNR (Application for Listed Building Consent)

*The Grade 2 listed Locky's Cottage should remain in its current location where it has context and significance. The only justifiable reason for relocating an historic building is to preserve it. Relocating it to make way for development is deeply inappropriate.

Relocation of Locky's Cottage would affect its character as a building of historic interest. It is a common misunderstanding that the special interest of a listed building lies only in its features, this interest extends also to its history and context. British Listed Buildings describes Locky's Cottage as 'an interesting survival from the port and for group value with Roath Basin sea lock'. Removed from Roath Basin, its historic significance would be lost. For the above reasons, both these applications should be refused.

7. **REPRESENTATIONS**

- 7.1 The proposals have been advertised by a combination of neighbour letter, multiple site notices, and press notice.

Amended Plans/Additional Information have been advertised similarly.

7.2 **Local Members**

Councilor Saeed Ebrahim objects to the proposals ...

"I am acting on behalf of the residents of the Butetown ward and objecting to this application as the local Ward Councillor for the following reasons:

Loss of open green space.

Local residents are concerned about the impact on Britannia Park as well as the loss of grassed area and trees, the large building will dominate the park and overshadow what is left. The children's play area would be affected. It is unnecessary to build over the park when there is empty public wasteland nearby.

Transport and parking.

The application makes no provision for this, simply assuming that existing transport links and parking spaces will suffice. This is despite claiming up to 225,000 expected visitors a year, which could mean a few thousand on peak days. There is already a shortage of public parking spaces in the area.

Visual impact.

At 5 storeys high, the building will tower over the Norwegian Church, providing an unsightly background for iconic views across the Bay that are used to promote our City

7.3 **Neighbours**

- 7.3.1 A "***Resident petition to Cardiff Council to save Britannia Park***" was received in March 2020. [81 signatures >50 in Cardiff]

A further petition of objection was presented to Full Council by Councillor Rodney Berman on 26th November 2020. [246 signatures >50 in Cardiff]

7.3.2 3 comments of support have been received including that of the Chief Executive of the Cardiff and Vale Health Board. The 130th (St John) field ambulance research group; and Dr W Williams (GP).

Reasons for support for the Development are :

- Access and understanding of the consequent leaps in medical knowledge which warfare has brought about.
- Retains the major green space
- Relevant to very many welsh soldiers / Cited Welsh Linkages
- Offers a more balanced approach to Military history and consequences of war
- Includes for continued research and development
- Fascinating , stimulating, educational and Viable
- Clinical and Academic support from Local Health Board

7.3.3 36 comments of objection have been received based principally on the following grounds:

- The precedent of past planning decisions from the initial creation of the park as a valuable open space through subsequent decisions that it should be kept as such.
- The loss of green open space in a ward and local area that has a deficiency in this, in breach of LDP Policy C4.
- The scale and dominance of the proposed building on the site which will reduce the leisure amenity of the remaining green space and the visual amenity of existing vistas.
- The extra demand this new attraction will place on local transport and parking facilities, with no provision for disabled parking.
- The design and appearance / inappropriate for a park and in context of heritage features.
- The Development is Contrary to Climate Emergency Declaration
- The Development is Contrary to the health and wellbeing of future generations Act
- Against Listed Building Policies.

7.3.4 Copies of Representations are appended as an annex to this report.

8. **ANALYSIS**

Environmental Impact Assessment

8.1 The proposal has been screened against criteria and thresholds provided within the Environmental Impact Assessment (Wales) Regulations 2019 and is concluded not to comprise 'EIA Development' and not to require the submission of an Environmental Statement to allow the Local Planning

Authority to determine a planning application.

Key issues

- 8.2 The key issues relate to the suitability of the location in terms of Land Use, the impact on Britannia Park including loss of open space; access and impact on transport networks; design; and impact on heritage assets.

The suitability of the location in terms of Land Use

The Site Location

- 8.3 The proposal is for the construction of a museum (Use Class D1 – Non Residential Institutions) on approximately 2670sq m of land at Britannia Park off Harbour Drive. The submitted Design and Access Statement suggests that the development will comprise exhibition, library and archive space; business floorspace; a café, retail space, and associated landscaping.
- 8.4 The application site boundary is irregular but is approximated at some 30m x 90m with its longer edge approximately 6m from the outer lock edge of the Roath basin, and allowing for a margin around the building which is approximately 24m x 70m. The site is wider to the south end of the park to encompass the children's play area from which the building would remove some 130m² of land as a linear strip.
- 8.5 The application site also includes for a small rectangle of land corresponding with the footprint of the lock keepers cottage which is proposed to be relocated to an area to the SE of the Waterguard Public House.

The park is in Council Ownership.

Land Use

- 8.6 The site is located within the Bay Business Area (BBA) as defined by the adopted Cardiff Local Development Plan 2006-2026.
- 8.7 Policy KP10: Central and Bay Business Areas. identifies the Bay Business Area as a focus for Government, Tourism and Leisure uses and states that future development should continue to enhance the waterfront as an attractive and diverse mixed use location.
- 8.8 KP10 recognizes that new and improved leisure, recreation and tourist facilities are important for the future development of Cardiff and can generate significant benefits to the local economy.
- 8.9 Improved recreation and leisure facilities could potentially make the area a more attractive place in which to live, work and visit and may stimulate further inward investment and regeneration
- 8.10 In principle a proposal for a Museum in this area raises no land use policy

concerns subject to assessment against other policies of the Development Plan.

CLIMATE CHANGE/FLOOD RISK

- 8.11 Policy KP15 and EN14 of the LDP seek to ensure development responds to issues of Climate change and to locate development away from where it would be at risk from flooding (including both river, and coastal flooding).
- 8.12 Along with TAN 15 Policy EN14 and KP15 encourages developers to demonstrate that they have considered the potential risk and consequences of flooding and that they have considered the need to incorporate environmentally sympathetic flood risk mitigation measures in their developments where necessary.
- 8.13 The application includes a commentary on flood consequences which confirms that the area is predominantly located in flood zone 'B' as indicated on NRW's Development Advice Maps and that it also benefits from the Cardiff Bay Barrage as a flood defense.
- 8.14 A small central piece of land on the southern side of the site, and the controlled waters around the site are categorized as flood zone C2, and comprise the impounded fresh water river flows into the bay and the salt water marine waters of Roath Basin as fed from the Alexandra Dock and the Bristol Channel and which are separated by the outer lock which is now plugged since the lock gates ceased to function. i.e. both of these water bodies may be subject to extreme weather conditions or high tides but height of water in both bodies are mechanically controlled.
- 8.15 In respect of location, the risk of flooding of the museum is considered extremely low. The base of the building is approximately 9.3m above mean sea level and the level of the bay and regulated by the barrage. The area is also well served in terms of access and egress routes, and as there would be no apparent limitation on the capacity or ability of operators or the public to decide not to open or visit the museum at times of extreme flooding elsewhere, the nature of the use is also concluded to be a less vulnerable use in that it contains no residential accommodation and would be able to manage egress of less able bodied visitors in an extreme event. The risk of flooding also applies to the majority of existing buildings in and around the Bay and Basin. The applicant is also fully aware of the potential risk to building fabric as might be relevant to a building with the slab levels proposed at the stated datum and has seen fit to progress with an application for the development on this site.
- 8.16 Overall the Local Planning Authority conclude that the provision of the museum as a non residential, privately managed, visitor attraction is considered a less vulnerable use, and is justifiable in terms of it's adjacency to a category C2 flood zone.
- 8.17 TAN 15 provided by Welsh Government also encourages the LPA to weigh the merit of the development to against set criteria; these being that :

i. Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; or

ii. Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region; and

iii. It concurs with the aims of PPW and meets the definition of previously developed land; and

iv. The potential consequences of a flooding event for the particular type of development have been considered.

8.18 The LPA are therefore satisfied that the development would assist in the regeneration of Cardiff Bay, would meet the criteria of development of previously developed 'Brown Field' land, and that the likelihood and consequences of flooding have been properly considered for the characteristic of development proposed.

8.19 It is concluded that the application site is a suitable location for a museum in Land Use terms, subject to satisfactory assessment against other Development Plan Policies.

The impact on Britannia Park

8.20 A large proportion of the objections to the development raised in response to the public consultation cite the loss of Britannia Park and the loss of Greenspace as a principal reason for resisting the proposals. This needs to be assessed, in terms of what is actually proposed and the likely impact on the park, and considered against the policy provisions of the Development Plan. It is clear from submitted plans that the park is not lost, but would be impacted upon by the proposed building and may require some re-arrangement to accommodate it.

8.21 It should also be noted that although the area has been used as open space for many years by grace of the former land owner Associated British Ports, it has only recently been acquired by the Council, who are currently considering how best to improve the quality of the land in terms of its use as a piece of public realm/open space.

8.22 The application site and immediate area is identified as open space in the most recent open space survey. Policy C4 of the LDP which seeks to protect such areas therefore applies; together with approved Supplementary Planning Guidance relating to Green Infrastructure and the Technical Guidance Note relating to Protection and Provision of Open Space in New Developments (November 2017).

- 8.23 Policy C4 seeks to protect open space that has significant functional value (including land that can accommodate formal/or informal recreational uses), has conservation, environmental or amenity value through only allowing proposals where:
- They would not cause or exacerbate a deficiency of open space in accordance with the most recent open space study; and
 - The open space has no significant functional or amenity value; and
 - The open space is of no significant quality; or
 - The developers make satisfactory compensatory provision; and in all cases
 - The open space has no significant nature or historic conservation importance.
- 8.24 This policy reflects national planning policy relating to open space set out in Planning Policy Wales and Technical Advice Note 16 relating to Sport, Recreation and Open Space (January 2009). The policy recognises that it is necessary to consider both the quantity and the quality of the open space when assessing any proposals for development.
- 8.25 It is noted that Britannia Park is very varied in its make up, and includes large areas of hardscape (mainly clay pavior); but also areas such as the area of chippings left over from previous development; areas of shelter planting; public art pieces and the stone workman's hut as well as principal, and secondary grassed areas including enclosed areas such as the children's play area.
- 8.26 The most recent survey of open space (May 2019) places a blanket categorisation on most of the site as 'amenity open space' and the smaller children's play area as 'recreational open space'. As indicated above however, the park is very diverse in its makeup, and it is observed that some areas work more successfully than others.
- 8.27 A number of objections also suggest that any reduction in open space in a ward with a deficiency of Open Space should be resisted in principle. The character, quality and accessibility of open as well as the overall size of open space are important however and material planning considerations.
- 8.28 Most notably the large proportion of the application site (over 700 sq m) which is laid to gravel chippings, reads quite separately from the finished pavior and grassed areas, to the extent that visually it is rather uninviting and unattractive, often avoided and unused. Some temporary uses have occupied the space in the past such as the ferris wheel, however the bulk of the area on which the museum is proposed is considered one of the less successful areas within the open space, left over from when the bay was developing; and after removal of 'the tube' .
- 8.29 It is accepted that the footprint of the building and pathway infrastructure surrounding it does intrude into the current children's play area by approximately 130m² as a linear strip, and would also see the loss of some

560m² of grass from the existing arrangement of finishes in the park. However it is also suggested to Committee that the development itself might be seen as an opportunity to improve on the current arrangement of open space and might by agreement also provide for more accessible facilities for users and visitors of the remaining space.

- 8.30 A number of objections also cite the proposed loss of trees in the context of the climate emergency as being an unduly negative consequence of the development. Policy EN3 of the LDP addresses landscape protection, including that related to the preservation of trees. The development itself would require the removal of four trees from the application site, comprising two 'C' category, early mature Italian alders, one 'B' category early mature Italian alder and one 'B' category early mature 'New Horizon' elm which the developer would seek to replace elsewhere on the site. Original Plans indicated that x4 new trees would be provided and might illustratively, form a 'colonnade' to the NE frontage of the building. The DAS suggests that the establishment of new trees may also play a beneficial role in achieving a sustainable drainage solution. The Strategic Planning Officer suggests that *Ilex* 'Nellie R. Stephens' or *Ilex aquifolium* 'J.C. Van Tol' would be best suited to perform this role, planted at semi-mature size or as large as possible as this will be tolerant of shade and coastal exposure and has a relatively formal shape and will provide year round shelter. As in all cases, tree pit size, volume and in this case the likely need to import appropriate soils will be critical to the establishment of new trees but should not be insurmountable in the hands of a competent landscape designer.
- 8.31 Further to this, and given the level of objection received in respect of the intrusion of the building into the current play area, concerns over the appropriateness of the current shelterbelt, and long term intentions for the park generally, the developer was also asked to look at the greater area of the park, and consider how the space might continue to provide the greenspace evidently valued by objectors to the proposals, and to see how the children's play area might be enhanced or made safer in respect of separating it from the current shelter belt of trees, and explore new tree planting opportunities which might better serve the public/remaining space in the longer term..
- 8.32 The indicative plan submitted showing the play area moved closer to the Waterguard raised concern in respect of the degree of tree replacement shown, and concerns over maintaining adequate but appropriate shelter to the play area; however the submission of an indicative scheme was considered beneficial in showing that it would be possible to reconfigure the park to retain its key elements of grass and play area as well as the new building if subject to a detailed landscape and microclimate assessment. Although development of a revised landscape will require further work and detailed consideration, the agent has confirmed a willingness to liaise with the Council to ensure the best possible solution in terms of long term planting arrangement including finishes, appropriateness of species choices, and potential to improve user experience of the area by appropriate landscape screening.
- 8.33 It is likely that the Council would liaise and advise the applicant; and may also

potentially undertake any new landscaping works in the park, (as it will be responsible for their future maintenance and repair) as part of wider landscaping and public realm proposals for the area.

- 8.34 In summary, Committee are advised that although it is accepted that the new building would involve a net loss of open space from the park; that the unfettered public access and facilities provided to the ground floor of the museum are considered to satisfy the requirement of 'compensatory' provisions in this instance and that the proposals are satisfactory subject to a further requirement to upgrade and improve the remaining area of public open space ahead of the opening of the museum; which is considered would better serve the public if compared to the retention of the existing landscape; and that this can be appropriately controlled by means of planning condition if the Committee find the development acceptable in all other respects.
- 8.35 The development is therefore considered to be able to accord with the policy intentions of policies C4 and EN3 of the Development Plan and the design of the building considered of sufficient design quality to warrant the loss of the B category trees subject to satisfactory replanting in line with the requirements of the Development Plan Policy/SPG.

Access and impact on transport networks

- 8.36 The Council's Planning Policies generally promote a modal shift to more sustainable modes of transport and seek to resist development which would cause unacceptable harm to the safe and efficient operation of the highway, public transport and other movement networks. ...
- 8.37 The applicant has submitted an initial, and further transport statements which do not vary significantly in their assessment of the context, available transport options and projections as to the number and nature of trips the museum might generate. These are also supported by the information in the submitted design and access statement.
- 8.38 In summary the statements confirm the area is well served by existing transport infrastructure including major road and rail links to the city centre; is located on the strategic cycle network and is easily accessible by foot.
- 8.39 Based on data from other similarly sized museums and galleries the applicant anticipated (pre pandemic) visitor numbers to the museum of circa 175,000 in 2023 to 225,000 by 2025.
- 8.40 During the week the applicant estimates that there might be some 430 visitors daily, (860 journeys) likely split between 44% arriving by foot ; 25% by bus; 11% by rail; 9% by car share;4% as single person car users; 5% by coach and 0.3% by cycle. On Saturdays, there might be increased patronage to nearly 1000 visitors (2000 journeys) with a greater bias towards car usage (52%); 27% by foot; 19% using public transport and 1% travelling by cycle.
- 8.41 The surveys suggest however that visits to the museum would be likely to form

a supplement to existing visits to Cardiff Bay and these trips would not for the greater part be additional new trips, but would be linked to other journeys and would be accommodated on the existing transport network.

- 8.42 The Council's Transportation Officer concurs and compares with near 11 million visitor trips to Cardiff Bay annual. He raises no concern over the capacity of the Highway network to cope with likely increased demand.

Accessibility/Available modes

- 8.43 The site is accessible to pedestrians from Harbour Drive and Britannia Quay, Heol Porth Teigr (Tiger Way) and by a number of footpaths that currently circumnavigate the basin and cross Britannia Park; and by cycle or on foot from the Barrage.
- 8.44 Cardiff Bay has good quality cycle infrastructure. Much of the area is pedestrianized or traffic regulated (such as around the Sennedd and over the origami bridge) , providing a safe, low traffic/traffic-free environment for cyclists. The Cardiff Bay Trail from the Cardiff Bay Barage passes the site. This links to National Cycle Network 8 that offers cycle options to the city centre and further north along the Taff Trail.
- 8.45 There are nearby bus stops outside the Millennium Centre and at Pierhead Street and Bute Street, that are served by the No. 8 X8 and No 6 BendyBus services and generally operate every 12 – 15 minutes.
- 8.46 Cardiff Bay railway station is located approximately 850m/10 minutes' walk from the site. It provides a constant shuttle service between Cardiff Queen Street and Cardiff Bay every 12 minutes.
- 8.47 The main vehicular routes into Cardiff Bay include the A4232 Ely Link from the west and east, the A4119 Penarth Road from Grangetown and A4232 Adam Street Central Link and parallel Lloyd George Avenue and Bute Street linkages from Tyndall Street / the city centre.
- 8.48 Overall the Bay and the application site are considered to be provided with excellent and easy transportation options to accommodate the projected character and numbers of visitors aspired.
- 8.49 The proposed principal access to the building is from the adjacent Harbour Drive. Opposite the Norwegian Church. The Britannia Park elevation of the building also allows for pedestrian access from the park whilst still being able to be adequately observed and managed in terms of any specific operational requirements of the museum and from a security/access control perspective.
- 8.50 No car parking is proposed within the development. This accords with the Council's supplementary planning guidance which seeks to minimize reliance on car based journeys and maximize the use of public transport facilities. There are however a number of surface level and multi storey car parks within close proximity of the site as well as the on street parking bays on Harbour

Drive including a number of disabled spaces near the Norwegian Church.

- 8.51 In respect of operation, deliveries to the Museum for installation of exhibition pieces and display materials for events are suggested to be infrequent and managed outside of peak traffic hours.

Deliveries to the café will be more regular but similarly managed outside of peak traffic hours.

Waste and recycling collections are indicated to be by private collection.

- 8.52 In respect of specific issues raised by objectors, the following commentary is offered.

Car Parking /Disabled Car Parking

Objection has been raised in respect of a lack of available car parking.

As a D1 use located in the Central Area Parking zone, current Supplementary Planning Guidance would promote a maximum of 0 car parking spaces for visitors and staff. The design and access statement and transport statement confirms this to be the applicant's intention as promoting use of sustainable modes.

Objectors raise concern over this and have also undertaken a rudimentary analysis of the impacts as might be developed from the estimated visitor numbers indicated in the Transport assessment.

Objectors suggest that if the approximated projection of 225,000 visitors is accurate, and even if the Council's aspired 50:50 modal split is achieved that this would still on average mean that there would be very many additional car based journeys per day.

In the context of the availability of on street pay and display(circa 75 spaces around the basin); multi-storey car parks at Mermaid quay(380 spaces likely soon to be increased), Q Park (1240spaces); and nearby temporary surface level car parks (75spaces) in addition to that of Harbour Drive (70 spaces), County Hall (600 spaces weekends) and Red Dragon (800 spaces) it is concluded that there is more than sufficient capacity in the area to cope with the demand as might be presented by the museum.

Cumulative impact as might arise from further development in the area would need to be assessed at the time of any such proposals, however it is concluded that the museum would not currently adversely impact on transport networks to any material degree.

In respect of disabled car parking spaces there would appear adequate provision of disabled spaces at Britannia Drive; and also noting the Transportation officers comments that blue badge holders can park without having to pay a fee on any public parking space within the Pay and Display facility, it is concluded that no additional

provision is required to be assigned specifically for museum use.

Cycling

- 8.53 The Councils Adopted SPG/Parking Standards apply and secure cycle parking provision can be required by condition.

The forecourt to the building and back of house areas would appear to offer sufficient capacity to meet staff and visitor cycle parking needs and members will recall approving planning permission for a purpose built cycle store facility at the Mermaid Quay car park a few months ago which will increase capacity in the area generally. The Council will also assess cycle parking needs as part of any revised landscape/public realm scheme for the area.

Conclusion.

In summary, the traffic projections provided by the applicant are acceptable as a basis to projecting potential traffic impacts; and it is concluded that there are more than adequate transport options and sufficient capacity in the existing transport network to accommodate the projected visitor numbers.

Design

- 8.54 The building would measure approximately 70m in length, be approximately 24m in width and be approximately between 15.9m and 21.3m tall at its two principal roof heights returning a gross internal area of 4733sqm within a building of 4 and 5 storeys.

The building would be orientated on a SW-NE axis, and would parallel the outer lock crossing of Roath Basin at a distance of circa 6m.

Aesthetically, the building would present two distinctively different visual elements. A fully glazed flat roofed 4 storey element to the SW which would wrap around a higher 5 storey Red Oxide saw-tooth roofed presentation to the NE, and would also present a perforated copper mesh curtain to the glazed element of its SE elevation fronting the lock.

Policy KP5 applies in respect of both the aesthetic and sustainability of the building and its relationship to others. The aesthetic and materials specification of the building has raised comment from the public including those with a particular design or environmental interest.

Aesthetic.

- 8.55 The use of Glass, Copper and Red Oxide finishes on the exterior of the building, and the use of the saw tooth roof borrowed from other historic docks buildings in the area produces a very bold and striking development.

The building has been conceived as an entity, with its function being highly instrumental in guiding it's scale and form; it is accepted that the same building

has also been proposed in other parts of the City and was not conceived exclusively for this site as indicated by a number of objectors, however comments that the building has a weak relationship with its surroundings are not supported for the reasons stated.

The Aesthetic concept of the development is appreciated as a high quality architectural piece, with very strong and appropriate reference to its context in full accord with Policy KP5 of the Development Plan.

Scale, form and Mass

- 8.56 Objections have been received which suggest that the building is overly tall and will be domineering in the local context, but as the illustrative 3D and aerial views submitted by the architect show, the building is significantly lower than many around the basin, including those such as Atradius which form the existing context of the Norwegian Church, and that the proposed building form has been positioned to provide a good separation distance from it, is offset from it, and is tiered with the highest element of the structure furthest away from the church.

Comparatively at 4-5 storeys (15.9m and 21.3m tall) the building is not a particularly high in the context of other buildings in the bay; comparatively the glazed element of the building would be around 900mm higher than the spire of the Norwegian Church at a distance of around 40m, the saw tooth roof section, some 6m higher than the spire of the church at a distance of around 50m is considered appropriately respectful. For reference, the Atradius office building is some 32½m tall at a distance of some 125m. The submitted relative heights drawing also indicates 3 Assembly square at 26½m and Vega House as part of the Celestia development at 47m. At 70m, the building does present a long elevation, both to the park and to the lockside, but this in some ways reflects the form and proportion of the lock, and the elevation is also broken in terms of materials finishes which allows it to read as a series of distinct and smaller elements. This is also useful in shielding the park from winds coming from the docks to the east.

The scale, height and mass of the building is therefore considered acceptable in the given context.

The interior arrangement of the building with open public access to facilities on the ground floor and an internal control point to paid areas of the museum at upper levels is considered very positive and likely to maximize use of the building to the benefit of all. The interior ramp as a means of providing an accessible route within the space, but also conceived as part of the journey between exhibits as a timeline or journey through different topics in displays is considered innovative, and also will allow some quite spectacular views.

Overall it is concluded that the design of the proposed building will form a striking addition to the public space and to the bay area in general whilst also responding sensitively too its local context.

Overshadowing

- 8.57 A shadow study is included in the design and Access statement which confirms that the building at 4/5 storeys in height and located to the SE of the park will produce a greater overshadowing impact than if the ground remained level.

The impact would obviously not be as significant in summer, but it would have to be accepted that the principal grassed areas would receive a greater shadow cast than existing, albeit moving and having varying degrees of impact throughout the day.

The existing and proposed sun path/shadow fall analysis suggests that the building shadowcast on the principal grassed area of the park would be worst between 12.00 and 16.00 in spring and autumn but would still move sufficiently to allow some sun on that area after 16.00.

As with most buildings in the City, December impacts are small as days are short and shadows from all structures very long. It is observed however that outside of the peak summer months, that use of the grassed area is significantly reduced and that in winter as weather becomes inclement, it is avoided because of issues with mud and damage to the grass.

Use of Corten Steel

- 8.58 The objections raised (principally environmental concerns) regarding the use of Corten steel in a marine environment and as a construction material generally are noted.

This is however ultimately the decision of the architect who would bear liability for the building. The matter has therefore been referred back to the Architect who has responded by drawing reference to the Design and Access Statement and by citing a number of instances where Corten Steel has been used in marine environment; and further comments that....

'There is plenty of precedents for the use of Corten in a marine environment, the most similar comparison to our situation is Dublin Docks, It has also been used by Haworth Tompkins Architects at Snape Maltings on the Suffolk Coast, and in major public buildings in Melbourne, Fukuoka and Troy on the Turkish Mediterranean Coast'.

It is accepted that there are mixed views and research relating to the aesthetic, sustainability and environmental impacts of Corten, but also observed that similar concerns could be put forward in respect of very many construction and building products and indeed any manufactured product, and use of Corten would not appear to have been restricted by any UK legislation banning use of the product on health and safety or environmental grounds.

As such it will be the architect who would be responsible for the specification, and his insurance which would have to cover any proven liability of defect or environmental consequence.

As is usual, a standard Materials sample condition is attached to the recommendation which would allow for an alternative material if this were considered necessary.

Sustainability

- 8.59 The submitted Design and Access statement provides a useful summary of measures which are designed to improve the sustainability of the building, and which are also offered in the context of the Wellbeing of Future Generations Act. These include Showers for staff (Active travel) Easy access thresholds and movement options in the building; transparency of ground floor elevations to promote passive surveillance and safety; use of smart and interactive technologies; Bi-lingual signage; maximization of natural light; Sustainable Drainage; Promotion of Biodiversity through support of new planting and landscaping works; Low and Zero carbon technologies for heating and cooling; water efficient fittings, water meters, leak detectors, and use of recycled water; maximization of natural ventilation and cooling.

All such measures are welcomed and accord with planning policies relating to sustainable design and best use of available resources including policies KP5 Good quality and sustainable design; KP18 Natural Resources; EN10 Water sensitive design; and EN11 Protection of water resources; and EN12 (Renewable energy and low carbon technologies).

Drainage.

- 8.60 At present, apart from the area of chippings, and areas of soft landscape, most surface water in the area drains either directly into the bay or basin, or indirectly there by means of buried pipework / sewers.

However as a structure over 100m² in area, the building will need to obtain approval from the Local Authority as the Sustainable Drainage Approving Body (SAB Approval) . As such the applicant has submitted a statement as to how it is envisaged that the development will address the key principles of Sustainable Drainage (SuDS) and the developer is currently in discussion with the Council's drainage officers as to how this may be achieved by landscaping and other features. No adverse commentary has been received from the Drainage Officer in respect of the proposals which look to be viable as a favorable drainage solution.

Public Art

- 8.61 There are some dockside features and pieces of public art located within the public realm of the site /surrounding area including one of the Beastie Benches by Gwen Heaney (1994). There would be an expectation that this would be retained as part of the proposed development and incorporated into the

adjacent open space and this can be secured by condition.

Community Safety/Creating Safe Environments

- 8.62 Policy C3 of the LDP relates to Community Safety and Creating Safe Environments.

It requires that all new development proposals should be designed to promote a safe and secure environment and minimise the opportunity for crime.

The policy makes specific reference to maximization of opportunities for natural surveillance of areas, such as publicly accessible open space; entrances that provide convenient movement without compromising security; good distinction between public and private spaces; and good lighting.

The comments of South Wales Police, who have met with the applicant's agents have commented on this application and a dialogue which promotes a secured by design accreditation of the development is ongoing. The applicant is not resistant to this and is working with the Police to provide a building of appropriate standards and design.

The majority of conditions requested by South Wales Police would seem appropriate and those which would fall outside of land use planning controls are can be included as advisory recommendations/notifications. Where appropriate, the requests are supported by conditions within the recommendation of this report.

South Wales Police have also requested involvement in the development of any related landscaping of the site and of the area generally and the Council is happy to accommodate this.

Air, Noise, Light Pollution and Land Contamination

- 8.63 Policy EN13 of the LDP relates to Air, Noise, Light Pollution and Land Contamination

The policy seeks to resist development that would cause an unacceptable loss of amenity or which would be subject to unacceptable levels of land contamination.

The development is considered unlikely to have any adverse impact on air quality. If the café facility is to involve cooking on the premises then mechanical extraction and deodorization of kitchen fumes can be required by condition. The area is not subject to heavy passing traffic and there are no concerns regarding existing air quality in this area.

Further to construction, it is also considered unlikely that the museum would generate any undue noise. The pollution control officer's comments in respect of the control of opening hours, and delivery times, are therefore concluded to be unreasonable and unnecessary, especially in the context of the nearby

operational port.

Similarly the request for a condition to preclude noise for any night time activities at the boundary of residential properties would seem excessive, If for any reason the museum wished to open during the night and were to cause a statutory noise nuisance then the pollution control officer would have other regulatory powers outside of planning to deal with any offence. The site is also some distance away from any residential properties.

The design of the museum does contain a large element of glazing, also orientated to the bay and it is conceivable that if high levels of illumination were allowed throughout the night, then this may cause a nuisance to residents on the opposite side of the bay or be unwelcomed in longer views. As this is the case a condition requiring details of a lighting scheme including intensity and hours of operation is considered prudent. Low level night-time lighting would however be encouraged in promoting neighbourhood safety.

In respect of contamination, past experience has shown that the former operational docks do contain undesirable levels of contamination both in terms of the nature of fill and in respect of deposits from former uses. The request of the contaminated land officer for a suite of conditions to investigate and address any contamination encountered is supported.

The similar suite of conditions requested by Natural Resources Wales with regard to the protection of controlled waters is also supported.

The development is therefore considered acceptable in the context of the aims of Policy EN13 of the Development Plan.

Provision for Waste Management Facilities in Development

8.64 LDP Policy W2 applies.

Waste collection is proposed outside of opening hours from a presentation point directly off the Harbour Drive. Waste and recycling collection will be organised through a commercial contract. This is acceptable and in accord with advice contained in the Waste Collection and Storage Facilities SPG.

The waste manager is accepting of the waste management proposals for the museum and raises no objection.

The development is therefore considered acceptable in the context of the aims of Policy W2 of the Development Plan.

Impact on heritage assets.

8.65 Policies KP17: Built Heritage and EN9: Conservation of the Historic Environment, set out the Council's position in respect of the protection and management of its designated Historic Assets .

The positioning of the Museum in this location will require the relocation of a statutory Grade II Listed Building; will impact on the setting of Waterguard Public House (Also Grade II Listed); would be visible from two Conservation Areas, and would also be located opposite the Norwegian Church which is a recognized local landmark.

It should be noted that neither Listed Building or Conservation area status preclude Development or change; but that there is a statutory duty placed on Local Planning Authorities to have 'special regard' to the desirability of preserving any Listed Building and its setting, and any features of architectural and historic interest it possesses, and also to the preservation and enhancement of the character and appearance of designated areas .

Lock keeper's cottage

- 8.66 It is observed that the proposals do not involve the loss of a listed building in the sense of its destruction and removal; but rathermore to involve its re-siting.

The Heritage Impact Statement (HIA) submitted with this application and which also supports the application for Listed Building Consent, reminds us that the proposal to move the Listed dock workers' building is not the first of its type, nor the first in the area; and that historically, the Waterguard Public House was moved to accommodate a proposed road re-alignment; and that the Norwegian Church was also relocated at a time when its loss from another dockside location was feared. i.e. there is precedent for such works.

The submitted HIA suggests that this particular workman's hut was more likely connected to the former swing bridge which was positioned centrally on the Lock rather than being associated with any lock keeping activities, but this would not impact on the Local Planning Authority's 'general duties' .

It is also noted that the proposals have now been amended in that the agent has confirmed that the proposals will now allow for the re-erection of the building in entirety (as opposed to modifying its interior as part of the move which was the original proposal) .

On this basis the proposal is considered acceptable in respect of addressing the LPA's statutory duty to preserve the building and its special architectural features.

It is acknowledged that the setting of the building would change, but it would still be close to the water, and in the same immediate surroundings as that in which it exists currently, and would retain a sufficient connection to the docks and lock to allow a continued association.

It is suggested that the movement of the building might in itself draw an added interest in it and offer opportunities for its history and purpose to be displayed as part of any new use.

It is also noted that a similar building on the opposite side of the lock which has

been restored as part of the Roath Basin South development, and which was connected with lock opening activities and which is now in viable use; and offers some comfort that this type of dockside building has been appropriately preserved in its original location elsewhere.

The proposal to move the workmans' hut is therefore considered acceptable in the context of the loss of the former swing bridge, that the relocation of the building to the SE of the Waterguard Public House would not unduly detract from its architectural and historic interest in terms of setting or its context or association with its former use.

The proposal to re-site the workmans' hut to the opposite side of the greenspace is therefore considered acceptable in the context of the aims of Policies KP17 and EN9 of the Development Plan.

Impact on the setting of Existing Listed Buildings.

- 8.67 The relocated lock keepers cottage, and the Museum itself would impact on the setting of the Listed Waterguard Public House, However that building itself has been moved, and substantially extended with a modern and contrasting extension in the direction of the park. This being the case it is not considered that the relocated cottage or the Museum would detract from the special interest of the Waterguard.

Impact on the setting of the Norwegian Church

- 8.68 The Norwegian church has no statutory or local protective designation. It is however a prominent local landmark and it is considered appropriate to consider it as a building of interest that positively contributes to the distinctiveness of the city.

Because of concerns expressed by some interested parties in understanding the relative and actual heights and relationship of the museum to the surrounding buildings, The applicant was asked to submit a further drawing to clarify matters.

This drawing shows that the museum's 4 storey glazed presentation would be located approximately 40m from the Norwegian Church, and would be approximately 900mm higher than the spire of the church if compared from Harbour Drive.

Although positioned closer to the Norwegian church than surrounding buildings, this is considered a sufficient degree of separation to maintain a setting to the Norwegian church, and also to allow the two buildings to retain and benefit from their own distinctiveness. In response to comments regarding the new building being oppressive and dwarfing the church, these views are not concurred with, especially given the relationship of the nearby Attradius building which is a much larger structure than the museum or indeed the backdrop of buildings such as the Celestia Apartments and St. Davids hotel which provide much larger visual mass in longer views.

It is concluded that the relationship of the museum with the Norwegian church as a recognized landmark feature is acceptable.

Conservation Areas

8.69 The application site is not in a Conservation Area.

The Museum would be located some 140m away from the Senedd end of the Pierhead Conservaton Area and is not thought to impact on that area given intervening structures. The Graving Docks located in the same conservation area would be some 300m away, and again the museum is considered too far distant to impact on that area.

The museum would provide a backdrop to the Norwegian Church as vied from graving dock 3, but at a distance of approximately 385m this is not considered objectionable. This impact would also diminish the closer the viewing point moved toward Graving Dock 1.

Views of the Museum from the Windsor Esplanade Conservation area would effectively be blocked by the St Davids Hotel.

The Museum is therefore considered to be acceptable in terms of its impact on the nearby conservation areas and in terms of impact of views into and from them.

Archaeology/Building recording

8.70 The submitted design and access statement suggests that there is only a likelihood of uncovering low or no value deposits during groundworks

The comments of the Glamorgan and Gwent Archaeological Trust which recommend the requirement for an archaeological watching brief and a level 3 recording of the workman's cottage before moving are noted; as is the absolute objection of the Council for British Archaeology to moving the workman's cottage.

It is observed that the site is not in an archaeologically sensitive area, but is of interest in respect of the unknown nature of fill used to complete the dock, and that a watching brief would be beneficial in understanding the makeup of the structure and in potentially revealing artefacts of the period. The mitigation of the impact of moving the workman's hut would therefore seem best approached by means of an appropriate recording exercise as opposed to an absolute resistance.

As such an archaeological watching brief condition, and building recording condition are recommended. Similarly the methodology of deconstructing the lock keepers cottage and to ensure its timely rebuilding can all be encompassed within a heritage mitigation condition.

Other issues raised by objectors

8.71 *The land enjoys a protected status as Open Space?*

The area and use of Britannia Park as open space is derived from its inclusion in a masterplan for the north side of Roath Basin and Cardiff Bay known as the Capital Waterside Development which dates back to Outline Planning Permission 90/00479/R when the land along with an area between the pierhead building and the Norwegian Church known as Waterside Park were identified as open spaces for the development of some 75,000 sq m of mixed use office, hotel, residential, shopping and infrastructure works. From this some objectors are of an opinion, and others keen to establish, whether the inclusion of the land in the original masterplan for the area in some way provides it with a protection from future change. The summary response to this question is that it does not. Times and circumstances change, as evidenced by the fact that other elements of that same masterplan were not developed as originally intended, That the area of the Senedd and Millenium Centre may have been developed as a shopping centre or hotel or an opera house at different periods in the last 30 years. It is also evident that land use allocations, and policies change over time. The current LDP does not vary hugely from the former Local Plan or abandoned UDP, but there are changes in both policy content and policy aspirations in the plan which properly change in response to changing environmental concerns and the changing make up of the City, its residents, and employment base and economy.

Britannia park's status as a piece of open space is therefore recognised in the most recent open space survey, and the merit of any proposals for it considered against policy C4 of the Adopted Local Development Plan, but its inclusion in the original masterplan for the area, does not in itself provide any protected status.

Past Planning Decisions.

8.72 Objectors note a history of planning applications and development proposals for the site which have either been refused, quashed, or withdrawn prior to decision on the basis of the protection of open space. These are acknowledged as forming the planning history of the site, but cover a variety of proposals, each of which was properly considered on its merit against extant planning policies of the time.

It is accepted that the planning policy position which seeks to protect areas of open space has not changed fundamentally since the time of past decisions (not all of which were unfavorable) however context, land ownership position, and development aspirations for the area are not static.

Past planning history although a material consideration does not preclude the ability of planning committee to make alternative decisions for an alternative appropriate development of the land.

Viability

- 8.73 Concern has been raised as to the viability of the project, including issues of how it is funded, whether public monies are involved, and as to what might happen if the museum is not a success and has to close.

Planning Committee are advised that issues of viability, funding sources, the business choices of the Applicant, or indeed the decision of other areas of the Council as to whether to support the proposals or not, are not material planning considerations.

However public concerns are noted and it is accepted, that the public interest would not be best served should the project falter at a point during construction; or if following construction the museum might become vacant for any reason.

However these are not matters for Planning Committee.

A strategic application?

- 8.74 Some objections have suggested that these proposals are simply strategic in seeking to establish acceptance of the principle of development on the site, which might favour an application for a larger or an alternative development in the future.

The Planning Committee can only consider the merit of any proposals put before it. This proposal has been considered on its merits against current Development Plan Policies and found appropriate to support.

Alternative sites are available

- 8.75 Objectors highlight that planning permission has already been granted for this museum on land at the junction of Lloyd George Avenue and Hemmingway Road and which many consider preferable; also that there are vast areas of undeveloped land in Cardiff Bay at Porth Teigr and also at Alexandra head which would be more appropriate and would not involve the loss of Open Space.

Whether there are alternative sites is not a matter for consideration of the Committee.

No linkage of theme to the City

- 8.76 A number of objectors have commented that Cardiff has no themed association with a Museum of Military Medicine.

These issues are not material to the determination of the application. It is also noted however that there is some support for the proposal from the Local NHS Health Board.

Inappropriate theme for a museum adjacent to a public park/children's play park.

Objectors suggest that a museum with a military or medical theme may be upsetting or unwelcomed by children and their guardians otherwise looking to experience only the amenity of a recreational park.

It is accepted that some children and their responsible carers may be sensitive to the theme of the museum; however, that equally, others may not. It is observed that the proposal is not for a Military Museum in the sense of a War museum, but has been clarified with the applicant to have more of an emphasis on breakthrough sciences and achievements in medicine arrived at through military necessity or innovation. The applicant is keen to point out that a number of the exhibits are children focused and that school party visits are a staple of museum business.

Matters which are material to the determination of a planning application are generally accepted as matters which if considered might result in a different decision or recommendation. They must however relate to the purpose of Planning, and that in itself can be considered against the current backdrop of Planning Legislation and Regulation.

From a land use perspective, it is therefore not considered likely that the theme of a museum would vary the characteristic of its use to the extent that it would be reasonable for the LPA to seek to control it.

Absence of a Masterplan for the Area.

- 8.77 Objection is raised because the land has only recently been acquired by the Council (2018) who are still considering masterplanning options for the area; and some objectors consider this application premature until such a masterplan is approved.

It should be noted that the Planning Committee are not being asked to make a decision in the context of a policy vacuum or in between plans, as the Cardiff Local Development Plan is of fully adopted status. Determination of this proposal, and indeed any future masterplan for the area will have to address and conform to the policies of the LDP.

Microclimate and wind effects not yet examined

- 8.78 The area is windy, often cold/inclement outside of summer, and impacted upon by the shape of the bay, the barrage, the scale of dockside buildings, wind direction and landscaping. However it is not considered necessary or reasonable to require a microclimate study for a building of only 4 to 5 storeys in the context of taller adjacent development. A microclimate study may inform a future landscaping scheme for the park, but is not considered necessary ahead of the determination of this application. Though it would be logical to assume that the building would have a beneficial shielding effect to the park from winds from the South East.

Potentially adverse affects on other attractions, such as 'Techniquest'.

- 8.79 As much as Techniquest is a highly regarded contributor to Cardiff Bay and one of the founding attractions of it, Planning Committee are advised that competition between, and popularity between attractions is not a material planning consideration.

If the bay is to develop along the lines of mixed commercial and leisure types of use an increase in the number and variety of attractions will hopefully benefit the area overall as a leisure destination and attract visitors to more than one venue in a day, weekend, or during longer stays in the city. .

The exact composition of uses within the building.

- 8.80 Some objectors have queried the exact nature of different components of the use, commenting that press articles have advised that the use would include teaching space and that degree qualifications might be obtainable from studies within the building and that the building might be used as a research facility which might be medically orientated, or as an archiving facility.

It understood that the spaces in the building are designed to be flexible and may allow for very many types of use ancillary to the main function of the display of exhibits.

Committee are advised that Use Class D1 is broad class covering many types of 'Non residential institutions' including teaching facilities, but also, training centres, schools, public halls, libraries, nurseries, creches, clinics and health centres, and although it would be appropriate to preclude some otherwise permitted changes of use between some types of D1 use, they are generally characteristically similar, and this would ordinarily only be done if there were exceptional circumstances or recognised potential conflict in a given context.

For clarity, the use of the building for teaching, research, or archiving uses are not considered objectionable as a component of this proposal or in the context of this mixed use environment

Britannia Park as a Valuable Open Space

- 8.81 These matters are covered within the report. It is considered that the proposal will allow for retention and maintenance of the open space whilst increasing its value by providing public facilities

Britannia Park as a public park

The land has been used and is designated as open space within the Development Plan and its status as such is a material planning consideration addressed within the report

Protection is afforded to Britannia Park as open space because of its approval under the original outline planning permission for the area.

From a planning perspective, the development of any land falls to be considered against the policies of the extant development plan for the area. A previous planning permission or land use allocation does not provide a protected status. Each development proposal is considered on its merits against the policies of the plan and any other material planning factors at any given time. e.g. the whole of the docks area was once allocated for industrial uses; later policies saw a shift to more office based uses as the economy developed a more service sector bias; and most recently the area has been promoted for mixed use including office, leisure and residential.

The current use should be protected.

This is not the subject of this report; or a matter to be considered here.

Planning history as a reason for objection

Planning history may influence a decision, does not preclude the making of alternative decisions.

The Design and Access statement makes false and misleading claims

- 8.82 The Design and Access Statement expresses a number of opinions about which others may take an opposing view, but there would appear no factual inaccuracies within the statement which would impact on the recommendation of this report / analysis of the development proposal.

Open space in Porth Teigr should not be used to justify loss of open space elsewhere.

- 8.83 The character, quality and accessibility of other open space in the immediate area as well as the overall size of open space are material planning considerations when considering the impact of development. The presence of the Queens gate roundabout open space, the Outer Lock open space , and general landscape of the area are all acknowledged, but not considered a principal matter in the determination of this application in respect of the impact of the development on Britannia Park.

Views to and from the Museum

Views to and from the museum are not considered to adversely impact on privacy or amenity, or to detract unduly from existing landmarks or vistas, as indicated in the report.

Urban legibility

The development is considered legible as a public attraction and public facility, and also of an architectural quality which promotes it as a cultural venue.

Dock wall Access

An access strip sufficient for ABPs needs is retained in terms of the positioning of development.

8.84 Matters of why Cardiff, The Bay or Britannia Park, have been chosen for this development; A lack of connection with Cardiff Bay; Land Transactions; Choice of sites; Viability; Claimed economic benefits; the Current financial position of the Museum Trust; The Museum's ambitions ; development funding; Site risks and consequences of failure of the project; Alternative sites; Future development of surrounding land; Future of Porth Teigr and Alexandra Head are not matters material to the determination of this planning application.

9. **OTHER CONSIDERATIONS**

9.1 **The Wellbeing of Future Generations Act (WFGA).**

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.

The Act seeks to bring together issues of importance to the health and wellbeing of future generations which are not always compatible and sometimes conflicting.

The Act indicates that attention should be paid to all wellbeing goals;

A Globally Responsible Wales; A Resilient Wales; A Healthier Wales; A More Equal Wales; A Wales of Cohesive Communities; and a Wales of Vibrant Culture and Thriving Welsh Language..

It is accepted that the Development may be considered contrary to the objective of a 'Healthier Wales' by reducing the physical area of allocated open space ; However the Act seeks not only to ensure opportunities for physical outdoor enjoyment, but also for mental health and for opportunities for both to be maximised. This report observes that the Museum does not remove the greater area of the park and will provide facilities which will make for more enjoyable all round use of it . The benefit of building a museum in term of education and understanding of mental health issues as well as surgical and other clinical advancements should also not be discounted, and the development might easily be considered to be a positive response to other Goals

The view that the Museum would be Contrary to the WFGA is therefore not concurred with. The Museum is considered positive in retaining and enhancing an important recreational open space, whilst offering a beneficial and mentally stimulating attraction within the Bay.

9.2 **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.

9.3 **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. The development is therefore not considered contrary to the Equality Act. As suggested by some objectors, and matters specifically relating to Disabled Parking are covered within the Transportation section of the report.

9.4 **Environment (Wales) Act 2016**

The Environment (Wales) Act 2016 imposes a duty on the Local Authority to seek to maintain and enhance biodiversity in the proper exercise of its functions. and in doing so to promote the resilience of ecosystems.

It is considered that the proposed recommendation / decision will not have any significant implications for, or effect on, biodiversity.

10. **PLANNING OBLIGATIONS**

- 10.1 It is not considered that it is necessary for the Applicant to enter into a legal undertaking to secure or limit any particular aspect of the proposal as all such matters can be adequately controlled by means of Planning Condition.

11. **CONCLUSION**

- 11.1 The proposed development is for a Museum encompassed by Use Class D1 of the Use Classes Order and the use is compliant with land use policies for the area.
- 11.2 The proposal is for a very high quality building which will enhance Cardiff Bay as a destination and visitor attraction.
- 11.3 The development will add confidence and stimulate future investment in the area
- 11.4 The proposal will impact on the amount of available open space but is considered to adequately compensate for that loss by provision of additional

publicly accessible facilities and would also be conditional on the implementation of a public realm/landscaping enhancement scheme.

- 11.5 The development will relocate, but will record, and most critically preserve, the small Listed building.
- 11.6 The Granting of Planning Permission is recommended subject to conditions.



<p>Jennifer Williams</p> <p>Howard Williams</p>	<p>As a resident of Cardiff Bay I signed a petition a few years ago to save Britannia Park from being developed into a site for the building of a tower block of luxury flats. The petition was signed by thousands of citizens of Cardiff who recognised the importance of this small green park for themselves and their children. It is the only green space in the Bay and as such is of great value to families especially those of us living in flats. It is universally recognised how beneficial such green open areas are for the well being of city dwellers.</p> <p>When the park was bought by Cardiff City Council we believed that our park was safe and that the council had acted in the best interests of its citizens, mindful of their welfare and particularly of that of their children. A Council serving it rate payers well.</p> <p>The proposal to build a museum in Britannia Park is contrary to all common sense. A Museum of Military Medicine would be suitable where there is already a history of a military tradition, such as in Brecon perhaps, or a site in Cardiff that is not used, and certainly not replacing a small popular local park.</p> <p>The building would be totally out of keeping with its surroundings and destroy a pleasant and well used public space.</p> <p>I therefore appeal to the development control to heed these very real concerns and understand how devastating the loss of the park would be for very many people. The museum would in no way enhance this part of the Bay, and its long term viability is questionable. Its upkeep will inevitably be a drain on Council funds.</p> <p>I hope you will appreciate the importance of the park and take the points I have made very seriously and keep Britannia Park safe for us and future generations.</p>	<p>O 1</p>
<p>Wyn Williams</p>	<p>Wel, wedi prynu Parc Britannia mae eich Cyngor am roi Amgueddfa (hyll) hanes meddygaeth filwrol o Aldershot (y mae dinasoedd eraill wedi gwrthod yn ddiau) yng Nghaerdydd. Ydych chi yn meddwl ei fod yn mynd i ddenu arian er na fydd yn unrhyw beth o'r fath? A bydd ein Parc yn cael ei golli, sef y peth gwaethaf oll wrth gwrs. Fel y welsoch gyda Ffair Arfau y Motorpoint - a gafodd ei wrthod i'n prifddinas yn ddiweddar - nid yw dinasyddion Caerdydd yn fodlon cael gwaed ar ein dwylo.</p> <p>Gwae arnoch chi wir, angen i chi ddysgu gwersi o'ch hanes hefyd.</p> <p>Gwrthwynebaf amgueddfa milwrol yng Nghaerdydd.</p>	<p>O 2</p>

	<p>Well, having bought Britannia Park your Council wants to put the (ugly) Museum of the history of military medicine from Aldershot (which other cities have undoubtedly refused) in Cardiff. Do you think it's going to attract money even though it won't be anything like that? And our Park will be lost, which of course is the worst thing of all. As you saw with the Motorpoint Arms Fair - which was recently denied to our capital city - the citizens of Cardiff are not willing to have blood on our hands.</p> <p>Woe bet on you really, you need to learn lessons from your history as well.</p> <p>I object to a military museum in Cardiff.</p>	
<p>Dr Tyra Oseng-Rees / Welsh Norwegian Society</p>	<p>Dear Sir</p> <p>The Welsh Norwegian Society (WNS) has significant concerns about the proposal to build the Museum of Military Medicine on Britannia Park. We are a membership society based at the Norwegian Church Arts Centre, founded in 1995 for the purpose of bringing together the community of people associated with the Norwegian Church, and to foster cultural links between Wales and Norway.</p> <p>Our society has held its monthly meetings at the Norwegian Church for the last 25 years,as well as special annual celebrations such as Norwegian Constitution Day.</p> <p>WNS is currently supporting Cardiff Council in their role as trustee of the Norwegian Church Preservation Trust, including, in the immediate future, helping to organise a series of events to celebrate the 150th anniversary of the Norwegian Church. Our concerns about the proposal to build the MMM in Cardiff Bay include the following key points:</p> <ol style="list-style-type: none"> 1) The loss of a large part of Britannia Park, which is designated parkland, firmly established as open green space in the blueprint of Cardiff Bay from the outset, and reaffirmed by subsequent planning decisions over the years. 2) The scale and design of the proposed building, which will dominate the southern section of Britannia Park, and have a detrimental impact on the iconic views of the Norwegian Church from around the Bay. 3) The impact on the childrens play area, which is a vital part of the parkland for local residents and visitors alike. 	<p>O 3</p>

	<p>4) Additionally, we share the concerns of the Friends of Britannia Park and Cardiff Civic Society that this project is not financially viable without considerable public subsidy. WNS is not simply anti-development and would support an appropriate, low-rise building on the gravel area (the footprint of the old visitor centre - the Tube) if it complemented Britannia Park as a recreational open space.</p>	
Jane Rosemary Trott	<p>I wish to record my strong objection to the two planning applications detailed above.</p> <p>We seem to be threatened frequently regarding the small park and green recreational space available to all ages in this vicinity.</p> <p>It's my understanding that the building was to be erected opposite the Grade 11 listed old Cardiff Bay train station at the junction of Lloyd George Avenue and Hemingway Road more in keeping with the existing buildings.</p>	O 4
Keith and Lynn Smith	<p>We are residents at Adventurers Quay and wish to object to the proposed development involving siting of the Museum of Military Medicine at Britannia Park. Britannia Park is the only green space in the vicinity of Roath Basin and Mermaid Quay, where there are multiple residences, commercial buildings and public amenities such as the Wales Millenium Centre and numerous restaurants. It therefore attracts numerous visitors, particularly on fine days or when events are happening in and around Roald Dahl Plas. It is therefore important to maintain the green space and the children's playground.</p> <p>Ideally, nothing should be built on the space, but the Museum of Military Medicine is a particularly inappropriate development, since there is no association of military medicine with the location and it is not the kind of facility that is in keeping with the other amenities in the area. Such an amenity would be much better located near the centre of the city, close to other museums, the castle and the university.</p> <p>It would also be a travesty to relocate the Lock Keeper's Cottage since its position is both of historical significance and at the moment is paired with the cottage on the other side of the lock.</p> <p>Please add our two names to any other persons who have objected to the development.</p>	O 5
Lynn Eynon [x2]	<p>Objection to Planning Applications 19/02506/MJR and 19/02508/MNR</p> <p>CONTENTS</p> <p>1 Introduction 3</p> <p>1.1 What is proposed? 3</p>	O 6

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1 INTRODUCTION

1.1 What is proposed?

The 19/02506/MJR seeks permission to build a Museum of Military Medicine on Britannia Park. The Design and Access Statement¹ describes (DAS 1.3) the Planning Context as: *Full planning application for the comprehensive redevelopment of the site. This comprises of: demolition of existing hard standing and redevelopment of the site to provide: a new cultural building of national significance up to 5 stories in height, with a GIA of 4,733sqm comprising of exhibition, library and archive space; business floor space; a café; retail space and surrounding landscaping, including the reconfiguration of Britannia Play Park.* This objection to 19/02506/MJR also applies to 19/02508/MNR, which seeks listed building consent to deconstruct and re-site Locky's Cottage to enable the construction of the Museum.

1.2 Reasons for Objection

1.2.1 Material considerations for this objection

Material considerations giving grounds for this objection include:

- A. The precedent of previous planning decisions from the initial creation of the park as a valuable open space through subsequent decisions confirming that it should be kept as such.
- B. The loss of green open space in a ward and local area that has an existing deficiency in this, in breach of Local Development Plan Policy C4 on protection of open space.
- C. The scale and dominance of the proposed building on a site at which it will reduce the leisure amenity of the remaining green space and the visual amenity of existing vistas.
- D. The extra demand this new attraction will place on local transport and parking facilities, with no provision for disabled parking.
- E. The design and appearance of the external material, which is inappropriate for a park with heritage features.

1.2.2 Other considerations for this objection

The applicants claim economic benefit for the local economy but that will only be realised if this proves to be a financially viable project. There is good reason to doubt that, at least without a substantial injection of public money, which would be hard to justify in a time of austerity and cut-backs. Evidence is provided below to support this concern. Lack of financial viability could pose a choice to Cardiff Council or to Welsh Government of either bailing out the project or seeing it collapse.

1.2.3 Risks and choice of site

It appears that both Cardiff Council and Welsh Government have encouraged the Museum of Military Medicine to come to Cardiff, believing this would be beneficial to the city and disregarding the risks. These must be properly assessed before any further support is given. Building this Museum on Britannia Park cannot be progressed without the backing of Cardiff Council, who now own the land. If the Museum is to come to Cardiff Bay, the choice of site should accord with LPD policy and with an up-to-date masterplan for the Waterfront. Today there is no such masterplan. There is plenty of unused wasteland in the vicinity of Britannia Park, much of it in the hands of Welsh Government. Why has the choice been made to build over an open green space, in an area that is deficient in this, rather than proposing a brownfield site, where a development of this size could stimulate regeneration?

1 Planning Application 19/02506/MJR documentation: DAS

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2 WHY IS BRITANNIA PARK PROPOSED FOR THIS MUSEUM?

2.1 Why does the Museum wish to relocate?

The Application Form² (2), as published, does not give the Applicant's name but this is presumably the Museum of Military Medicine (MMM) Trust, as indicated by the address.

The Design and Access Statement³ (1.9) explains that the relocation project is "*being undertaken by the Army Medical Services Museum Trust, which recognises that in order to build a sustainable future for its collections it needs to look beyond its current regimented museum set-up and invest in an outward facing, more inclusive, cultural enterprise*".

According to an MMM post⁴, relocation from its current location in Keogh Barracks at Aldershot is essential to make the museum financially viable:

This issue is pressing since the Ministry of Defence has identified that support for all military museums will be withdrawn in the next decade, meaning that museums currently funded by MOD will have to become financially self-sustaining or fold. ... When MOD support is finally withdrawn, the AMS Museum will not be able to continue as a viable operation in its current location.

As is explained below (see section 8) it has not yet been established that relocation will enable the Museum to meet its objective of becoming financially self-sustaining.

2.2 Why Cardiff?

According to an MMM post⁵, Cardiff was not first choice:

The site in Cardiff was chosen after earlier approaches to other cities around the United Kingdom came to nought. Cardiff is viewed as an advantageous location due to its effective transport links; the city is no more than a two-hour drive from the South West, London and the West Midlands, with good rail and air connections. Cardiff City Council also recognizes the significance of bringing a national collection to the city as part of its tourism offer as it seeks to establish itself as a European capital. The Cardiff site offers the best opportunity to rebrand the Army Medical Services Museum as a fit-for-purpose modern museum.

Other locations would, it appears, have been preferred but Cardiff appears to have been more enthusiastic, even though there are many places across the UK that have stronger connections with military medicine, either historically and currently. Cardiff Council's aspiration to host the collection is understandable but have the costs and risks been properly assessed?

2.3 Why Cardiff Bay?

2.3.1 Bay Business Area

As AF (6) states, *“the site is located within the Bay Business Area (BBA) of the adopted Cardiff Local Development Plan 2006-2026 (LDP).”* The applicant appears to believe this justifies building over the park, with the Pre-Application Consultation Report⁶ (p.39) stating *The relatively small loss of green space should be balanced against the benefits that the Museum manifests in light of policy KP10. The policy sees the Bay Business Area as a focus for government,*

2 Application Form (AF) for 19/02506/MJR

3 Design and Access Statement (DAS) for 19/02506/MJR

4 MMM Facebook page (17 June 2016)

5 MMM Facebook page (17 June 2016)

6 Pre-Application Consultation Report (PACR) for 19/02506/MJR

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Page 5 *tourism and leisure uses and states that future development should continue to enhance the waterfront as an attractive and diverse mixed-use location. but LDP KP10 does not mean that every piece of open green space in the Bay should be built over.*

PACR (p.41) argues that *“placing a museum on this site is just right to continue Cardiff Bay’s ‘arc of entertainment’ and draw people further towards the barrage”*. As a footnote to DAS (1.4) explains, the concept of an ‘arc of entertainment’ in the Bay dates back to the dockland regeneration undertaken in the 1990s by the Cardiff Bay Development Corporation. It is still Cardiff Council policy that the Bay should host entertainment sites, as LDP (5.14) confirms. But as will be shown below (see 3.1.1), the value of

open green space within the waterside development was recognised during the regeneration and Britannia Park was created to meet that need. The loss is not small relative to the size of the local green space.

2.3.2 Claimed connection with Cardiff Bay

PACR (p.41) asserts Cardiff Bay has a direct connection with the Army Medical Services story, as it was the embarkation point for wounded soldiers in WWI on their way to the military hospitals in South Wales and the western side of England. and

The site currently proposed provides an excellent location for the museum. Proximity to historic elements of the docks roots the museum's programme in the history of the docklands which, in addition to their commercial significance, played a crucial part in the military history of the UK. The association between Cardiff Bay and AMS is not especially strong. At the time of WWI Cardiff was a major port so it is unsurprising that wounded soldiers were embarked here, as they were at many other ports along the British coast. There has never been a significant military hospital here. The original selection of Cardiff did not mention any special connection between Cardiff Bay and AMS. This seems to have been dreamed up as a justification after the location was chosen.

2.4 Why Britannia Park?

According to MMM7, *"in April 2018 Cardiff Council suggested an alternative site on Britannia Quay, opposite the Norwegian Church on Harbour Drive".* This location is Cardiff Council's choice, not the Museum's, so we need to ask why. *2.4.1 Britannia Park not the original choice* Discussions over a move to Cardiff started in 20158:

"The Board has been in negotiation with Cardiff City Council since last autumn about the possibility of establishing The Museum of Military Medicine in the city, and with its aid is investigating the purchase of the Bute Street Railway Station and adjacent Welsh Government land in Cardiff Bay on which to build a new facility that will meet the Board's aspirations for the collections. In January 2016 the then chair of the Board met with Edwina Hart, Minister for the Economy, who gave her blessing to the project. Since then work has been taking place behind the scenes to ensure that the Trust will be in a position to purchase the building and land and secure funding for the new development."

However, the owners of the Cardiff Bay (Bute Street) station had other plans, submitting a planning application⁹ in February 2017 to refurbish the Grade II listed building and convert it into offices. This

7.museumofmilitarymedicine.org.uk/2019/07/26/a-transformational-world-class-development-in-wales
8 MMM Facebook page (17 June 2016)
9 Planning Application 17/00224/MJR

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was approved in October 2018 and building work is now complete. It is doubtful if what is now proposed for the Museum would have fitted in the available land there, listing obligations would have constrained options, and it could have blocked options for Metro routes. In any case, an alternative site was needed.

By July 2017, the proposed site had moved to the junction of Lloyd George Avenue and Hemingway Road. Approval was given to the Museum Trust in November 2017¹⁰ for the construction on that site of a museum, including café, exhibition rooms, collection stores and office space. The site was 0.3ha and the building was at first proposed to be around half the size (2,352sqm) of that now proposed for Britannia Park¹¹, although by the time it reached Planning Committee its dimensions¹² had expanded to close to those of the current proposal. There was no provision for a 'deep space' experience.

Although there was one local objection about the loss of open space, the site did not host a public park so this location did not cause wide concern.

This site would again be reviewed to allow for a new 15,000-capacity Arena¹³, for which Cardiff Cabinet in February 2018 selected Atlantic Wharf¹⁴ as its preferred location. By March 2019, this had expanded to a £500 million scheme¹⁵ with bars, restaurants, waterside apartments, office space, hotel and 2,000-space car park. In July 2019, Council announced plans¹⁶ to buy the Red Dragon Centre, hoping to open the Arena by end-2023. Full regeneration may require relocating County Hall. These ambitions made Hemingway Road unavailable for the Museum.

MMM Trust appears to have welcomed the change of proposed site to Britannia Park, noting that "*the new location has enabled the museum to reconsider the facility as a new paradigm in visitor attractions, offering a world class visitor experience as well as being a centre for research, innovation and leadership*"¹⁷. It is easy to see the appeal to the Trust of a Cardiff Bay location closer to the waterfront and the main flow of visitors but this should not mean building on open green space.

2.4.2 Purchase of Britannia Park

In November 2018, a paper¹⁸ was presented to Cardiff Council Cabinet by Cllr Russell Goodway (Cabinet member for Investment and Development) “to seek Cabinet authority to acquire a strategic site in Cardiff Bay known as Britannia Park at Harbour Drive, Cardiff Bay in order to protect the Bay edge for leisure use and to provide opportunities for appropriate investment to further enhance the amenity of Cardiff Bay” (PLBP, para 1). The associated map shows that this includes not just Britannia Park itself but also Waterfront Park along the Bay front and the strip of green land between Britannia Quay and Roath Lock. At the time, the land was owned by Associated British Ports.

PLBP (para 7) explains *In order to promote Cardiff Bay as a leading UK leisure destination and to control development around the waterfront primarily for leisure use, the Council is keen to secure all of the Bay edge into public ownership. The cost of acquiring the Britannia Park site will need to be recovered through the appropriate development of the Britannia Park site and the wider Bay edge in Council ownership. This will be done in a way that seeks to enhance the visitor experience and recognises the importance of public access and public space along the waterfront.*

10 Planning Application 17/01850/MJR

11 Application Form (sections 15 and 19) for 17/01850/MJR

12 69m length x 23m width x 19m height (Committee Report for 17/01850/MJR)

13 <https://www.bbc.co.uk/news/uk-wales-40244568>

14 <https://www.bbc.co.uk/news/uk-wales-south-east-wales-43010308>

15 <https://www.walesonline.co.uk/business/commercial-property/plans-revealed-500m-cardiff-bay-15976095>

16 <https://www.walesonline.co.uk/news/local-news/cardiff-bay-red-dragon-arena-16541052>

17 museumofmilitarymedicine.org.uk/2019/07/26/a-transformational-world-class-development-in-wales

18 Purchase of Land at Britannia Park (PLBP): paper for item at Cardiff Council Cabinet, 15 November 2018

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This statement does not explain what “*appropriate development*” would be, other than to recover the cost of acquisition, even though the choice of Atlantic Wharf for the Arena, with its implications for the Museum location, had been taken 9 months earlier. Missing here is any recognition that Cardiff Bay is not just a tourist destination but a place where people live and work, with a requirement for access to open green space.

Cabinet resolved¹⁹ to accept the PLBP recommendation to “agree to the purchase of the Britannia Park site on the terms set out in Confidential Appendix 2”. The Quarter 3 2018-19 Performance Report²⁰ presented to February 2019 Cabinet confirms that the land has been bought:

The Council acquired the strategic site of Britannia Park, Cardiff Bay following Cabinet approval in November 2018. This is to protect the Bay edge for leisure use and to provide opportunities for appropriate investment which would enhance the area. The cost of this acquisition was £2.8m, funded by capital receipts following the disposal of land interest held in Central Square.

Again, no clarification is provided on what might constitute “appropriate investment which would enhance the area”.

2.4.3 Proposed sale of land at Britannia Park

PLBP (8) noted that “subject to planning permission, a potential sale has been agreed in principle for the area of land formerly occupied by the Cardiff Bay Visitor Tube”. Cabinet resolved²¹ to accept the PLBP recommendation to “delegate authority to the Director of Economic Development to dispose of the site edged dashed green in Confidential Appendix 3 subject to independent valuation”. Without the information in this confidential appendix, it cannot be determined precisely which land is covered

by the delegated disposal authority, in particular whether the “site edged dashed green” corresponds exactly to “the area of land formerly occupied by the Cardiff Bay Visitor Tube”, or not. The land proposed for the Museum extends far beyond that formerly occupied by the Tube.

Nor do we know if MMM Trust was the intended purchaser at the time of the November Cabinet. As Cardiff Council is recorded as the landowner (AF 27), it would appear that land required for the Museum has not yet been sold.

3 BRITANNIA PARK AS A VALUABLE OPEN SPACE

3.1 Britannia Park as a public park

AF (6) claims that the whole site is previously developed land. This is only correct insofar as this land was once part of the Port of Cardiff but it has been a public park since this area was regenerated in the early 1990s. It is included in Cardiff Council’s list of parks²². AF (10) admits that there are trees on the

site that will be impacted by this development. This small open green space is much appreciated, especially in the summer months, by visitors to the Bay, by workers in offices there, and by local residents, many of whom live in flats without gardens or balconies.

3.1.1 The creation of Britannia Park

19 Cardiff Cabinet Agenda and Decisions 15 November 2018, item 12

20 Quarter 3 2018-19 Performance Report presented to Cardiff Council Cabinet, 21 February 2019

21 Cardiff Cabinet Agenda and Decisions 15 November 2018, item 12

22 Cardiff Council Find a Park search

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Britannia Park was created as part of the Capital Waterside development, a substantial component of the regeneration directed by the Cardiff Bay Development Corporation (CBDC). Outline planning permission for Capital Waterside was sought in 199023, granted in April 1991, then renewed in 199424.

This application was for *“the development of 800,000 ft² [74,322sqm] of offices, together with hotel, shops, residential, and infrastructure works at Roath Basin”*. The large area of land covered by this application sits mainly to the northwest of Roath Basin, and today hosts both the Senedd and the Millennium Centre. The outline consent *“also included for the provision of two areas of parkland”*. The *Capital Waterside Development Framework Plan* (see 11.1) shows Britannia Park at its southern tip, with Roath Basin to the northwest and Roath Lock to the southeast

.
On 26 February 1993, Associated British Ports (ABP) – then owners of this land – applied²⁵ for full planning permission for *“hard and soft landscape works”* at Britannia Park, land which had been part of the former dock area but was by then vacant. By this time, one area of parkland (then referred to as Waterside Park, running along Cardiff Bay from where the Senedd would be built to the relocated Norwegian Church) had already been provided. The site size for the second park was stated as 6,270sqm, Harbour Drive was proposed for parking, and it was recognised that the park would *“provide opportunities for leisure and retail uses to max 21,000 sq. ft [1,951sqm]”*, a little under a third of the total area. Permission was granted on 15 April 1993, as it would *“provide a valuable area of open space on this important waterfront site”*, in line with the earlier consent for two parks within the Capital Waterside development. The Permission for Development statement for this second park explains what was proposed for the future Britannia Park:

2. *The site covers an area of approximately 0.7 hectares, situated to the north of the Norwegian Church and bordered to the north and east by Roath Basin. The first part of the park was the subject of an earlier planning application (June 1992) which has subsequently been implemented and includes for a dockside walkway and soft landscaping works. The current proposal includes for extensive soft landscaping, together with other hard landscaping and footpath systems.*

3. *The park will also house the proposed new site for the Cardiff Bay Visitor Centre, which is a subject of a separate application²⁶, which is to be reported to the Committee in May. In addition, the area of the proposed park will incorporate the land surrounding the recently relocated Customs and Excise Building. Vehicular access to the park is from Harbour Drive, which was approved in November 1992 as part of the infrastructure works for Roath Basin.”*

The layout then approved (see 11.2) is close to that of the park today, other than an extension of the old Customs House building (see 3.2.4), which is allowed for in the layout initially proposed for Britannia Park (see 11.3).

3.1.2 Current use of the land proposed for development

AF (6) claims that the land on which MMM will be built is currently vacant with the last use of the site being for the Cardiff Bay Visitor Centre. But a public park is not vacant land. Only the gravelled area could be described as vacant and the required land extends well beyond that, stretching the full length of Roath Lock. AF (6) itself states “*The application site consists of hard and soft landscaped open space which includes the Grade II Listed Lock Keepers Cottage, a children’s play area and the ‘Beastie Benches’ piece of public art.*” The “*soft landscaped open space*” is park grass and trees. AF (4) gives the site area as 2,670 sqm and admits that this will entail the loss of 0.15ha (1,500 sqm) of open space.

23 Planning Application 90/00479/R (CDBC, 1990)

24 Planning Application 94/00305/R (CDBC, 1994)

25 Planning Application 93/00291/R (ABP, 1993)

26 Planning Application 93/00405/R

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3.2 Planning precedents for Britannia Park

PACR (p.41) acknowledges that “*the local planning Authority will determine the application on its own merits, however all previous applications on and around the site are of relevance to understand the planning context of the proposed development site*”. There have been a number of proposals to develop on Britannia Park but all attempts to change its basic character as an open space have failed.

3.2.1 Visitor Centre

In 1993, the Cardiff Bay Visitor Centre²⁷ (popularly known as the Tube), having stood by the Pierhead Building since 1990, was moved to the gravelled area by Roath Lock, rented by Cardiff Council from ABP. This use had been included in the approved plans for Britannia Park. The Tube proved popular with visitors. It was an architecturally innovative low-rise construction that did not intrude on either the grassed area or the children's playground, nor overshadow the Norwegian Church. Dismantled in 2010 when ABP needed to access the land to construct the Origami Bridge at the entrance to Roath Lock, the Tube was by then too old to be moved again, having been designed to last only five years.

3.2.2 Lightship

A Lightship used as a Christian Centre was given permission²⁸ to moor in Roath Basin in 1993, where it remained until 2015, when it was sold off and tugged away. The moored ship did not intrude on the use of the park for other purposes and was widely thought to enhance its character.

3.2.3 Locky's Cottage

In June 1994, permission was granted to Grosvenor Waterside²⁹ to change the use of the vacant Lock Keeper's Cottage by Roath Lock to restaurant/retail with external paving and surface treatment. A month later, an associated application³⁰ was approved to install double-glazed period style metal windows into existing openings in the cottage, and to connect drainage services, electricity, gas meter and telecommunications. A small café operated from Locky's Cottage until 2017.

3.2.4 Waterguard public house

In February 2000, HMA Architects were granted permission³¹ to refurbish and extend the old Customs House building to form part of a public house (the Waterguard) with integral first floor manager's flat, plus associated landscaping which would have included the paved space with chairs and tables on the edge of the grassed space. This development had been under consideration from the outset, as evidenced by the original site plan (see 11.3) and the required land was within the original provision for leisure and retail uses (see 3.1.1).

3.2.5 Adventure golf course

In 2007, a proposal³² to construct a “*themed adventure golf course*” was refused as it “*would result in the loss of an area of publicly available green recreational amenity space*” and “*by reason of its siting and design is considered to be an inappropriate and incongruous development having a detrimental impact on the aesthetic quality of the area*”. This refusal was made in line with then existing versions of the Local Development Plan, Planning Policy Wales and Planning Guidance on Open Spaces, but amenity and aesthetic considerations remain valid today.

27 See [https://en.wikipedia.org/wiki/Cardiff_Bay_Visitor_Centre_\(The_Tube\)](https://en.wikipedia.org/wiki/Cardiff_Bay_Visitor_Centre_(The_Tube))

28 Planning Application 97/1811/C, initially temporary then subsequently renewed and made permanent in 2012

29 Planning Application 94/00627/R

30 Planning Application 94/00628/R

31 Planning Application 99/01907/C (a variant of 99/01906/C)

32 Planning Application 07/00462/C

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3.2.6 Temporary attractions

In 2008, an application³³ to install a Ferris Wheel on Britannia Park was approved but only for three months and on condition that “*the use of the site shall be discontinued after the 15 September 2008*”, following which “*the Ferris Wheel shall be removed within seven days of this date and the ground restored to its former condition immediately upon its removal*”, as “*the use is of a temporary nature and its long-term retention would adversely affect the character and appearance of the area*” and “*in order to restore the site to its original condition in the interests of visual amenity*”. Similarly, permission was granted to Cardiff Council³⁴ in both 2012 and 2013 to install a temporary Ferris Wheel on the gravel area, provided that “*the wheel shall be removed ... and the land made good to the satisfaction of the local planning authority as soon as practically possible ... to accord with the terms of development applied for and to ensure for an appropriate restoration of the land in a timely manner*”.

Such approvals have always insisted on restoring the character of the park as an open green space.

3.2.7 Hyflyer and Skyflyer

A 2008 application³⁵ from Lindstrand Aeroplatforms for a Hiflyer balloon, gondola, landing platform and winch house was initially approved but then quashed at judicial review, having been referred to the Court of Appeal. An associated application³⁶ for advertisements on the Hiflyer balloon and gondola panels was approved but rendered meaningless by the failure of the main proposal. Similar proposals in 2009 for a Skyflyer Aerostat balloon, gondola and landing platform were refused³⁷ or withdrawn³⁸.

3.2.8 Dolffin Quay

The Dolffin Quay application³⁹ submitted by ABP on 28 July 2017 would have radically changed the nature of Britannia and Waterfront Parks and its vicinity. It sought permission for comprehensive redevelopment, including a 24-storey block with 200 residential units, a dockside building, a Bayside building and three kiosks. This would have entailed demolishing the hard standing, moving Locky's Cottage and the loss of most green space in Britannia and Waterfront Parks.

When the Dolffin Quay proposal surfaced to public view in mid-2016, it immediately caused concerns, some of which were raised during the Pre-Application Consultation in November 2016. By April 2017, a campaign had formed, which would gain wide support in defence of the only green space in that part of the Bay⁴⁰. Many were also concerned about the impact of a large development on the Norwegian Church and its iconic views⁴¹. The campaign gathered 15,000 petition signatures, held public events on the threatened parks, raised over 200 formal objections, and won the backing of local elected representatives. On 31 October 2017, ABP withdrew their application.

The campaign had succeeded but campaigners knew that struggles over land use and development rarely result in outright victories. Many worried that ABP might return with a similar proposal after time had elapsed, memories had faded, and opponents had moved on. The suggestion that Cardiff Council could purchase the land from ABP looked to be a positive move that could secure the green space from the ravages of private development, but that is not how it has worked out.

33 Planning Application 08/01497/C

34 Planning Applications 12/01220/DCI and 13/00623/DCI

35 Planning Application 08/02713C

36 Planning Application A08/0205C

37 Planning Application 09/01424C

38 Planning Application 09/01953C

39 Planning Application 17/01848/MJR

40 <https://www.change.org/p/cardiff-city-council-save-cardiff-bay-s-last-green-space>

41 <https://www.change.org/p/cardiff-council-save-the-norwegian-church-s-waterfront-park-setting>

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3.2.9 *Zip wire*

A recent application⁴² for a temporary zip wire from the roof of St. David's hotel to land on the gravelled area near the Norwegian Church has been withdrawn in the face of public opposition. Most of the objections came from residents of Ocean Reach, near the hotel, but concern was also raised over the implications of a 20m landing tower on Britannia Park that would tower over the Church.

3.3 A false and misleading claim

The applicant's claim (DAS, 1.3) that "*history indicates that the principle of development on the site has been accepted*" is false, as this record of the fate of proposals clearly shows. All applications going beyond what was originally conceived for Britannia Park, and which would have fundamentally and permanently changed its character, have been rejected, withdrawn or judicially quashed.

3.3.1 *Misunderstanding of Capital Waterside*

In support of its claim that the principle of development has been accepted, DAS (1.3) refers to the Capital Waterside outline planning permission applications⁴³ but fails to mention that the provision of two areas of parkland was inherent to the granted consent for these. The issue is not the suitability of the wider Bay Waterfront area for a development such as MMM but its location on a specific site that has been explicitly designated as a park within that regeneration area.

3.3.2 *Irrelevance of reference to Porth Teigr*

In similar vein, DAS (1.3) argues that "*additionally the site lies immediately north of the Porth Teigr mixed-use development in Cardiff Bay, where planning permission was granted for a mixed-use development of housing, business, commercial and associated works on the former operational port land in July 2008*"⁴⁴. The issues and opportunities around Porth Teigr are discussed below (see 9.1.2), but Britannia

Park does not lie within Porth Teigr. Once again, the issue is not whether MMM is an appropriate development for the eastern side of Cardiff Bay but whether it should be built over an existing park.

The importance of open space is recognised in the Porth Teigr Permission for Development⁴⁵, which states:

Unless otherwise agreed in writing with the Local Planning Authority no residential development in any phase shall take place until detailed layout plans showing the extent and location of public open spaces, to include play areas and play equipment, together with a programme for their implementation have been submitted to and approved by the Local Planning Authority. The approved open spaces shall be laid out in accordance with the plan and programme and shall thereafter not be used for any purpose other than as open space. The need for public open space is confirmed in Schedule Two of the Section 106 Agreement. This allows for an Off Site Public Open Space Contribution but states that this “*shall be used by the Council for the design, provision or improvement and maintenance of informal or formal open space in the locality of the Site in accordance with the Council’s SPG*”. The architects should not quote a planning application requiring additional public open space in the eastern Bay waterfront area to justify building on open space that already exists in Britannia Park.

42 Planning Application 19/01426/MNR

43 Planning Applications 90/00479R and 94/00305R

44 See Planning Application 03/00099/C

45 Planning Application 03/00099/C

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4 LOSS OF OPEN SPACE

DAS (4.2) recognises that “*the site has been identified as open amenity space in the most recent open space survey (May 2019), with the play park identified as recreational open space*” and hence that “*as a result C4 of the Local Development Plan (LDP), the Green Infrastructure Supplementary Planning Guidance (SPG) and Open Space Technical Advice Notes (TGN) 16 apply*”. It further acknowledges that “*the site falls within the Butetown ward which has a deficit of 23.16 hectares of recreational open space*”.

4.1 Public policy on open spaces

4.1.1 Wellbeing of Future Generations

PACR (p.40) argues “the museum is open to all age ranges and in particular aims to engage both younger and older children, providing education on the major breakthroughs in medical knowledge that have been established during times of conflict”. It then claims that “this responds directly to the well-being of future generations act goals for a globally responsible Wales and a prosperous Wales”.

This looks only at what may be gained and ignores what will be lost through the damage to Britannia Park. Attention must be paid to all the well-being goals listed in the Wellbeing of Future Generations Act46, notably section 4 “A healthier Wales: A society in which people’s physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.” National Resources Wales observe that “research shows that when communities engage with their local green spaces, and when green spaces are fully integrated with the built environment - there are direct health and well-being benefits for people, wildlife and habitats”47. Earlier this year, the Future Generations Commissioner for Wales sponsored a study into how green spaces improve our wellbeing48.

4.1.2 Welsh Government policy

Welsh Government guidance on Open Spaces (TAN 16)49 states (para 3.7):

Playing fields and green open spaces have special significance for their recreational and amenity value and, particularly in towns and cities, for their contribution to the urban environment and for supporting biodiversity. Playing fields and green spaces add interest and vitality to living and working environments. ... In addition to their environmental role they can also offer health and well-being benefits, and opportunities for community engagement. ... Only where it can be clearly shown that there is no deficiency, should the possibility of their use for alternative development be considered. Playing field loss will need to be justified in relation to policies in the LDP, PPW and, where available, be consistent with the findings of the Open Space Assessment.

4.1.3 Local Development Plan

Cardiff LDP Policy C4 states:

Development will not be permitted on areas of open space unless:

- i. It would not cause or exacerbate a deficiency of open space in accordance with the most recent open space study; and*
- ii. The open space has no significant functional or amenity value; and*
- iii. The open space is of no significant quality; or*
- iv. The developers make satisfactory compensatory provision; and, in all cases;*

v. *The open space has no significant nature or historic conservation importance.*

46 *Well-being of Future Generations (Wales) Act* (Welsh Government, 2015)

47 Communities and Regeneration Enabling Plan 2015-2020, p.3

48 #SocialPrescribingJanuary A world-leading study into how green spaces improve our well-being

49 gov.wales/sites/default/files/publications/2018-09/tan16-sport-recreation-open-space.pdf

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LDP (4.140) recognises that within the Bay Business Area “*future development should continue to enhance the waterfront as an attractive and diverse mixed-use location*”. Mixed-used includes open spaces. LDP (4.142) explains that “*New residential development within the Central and Bay Business areas will support the delivery of balanced, mixed use areas where, by virtue of their proximity to public transport, leisure, employment and community facilities, can create sustainable urban neighbourhoods and contribute to the daytime and evening economy.*” Sustainable urban environments require green spaces, not just steel, glass and concrete.

4.2 Loss of open space resulting from this proposal

The applicants have not made a convincing case that these public policies on open space should not apply to this proposal.

4.2.1 Deficiency of open space

DAS (4.2) admits that “*the scheme does reduce the overall open space in the area in an already deficit ward*”, stating “*much of the proposed site for development is laid to gravel, however development would involve the reduction of Britannia Park’s open green space by about 780sqm*”. The Butetown ward is not over-supplied with open space. The usually resident population of Butetown was 10,125 at the 2011 census but it is growing rapidly, with an estimate for 2018 of 13,700. The most recent Opens Space Survey⁵¹ gives a figure of 12.00ha of recreational open space in Butetown, implying 0.88ha per 1000 residents for 2018, well below the LPD Policy C5 requirement for “*a minimum of 2.43 hectares of functional open space per 1,000 projected population*”. The ward population continues to rise but the amount of open space does not. Now is not the time to build over a park.

If Cardiff Council were to apply LDP policy C4(i), that alone should suffice to stop the proposed development. The application contains no proposal to compensate the loss of green space in Britannia Park by creating alternative open space in the vicinity.

PACR (p.39) dismisses the loss of green space as “*relatively small*”, while DAS (4.2) claims that “*the siting of the building is done to reduce the loss*” and that “*the benefits afforded by the scheme compensate for this loss*”. But the loss is not small relative to the size of the park. DAS (1.3) gives the proposed MMM development site as 2,650sqm, 42% of the 6,270sqm⁵² of the area of Britannia Park

On the site area, the museum building would cover around 1,680sqm⁵³, 27% of the total park area, significantly impinging on grass, trees and children’s playground.

4.2.2 Amenity value and quality

DAS (4.2) recognises that Britannia Park is an open amenity space. If this proposal is accepted, then it will lose that role, not only because of the direct loss of green space but because it will also trigger a transformation in the nature of what remains. DAS (6.4) explains that “*the Council have ambition to upgrade the Britannia Park site to create an exciting visitor destination in its own right with the facility to host external events*”. Today, the gravelled area plays an uncontroversial role in occasionally supporting such events but, with that and much else disappearing under the new building, it appears that Council aspires to abolish Britannia Park’s function as a community asset performing a vital role for local residents and workers, as well as for visitors.

DAS does not assess the amenity value or the quality of Britannia Park but this was done for the Dolffin Quay application⁵⁴. ABP were keen to underplay its value but the Final Planning Statement (FPS 6.61) 50 Cardiff Council ward population estimate, derived from ONS mid-year population estimates

51 *Local Development Plan 2006-2021: Open Space Survey* (Cardiff Council, September 2009), figure 5

52 Planning Application 93/00291/R

53 DAS (1.3) states that the building would measure approximately 70m in length, 24m in width.

54 Planning Application 17/01848/MJR

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Page 14 had to concede, using the results of the Open Space Assessment (2007), that “*the results of the above study indicated that Britannia Park had relatively good functional and amenity value and was*

of relatively good quality in six of the seven categories". The weakest category was accessibility and even there the consultants accepted (FPS 6.60) that "*relative to the other open spaces in Butetown, and across Cardiff as a whole, Britannia Park ranks relatively highly in terms of its accessibility*". The consultants acknowledged that "*Britannia Park scored highly in relation to strategic value, possibly due to its contribution to regeneration*" (FPS, 6.61).

To justify building over the park against the requirements of LDP C4 they tried to play word games and claim that "*overall Britannia Park was not of 'significant' functional or amenity value or of 'significant' quality*". But for local residents (especially the high proportion without gardens) the amenity value of this open green space is very significant, then and now.

4.2.3 Built space no substitute

DAS (4.2) argues that the loss of open space "*could be compensated for with high quality publicly accessible space on the ground floor of the museum with an approximate area of 900sqm*", which "*would help increase the site's functional use and would benefit the park through access to additional facilities including the cafe space, public exhibitions and WCs etc.*" This claimed 'compensation' substitutes closed built space for open green space. That is not the intention of the LDP. Cafés already exist locally; the park will not be improved by building over it. It also appears that some of the ground floor will only be accessible to paying visitors (see 8.2.4).

4.3 Children's playground

PACR (p.40) acknowledges that "*the area of the play park will be slightly reduced*". DAS (4.2) states that the loss would be approximately 130sqm but dismisses that as being "*mostly grass*" as if children did not enjoy playing on grass. PACR (p.40) proposes that "*the layout of the equipment is reconfigured to maintain current functionality*" and claims that "*the shelter provided by the museum would create a more usable playspace without overshadowing due to the transparent atrium element in the design*".

There are much easier ways to provide shelter than a 5-storey building, the microclimate and wind effects of which have not been examined (see 5.2.4).

5 SCALE AND DOMINANCE OF BUILDING

5.1 Scale of building

AF (5) states “*the building would measure approximately 70m in length, 24m in width and 21.2m in height. The building would compose of two distinct elements, a full glazed flat roofed box to its southwestern end and partially fretted Corten skin finished building with sawtooth roof design along the rest of its length*”. AF (17) states that this will provide 4,733 sqm of new gross internal floorspace.

PACR (p.40) states “*The size and scale of the building is considered appropriate for a new landmark and is modest in comparison with neighbouring developments such as Atradius or Gloworks*”. In fact, according to its Design and Access Statement⁵⁵, the Gloworks building is about a quarter smaller, with a gross internal floor area of 3,660 sqm (para 412) and is only very slightly taller at 22m (para 408).

The Atradius building is larger but has recognised architectural merit. It is doubtful if this could be said of what would be a glass box stuck on the side of a larger steel box (see Figure 3.1, DAS p.30). Neither Atradius nor Gloworks was built over a valued local park. On its proposed site, the museum would dominate what is left of the park, as well as the setting of the iconic Norwegian Church. Its 55 Planning Application 11/00026/DCI documentation

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footprint is similar to that of the main building in the withdrawn Dolffin Quay application. Building this Museum on the wasteland near Gloworks would not raise the same objections.

5.2 Quality of remaining public green space

DAS (2.1) claims:

By placing the museum along the southern edge of Britannia Park, the quality of the surrounding public green space is improved by increasing urban legibility, providing public facilities and creating a more sheltered outdoor environment.

Each element of this claim is questionable, given the scale and dominance of the intended building.

5.2.1 Surrounding public green space

The Museum would not, as DAS claims, be surrounded by green space, as this would shrink to little more than a decorative lawn in front of it.

5.2.2 Urban legibility

Urban legibility is an urban design concept, defined by the Design Council⁵⁶ as “*ease of understanding: a place that has a clear image and is easy to understand*”, including elements such as landmarks and focal points, views, clear and easily navigable routes, gateways to particular areas, lighting, works of art and craft, signage and waymarkers. It is hard to see how the museum would increase this. The Norwegian Church already provides an ideal focal point for this area of the Bay and visitors are not disoriented by an unobstructed view of Roath Lock.

5.2.3 Public facilities

Public facilities are explained (DAS p.22) to include “*the cafe space, public exhibitions and WCs etc.*”. If the proposal were just for a small café and public toilets on the gravel area, it is doubtful if there would be any objection but this proposal is on a much larger scale, while food and drink are already available at both the Waterguard pub and the Norwegian Church. The exhibitions can be accepted as of public benefit but no justification is given as to why the park has to be destroyed to display them, when alternative locations exist nearby.

5.2.4 Outdoor environment

A more sheltered outdoor environment is claimed to be provided by boxing-in the remains of Britannia Park. The architects assume that the building will provide some protection from wind, if not rain, but large buildings have complex wind effects. The *Dolffin Quay Environmental Statement, vol.1 ch.13: Wind Microclimate*⁵⁷ concluded (13.8.7) “*the magnitude of effect at the amenity spaces is classified as medium adverse*”, i.e. Dolffin Quay would have worsened wind conditions. It proposed various features to mitigate this adverse effect. No microclimate analysis for MMM has yet been conducted so a sheltering effect should not be assumed.

As the Museum will occupy the south-eastern edge of the park, it will shut out much of the sun, as well as views of Roath Lock. Scott Brownrigg have missed the point that a core feature of Cardiff Bay as a recreation space is that it is open to the water. On this logic, the Bay would benefit from a high wall around it to shield visitors from the elements.

5.3 Visual amenity

DAS (p.35) claims that the museum will enhance visual amenity:

56 Councillors Guide to Urban Design
57 Planning Application 17/01848/MJR documentation

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The site has visual amenity due to its location in Cardiff Bay, being both a highly visible element and having excellent views from the site.

5.3.1 The Museum as a focal point

DAS (4.2) explains that *“the museum is designed to be a landmark building and create a focal point in the area offering greater visual amenity”*. DAS (5.7) claims that *“the presence of the museum and highquality public space around will give this vista well-deserved prominence fulfilling the opportunity identified in the Pierhead Conservation Area Appraisal”*.

But this site already provides a prominent and much appreciated vista with the Norwegian Church. The museum would be a tall building for that location in the Bay and would dominate the skyline. At 21.2m high, the proposed building would be 5.3m higher than the top of the Church spire (15.9m). PACR (p.40) claims *“the key vistas from the Bay to the Norwegian Church will remain”* but, although the design shows a glass block immediately behind the Church, this still carries a risk of ruining iconic views of the Church which have frequently been used in promotional material for our city⁵⁸

5.3.2 Views from the Museum

DAS (4.2) spells out the advantages offered by the *“excellent views from the site”*. To take advantage of these, *“a key concept in the design of the museum was creating views from the building across the Bay at various defined points”* DAS (4.2), while *“the perforated copper facade acts a porous skin that cloaks the Ramp, allowing for characteristic views of the city landscape through strategically located cut-outs”* (DAS 4.1). Additionally, *“an open and transparent atrium space faces out on to a new plaza and Cardiff Bay waterfront, benefiting from views of Penarth Marina and the cliff beyond”* (DAS 3.1).

No doubt these would be enjoyed by users of the museum but Britannia Park is not the only Bay location that could provide similar features (see 9.1).

6 TRANSPORT AND PARKING

6.1 Handling extra visitors to Cardiff Bay

6.1.1 *Expected visitor numbers*

The application includes no additional provision for either access (AF 8) or parking (AF 9), although the Transport Statement⁵⁹ predicts (TS 6) 225,000 visitors to the Museum by 2024. There are reasons to doubt this number (see 8.2.5) but there will certainly be increased traffic to the Bay and the applicants have a responsibility to explain how the number of visitors they predict will be handled. They cannot claim socio-economic benefits for Cardiff Bay from additional tourists (see 8.2.5) while ignoring the consequences of that increase for local infrastructure.

AF (19) states that MMM will be open from 09:00 to 17:00 every day. That implies an average of a little over 600 visitors by car each day or just under 40 an hour. But the number of visitors will not be evenly spread. Higher numbers are to be expected on weekends and holidays, while visiting patterns to the Bay are influenced by season and weather. The predicted numbers imply thousands of daily visitors on peak days. The Transport Statement does not give any results for peak flow analysis.

6.1.2 *Expected number of cars*

TS (7) explains

58 For example, see www.visitcardiff.com/travel-trade/cardiff-bay or www.cityofcardiff.com/church.html

59 Transport Statement (TS) submitted as supporting documentation for 19/02506/MJR

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The estimated split of visitor arrival is based on data from similar from public attractions in Cardiff and similar organisations in the UK. In line with the modal split required by KP8 ... we anticipate 50% of the visitors arriving by car

Even if Cardiff Council's target of a 50:50 modal split between journeys by car and journeys by walking, cycling and public transport (LDP KP8) is achieved by the time the Museum opens, 225,000 annual visitors would imply 112,500 arriving by car. Assuming an average 1.6 people per car⁶⁰, that would mean around 70,000 cars per year or a daily average of around 200. There are factors that would increase that

number (e.g. car occupants not intending to visit the museum) or reduce it (e.g. museum visitors who would have come to the Bay anyway). Account must also be taken of the fact that progress towards Cardiff Council's target modal split has to date been too slow to meet the target, with Cardiff's Public Sector Board acknowledging that the rate of growth in those using sustainable transport needs to accelerate⁶¹. Overall, 200 should probably be treated as a minimum value for the daily average of additional cars. This average does not suffice to model the transport impact of the museum on the Bay. Without peak flow analysis, the maximum daily number cannot be predicted with any accuracy but if the Museum meets its visitor target that would imply a peak of several hundred extra cars a day. Similarly, these will not be spread evenly through Museum opening hours, with most arriving or leaving from midmorning to late afternoon.

6.1.3 Visitor impact on traffic

Outside rush hours, there is today not much traffic congestion in Cardiff Bay, except when there are major events. But to be confident that the impact of the Museum would not have detrimental effects on congestion, we would need to map the missing peak flow analysis against a calendar of expected events, together with the promised but not yet provided Waterfront masterplan, so that the consequences of the Museum could be understood alongside those of other major proposals, such as the new Arena⁶², extensions to rail/tram lines for the South Wales Metro⁶³ or Crossrail⁶⁴, cuts to Cardiff Bus routes (such as the number 6 which no longer runs along Britannia Quay to serve Porth Teigr)⁶⁵, or the Lloyd George Avenue cycleway⁶⁶.

In the absence of that analysis and that plan, the congestion impact of extra car traffic to and from the Museum must be left open. It should be independently assessed before approving the application.

6.1.4 Visitor impact on parking

DAS (4.3) states that "*there are a number of car parking facility located close by*" and hence "*to promote sustainable forms of travelling to the Museum site, no car parking facilities will be included within the development layout*". This is a rationalisation of the fact that including such facilities within the available land at Britannia Park would not be practical, rather than an accurate assessment of local parking capacity. There is already a known shortage of parking spaces in Cardiff Bay. Schroders UK Real Estate Fund has earlier this year applied⁶⁷ to double the size of the existing Mermaid Quay car park on Stuart Street to meet anticipated demand from its renewal of Mermaid Quay.

TS (7) casually assumes that visitors will have access to “*parking in adjacent car parks*” and that “*we expect to come to an arrangement with the nearby multi- storey car park*”. This shows a lack of 60
www.statista.com/statistics/314719/average-car-and-van-occupancy-in-england

61 Cardiff in 2018, p.23

62 <https://www.walesonline.co.uk/business/commercial-property/plans-revealed-500m-cardiff-bay-15976095>

63 gov.wales/sites/default/files/publications/2018-06/south-wales-metro-brochure.pdf

64 www.walesonline.co.uk/news/wales-news/cardiff-crossrail-map-transport-trams-16529975

65 www.walesonline.co.uk/news/wales-news/cardiff-bus-cut-routes-crisis-15734996

66 Cardiff Cycleway 3.1 Public Consultation

67 Planning Application 19/01012/MJR

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awareness of local conditions, where the demand for parking spaces fluctuates greatly depending on season, holiday/weekend, weather or major events on the waterfront or popular shows in the Millennium Centre. It is implausible that additional demand generated by the Museum could be accommodated at peak times without extra parking spaces. The mooted arrangement with a nearby car park might not materialise.

6.2 Lack of disabled parking

6.2.1 Policy requirements

LDP T5 (Managing Transport Impacts) states (5.230):

The purpose of this Policy is to ensure that all new developments for which planning permission is required:

...

iii. *Make satisfactory provision for access, parking and circulation, particularly by pedestrians, cyclists, public transport users and disabled people with mobility impairments and particular access needs;*

This requirement is in keeping with the expectations of the Equality Act 2010, which “*requires service providers to take positive steps to ensure that disabled people can access facilities and services ... to avoid disabled people being placed at a ‘substantial disadvantage’, compared to non-disabled people, when accessing the facilities or services*”⁶⁸. Campaigning groups such as Disability Wales insist that a

Design and Access Statement should show “*how accessibility by different modes of transport has been considered, from drop-off point to the door*”⁶⁹.

6.2.2 Failure to comply

In breach of LDP T5, MMM – despite expecting 225,000 visitors a year – has made no parking provision at all, let alone a satisfactory one, for disabled people with mobility impairments and particular access needs. Instead, TS (7) just states that, having parked at the multi-storey⁷⁰, “*visitors will then walk to the site*”, nearly half a mile away⁷¹. It cannot be assumed that the few disabled parking spaces along Harbour Drive or Britannia Quay will be vacant, especially at times of peak demand.

This neglect of the interests of disabled visitors is not only in breach of the LDP but also shows a surprising lack of consideration for veterans who may have benefitted from Army Medical Services but still have a residual disability, many of whom may be interested in visiting the Museum. It is a step backwards from the current location at Keogh, where disabled parking is available within the barracks for anyone with mobility difficulties⁷².

7 DESIGN AND HERITAGE

7.1 Proposed design

7.1.1 Suitability of building materials for this location

PACR (p.40) asserts

⁶⁸www.evershedssutherland.com/global/en/what/articles/index.page?DLR_disabled_parking_230812

⁶⁹ Planning for Inclusive Access in Wales: good practice guidance toolkit, p.22

⁷⁰ This is presumably the Q-Park Cardiff Bay off Bute Place, although this is not explicitly stated.

⁷¹ Google Maps calculates the straight-line distance as 0.3 miles but the walking distance exceeds this.

⁷² museumofmilitarymedicine.org.uk/about/disabled-access

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The materials chosen for the proposed museum will comply with all relevant regulations to ensure they don't pollute, are robust and easy to maintain. Corten steel is a widely used material with a proven track record thanks to being used on a number of successful buildings in the UK. However, Corten steel is usually thought to be unsuitable for buildings in marine environments such as Cardiff Bay, on the damp South Wales coast:

*Corten is not advised for public realm application in coastal and harsh-weather environments or for areas which will remain permanently damp. The build-up of the patina relies on the surface being regularly dried and so careful design must be employed allowing good ventilation and uniform exposure to the weather.*⁷³

In the wrong environment, serious problems can emerge:

*The idea behind this striking material is that a surface layer of rust will form, protecting the steel underneath from further deterioration and eliminating the need for paint. ... The result should be a maintenance-free material with a unique aesthetic. But in the real world, different conditions like too much humidity often mean that the rust layer never reaches a stable point. Eventually, the metal can become perforated and may need to be replaced.*⁷⁴

Sea salt is a particular concern:

*Exposure to high concentrations of chloride ions, originating from seawater spray, salt fogs or coastal airborne salts, is detrimental. The hygroscopic nature of salt adversely affects the 'patina' as it maintains a continuously damp environment on the metal surface. In general, weathering steel should not be used for bridges within 2km of coastal waters, unless it can be established that airborne chloride levels do not exceed the salinity classification of S2 (i.e. $cl < 300\text{mg}/\text{m}^2/\text{day}$) to BS EN ISO 9223.*⁷⁵

Cardiff Bay itself is fresh water but the salt water of the Bristol Channel is just 1km away beyond the Barrage⁷⁶. Approval should not be given for the use of Corten steel as a building material in Cardiff Bay without independent confirmation that the local microclimate is suitable for its use.

7.1.2 Visual amenity of building materials

Corten steel is a product which can provoke strong reactions, for or against. Architects and sculptors are probably more favourable towards it than is the general public. Whether it is appropriate for a large building on this site is questionable. PACR (p.40) claims that "*references to the industrial buildings of the docks in the building's design root the museum in its historical context in a poetic manner*". DAS (7.0) explains that "*the colour of corten steel makes a subtle reference to the Pierhead Building and, coupled with the unique form, ties it visually to the industrial history of the Bay*".

Many might find it hard to conceive of rusted steel as poetry. Some Corten steel buildings have over time gained public acceptance but within urban environments, as is the case with the Barclay Centre in Brooklyn⁷⁷. On the Hemingway Road site, the proposed design might indeed have offered a distinctive focal point at the southern end of the bland Lloyd George Avenue. But Britannia Park is a small green oasis within what risks becoming an over-developed waterfront. By simply taking a design initially produced for one location and reusing it in another, the architects have paid no attention or shown any sensitivity to the different characteristics of the new site.

⁷³<https://www.marshalls.co.uk/commercial/blog/specifying-cor-ten-for-external-architectural-use>

⁷⁴ <https://greenfuture.io/sustainable-living/corten-steel/>

⁷⁵ https://www.steelconstruction.info/Weathering_steel#Marine_environments, taken from Corus guide on *Weathering Steel Bridges* (p.8)

⁷⁶ Google Maps calculates the straight-line distance as 0.6 miles

⁷⁷www.brownstoner.com/development/barclays-center-rusted-corten-steel-facade-brooklyn

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7.2 Heritage

AF (6) states

The site is located a short distance (between 50m and 150m) from the Grade I Listed Pierhead building, the seat of the Welsh Assembly 'The Senedd' (undesignated), the Wales Millennium Centre (undesignated) and directly adjacent to the Grade II Listed Waterguard Public House, and the Norwegian Church (Undesignated). ... The site abuts the Pierhead Conservation Area and is in visible distance of the Mount Stuart Square Conservation Area.

The Heritage Impact Assessment in Section 6 of DAS provides interesting information but its purpose is to justify deconstructing and re-siting what is known as Locky's Cottage, a former workmen's hut at the sea lock to Roath Basin, which is a Grade II listed building, in order to make room for MMM to be built along the side of Roath Lock. Planning Application 19/02508/MNR, which seeks listed building permission for re-siting, is consequential on 19/02506/MJR.

7.2.1 Deconstruction and re-siting of Locky's Cottage

Locky's Cottage is listed by CADW as an "*interesting survival from port and for group value with Roath Basin sea lock*"⁷⁸. DAS (6.4) proposes moving Locky's Cottage would be moved from its current location by the side of Roath Lock to the other side of Britannia Park, close to Roath Dock and the Waterguard public house. Re-siting would separate it from Roath Lock and from the workmen's hut on the other side of the lock, losing its historical context and group value, even though the chosen option would be less damaging than some of those considered.

Rejecting 19/02506/MJR would make re-siting unnecessary and hence remove the need for 19/02508/MNR.

7.2.2 Proposed new use of Locky's Cottage

DAS (6.4) asserts that "*the Lock Keepers Cottage failed as a commercial catering venture*" but in fact it was a functioning business until 2017 when ABP ended its lease in preparation for the proposed Dolffin Quay development, even if its future as an outdoor café in a competitive environment was uncertain. In either case, there are new plans for the cottage.

DAS (6.4) explains

As well as introducing a museum of national significance, the Lock Keepers Cottage will remain in the ownership of Cardiff Council and is intended to be regenerated for reuse as an ancillary building strategically positioned to support outdoor events taking place in Britannia Park. These events include Cardiff Council and external organisers, such as the new Military Museum of Medicine.

This confirms the intention not only to build over a significant part of Britannia Park but to convert what is left into an events space rather than an open green space usable, by local residents and workers as well as by visitors, for peaceful relaxation and enjoyment.

7.2.3 Norwegian Church

Although the Norwegian Church is not a listed building, it is a heritage asset included in the Glamorgan Gwent Archaeological Trust's Historic Environment Record⁷⁹ and on the National Monuments Record for Wales, where it is described as "*now a significant feature of the mixed architecture of Cardiff Bay*"⁸⁰. It is much loved, as evidenced by the 10,000 signatures gathered against the impact of the
78 cadwpublic-api.azurewebsites.net/reports/listedbuilding/FullReport, reference number = 14060
79 Archwilio, the Welsh Historic Environment Records online, Primary Reference Number = 00813s

80 coflein.gov.uk/en/site/9321/details/norwegian-church-bute-east-dock-cardiff
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Dolffin Quay proposal on the Church⁸¹, or by the large attendance at its recent celebration of its 150th Anniversary. It is appreciated not only for itself and its significance as a symbol of Cardiff's multicultural history and continuing connection with Norway, but also for the amenity value of its tranquil setting on the Bay, which risks being lost by the construction of a large Museum in its immediate vicinity.

The potentially damaging impact on views of the Church has been explained above (see 5.3.1).

7.2.4 Dock wall

AF (6) acknowledges that "*a number of pieces of dockside 'furniture' (Captans, mooring ties etc.) form part of the Grade II listed dockside wall*"⁸². The Museum will make the dockside less accessible.

8 IS THIS PROPOSAL VIABLE?

As building this Museum over Britannia Park depends on the willingness of Cardiff Council to sell or lease land it owns, approving this application is not simply a matter for the Planning Committee. Unless Council takes a deliberate decision to make its land available, then the project cannot go ahead on this site and the park will be saved. In considering that decision, Council must take a wider view of the potential costs and benefits of the proposal than the Planning Committee is required to do.

8.1 Claimed benefits

The PACR (p.41) asserts that the financial viability of MMM at this location is "*not a material consideration for planning*". But the applicant seeks to justify the proposal by claiming benefits that can only be realised if the project proves viable in itself and for the wider Bay economy

8.1.1 Claimed economic benefits

Referencing the Local Development Plan's⁸³ Key Policy (KP) 10, PACR, p.39 asserts that "*the museum improves the leisure and tourist facilities and generates significant benefit for the local economy, making the area more attractive overall*", while AF (18) claims that MMM will require 11 Full Time Equivalent employees. But it is not the intention of the LDP to promote the construction of idle buildings, which is what the Museum will become unless the Trust has the revenue sources to make this a viable project. A new all-weather attraction could benefit Cardiff Bay, where businesses often struggle through the winter

months when visitor numbers drop sharply. But while the Museum might draw more people to the Bay, it could also draw them away from existing attractions and even put them in financial jeopardy. Demand is not infinite. For example, Techniquest, which is itself in the process of reorienting to deal with an imminent loss of grant funding (see 8.3.1) could suffer from this competition. The MMM Trust is under no obligation to consider such possible consequences but Cardiff Council should do so, as publicly owned land and public money are involved.

8.2 Financial viability

Any economic, employment and future generations benefits will only be realised if the project proves to be financially viable. The applicant has yet to demonstrate that it will be.

81 www.change.org/p/cardiff-council-save-the-norwegian-church-s-waterfront-park-setting

82 cadwpublic-api.azurewebsites.net/reports/listedbuilding/FullReport, reference number = 14062

83 Cardiff Local Development Plan 2006-2026

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8.2.1 Current financial position of the Museum Trust

The latest MMM Trust Accounts⁸⁴ show that the Museum does not yet have the funds required for relocation nor the capacity to become self-financing once the MOD has withdrawn funding, without new sources of regular income. The move to Cardiff will be expensive, which the Trust realises as it is "*actively fundraising, with a mix of grants and investment*"⁸⁵.

In year-ending 31 March 2018, £143k was spent on charitable activities. Excluding a one-off donation from RAMC of £25k and Grant-in-Aid of £78k (both of which should cease when MOD funding ends) the Museum had income of just £18k, a trading surplus of £14k plus £4k in donations, legacies and investment income, i.e. a deficit of £125k without MOD support. The limited information available for the previous year suggests a similar outturn. The Trustees do not believe they have free reserves. Running the Museum at Cardiff will be more expensive. At Keogh, it pays neither utility charges (except phone) nor business rates, nor rent. Just £9k is recorded for museum depreciation but this will be much higher in new premises. For comparison, property costs for the Techniquest are £379k⁸⁶, primarily for its main building in Cardiff Bay, which is smaller than the proposed Museum⁸⁷. Salaries and related costs for 5 staff amount to over half (£87k) of charitable expenditure and an expanded operation will require more paid staff, as acknowledged in the application.

MMM has recognised the weakness of its original case by adding a new section 1.8 to DAS88, entitled *Bringing the Museum of Military Medicine to Cardiff*, which asserts that “MMM’s business plan identifies a series of income streams that will enable the museum to become self-sustaining”. But from the information provided, it seems that “will” should really be “might” or at best “should”, as nothing definite is stated in this section.

8.2.2 *The Museum’s ambitions* The Summary of the proposal (DAS 1.9) suggests that the Museum would be fairly traditional in its approach: *The new Museum of Military Medicine will hold the national collection of art, artefacts, archives and exhibits that has been collected and displayed at the Keogh Barracks in Aldershot – now proposed to relocate to Cardiff Bay. ...*

The archives are used by researchers in medicine and medical history as the records go back to the Napoleonic wars. This research is used to advance medical care and technology. Essentially there are three types of exhibition/archive spaces.

1. *Environmentally sensitive papers and artefacts*
2. *Artefacts, exhibits and interactive displays that require “black box” environment*
3. *Galleries for exhibits that are better suited to controlled/diffused naturally lit spaces*

In addition to the permanent and temporary exhibition rooms, the building also benefits from research and innovation areas for professionals and university students; as well as meeting rooms which could be leased for different purposes; a library; a function room; office space and a deep space which is an immersive interactive experience.

There is a hint of more in its stated intention that “*the new museum will tell the story of the four constituent Corps in a way that is engaging, interactive and lively, and will meet the expectations of contemporary audiences*”. The Summary mentions a ‘deep space’, briefly described in DAS 3.1

:

The ground floor will also contain an immersive experience called ‘deep space’ which offers an interesting counterbalance to the overall feeling of openness. This space is a controlled and fully

84 Museum of Military Medicine Accounts and Trustees’ Annual Report (year ending 31 March 2018)

85 www.bbc.co.uk/news/uk-wales-50249739

86 Techniquet (Charity no.517722) Accounts (year ending 31 March 2019)

87 Planning Application 18/02513/MJR

88 This section was not included in the DAS version submitted for Pre-Application Consultation.

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enclosed environment that is designed to create a “suspension of reality” offering and fully immersive experience. This detaches the visitor temporarily from reality and transports them to another time and place. It now appears from the way the Museum’s wishes to present the proposal⁸⁹ that this ‘deep space’ will be central to attracting visitors, offering “*a super-high definition 8K immersive video space*” with “*2D and 3D visuals, exploring science, medicine, art and history*”, while “*alongside exhibitions and ‘immersive’ visitor experiences, the visual room could also be used to train doctors*”. The model for this is the Ars Electronica Center⁹⁰ (Museum of the Future) in Linz, which has galleries looking at the human body, robotics, technology and artificial intelligence.

8.2.3 Funding requirements for relocation

According to Trust Accounts⁹¹, £2m has been provided by the Treasury for relocation, with a further £132k from other sources. Of this, £392k has been spent, leaving £1,740k at 31 March 2018, some of which will since have been spent. This will not suffice to build the new Museum, even on a traditional model. Cardiff Council spent up to £2.4m back in 2011 to construct the Doctor Who Experience building⁹², which was smaller at 3,000sqm⁹³ than MMM at 4,733sqm and not designed as a permanent structure. Opening in 2009 for Linz’s year as Europe’s Capital of Culture, the Ars Electronica Center (AEC) cost 30m euros⁹⁴, and installing Deep Space 8K technology there in 2015 cost a further 1.2m euros⁹⁵. The Museum Trust believes their proposed Cardiff building could cost £30m⁹⁶. For what DAS (1.8) calls “*pre-build revenues*”, MMM is “*currently working with academic partners and the NHS*” towards a set of qualifications and courses, from which “*MMM will receive a commission against fees raised and a contribution to any costs incurred*”, but there is no certainty over whether or not this will result in anything tangible or what the anticipated income would be. Similarly, it states that “*capital funding will be raised from grants and donations, sponsorship, and investment*” but with no indication of what these sources might be, how committed they are, or how much funding is promised. Some potential partners or donors may not want to be too closely associated with an organisation that includes “*increase military recruitment*” in its charitable objectives⁹⁷.

8.2.4 Ongoing funding requirements

DAS (1.8) states “*post build, a mix of conferencing, retail, catering, admissions charging, temporary exhibitions, events, and venue hire is being planned, and educational programmes and innovative research partnerships will all contribute to the long-term viability of the project*” and that MMM will “*feature*

an active public engagement programme". Again, there are no numbers provided, nor clarity over whether these sources will provide the revenue needed to sustain the Museum. The inclusion of admissions charging is a major change from the original DAS, which did not mention this, implying that the current policy of free access at Keogh would continue. There is no doubt that this will be necessary as other sources of income from the Museum will not suffice. For comparison, Techniquet lost £49k on café, sales and hires last year, although it had made £228k the previous year⁹⁸. No evidence is provided to show that admissions charging will provide adequate revenue.

89 www.bbc.co.uk/news/uk-wales-50249739

90 en.wikipedia.org/wiki/Ars_Electronica_Center

91 Museum of Military Medicine Accounts and Trustees' Annual Report (year ending 31 March 2018)

92 www.bbc.co.uk/news/uk-wales-south-east-wales-43159603

93 coflein.gov.uk/en/site/420193/details/the-doctor-who-experience-cardiff-bay

94 en.wikipedia.org/wiki/Ars_Electronica_Center

95 ars.electronica.art/press/en/2016/02/22/14959

96 www.bbc.co.uk/news/uk-wales-50249739

97 Museum of Military Medicine documents

98 Techniquet (Charity no.517722) Accounts (year ending 31 March 2019)

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8.2.5 Expected visitor numbers

The Transport Strategy⁹⁹ (6) claims that "*the museum has produced a comprehensive business plan with advice from tourism and business planning experts*" but this is not included in the 19/02506/MJR documentation and does not appear to be publicly available; at least, I have been unable to find it. TS (6) asserts that *Based on visitor data gathered by academic research and following attendance data from public buildings in Cardiff, the museum predicts the following visitor numbers:*

2023 175,000 visitors

2024 225,000 visitors

2025 225,000 visitors

For revenue generation these need to be paying visitors, rather than just those passing through public areas. How credible are these visitor number predictions? Some comparisons will be helpful.

□ The US National Museum of Health and Medicine¹⁰⁰ (NMHM), previously the Army Medical Museum, once attracted up to half a million visitors a year on the National Mall in Washington but now attracts only 50,000 visitors at a US Army site near the Capital Beltway, despite free admission and free parking. At Cardiff Bay, MMM will be outside a barracks location but some distance from the UK's major population centres. Unlike NMHM, it will charge for admission.

□ In 2018, 176,923 people visited AEC and participated in its events, with 105,000 at the annual festival¹⁰¹. Ars Electronica is long-established as a cultural, educational and scientific institute, based at Linz since 1979, focusing on the interlinkages between art, technology and society, with an annual festival and conferring the prestigious Prix Ars Electronica awards¹⁰². It is not explained how MMM can reach and then exceed these numbers almost from the outset, without history or reputation. MMM's narrow focus on military medicine is likely to attract a narrower audience than Ars Electronica's broad coverage of new media art.

□ Over the last year, 170,827 visited Techniquest¹⁰³, which is the UK's longest established science centre¹⁰⁴, with a mission since 1986 to embed science in Welsh culture through interactive engagement that has found wide resonance with parents, schools and public bodies. It is hard to see military medicine having the same appeal, particularly with families and schools, who have been at the core of Techniquest's public.

□ The Doctor Who Experience had to close in September 2017 as numbers fell¹⁰⁵. A family ticket price of £49 did not suffice to bring in enough revenue to be self-sustaining.

If the viability of the Museum will depend on income from paying visitors, a more credible case should be provided on predicted paying visitor numbers, the expected entry fee, and the anticipated revenue. The number of visitors will depend on the entry fee, so cannot be determined without knowing that. Attractions which raise charges to boost income risk entering a 'death spiral' as visitor numbers fall further.

8.3 Public risks

DAS (1.9) states

99 Transport Statement (TS) submitted as supporting documentation for 19/02506/MJR

100 www.medicalmuseum.mil

101 ars.electronica.art/press/en/2019/01/07/rueckblick

102 en.wikipedia.org/wiki/Ars_Electronica

103 Financial Statement for charity number 517722

104 www.techniquest.org/about-us/the-story-of-techniquest

105 www.walesonline.co.uk/news/wales-news/closure-doctor-who-experience-cost-14317405

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The facility is intended to be of national/international importance and has received enthusiastic support from Welsh Government and Cardiff City Council.

Public authorities also have a responsibility to judge the risks of undertakings.

8.3.1 Will the Museum require public funding?

The Museum Trust says it does not intend to need public money¹⁰⁶, although it has already received £2 million from the Treasury in 2016 towards relocation in Cardiff¹⁰⁷. Even allowing for various suggested income sources and possible private donations, it is doubtful if such an institution could be delivered or survive without some public contribution.

Recent investigations have shown that arts and culture remain highly dependent on public sector funding despite efforts over many years to find private sector alternatives. The 2017 *Mendoza Review*¹⁰⁸ on English museums found (p.30) that *Our research suggests that many museums rely, to a large degree, on public funding. Around 59% of Accredited museums rely on some form of public funding, not including National Lottery.*

The following year, the Culture, Welsh Language and Communications Committee of the National Assembly for Wales reported in *Building Resilience*¹⁰⁹ that *having investigated opportunities for growing non-public income for arts organisations in Wales, we have found that they face very real difficulties in doing so. Given the Welsh Government's request for the sector to reduce its dependence on public funding, it is important to understand that such a change is likely to require additional public sector support in the short term, especially when considered against the backdrop of austerity and the dominance of London and the South East in UK fundraising.* (p.9)

It confirmed that

Public funding remains essential to a flourishing arts sector. It provides direct support for a wide range of arts organisations that would in many cases be unable to exist without it. It is also the bedrock that affords them the time and space to seek funding from the private sector and from trusts and foundations. (p.30)

Comparable examples also suggest MMM will struggle without further injections of public money.

- NMHM is federally funded as a division of the Defense Health Agency Research and Development Directorate¹¹⁰ but without additional Department of Defense money it has been unable to build a new museum¹¹¹.
- Ars Electronica receives funding from the City of Linz, the Province of Upper Austria and the Republic of Austria¹¹², and also from the EU¹¹³. The City of Linz contributed 500,000 euros towards the cost of building the AEC Deep Space facility¹¹⁴. Sustained effort over many years to expand its commercial for-profit activities has reduced but not eliminated its dependency on its declining public subsidy.
- Techniquet has relied for around 40% of its income on funding from Welsh Government, worth £1.3m in 2016 when it was told this would be cut by 22% and that its grant would end by 2019,

106 www.bbc.co.uk/news/uk-wales-50249739

107 www.gov.uk/government/publications/autumn-statement-2016-libor-commitments

108 [The_Mendoza_Review_an_independent_review_of_museums_in_England.pdf](#) (MR)

109 Building Resilience: Inquiry into non-public funding of the arts

110 www.medicalmuseum.mil

111 en.wikipedia.org/wiki/National_Museum_of_Health_and_Medicine

112 ars.electronica.art/about/en

113 ars.electronica.art/press/en/2019/01/07/rueckblick

114 ars.electronica.art/press/en/2016/02/22/14959

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raising fears that it might need to close¹¹⁵. The end-date for the core grant has now been extended to April 2021 to give time to find alternative income sources¹¹⁶. In response, Techniquet announced plans for The Science Capital¹¹⁷, with an extension of its building on Stuart Street and repositioning to extend and diversify its audiences, but moving forward with this has needed £3m awarded through the UK Government Department for Business, Energy and Industrial Strategy (BEIS) and the Wellcome Trust's Inspiring Science Fund, plus match funding from various sources, including Welsh Government's 'Invest to Save' fund¹¹⁸. Alongside private sources, public money for capital spending has again proved to be essential.

- Cardiff Council stopped subsidising the Doctor Who Experience after losing over £1.1m, having overestimated the amount of money the exhibition would bring in over five years, a move later described by Cllr Goodway as a bad business decision¹¹⁹. Without this subsidy, the Experience had

to close.

Each of these comparisons is relevant, either by the nature of the attraction or by its location in Cardiff Bay. They confirm the general picture that public money continues to play a vital role in the museum sector and that without this museums or similar bodies might not survive.

8.3.2 Hard choices for public funding

In the austerity climate of the past decade, this dependency on public money has placed museums at risk. The Museum Association reported in 2017 that “*in a time of public funding cuts, 64 museums have closed across the UK since 2010 and more are at risk*”¹²⁰. Further closures will have occurred since. Museums supported by local authorities appear to be most at risk, either of closing or of having to take steps that reduce their quality or impact (MR p.32).

Real-terms public funding of the arts has declined substantially in Wales in recent years, with Welsh Government funding of the Arts Council declining by 18% in real-terms between 2011-12 and 2017-18 and local authority funding of Arts Portfolio Wales falling from £11 million in 2011-12 to £5.1 million in 2016-17¹²¹. Museums have not been immune as cuts to the Welsh block grant are passed down¹²². Pressure on budgets has been a fact of public life for a decade and continued since the relocation of MMM to Cardiff was first suggested. For Welsh Government, “*in 2019-20, the Welsh budget will be 5% lower in real terms, on a like for like basis, than at the start of the decade in 2010-11 – this is equivalent to £800m to spend on public services*”¹²³. This has inevitably worked its way down into the budgets of Welsh local authorities which, despite increasing other income sources such as council tax, saw an 8.3% fall in real gross revenues from 2009-10 to 2017-18¹²⁴. With a growing population, Cardiff Council faced a budget gap of £35.2m in 2019-20 and anticipated £93m over the following three years¹²⁵. There is no spare money to cover shortfalls that may be encountered by MMM Trust, either for the initial build of the Museum or to save it from bankruptcy if hoped for income does not suffice.

8.3.3 Site risks from potential failure

If public subsidy is not provided, there is a serious risk that the Museum will not be viable and will have to close, leaving an empty building on what is today a valued park. It may not even be completed.

115 www.bbc.co.uk/news/uk-wales-35303392

116 www.bbc.co.uk/news/uk-wales-politics-37234805

117 www.techniquet.org/about-us/the-science-capital

118 www.techniquet.org/blog/techniquet-secures-3m-funding-science-capital

119 www.walesonline.co.uk/news/wales-news/closure-doctor-who-experience-cost-14317405

120 www.museumsassociation.org/news/20092017-ma-publishes-information-for-museums-facing-closure

121 seneddresearch.blog/2018/11/26/challenging-times-for-the-publicly-funded-arts-in-wales

122 www.museumsassociation.org/museums-and-arts-organisations-in-wales-prepare-for-more-funding-cuts

123 Forward to Draft Budget 2019-20 outline proposals, p.1

124 Cut to the bone? An analysis of local government finance (Guto Ifan and Cian Sion)

125 Cardiff Council press release on budget consultation, 9/11/2018

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Granting planning permission would create a new precedent for this land. As has been shown above (see section 3), planning precedent to date confirms the role of the park as valuable open space. Once that precedent is broken, the way would be open for future commercial or residential planning applications. Even though permission for 19/02506/MJR would presumably be for a category D1 (nonresidential

institution) development, applying for subsequent change of use is easier than applying to build over open space. If the land were to be sold by Cardiff Council following approval of this application, then the park would have returned to private hands, allowing it to be sold on by MMM Trust and making it harder for its future to be secured in the interest of future generations.

9 ARE THERE ALTERNATIVES TO BRITANNIA PARK?

9.1 Alternative sites

If the concerns over viability are resolved and if the Museum is to come to the Cardiff area, other locations with stronger historic or current military or medical associations should be considered. If Cardiff Bay is considered to be a good location for the Museum, it does not have to be built over Britannia Park as nearby alternatives exist.

9.1.1 The regeneration of Cardiff Bay within the LDP

According to the LDP (A3.29)

The regeneration of Cardiff Bay represents a major success story with major redevelopment and infrastructure projects being undertaken over the past two decades. Whilst significant progress has been made a number of sites remain to be implemented including the completion of developments at the International Sports Village and the media/creative industries cluster, residential development and associated uses at Roath Basin (Porth Teigr).

With these major sites still not implemented, there can be no justification for building over one of the

few small green spaces within the Bay area, itself a product of an earlier regeneration that recognised its value. The LDP does not propose Britannia Park as a development site.

9.1.2 Porth Teigr

The LDP (A3.29) recognises that the development of Porth Teigr has yet to be completed. Outline permission¹²⁶ was granted in July 2008 for a major regeneration of land to the southeast of Roath Basin. The application was submitted by Igloo Regeneration to redevelop former operational port land to create a mixed development of housing, business and commercial uses, open spaces and car parking, and entailing landscaping, new accesses and infrastructure, and land reclamation.

Progress was slow in the aftermath of the financial crash and in 2010 approval was granted to an application¹²⁷ to extend the period allowed for development from 3 years to 15 years. The freehold for this land is held by Welsh Government. But Igloo made little headway and in November 2018 Welsh Government (who own the freehold) took over responsibility for the 38-acre site¹²⁸, of which 30 acres (12.1 hectares) were then undeveloped, but new plans have not yet been published. Porth Teigr includes the land on which the Doctor Who Experience once stood but that building has now been dismantled to be reassembled elsewhere. To my knowledge, no decision has yet been taken on the future of this site, which is already established as a cultural destination.

One of the arguments (DAS 2.1) for using Britannia Park is that *“the location of the building provides another cultural landmark between the city centre and the bay, promoting the use of this route and*

¹²⁶ Planning Application 03/00099/C

¹²⁷ Planning Application 08/01736/C

¹²⁸ www.walesonline.co.uk/business/commercial-property/whats-happening-doctorwho-experience-15374330

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drawing people further towards the Barrage”. A Porth Teigr location would offer similar advantages and would take forward the regeneration of this land, without destroying an existing park. It may be potential to include parking there, at least for disabled visitors, which Britannia Park has no capacity for. As this is public land, Cardiff Council should speak to Welsh Government about MMM relocating to Porth Teigr rather than building on Britannia Park.

9.1.3 Alexandra Head

Work was undertaken in spring 2018 to tarmac land on Alexandra Head for events, at a cost of over £1.1m¹²⁹, initially in preparation for the Volvo Round the World yacht race. It was then used for the Bay summer beach, as the usual location on Roald Dahl Plas was required for the National Eisteddfod, but the headland proved not to be a very popular location¹³⁰ for the beach, which in 2019 returned to Roald Dahl Plas. Since then the tarmacked land has not been used. As a possible location for MMM, Alexandra Head would have the visual amenity of overlooking the Bay lagoon and would certainly draw people towards the Barrage. It is a less obvious alternative than Porth Teigr and some distance from other Bay attractions but a regular bus service over the Barrage is now under consideration¹³¹.

9.2 No masterplan for the Waterfront

There is no current masterplan for the Cardiff Bay Waterfront. In 2014 Cardiff Council, commissioned Urban Strategies to produce a masterplan¹³², with the aims:

- 1. Promote development and realise the full potential of the Bay particularly for leisure and tourism and as a visitor destination.*
- 2. Maximise regeneration opportunities having regard to local community need and aspiration, heritage, maritime history and historic character.*
- 3. Provide a vision and illustrate development opportunities for ongoing dialogue with local communities, stakeholders, businesses and developers.*

This abortive masterplan was abandoned¹³³ in 2016.

PLBP (7) returned to the need for this, stating that

A strategic masterplan of the Bay will be developed to draw together all of the opportunities around the Bay edge to ensure that any development brought forward is appropriate in scale and nature and is set in the context of public open space provision and appropriate transportation linkages.

No such strategic masterplan has been published. Without such a plan, no major development on the waterfront or on the park should be approved, as its implications for the area cannot be adequately assessed. Such a masterplan may well show that there are better sites to build this museum in Cardiff Bay than over Britannia Park.

¹²⁹ www.walesonline.co.uk/news/wales-news/cardiff-spent-11m-tarmac-land-15930905

¹³⁰ cardiffmummysays.com/cardiff/what-to-expect-at-cardiff-bay-beach-2019

¹³¹ www.bbc.co.uk/news/uk-wales-50159041

132 www.urbanstrategies.com/project/cardiff-bay-waterfront-master-plan
133 cardiff.moderngov.co.uk/mgIssueHistoryHome.aspx?IId=6929&Opt=0

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10 CONCLUSION

10.1 Planning Committee should reject 19/02506/MJR and 19/02508/MNR

This document provides evidence of the material considerations on which rejection of 19/02506/MJR and the associated applications 19/02506MNR could and should be justified and defended, including:

- A. The precedent of previous planning decisions from the initial creation of the park as a valuable open space through subsequent decisions confirming that it should be kept as such.
- B. The loss of green open space in a ward and local area that has an existing deficiency in this, in breach of LDP Policy C4 on protection of open space.
- C. The scale and dominance of the proposed building on a site at which it will reduce the leisure amenity of the remaining green space and the visual amenity of existing vistas.
- D. The extra demand this new attraction will place on local transport and parking facilities, with no provision for disabled parking.
- E. The design and appearance of the external material, which is inappropriate for a park with heritage features.

The Planning Committee should fulfil its duty to Cardiff residents by rejecting both applications.

10.2 Cardiff Council and Welsh Government should reconsider this proposal

Beyond the narrow remit of the Planning Committee, Cardiff Council and Welsh Government should reconsider the backing they have given to the project to relocate the Museum of Military Medicine to Cardiff since it was first suggested in 2015.

10.2.1 Risk assessment

The lure of bringing what could be a major asset to the city is enticing. It would contribute to Cardiff's standing as a European capital and should draw more tourists. The possible benefits to Cardiff Bay are also alluring: regeneration is still work-in-progress, the Bay has unrealised potential, and a new allweather attraction could bring visitors in all seasons. But issues spring up, once questions are asked

about the viability of this project. *No further support should be given to the Museum until a thorough risk assessment has been completed, with either Cardiff Council or Welsh Government has acknowledging the risks and committing to accepting any financial or other costs they may entail.*

10.2.2 Future of Cardiff Bay Waterfront

The history of this proposal shows that Britannia Park was not the first choice for this Museum but a fallback when other options were closed down. This highlights the absence of a coherent vision for the future of Cardiff Bay, in particular for the Waterfront and for the large area of brownfield land to the south-east of Roath Dock, where regeneration has stalled. There is an urgent need, and has been for some time, for a new masterplan for this area.

Without such a masterplan, it is impossible to conclude that Britannia Park is the only choice for a large-scale project such as this Museum. Other land is available nearby, in public hands, that could benefit from such a development, without ruining what the original Capital Waterside proposal described as valuable open space. Building over Britannia Park, beyond the gravelled area, is neither desirable nor necessary. Cardiff Council should work together with Welsh Government towards a new vision for Cardiff Bay, backed by a credible masterplan, that would seek to develop vacant land to maximise the benefit to local residents, and to the wider Cardiff and Welsh economy and society. Until such a masterplan has been produced, the proposal to build a Museum of Military Medicine in Cardiff Bay should be put on hold. *Cardiff Council should inform the Museum Trust that it will neither sell nor lease land on the park for this, until it can assess the proposal against such a masterplan.*

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11 APPENDIX: MAPS AND PLANS

11.1 Capital Waterside Development Framework Plan (1993)

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11.2 Britannia Park approved layout (6 April 1993)

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	11.3 Britannia Park initially proposed layout (15 February 1993)	
Lynne Hughes	I have already set out my objections to the original Planning Proposal and my objections are still valid.	0 7
Julia Eynon	<p>I would like to object to the construction of a Cardiff's Museum of Military Medicine on the Britannia Parks. As a Cardiff resident for the last 38 years, I have witnessed and participated in no end of activities on Britannia or Waterfront parks. As a Chilean, living in Cardiff, I have invited many friends, Chileans and others from various European countries (like Czechoslovakia, France, Germany, Russia) and Japan, to mention some, to picnic in the well-maintained green area of the park and go to concerts at the Norwegian Church.</p> <p>The area of Britannia and Waterfront park is used by people from different areas of the UK. Picnics are organised, there are festivals like the Eisteddfod, Cardiff Food Festival and many other free activities from political and local community organizations. People love the green, the beauty of the Norwegian church, the waterfront. They can relax in a lovely environment, so clean, well-controlled led dogs and the grass so well looked after. The trees help to maintain the freshness of the area and, weather permitting, people sit on the clean grass. It is a pleasure to see children playing in a safe environment.</p> <p>The parks are used for recreation. Every year, the number of visitors and stalls multiplies at events, extending to the open area close to the Norwegian Church. Visitors of all ages, ethnicities, and social backgrounds.</p> <p>Evidence on the benefits of green areas</p> <p>Green areas are extremely important not only to counteract the effect of pollution, but for the general wellbeing of the public and local residents. Research from two Scottish scientists, Dr R. Mitchell from Glasgow University and Dr F Popham of St Andrews University conclude that a bit of greenery near our homes can cut the "health gap" between rich and poor. In all parts of society, the researchers found health inequalities related to income and social deprivation, and in poor areas people are likely to be unhealthier and die earlier. Nonetheless, the researchers found that living near parks, woodland or other open spaces help to reduce inequalities, regardless of social class.</p>	0 8

Other studies suggest that contact with green spaces also helps to reduce blood pressure and stress levels. The two and other scientists made a call to planners from councils to consider making more green spaces available to the public and local residents in order to improve wellbeing and good health. (Article published in the scientific magazine The Lancet, 2008).

Further information on Health and sustainable development at www.who.int, and on Green Space intervention and health (2017) at www.euro.who.int/Urban.

We cannot ignore the importance of a green space like Britannia Park and its use by local residents from the flats nearby and visitors. Most of the flats do not have balconies, just windows, and some residents have been advised not to use their balconies because they will be in danger of accidents.

Issues with Corten steel

The urbanisation of this piece of land, important for locals and visitors, would create enormous health problems, because of the materials used in the design of the building. The use of Corten steel cladding will create a new type of pollution, not seen until now in this area of the Bay.

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I would like to bring your attention to some extracts from professional articles and information:

1. Why Corten steel is a Nightmare

COR-TEN is a trademark of the United States Steel Corporation. The idea behind this striking material is that a surface layer of rust will form, protecting the steel underneath from further deterioration and eliminating the need for paint. However, the development of this layer requires particular environmental conditions which can't be guaranteed.

When the metal gets wet and then dries out, the rust layer becomes a little thicker, while the underlying solid steel becomes thinner. In an ideal world, the rust layer would continue to take hold of the steel for two or three years before stabilizing. The result should be a maintenancefree material with a unique aesthetic.

But in the real world, different conditions like too much humidity often mean that the rust layer never reaches a stable point. Eventually, the metal can become perforated and may need to be replaced.

Author: Ali Emerson (aliemerso.com) who is a writer with many years of experience in education and a trained Forest School Leader.

More information at <https://greenfuture.io/sustainable-living/corten-steel>

2. Weathering steel, or Corten steel, is a potential source of contamination:

Metal dissolution during 3 – years of field exposure in an urban coastal site. Surface and building run-off can significantly contribute to the total metal loading in urban runoff waters, with potential adverse effects on the receiving ecosystems. The present paper analyses the corrosion-induced metal dissolution (Fe, Mn, Cr, Ni, Cu) from weathering steel (Cor-Ten A) with or without artificial patinas, exposed for 3 years in unsheltered conditions at a marine urban site (Rimini, Italy). The influence of environmental parameters, atmospheric pollutants and surface finish on the release of dissolved metals in rain was evaluated, also by means of multivariate analysis (two-way and three-way Principal Component Analysis). In addition, surface and cross-section investigations were performed so as to monitor the patina evolution. The contribution provided by weathering steel run-off to the dissolved Fe, Mn and Ni loading at local level is not negligible and pre-patination treatments seem to worsen the performance of weathering steel in term of metal release. Metal dissolution is strongly affected by extreme events and shows seasonal variations, with different influence of seasonal parameters on the behaviour of bare or artificially patinated steel, suggesting that climate changes could significantly influence metal release from this alloy. Therefore, it is essential to perform a long-term monitoring of the performance, the durability and the environmental impact of weathering steel.

Authors: Raffo S, Vassura I, Chiavari C, Martini C, Bignozzi MC, Passarini F, Bernardi E. Full article at <https://www.ncbi.nlm.nih.gov/pubmed/26995453>.

3. US Steel does not recommend Corten

US Steel hasn't recommended corten steel for "architectural application[s], such as roofing and siding" for the past two decades. The reasons given are that abrasion from weather and acid rain cause the oxide skin on the material to reform, which causes the material itself to eventually become perforated. Can we justify using materials that we know may need to be replaced in the near future? More information at <https://www.ussteel.com/products-solutions/products/cor-ten-azp>

Why does a project like the Museum want to use a material like Corten for the structure of their building, that will be a potential health hazard for the public, sea life, and the whole environment? It is contrary to all principles and policies from Cardiff City Council, the Welsh Assembly and various environmental groups.

Why destroy this green area?

Do we need to urbanise this area of Cardiff Bay, which will destroy the local only green area, so much used by local residents (who often live in flats, without access to gardens), schools, and visitors from Wales and other countries, like my friends when

they visit us? There are other areas in the Bay and Cardiff already urbanised, like the grounds of Maindy barracks.

What is the justification for using land where, in 2017, we fought the construction of a 24 floor luxury flats? This opens questions. If you urbanise the land and put a Museum, and then the Museum goes bankrupt (64 museums in the UK have been closed since 2010), what will happen? Who will own the already urbanised land? Will the company who wanted to build the luxury flats move back in?

Scott Brownrigg, who designed the Museum, do not disclose its total construction cost, although some sources say £30 million. Where will the money will come from? Cardiff Council is apparently £730 million in debt. How could the Council justify spending our tax money to destroy the only piece of local land so much needed by local residents and visitors. Surely at election time our voices should be heard.

The Museum de Amambra in Brazil, not a technological museum, cost £40 million in 2015, and because of the effect of 'Tower Inferno', a museum fire lost 80% of their artefacts. They could not afford the most basic money for maintenance and their budget was smaller than the money received by a parish church.

The Museum you want to build will, according to the BBC, be a highly technological one. Could you please tell me who will pay for renting technology, training staff, insurance, renewal of technological equipment, or other running costs like electricity? None of this information is available, but instead just the illusion of copying a Museum in the city of Linz, a museum with more than 40 years of experience and development in technology.

None of this makes sense, so I will ask again, are you preparing Britannia Park for the future construction of the luxury flats, that local people stopped in 2017?

Not a priority

I do not oppose to the project of another Museum in Cardiff, if the money comes from military budget, not the public purse, on their own land, and not in the only green land so much in demand by local people and visitors.

Why on earth would the Council want to spend public money on an illusion of more visitors, when homeless people are increasing in number and sleeping rough is a painful scene in the city? The Museum of Wales in Cardiff, that has hundreds of visitors from all the region and abroad, cannot build proper access for disabled and pushchair to win access to the entrance. Why are you going to spend an undisclosed amount of millions in a project that will damage the environment, pollute people's lungs, poison the water, would restrict people's movement, and stain with rust other buildings in the

vicinity, while the weight of a five store building will affect the foundation of any building in the vicinity? A well-used green area will be lost for ever.

The construction of the Museum will create enormous difficulties for future activities in the area, I have many years' experience of community work, as an organiser and in women's organisations. When you stop or distract an activity you destroy it, and the public will move to different venues, in other cities or areas. Financial consequences will be enormous, affecting not only well-established local businesses, but the creation of future successful activities that will generate income for Cardiff.

The company Scott Brownrigg do not give a time limit for the construction of the Museum, and do not disclose a total cost, and no one tell where the money will come from for this project. This is enough time to kill participation from visitors, festivals and use of the area. Anyone who has watched Grand Design knows that, and here we are talking of a large project. When you start a project of this magnitude then you start to find obstacles. So the time schedule will be greater than predicted. The cost will escalate, and who will pay? I think politicians should pay by not being elected.
Damage to green area.

The green area in Britannia Park and Waterfront Park is a centre for life and creativity. As a member of women's groups, we organised there many open workshops for families, teaching adult and children activities. Currently, the area is used for music, picnics and stalls, and general leisure activity. The centre point of this is the Norwegian Church, and its open surrounding is a vital attraction. The pub in the vicinity of the park, is a social meeting point for community groups as well as local residents. Concerts, lectures or any other activity at the Norwegian church, will be less popular, and the wood and timber structure of the church will be stained by the rust of the Corten steel. A building of five floors creates strong winds blowing rusty dust and affecting people's health and who will be liable for the costs of correcting this damage? This will kill activity in the church and in the area. A new building of this magnitude will create enormous demand for parking spaces. The illusion that people will go by other form of transport is a dream. You only need to see the amount of cars that Xmas shopping generates.

As a tax payer, and user of Britannia and Waterfront Parks, I object to using this green area for construction of this five-storey building. It is insensitive to support a Military

	<p>Museum in a harmonious area. The war in Iraq, or incidents such as when a US bomb killed 30 Afghan people going to a wedding, are too fresh in our memory. It would be a lack of sound judgement to display the consequences of cluster bombs thrown by UK planes on civilian populations in Iraq. The Museum in the Bay area will be a constant reminder of wrong political-military interventions in the Middle East. Construction and disturbance in a well-settled area is going to create a financial hole in council and local business income, and the loss of a green and unique park for ever. We, the public, are not prepared to accept this landscape vandalism. Building on brownfield sites would not affect people's well-being, and there are many in the Bay. The open space in Britannia and Waterfront Park is part of the right of people to have the enjoyment of green areas, clean and fresh air and a safe environment where people can enjoy a healthy unpolluted area, free of traffic noise and transport fumes. So your project should not interrupt the continued right of people to use Britannia Park green areas.</p> <p>The Council has bought the land of Britannia Park with our tax money, and the Council should be the custodian of this land for the use of recreation for the people. As the research of the two Scottish University, the WHO and other scientists shows, green areas are good for active and mental health of the population, so we should keep it.</p>	
Dr David Phillips	<p>I wish to object to the proposed Museum of Military Medicine on the site of Britannia Park in Cardiff Bay.</p> <p>Recent planning applications in relation to the same site have been turned down – as I understand it – predominantly upon the basis that such buildings on the proposed site would rob the residents of Butetown of vitally necessary green space in Cardiff Bay. Ever since I was active in objection to the construction of a very tall block of apartments on the same site I have –over the last 18 months carefully reviewed – practically on a daily basis –the use of the green space in question throughout the changing seasons of the years. By way of background, we have a disabled daughter and we very regularly – indeed almost daily – walk the barrage to Penarth and back. This is a wonderful flat surface amenity which we have greatly valued since our return to live in our native Cardiff after some 35 years living and working in London.</p> <p>During the spring, summer and autumn I have – with some considerable satisfaction –noted that both the green space and the children's play area have been used by many residents and visitors. It is a joy</p>	O 9

to see the many happy faces using such a wonderful amenity. My daughter often sits – with considerable pleasure

– in her wheelchair in the green space

watching the world go by – a great environment for her to see, hear feel and smell an open space- with people enjoying it within the confines of a busy city

To my knowledge there is no other such space in Cardiff Bay.

Cardiff is blessed with a large amount of green space and we often drive some distance on a regular basis to enjoy the pleasure of walking around Roath Park Lake – which is a delight not only to us but to our daughter , Rachel as well.

She really loves the Bay though and delights in seeing – for at least two thirds of the year- the many people enjoying the green space amenity and the recently upgraded children’s play area.

To lose this would be a tragedy – especially given the focus of public opinion and national newspapers in relation to the loss of such areas In my view putting a medical museum on that site would be sacrilege since it would deprive residents and visitors alike of a lovely increasingly rare green space so enjoyed by the many. Indeed I think that the Cardiff City planners over the years have played a seminal role of expertly planning the whole of the Bay area. Many of the visitors to our apartment have commented on the wonderful totality of this great amenity and how its architecture has seamlessly integrated both the new with the old – and they have enjoyed the visual experience

As a Cardiff resident who lives in an apartment such amenities are vital since we have no personal garden space available. On the face of it there seems to be little to commend a somewhat ugly building to be placed in such an area There also seems to be little need for a military medical Museum within an area that is primarily people focused as it is.

There may be good reason why this medical museum should be situated in the Bay in Cardiff and if this can be shown and proved to be a viable proposition a cursory glance of the aerial view of the area indicates that it could be placed, for instance ,on the other side of Harbour Drive –much nearer the Port authority building which could easily be afforded ample car parking – very deficient within the bay area generally and the area in question specifically . It would also allow easy access on a revived bus route. Such a facility in that position could well be a welcome addition to the Bay and yet not be a detraction from as to me present position of the proposed museum would be. indeed, the problematic architecture of the museum would be much better suited to such a site given the buildings already in the vicinity

	<p>The planners of the Bay could then perhaps usefully propose a small low- rise discreet innovative construction on the gravel covered site utilising it in the best interests of visitors and residents alike which would be in keeping -as a family friendly area</p> <p>I think to do this as an alternative could then balance the needs of the developers and owners of the land to build- with a human perspective in clear focus,mindful of the needs of residents and visitors to the Bay- and of course their own- in that it would retain both green space and children's amenities which are readily available at present and would be sorely missed.</p> <p>I would be grateful therefore if you would place my objections before the relevant Authorities</p> <p>I would also be grateful if you could acknowledge receipt of this email since it has been difficult to find the right avenue to easily ventilate objections I would also be pleased if you could give me the result of the deliberations in due Course</p>	
J & B Miller	<p>We are writing to object to the above planning applications to establish a Military Museum of Medicine in Britannia Park. We are frequent visitors to Cardiff Bay and very much enjoy walking over the Barrage from Penarth to utilise the various facilities in the Bay including the green area around Lockkeys Cottage and the Nowegian Church.</p> <p>It would seem a great sacrifice for the people who live and work in the area of the Bay to lose the Green area for walking and relaxation, not to mention the urgent need for more green areas and trees with regard to the threats from climate change which requires urgent action by all responsible for public funding.</p> <p>It is also of great importance to the physical and mental health of the local communities, workers, residents and their families to have the opportunity to exercise in this limited green area.</p> <p>Britannia Park and other green spaces in and around Cardiff need to be protected and retained for the above reasons. Please - do not grant planning permission for this application and retain this precious facility for the many rather than the few who may have an interest in this Museum.</p>	1 0

<p>Mr and Mrs Westermarck</p>	<p>Dear Sirs</p> <p>We strongly object to the granting of planning permission in regard to the above planning references. Our objections mirror concern expressed on previous planning applications for Britannia Park, principally</p> <ul style="list-style-type: none"> * loss of precious open space (a scarce resource locally) that provides many benefits to local residents * the negative impact resulting from increased traffic and parking congestion * the negative design and visual impact of a 5 storey edifice in the park area Furthermore... <p>Why does the Museum have to be in Cardiff and why in the bay? What is the business case (hard numbers)? What is the vision and strategy for cultural centres? Should there be a cluster of such entities? Where should this cluster be?</p> <p>Vision and Strategy</p> <p>The fact that the authority is even considering these applications confirms the lack of an appropriate vision and strategy for the area (Cardiff too?). When there is clarity the correct decisions are easily and quickly made at minimum/zero cost.</p> <p>When it is established that Britannia Park and environs is a 'no go' zone then you have this clarity. We strongly believe that there is no case for your approving these two applications.</p>	<p>1 1</p>
<p>Sarah Lucas</p>	<p>As you are aware there is very little open space within Cardiff Bay, especially when considering the amount of people who frequent the area throughout the year. There is plenty of brownfield space located such a short distance away yet this application is being considered for space that is already used and occupied. It seems absurd that this application is even being considered when the other space is currently unused and in need of regeneration. This area is already in use, and adds to the whole ambience of the Bay. The loss of the open space would make the Bay feel overwhelmed, cluttered and we would lose something extremely valuable that we would not get back - space.</p> <p>The application is also for a 5 storey building which would completely overwhelm the small amount of green space that is located next to the site, completely changing how this space will be used (this is currently used by families to sit and enjoy time together). The green would be cast into shadow. This would also overshadow the iconic Norwegian Chapel, a building that has been at home in the Bay for 150 years.</p> <p>I also object to the fact that the application has not dealt with the issue of the number of visitors that this proposed museum will supposedly attract. No parking has been allocated and</p>	<p>1 2</p>

	<p>the application seems to instead utilise already overwhelmed local parking structures as well as inadequate public transport. This is unacceptable.</p> <p>Also I fail to see the relevance of this proposed museum as it has no link to the area it intends to occupy. There is absolutely no reason that this should be sited here. There are no links for the museum to the Bay. An alternative location which would be much better suited should be sought.</p> <p>I find it ridiculous that in sight of the Welsh Government building we would be losing such valuable public open space. The Bay attracts the amount of visitors it does in part for it's aesthetic appearance and family-friendly space.</p> <p>As Lock Keepers Cottage is a listed building and forms a pair with the other cottage it would be terrible to lose a part of Bay history. The Bay's charm in part is due to the mix of retaining some local history whilst new useful space is integrated. We run the risk of losing all history of the Bay. Again, how can this be considered?</p> <p>I look forward to these planning applications being reconsidered and the Planning Department overturning the proposals. We can do so much better than this Cardiff Council! We should have a Bay we are proud of and safeguard this for future generations. This land should be out of bounds for planners for good.</p>	
Prof. Olliver Williams	I am writing to voice my objection to the above planning applications. I am particularly concerned that I have not seen clear notification displayed on the site. The idea to build on such a small area of space is objectionable when the area is surrounded by unused brownfield sites. This is an important space in the bay for families, children etc. I am also concerned about inadequate parking and traffic being further exacerbated. I object in the strongest possible terms, please stop trying to build on this area,	1 3
Howard Williams	<p>am astounded to have to write yet again about proposed new developments on the Britannia park on Roath Lock. After a long debate and a series of protests by the local community a proposal for a huge block of residential flats on the same spot was turned down.</p> <p>It is surprising to see this new plan appearing so shortly after the last plan was rejected. The major objection I have to the plan for the Military Medical Museum is that will take almost as much ground space as the previous proposal. The children's playground - which is very popular will disappear and the majority of the green space itself. How can this represent an improvement and a better use of the land. Green</p>	1 4

	<p>space in general is in short supply in the Butetown area. In the summer local families gather on the park to celebrate the fine weather and enjoy the waterside view. With the new plan this possibility will disappear for ever.</p> <p>The proposal fails to take into account that much of the nearby area is residential. The housing that exists does not afford much opportunity to get out into the open and enjoy nature. Having Britannia park to hand in its present form is essential.</p> <p>It is a duty for the council to come along with a plan for the small building plot near the park that it now owns that fits in with the present excellent facilities. Surely there are many more appropriate spaces in the city to cite the medical museum - it the council decides that the museum is at all a viable enterprise to host.</p> <p>One final objection I would voice is to the rapid speed with which this idea has been pursued. The general election on December 12 holds the attention of concerned citizens. It would have been appropriate to schedule any decision until after that occurs. At worst a decision should be postponed and best of all the whole plan should be rethought</p>	
Julie P Meridith	<p>As a resident of Cardiff Bay I object to any building on the green space Britannia Park.</p> <p>2 years ago ago there was a huge objection to buildng apartments there and there is no difference to the building of this so called Museum. It will not benefit the Bay at all. This is the only green space, with trees, from the Wetlands to the Docks and is a welcome oasis in the paved concrete area that has become Mermaid Quay/ Bay and is a welcome space for locals and visitors alike, especially with children, to play on grass!</p> <p>To lose this for a loss making Medical Military Museum is stupid! Even the popular Dr Who Experience didn't survive and has now been demolished. In 5 years time I don't want to see another derelict abandon3ed building where once chilren played.</p>	1 5
Clive Gaitt	<p>I wish to object to the above planning applications.</p> <p>While further regeneration of derelict areas of Cardiff Bay would be welcome, the applications to construct a Museum of Military Medicine (MMM) and relocate Lockkeys cottage are inappropriate on this small but important site in the Bay.</p>	1 6

My main concerns are the loss of public green space, the scale of the proposed building and its impact on adjacent cultural and heritage buildings.

Of prime importance is the fact that Britannia Park is one of the few open green spaces in this part of the Bay. It is of great significance to the local community. Britannia Park has established use by families living nearby, workers from offices in the vicinity and visitors to the Bay. It is also used for events. Although small, it is a precious facility, much valued as evidenced by the weight of objections to previous development proposals. The site is unsuitable for the proposed MMM which would have a negative impact on the enjoyment which Britannia Park currently offers.

The proposed structure is far too large for this site. Architects' impressions make an attempt to minimise the apparent bulk with the emphasis on glass, but the fact remains that it will be overbearing and cast a shadow (in more senses than one) over what would be left of the open space. Out of scale, it cannot be successfully integrated into its setting and in no way would it enhance the public area.

Adjacent to the site is the Norwegian Church, a significant local feature which embodies cultural links with Norway. The proposal has no respect for this important neighbour, which would be dominated by the MMM. Lockey's cottage is of historical significance and has relevance in its current setting. It should not be relocated.

Why does Britannia Park come forward yet again for isolated over-development on an unrealistic scale? Better quality development would result from coordinated planning of both sides of the lock which could offer an integrated scheme of modest scale and should include the urgent rehabilitation of the lock itself and removal of the bund.

It is difficult not to be sceptical about the arguments put forward by the developer as to the viability of this project. On the one hand the MMM is promoted as being of wide interest, attracting huge numbers of visitors to the Bay, but on the other hand no special provision is deemed necessary to cope with this influx.

If Council are convinced that MMM should be welcomed to Cardiff, the applicant should consider alternative sites, several of which exist in Cardiff Bay. Far more appropriate is the empty site at Porth Teigr, opposite the BBC complex, adjacent to Igloo, or indeed the Doctor Who site, recently left vacant.

	What open public space, playgrounds and trees we are lucky enough to still have should be protected by Council as a matter of priority. Britannia Park is too important to the local and wider communities and I call upon Council to refuse these planning applications.	
Ruth Abbott	Please put it somewhere else! There is nowhere in the bay for children to play. We do not want tall buildings blocking our view	1 7
Mr R Stephens	I am hereby objecting formally to the subject proposals set out above. Having recently objected to the development of Britannia park I find the proposal to the destruction of this small area for a museum that has no connection to Cardiff bemusing and is to me is a form of English "fly tipping". Why does the land need regenerating just mark it as a park for both adults and children. My key objections are for the most part similar to those objecting to the previous proposal and are as follows; Loss of open space. Insufficient Transport and Parking Incongruous Design and visual impact. Why knock down a genuine historic part of the docks and move it - waste of my taxes. Financial viability. it is essential that the annual returns and running costs for the current museum which I understand is situated within an army barracks thus reducing overheads be submitted to all objectors. I have genuine doubts as to the expected number of visitors that would be drawn to such a museum. I am a resident of Adventurer Quay within the Bay so the impact of the proposal affect me directly.	1 8
Ossie Wheatley	I object to the Museum of Military Medicine (MMM) on the following grounds: 1) When ABP withdrew their application for Dolffin Quay development in 2017 the local community believed that Cardiff council had accepted the necessity to retain Britannia Park as a Green Space. It is disappointing to see the Council encouraging MMM to make this application on ground owned by the Council! 2) LDP policy KP10 supporting tourism in Cardiff Bay states: "by improving the range of sporting, recreation and leisure facilities, the area is made a more attractive place in which to live, work and visit". How does the removal of 50% of the Green Space meet this aim? 3) The City of Cardiff is already well down the league of cities offering parks to their residents, viz: Cardiff parks offer 8.04% of the City compared with Birmingham at 15.58% 4) The MMM scheme means chopping down mature trees in times of climate change pressures 5) Projected visitor numbers vary between 225000 and 250000. From where do these figures come? Techniquest gets only 189000. The Medical Museum on Washington CD get 50000! 6) Car Parking. If the visitor projections are right and half the visitors come by car, as suggested -	1 9

	<p>where do they park? the Application asserts there are "numerous car parks". Where are they?</p> <p>7) Bus routes. Obviously the No6 bus would be reinstated but even with this help it is worth pointing out the council lost £1.1m supporting DR Who together with the No6. Would the MMM have greater "pulling" power?</p> <p>8) The design of the MMM is described as of "floating industrial form with north lights". This is claimed to link up with the industrial past! In reality this is not an appropriate structure to place by the sea as it would overshadow the small park and children's playground.</p> <p>9) Linz, Austria, Museum of the Future. A recent PR release describes an elaborate project at Linz costing £30m but does not say which elements would be included at Cardiff. It is very difficult to interpret what the Trustees of the MMM intend to do.</p> <p>10) " A Transformational world Class Development in Wales" -another PR release- makes an extraordinary claim that Wales would be at the forefront of UK innovation in healthcare. Can this be right bearing in mind, for example, the £370m facility for Military Medicine and Rehabilitation at Stanford Hall financed by the MOD and the NHS?</p> <p>11) Irreplaceable site - the 50% of Britannia Park is a very important green space for local families and cannot be replaced. Whereas there are other alternative sites where the MMM could go e.g. the former Dr Who site, or on the south side of Roath Basin, where there is any amount of room</p>	
Lisa Power	<p>I strongly object to the plans to build a very large and unsightly building smack on part of the only free attraction left for families in the Inner Bay - Britannia Park.</p> <p>There are many other more appropriate places that this building, if we must have such a Museum, could be placed within Cardiff which would not destroy part of a park and blight the rest by putting it in shadow throughout the day. A five storey building placed where it is planned will overshadow the Norwegian Church in visual terms and place what is left of the park in shade, making it a far less welcoming place. The plans also appear to take out the children's play area and destroy the majority of healthy trees on the site. This is completely in contradiction to Cardiff's commitments to green space within the city.</p> <p>Furthermore, no provision has been made for parking by visitors who are expected to attend, when we all know that parking is impossible around Mermaid Quay and the Inner Bay throughout the summer in particular. The application claims there are "numerous car parks" - try telling that to the cars which cruise around each summer looking for somewhere to park when the little two storey place in Mermaid Quay is full. No others are considered nearby enough by them and illegal</p>	20

	<p>parking is frequent.</p> <p>The building, for all the fancy words used in the paperwork, is simply ugly. As the daughter of a sheet metal worker in a steel factory I can assure you there is nothing romantic or aesthetically pleasing about rusted steel, no matter how fancily you talk about it.</p> <p>The previous visitor attraction on this site was single storey and had a substantially smaller footprint. It didn't obtrude and overwhelm as these plans would.</p> <p>It is incomprehensible to me why we should have a glass and rusty steel five storey box shoehorned into an already busy part of the Bay, which damages an area used by families for relaxation, when so many empty non-green sites are nearby. Literally a stone's throw away is the empty Doctor Who Exhibition site; many more brownfield sites are close by.</p> <p>While on that subject - the visitor numbers projected are sheer fantasy and bear no relation to reality. Neither Techniquest - supported by many school parties - or the Doctor Who exhibit - supported by free advertising in every episode of the most popular children's show on British TV - could attain these numbers. Were I to believe them, I would be even more concerned about the parking issues. It will be broke and empty in well under five years, an eyesore on the landscape and another white elephant for Cardiff Council to own to - and considerably harder to dismantle than the Doctor Who structure.</p> <p>In short, this proposal is a mess, already rejected by several other more sensible cities, shoved out of its last proposed site by the desire for a giant leisure centre and its design completely unreformed to fit into the new surroundings. Please don't do it.</p>	
G Frank Trott	<p>I wish to object to Planning applications 19/02506/MJR and 19/02508/MNR regarding the above. I am at a loss to understand why there is this insistence on removing this last piece of open, accessible ground left in the area where families can spend quality time together in the fresh air. I must declare a vested interest. I have three grandchildren who live in London and visit us regularly. EVERY time they visit us, we spend time walking in and around the proposed area. In the summer we have picnics on the grass adjacent to The Waterguard and my six year old grand-daughter loves playing in the park. Why onearth deny people simple pleasures when there are bound to be more appropriate sights available eg. I am led to believe that initially this was proposed to go in the open space by the Travelodge Inn. A five</p>	2 1

	<p>storey building thus situated would in no way stand out like a sore thumb as it would in the above planning applications.</p> <p>Please do not proceed with either of the above applications. I'm an old man, but I'm more than willing to fight this on behalf of my grandchildren.</p>	
Bryan Dash	<p>I am writing to object to the two above applications. My concerns are as follows :-</p> <ol style="list-style-type: none"> 1. The area being considered for development is the only green area in the region close to the activities which take place in that area of Mermaid Quay. The lawn and the children's play area are regularly used by visitors, particularly in the summer. 2. The thought of a five story box, for want of a better description, being built there is absolutely abhorrent. I should explain that I live in Adventurers Quay and although not directly in line with it, it will certainly block my view of the waters of Cardiff Bay when looking out of my windows or sitting on my balcony. The thought of the current area and some trees being lost forever saddens and infuriates me. 3. In addition, once again a developer wants to destroy yet another link with Cardiff's long history in the Docks Area by demolishing the Lock Keepers Lodge. Not forgetting that Captain Scott sailed from near there on his historic journey. 4. Finally, where will visitors park their cars as there is only limited space available. In addition there is no longer a bus service passing along Harbour Drive. <p>I do hope that you will seriously consider my objections as the development will do nothing to enhance what is currently a very pleasant area for people to enjoy.</p>	<p>2</p> <p>2</p>
D G Rees EM Rees	<p>We wish to log our objections regarding both the above applications.</p> <p>Our objections include :-</p> <ul style="list-style-type: none"> Loss of open space Transport and parking Design and visual impact Locky's cottage Use of public land Appropriateness of this location <p>Creating more Green Spaces is a priority in Wales and Swansea is taking the lead !</p> <p>Let's try and do our best here in Cardiff Bay to protect what little we have !</p>	<p>2</p> <p>3</p>

	<p>Our aim surely, is to preserve not destroy green spaces. There are far more adapt locations in Cardiff. Please do not spoil our "little bit of green"</p>	
<p>Faisal Jina</p>	<p>My first objection is in the form of lack of notification to local residents "there were no leaflets distributed, no (clear?) notices near the site, and this has largely been kept quiet from the press, aside from the obligatory small print notice in the back of the Western Mail. I think the public ought to be made more aware of this prior to granting permission, given the site's importance. Secondly, the Government launched its Climate Change Blueprint this week, which promises more green open spaces in our cities, yet this plan builds on one of the few green open spaces in the bay, within a stone's throw of the Welsh Assembly" I think it would be massively hypocritical to approve this development.</p> <p>Currently, the public can walk along the water and enjoy the open space that Britannia Park offers. Many local residents and workers regularly use the green space for picnics, especially during summer time, and enjoy the open view of water and land throughout the year. There is an everreducing amount of suitable green space in the surrounding areas, and this would significantly reduce the amount of green space available to the public.</p> <p>The plans released include a 5-storey building situated adjacent to the Norwegian Church. It is clear that a structure of this size is not appropriate for the area, hiding and detracting from the historic church building, and spoiling the character of the area. It is also not acceptable to move the Grade II listed Locky's Cottage just because it is "in the way" of this massive development. It is an old building with clear cultural significance at this site and relocating it to a side could also easily damage it.</p> <p>The shadow tracking study shows the proposed museum would plunge Britannia Park into shadow through most of the day throughout the year. Looking at the midday tracks (as lunchtime is when the park is most used), the best-case scenario puts half of the park into shadow in June, and throughout the rest of the year the entire park will be completely in darkness. This is unacceptable. For those who actually appreciate the heritage of Cardiff Bay, the former use of the site was for 'The Tube' museum - a 1 storey museum sitting on the gravelled area of the proposed site. This was a suitable scale of building for the site, with a local theme. The planned museum would take up an area three times this and would be five times taller. A museum 15 times larger than its predecessor is massively out of scale. It is also concerning that the proposed boundary line of the plan extends over a quarter of Britannia Park and entirely over the play park - this is beyond the boundary of the drawn buildings, with no justification given. This should be</p>	<p>2 4</p>

	<p>rejected, as there is no good reason for destroying 12 of the 21 trees at this site. The design of the building is also ill thought-out. This is a building plan suitable for its original planned location at Hemingway Road/Lloyd George Avenue. The fact that it has had minimal redesigning from the previous plan shows that this has not been thought through. The 'box in a box' design leaves an ugly brick (/copper?) wall facing the water on the North-East (Roath Dock) side. The dock is frequently used and enjoyed by visitors and residents throughout the year for its views across to Penarth, which is a key sightline in the bay - not only does this building proposal block that sightline, but it puts a 5-storey wall in the way. This would have been the back of the museum in the original plan, masked by trees etc, but at this location it is in full view - this issue needs addressing. In conclusion, aside from the insufficient notice given to locals, and the need to move the Grade II listed Locky's Cottage, which simply should not happen, this proposal would result in:</p> <ul style="list-style-type: none"> - a contradiction of the Government's own Climate Change Blueprint (launched this week!) - a significant loss of green open space - the destruction of healthy trees and the children's play area - detracting from the culturally significant Norwegian Church and the spoiling of the character of the area - a permanent shadow being cast on Britannia Park - a building massively out of scale - 15 times larger than its predecessor - a poor design - need to rethink materials and view from all sides - the loss of key sightlines between the Bay and Penarth <p>For these reasons and more, I urge the planning committee to reject the proposal.</p>	
<p>Nerys Lloyd Pierce</p>	<p>19/02506/MJR</p> <p>*The construction of the Museum of Military Medicine will result in a loss of green space in an area of the city where very little green space exists. The claim that a relatively small area would be lost is unjustifiable. The Butetown ward is identified as having a deficiency of open space. At a time when obesity is a huge problem, causing more cancer than smoking, eroding any green space cannot be justified. Furthermore, Cardiff Council has a legal obligation to provide open space. The above application, if approved, would result in an unacceptable loss of open space. Planning application documentation dating back to the early 1990s exists, proving categorically that these areas were designated as public open space. Indeed, the provision of these open spaces was the premise upon which planning permission was granted for the redevelopment of Cardiff Bay.</p> <p>The open space provided by Britannia Park in its current form provides an invaluable open, recreational area where children can play – a vital resource in a part of Cardiff where apartments without gardens predominate. Exercise is vital for the health and well-being of children, and indeed, the population as a whole, as outlined in the Welsh Government's Well-Being of Future Generations (Wales) Act 2015.</p>	<p>2 5</p>

	<p>The loss of trees, when Cardiff Council has declared a Climate Emergency, cannot be justified. Trees are our frontline defence against the effects of a warming climate, and we should be preserving our mature green infrastructure not compromising it for the sake of an ill-considered development.</p> <p>*The proposed development site is in close proximity to an EU designated site (SAC, SPA RAMSAR sites). A Habitats Regulation Assessment ("HRA") is required by law. Failure to carry out such an assessment indicates that the applicant has failed to comply with EU law to protect coastal/estuary wetlands. (furthermore, it is the duty of the Council as competent authority under the EU legislation to comply with this legal requirements). *There has been no provision made for public transport or parking for visitors – according to the applicant, some 225,000 per year.</p> <p>*The structure of the building is inappropriate to the location. At five storeys high, it will overshadow both what remains of the park, and the Norwegian Church.</p> <p>19/02508/MNR</p> <p>*The Grade 2 listed Locky's Cottage should remain in its current location where it has context and significance. The only justifiable reason for relocating an historic building is to preserve it. Relocating it to make way for development is deeply inappropriate. Relocation of Locky's Cottage would affect its character as a building of historic interest. It is a common misunderstanding that the special interest of a listed building lies only in its features, this interest extends also to its history and context. British Listed Buildings describes Locky's Cottage as 'an interesting survival from the port and for group value with Roath Basin sea lock'. Removed from Roath Basin, its historic significance would be lost. For the above reasons, both these applications should be refused.</p>	
Janet Barlow	<p>As a local resident I object to this development.</p> <ol style="list-style-type: none"> 1. It will significantly reduce the open space of Britannia Park, a vital green space in the Bay, especially for the many residents like me who live in small flats and for the children who live in and visit the area. 2. It makes no sense to build on the park when there is ample brownfield land close by already scheduled for development. 3. The museum is not a good fit for the Bay. There is no historical link with the areas and it will be out of place with its surroundings. 4. The proposed relocation of the Lock Keepers cottage to accommodate this proposal is unnecessarily down grading the Bay's heritage. 	2 6

Janet Jones	<p>I wish to register my objection to these applications (19/02508/MNR and 19/02506/MJR) on the following grounds:</p> <ol style="list-style-type: none"> 1. The loss of green, open space. The area is deficient in open space and this development would destroy some of what little there is. 2. Transport and parking. Has any provision been made for the projected visitor numbers? Parking is already an issue and with more visitors to the area this can only get much worse. 3. Visual impact. The proposed building is out of proportion for the site and would change what is currently an attractive area into yet another architectural eyesore. 4. Location. Why is this project proposed for Cardiff and for the Bay? Other Welsh cities would welcome the investment a visitor attraction could bring. Cardiff Bay doesn't need or want it. 5. Alternatives. The site of the Dr Who exhibition could be used for development and Porth Teigr still remains an unattractive piece of wasteland despite planning permission for mixed use. <p>I hope these misconceived applications are rejected and that the future of Britannia Park is assured for the enjoyment of Cardiff families and visitors.</p>	2 7
Mary Davies	<p>I wish to lodge my objection to the above two planning applications. I am a resident of Adventurers Quay and as such this proposed development will have an impact on my close environment.</p> <p>My main objection is to the loss of Britannia Park . It is the only green space available to residents living in the Roath Basin area. There are 457 apartments in the Celestia development and 226 apartments and houses in Adventurers Quay. This amenity has been available to us since we bought our apartment in 1998. I believe planning approval was given to the Celestia developers because there was a local park available for children and residents to access. Surely it is the right of every child to have an outdoor space available for play? As it is this is not a very big park and is often crowded with people having picnics when the weather is good.</p> <p>Not only is it important to residents in the area but also to people who work in the Bay and visitors who wish to picnic and play with their children rather than use the food outlets.</p> <p>The park is also used for events, some of major importance such as the Eisteddfod.</p> <p>There are many vacant sites within the Bay, the Dr Who site for one, but this is the only park. It is time for Cardiff Council to set a protection order on the park to safeguard it for future generations and for the health of our society. At this time of severe climate change we need all the green space and trees within</p>	2 8

	<p>it that we have. The Council should be making more parks in the City not reducing them . Why not incorporate the area where the Tube used to be into the park making it bigger and more attractive and plant more trees? I also object to this Museum:-</p> <p>It has no relevance to Wales and it seems no other city wants it as it will be a financial liability</p> <p>Trees will be felled</p> <p>Where are all the proposed visitors going to park? Sunlight will be blocked by the building from what little remains of the park.</p>	
<p>John Davies Chair adventurers Quay Management Committee</p>	<p>Adventurers Quay Management Company Ltd acts on behalf of the 400 residents of 226 properties in Cardiff Bay and objects to the application, as it will destroy the amenity value of a large area of green space irreplaceably. Space which continues to be enjoyed by the public. The benefits to the public have been for thousands of people throughout the life of the Bay. The application includes record storage which could be housed anywhere without being on a site in the bay and is not of benefit to people in the Bay and logically should be housed with the bulk of records in England. The project claims improbable visitor numbers, which do not stand comparison with the reality of much superior attractions such as Techniquet and are wildly speculative, when the alternative is the known proven public enjoyment of the greenspace. It is also unclear how parking and vehicle flows could be dealt with if the project's wild speculative numbers were achieved (undoubtedly causing environmental harm and pollution). The project is damaging to the UK carbon neutral goal and does not explain how it will deal with the carbon neutral goal, as required by the recent court of appeal ruling. This objection is founded in our wish to preserve green space for our residents and the general public as there is no alternative greenspace in the Bay and its loss would also be environmentally detrimental. One can only speculate on who would benefit from the application but it is clear who would lose the citizens of Cardiff and visitors and it would be a public amenity lost for ever, unless our elected representatives reject the application in the public interest.</p>	<p>2 9</p>
<p>Katherine Jones</p>	<p>I am extremely concerned about the application for the Museum of Military Medicine on the site of the Lockkeeper's Cottage and last park in Cardiff Bay for a number of reasons:</p>	<p>3 0</p>

	<ul style="list-style-type: none"> - The Museum of Military Medicine was originally earmarked and designed for a different site on the other side of Cardiff Bay. This would have been a more suitable location. - The listed lock keeper's cottage and park should not be relocated for development. The lock keeper's cottage should remain where it is, in its historical context. - Why are we destroying yet another green space in Cardiff? Cardiff Bay has already been over-developed into a concrete jungle, completely devoid of green space and ecology. This site could be an opportunity to really enhance the Bay and link to its history and green / water spaces. - The Museum of Military Medicine is hardly a progressive, or Cardiff specific museum. It would be better to build a museum dedicated to the history of Tiger Bay and the residents of Cardiff. If the Dr Who Experience can't survive in the Bay, I doubt the Museum of Military Medicine will. - As an architect, I have to say that I am not offended by the design of the building. However, I don't feel the scale or materials are suitable for the proposed location. The scale in particular is out of keeping with the Norwegian Church and the Lock Keeper's Cottage. In addition, I believe that every building should be designed in relation to the context around it, and the fact that this design was originally for another site in the Bay, and has essentially been 'lifted' into the new site doesn't feel justified. 	
Mia Schmidt-Hansen	<p>I object to these proposals because it involves the loss of a valuable open green space, which the current covid-19 crisis has shown is extremely valuable to a neighbourhood in terms of the mental and physical well-being of it's local inhabitants. Moreover, the loss of this green open space is in a ward and local area that has an existing deficiency in this (which I note is in breach of Local Development Plan Policy C4 on protection of open space). Even though the proposed development will leave some green space remaining, it will still negatively impact that remaining green space because the scale and dominance of the proposed building on that site will reduce the leisure amenity of the remaining green space and the visual amenity of existing vistas. This is the main reason for my objection, the reduction of green open space in an area with very little of it, and the resultant negative effect this will have on the local inhabitants in terms of their options for outside leisure time and space and the consequent negative effects this will have on their physical; and mental health, both children and adults. Of course, this will be compounded by the increase in demand this new attraction will place on local transport, traffic amount and parking facilities.</p> <p>I look forward to hearing back on this objection and hope you will prioritise the human need for green leisure spaces and not grant planning permission to these projects.</p>	3 1
Mererid Hopwood	Hoffwn fynegi fy ngwrthwynebiad i'r cynllun arfaethedig o ail-leoli Amgueddfa Feddygaeth Milwrol (a Cherddoriaeth Filwrol?) o Aldershot i ardal Bae Caerdydd. Fel un sy'n ymfalchïo'n fawr iawn o Gaerdydd	3 2

	<p>fel man geni a man ei magwraeth, mae'n siom meddwl y byddai'r ddinas yn cael ei chysylltu â'r fath ddatblygiad. Mae'r syniad o osod yr adeilad yng nghanol y Bae yn arbennig o wrthun, gan fod yr ardal yn gartref i nifer o deuluoedd Cymreig sydd â chysylltiadau agos â gwledydd a goloneiddiwyd yn ddirugaredd gan rym y lluoedd arfog Prydeinig. At hyn, mae llefydd chwarae i blant yr ardal yn boenus o brin, a byddai rhoi adeilad ar un o'r darnau glas hyn yn anheg iawn. Dylid meddwl o ddifri paham nad yw yr un o ddinasoedd Lloegr wedi dymuno cael y fath brosiect ac ystyried oni fyddai hi'n llawer gwell meddwl am ddulliau i hyrwyddo treftadaeth heddwch Cymru a dathlu'r Brifddinas yn y cyswllt hwnnw? Dyma gartref y Deml Heddwch ac lechyd wedi'r cyfan, ac mae'n eirioni trist bod cofeb i Gandhi daflad carreg o safle'r amgueddfa arfaethedig ac eglwys Norwyeg hefyd. Yn y dyddiau hyn, yng ngoleuni profiad y pandemig, meddwl am ffyrdd o gryfhau'r pethau all ein tynnu ni at ein gilydd fel dinasyddion y byd fyddai orau, nid ceisio dathlu pethau sy'n gysylltiedig â pheirianwaith sy'n ein rhwygo ni ar wahân.</p> <p>I would like to express my opposition to the proposed relocation of the Museum of Military Medicine (and Military Music?) from Aldershot to the Cardiff Bay area. As one who takes great pride in Cardiff as a place of birth and upbringing, it is disappointing to think that the city would be linked to such a development. The idea of putting the building in the centre of the Bay is particularly daunting, as the area is home to many Welsh families with close ties to countries that were mercilessly colonised by the British armed forces. In addition, play areas for children in the area are painfully rare, and building on one of these areas would be very unfair. One should seriously consider why no English city has wanted such a project and consider whether it would be far better to think of ways to promote Wales' heritage and celebrate the Capital in that respect? It is the home of the Temple of Peace and Health after all, and it is sad that a memorial to Gandhi is also a stone's throw from the site of the proposed museum and Norwegian Church. Nowadays, in light of the pandemic, thinking of ways to strengthen the things that can pull us together as citizens of the world is best, not trying to celebrate things related to machinery that tear us apart.</p>	
Dr Llion Wigley	Hoffwn fynegi fy ngwrthwynebiad fel rhywun sy'n byw yng Nghaerdydd ac fel aelod o grwp heddwch Cymeithas y Cymod i'r cynlluniau canlynol 19/02506/MJR 19/02508/MNR, sy'n ymwneud ag ail-leoli Amgueddfa Feddygaeth Milwrol o Aldershot i ardal Bae Caerdydd. Rydym yn teimlo fel mudiad nad yw Bae Caerdydd, na Chymru fel cenedl, yn leoliad addas ar gyfer amgueddfa o'r math hwn sy'n bodoli i raddau helaeth i fawrygu a dathlu rhan allweddol o luoedd arfog y wladwriaeth Brydeinig, rhan a fyddai'n amhosib iddynt fynd i ryfel hebddi. Ymhellach, fe fyddai'n arbennig o ansensitif ac amhriodol i aileoli y sefydliad cwbl Brydeinig hwn, sydd heb unrhyw gyswllt na chyfranogaeth Gymreig yn ei wreiddiau na'i amcanion fe ymddengys, mewn ardal o Gaerdydd sydd â chysylltiadau mor agos a gwledydd ledled y byd a gafodd eu coloneiddio a'u gormesu gan wladwriaeth Prydain a'i hymerodraeth, rheolaeth a gynhaliwyd yn ddirugaredd ac yn waedlyd tu hwnt trwy rym milwrol, a gwledydd fel Yemen sydd ar hyn	3 3

o bryd yn dioddef ymosodiadau gan wledydd y mae Prydain yn darparu arfau a chefnogaeth filwrol ar eu cyfer. Mae gan Gymru hanes a thraddodiad balch o wrthsefyll imperialaeth ag ymyrraeth filwrol y wladwriaeth Brydeinig dramor, ac ni fyddai'n deilwng o'r traddodiad hwnnw i leoli amgueddfa sy'n dathlu rhan mor allweddol o luoedd arfog Prydain yn ein prifddinas. Er bod yr Amgueddfa yn honni ar ei gwefan ei bod wedi gweithio gyda'r gymuned leol ar yr ail-leoli, mae'r manylion ar natur yr ymgynghori hwn yn brin iawn. Rydym yn galw ar Gyngor Caerdydd i gynnig ymgynghoriad cyhoeddus llawn ar y defnydd gorau o'r ardal ym Mharc Britannia lle bydd yr amguddefa arfaethedig yn cael ei ail-leoli er mwyn ystyried yn llawn teimladau a dyheadau'r gymuned leol ynglŷn â sut gellid gwneud y defnydd gorau o'r gofod gwyrdd prin hwn o fewn yr ardal yn y dyfodol. Gallai syniadau amgen gynnwys datblygu amgueddfa neu ofod dysgu o wahanol fath ar hanes cyfoethog cymuned amlddiwylliannol Trebiwt, neu ofod dysgu tebyg a fyddai'n dathlu traddodiad heddwch Cymru o Henry Richard i Gomin Greenham a thu hwnt. Serch hynny, rydym yn argyhoeddedig y dylai'r penderfyniad ar sut ddylid defnyddio a datblygu'r ardal dan sylw gael ei wneud gan drigolion y gymuned leol eu hunain yn dilyn proses agored a chynhwysfawr o ymgynghori, yn hytrach na Chyngor Caerdydd yn unig, neu unrhyw asiantaethau allanol fel yr amgueddfa arfaethedig. O fewn cyd-destun argyfwng Coronafeirws eleni a'r broses ddilynol o ailystyried ein blaenoriaethau fel cymdeithas yn gyffredinol, gall hwn fod yn gyfle da i ailfeddwl y prosiect dros y misoedd nesaf ac i Gyngor Caerdydd ailystyried eu parodrwydd i dderbyn a chefnogi ail-leoliad yr amguddefa ym Mharc Britannia. Gellid dadlau yn gryf mewn ardal o dlodi ac anghydraddoldeb sylweddol, hir-dymor lle mae gofod gwyrdd a lle diogel i blant chwarae yn brin iawn, mae nawr yw'r amser i ailfeddwl sut y gellid datblygu Parc Britannia mewn ffordd mwy gofalus a sensitif yn y dyfodol, mewn partneriaeth agos â'r gymuned leol ac mewn ffordd sy'n hybu iechyd a lles, yn feddyliol ac yn gorfforol. Mae'r amcanion hyn yn anhebygol iawn o gael eu cyrraedd trwy orfodi a chodi adeiliad enfawr, pump llawr a fydd yn trawsffurfio tirlun yr ardal ac yn taflu cysgod dros adeiladau haneysddol pwysig cyfagos fel yr Eglwys Norwyeg, a sydd heb unrhyw gysylltiad â'r ardal, ar gymuned sydd eisoes wedi cael ei hesgeuluso a'u hanwybyddu i raddau helaeth yn natblygiad ehangach ardal Bae Caerdydd dros y ddeugain mlynedd diwethaf. Mae'r amgueddfa yn haeru y bydd rhan o'r adeilad yn cael ei ddefnyddio i gynnig gwasanaethau i gyn-aeolodau o'r lluoedd arfog sy'n dioddef o 'PTSD', sydd yn amlwg yn amcan clodwiw. Serch hynny, oni fyddai'n well yn hir-dymor i wneud defnydd o'r lleoliad hwn mewn ffordd a fyddai'n gweithio'n erbyn y lefelau uchel iawn o recriwtio pobl ifanc, yn aml o dan ddeunaw oed, i'r fyddin Brydeinig o ardaloedd mwyaf tlawd a difrientiedig Cymru trwy gynnig cyfleoedd amgen i bobl ifanc o'r cymunedau hynny a fyddai'n osgoi'r posibilrwydd ohonynt yn datblygu 'PTSD' a chyflyrau tebyg yn y lle cyntaf? Mae atal salwch meddyliol o'r fath yn hytrach na'i wella yn bosib os ddefnyddiwn y cyfle hwn yng nghysgod Covid i ailosod ein amcanion fel cymdeithas yng Nghymru mewn ffordd sy'n cynnwys cwestiynu a yw gyrfa yn lluoedd arfog Prydain wirioneddol o fudd hir-dymor i bobl ifanc Cymreig. Mae'n ymddangos o'r newyddion yr wythnos hon bod Amgueddfa Gerddoriaeth Milwrol hefyd i'w gael ei chynnwys yn yr un adeilad a'r

Amgueddfa Feddygaeth Milwrol. Rhaid cwestiynu unwaith eto a yw Bae Caerdydd a Chymru yn leoliad addas ar gyfer y fath sefydliad, yn arbennig o gofio pa mor gyfoethog yw ein traddodiad cerddorol ein hunain yng Nghymru ac yng Nghaerdydd fel prifddinas, traddodiad nad yw cefnogi a hybu lluoedd arfog Prydain yn rhan ohono.

I would like to express my objection as a resident of Cardiff, and a member of the Fellowship of Reconciliation peace group, to the following plans 19/02506/MJR, 19/02508/MNR, relating to the relocation of the Museum of Military Medicine from Aldershot to the Cardiff Bay Area. As an organisation we feel that neither Cardiff Bay, nor Wales as a nation, is a suitable location for a museum of this kind that exists largely to glorify and celebrate a key part of the armed forces and British patriotism, without which it would be impossible for them to go to war. Furthermore, it would be particularly insensitive and inappropriate to relocate this wholly British institution, which seems to have no Welsh connection or involvement in its origins or aims, in an area of Cardiff with such close links with countries colonised and oppressed by the British state and empire, mercilessly and bloodily controlled by military force, and countries such as Yemen that are currently experiencing attacks by countries, of which Britain supplies weapons and military support. Wales has a proud history and tradition of resisting imperialism with the military intervention of the British state abroad, and it would not be worthy of that tradition to locate a museum that celebrates such a key part of the British armed forces in our capital city. Although the museum claims on its website that it has worked with the local community on the relocation, details on the nature of this consultation are limited. We call on Cardiff Council to offer a full public consultation on the best use of the Britannia Park area where the proposed enclosure will be relocated to fully consider the feelings and aspirations of the local community as to how this scarce green space could be used in the future. Alternative ideas could include the development of a different kind of learning space or a learning space about the rich history of the Butetown multicultural community, or a similar learning space that would celebrate the Welsh peace tradition from Henry Richard to Greenham Common and beyond. However, we are convinced that the decision on how the area in question should be used and developed should be made by the local community residents themselves following an open and comprehensive consultation process, rather than just Cardiff Council, or any outside agencies such as the proposed museum. Within the context of this year's Coronavirus crisis and the subsequent process of rethinking our priorities as a society as a whole, this may be a good opportunity to rethink the project over the coming months and for Cardiff Council to reconsider its willingness to accept and support the relocation to Britannia Park. Arguably in an area of significant, long-term poverty and inequality where green space and a safe place for children to play are very limited, now is the time to rethink how Britannia Park could be developed more carefully and sensitively in the future, in close partnership with the local community and in a way that promotes health and well-being, mentally and physically. These objectives are very

	<p>unlikely to be achieved by enforcing and erecting a huge, five-storey building that will transform the area landscape and cast its shadow over nearby important historic buildings such as the Norwegian Church, which has no connection with the area, on a community that has already been largely neglected and ignored in the wider development of the Cardiff Bay area over the last forty years. The museum claims that part of the building will be used to offer services to ex-service personnel suffering from PTSD, which is clearly a commendable objective. However, would it not be better in the long term to make use of this location in a way that works against the very high levels of recruitment of young people, often under the age of eighteen, into the army from the poorest and most disadvantaged areas of Wales by offering alternative opportunities to young people from those communities and avoid the possibility of them developing PTSD and similar conditions in the first place? Preventing, rather than curing, such a mental illness is possible if we use this opportunity in the shadow of Covid to reset our aims as a Welsh society in a way that involves questioning whether a career in the British armed forces is really of long term benefit to young Welsh people. It appears from the news this week that the Museum of Military Music is also to be housed in the same building as the Military Museum of Medicine. The question of whether Cardiff Bay and Wales is a suitable location for such an establishment is again questionable, especially given the richness of our own musical tradition in Wales and Cardiff as a capital city, a tradition in which supporting and promoting the British armed forces is not part of.</p>	
Lona Roberts	<p>I wish to convey my opposition to the proposed Museum in Britannia Park. It would not enhance the reputation of Cardiff to have such an establishment in the Bay. I am fearful for the future as we consistently normalise war in all its aspects. Please reconsider.</p>	3 4
St Johns field Ambulance Research Group	<p>I am writing to express my interest in and support for the relocation of the Museum for Military Medicine to Cardiff Bay.</p> <p>The 130th (St John) Field Ambulance Research group was formed in 2014 and is dedicated to commemorating and restoring the history of this unique Welsh unit. The 130th was the only unit in World War One recruited by St John Ambulance in Wales. It was formed, primarily, from members of St John Ambulance men in the coalfield rescue teams in South Wales. The men came from the Amman and Garw Valleys, the Rhondda Valleys, Ogmore Vale, Glamorgan and the Western Valley of Monmouthshire. It was the 130th which carried out almost all stretcher bearing at the Battle of Mametz Wood in 1916. It also gave great service at the Battle of Pilckem Ridge (Passchendaele - 3rd Battle of Ypres) in 1917. The Commanding Officer, Lieutenant Colonel John EH Davies D.S.O., an eminent Welsh surgeon, was the only Welsh Commander of a Welsh unit to retain his Command throughout the war.</p>	S 1

	<p>Largely overlooked, the 130th is an important part of Welsh Heritage in terms of Military Medicine and will have a presence at the new museum.</p> <p>The Museum of Military Medicine will not "glorify" warfare. While warfare is not desirable, the consequent leaps in medical knowledge which warfare has brought has greatly benefited our ability to treat trauma patients over the years. The history of Military Medicine is a perfectly valid subject for a Museum and Cardiff should be proud to host such a facility. It should not be dismissed lightly.</p> <p>I believe that the Museum will bring a unique insight into Military Medicine to the Welsh Capital and will be a valuable point of interest in educational terms.</p> <p>I urge the Council not to be deterred but to proceed with confidence in bringing this museum to Cardiff.</p>	
<p>Dr W A Williams</p>	<p>I am most pleased to hear about the plans for the Museum of Military Medicine (MMM) to be established in Cardiff Bay in the next couple of years. I have read much about what is planned at the new 'state of the art' Museum and I believe it will bring great benefit to those living in the area, to Wales as a whole and beyond.</p> <p>We so deserve to have that Museum up and running in our locality for a whole host of positive reasons and I back the proposal one hundred percent and feel that opposition to the project is ill-deserved and very short-sighted.</p> <p>Recalling my own experience as a mother of young children living in a flat in Cardiff Bay, I do not consider that the current planned location of the Museum and size of plot will deprive families of any significant green space in the area. There are plenty of areas in and around Cardiff Bay for children to play on and explore. Use of this specific plot of land still leaves the 'play area' available along with the green space to the side of the museum.</p> <p>Many people I speak to welcome the plans for the MMM. Particularly those with a family history of Welsh soldiers who fought in WW1 and WW2. Those soldiers were mainly working-class folk who enlisted in the Welsh Regiment to selflessly fight for their country. In addition to my grandfather and father, this</p>	<p>S 2</p>

includes many 'immigrants' in my own family who lived and worked in the Cardiff Docks/ Grangetown during the last century who became conscripted soldiers at a time of need.

Interestingly, the founder and first leader of Plaid Cymru (Lewis Edward Valentine) enlisted in the Royal Army Medical Corps in 1916 and served on the front line treating the wounded at the battle of Passchendaele. He too suffered injury with poisonous gas. Many in my family also suffered psychological and physical trauma during their service in WW1 and WW2. A respected Welsh MP at the beginning of the Boer War (1899) acknowledged that "whilst they hated the war, they loved the warriors" going off to serve. That is how the majority of Welsh people regarded the men from their communities who joined the Welsh Regiment/British Army in Wars gone by. The MMM and historical collections on how injured Welsh/British soldiers were medically managed and cared for would be of great interest to a very large number of Welsh families in view of the above.

It is the management and treatment of Medical Trauma during warfare (be it physical or psychological) which is the subject at the heart of the MMM project in Cardiff Bay. The MMM does not 'glorify' warfare, far from it. Having good come from bad situations is a noble aim. Appreciating positive medical discoveries and inventions related to the military service of our forefathers here in Wales is to be supported not decried. The huge sacrifices they made and attack on their wellbeing endured through both World Wars (and others) makes war even more tragic and wasteful if we ignore the good that we can rescue from those sad events.

By its very nature, the Museum of Military MEDICINE is a more balanced approach to Military history because it focuses on just that, the injuries and sicknesses of men who have in the past been called to Arms and experienced the horrors and consequences of that engagement. Their families in Cardiff and all over Wales had to cope with the fallout of war and this museum helps to acknowledge how something good was made of those terrible tragedies. Learn from the past, to better our current and future lived experiences. This knowledge has proved beneficial to the practice of Trauma Medicine and many other fields of Medicine in the NHS today. Wales deserve public awareness of this historical information and the MMM seems well able to provide this and communicate it to the public in a fascinating manner.

The MMM intends to promote the historical insights/inventions of Military Medicine most advantageous to civilian life where relevant knowledge can be further researched and developed. In many ways it can be used to positively support the NHS; with great potential to do so here in Wales, most notably in the area of Mental Health and resilience building. The battle against the current Coronavirus Pandemic and

related fallout will introduce huge demands on the NHS in Wales for decades to come, most notably in Psychological Medicine/Psychiatry.

I understand the MMM is planning to develop a satellite clinic (in association with the NHS) for PTSD management and plans to expand on Virtual Reality Technology to help develop strategies for the general public to help manage psychological distress (anxiety/depression).

Making the project of Military Medicine and Medical Technology a more fascinating and engaging topic for Welsh school children (from all parts of the city and beyond) it could well motivate them into becoming the future NHS Doctors and Dentists we need for the Welsh NHS to survive and flourish.

'Deep Space' technology (pioneered by the Museum of the Future in the city of Linz, Austria) with huge 3D and 2D visuals and high resolution immersive imagery as a teaching tool will help stimulate the minds of children. Perhaps 'the spark' required to ignite a life-long interest in medicine and science and hopefully future careers as physicians and scientists. In Linz the museum is also regularly used by medical students to advance their learning experience.

My niece is a manager of a dental practice locally and is acutely aware of the fall in footfall in Cardiff Bay related to the Pandemic. Local businesses linked to tourism are being adversely affected by this crisis.

Having lived locally for the past 20 years, I am in no doubt that the MMM will aid substantially in the recovery of tourism in Cardiff Bay in the coming years. My two sons (now doctorates) spent many a day in Techniquet when they were children, however I believe the MMM would have been their favourite place to visit if it were available during their childhood.

So, in conclusion I and many others in my family and many friends are in full support of the Museum of Military Medicine opening in Cardiff Bay and I would like my firm support of the project acknowledged by the Council and planning department. Kindly add this letter to others which you have published online with regard to public opinion on the Plans you are considering with regards to the establishment of the Museum of Military Medicine in Cardiff Bay. I will keep checking to see that my letter of support has been added([@https://planningonline.cardiff.gov.uk/onlineapplications/applicationDetails.do?activeTab=documents&keyVal=_CARDIFF_DCAPR_128842](https://planningonline.cardiff.gov.uk/onlineapplications/applicationDetails.do?activeTab=documents&keyVal=_CARDIFF_DCAPR_128842) as this issue is important to me.

<p>Len Richards Chief Executive Cardiff and Vale Health Board</p>	<p>Letter of support for the Planning Proposal – Mussum of Military Medicine, Cardiff</p> <p>I am writing to offer our continued support for the Museum of Military Museum to be based in Cardiff. The Health Board has a strong commitment to the military covenant and over the last two years, has developed a strong relationship with the Military Medicine Museum team.</p> <p>A dedicated team has been brought together tin Cardiff and Vale University Health Board, led by the Executive Director of Therapies and Scientists. Incorporated into the plans for the Museum is a hub for the wellbeing veterans, led by a dedicated clinical academic psychiatrist and clinical psychologist. Our innovation team is also involved and hope to support an innovation centre that will show case the future of military medicine in partnership with academic and industry partners.</p> <p>This strong partnership will play an important role in recognising the contribution of Military Medicine to our current health system and develop new relationships that will impact on future health and wealth of our region</p>	<p>S 3</p>

PETITIONS

COMMITTEE DATE: 16/12/2020

APPLICATION No. **19/02508/MNR** APPLICATION DATE: 12/09/2019

ED: **BUTETOWN**

APP: TYPE: Listed Building Consent

APPLICANT: Museum of Military Medicine Trust

LOCATION: LOCKYS COTTAGE, HARBOUR DRIVE, CARDIFF BAY,
CARDIFF, CF10 4PA

PROPOSAL: DECONSTRUCTION AND RELOCATION OF THE LOCK
KEEPERS COTTAGE TO AN ALTERNATIVE LOCATION
WITHIN BRITANNIA PARK

RECOMMENDATION 1 : That **subject to Cadw** not wishing to call in the application for determination by the Welsh Ministers, that Listed Building Consent be **GRANTED** subject to the following conditions

1. TIME LIMIT

The works permitted shall be begun before the expiration of five years from the date of this consent.

Reason: In accordance with the provisions of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. APPROVED PLANS

The Works approved are those indicated on drawing references:

TP(00) 101 Site Location 1:1250
TP(00) 102 Existing Site location plan 1:500
TP(00) 103 Relocation Plan 1:500
TP(10) 101 Existing Plans and Elevations 1:50

and in the following documents

DAS LOCK KEEPERS COTTAGE SEPT 2019 REV
HIA LOCK KEEPERS COTTAGE SEPT 2019 REV 2

Reason: For the avoidance of doubt.

3. HISTORIC ENVIRONMENT MITIGATION

No development shall take place until the applicant, or their agents or successors in title, has secured agreement from the Local Planning Authority for a written scheme of historic

environment mitigation; the scheme shall comprise of four parts which will provide for:

- (i) An archaeological watching brief relating to all ground works and the submission of a report to the National Archive.
- (ii) A drawn, written, and photographic record of the building described in the application as the 'Lock keepers cottage' together with an interpretation of the historic use of the building as suggested by that record; together with a detailed methodology of how it is intended to relocate the structure.
- (iii) A photographic record of the undertaking of the works,
- (iv) A photographic and written account of the reconstruction of the building.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource, and to preserve by record the history, location and building technology of the lock keepers cottage at a point in time before it is moved; to mitigate against any risk to the building during the course of the works; and to record the exercise of reconstruction for the benefit of future research into the evolution of the docks as a historical asset.

4. REBUILDING OF THE LOCK KEEPERS COTTAGE

Notwithstanding submitted drawings and intentions indicated in the submitted Heritage Impact Assessment, the Lock Keeper's Cottage shall be rebuilt exactly as existing before deconstruction in accordance with the methodology approved under condition 3 and in the location indicated on approved drawings, before the opening of the development approved by Planning Permission 19/02506 to the public.

Reason: To ensure for the timely reconstruction of the building and prevention of damage to as might otherwise result from storage or disinclination to rebuild it for whatever reason.

5. RESTRICTION ON DEMOLITION

No works of deconstruction of any sort related to the relocation of the building shall take place until such time as a principal contract for the undertaking of the building of the Museum of Military Medicine (approved under planning permission 19/02506 has been signed and a copy submitted to and acknowledged by the Local Planning Authority in writing.

Reason: The deconstruction of the cottage is only accepted on the basis of the public benefit derived from the construction of the military museum and would not otherwise be supported in isolation.

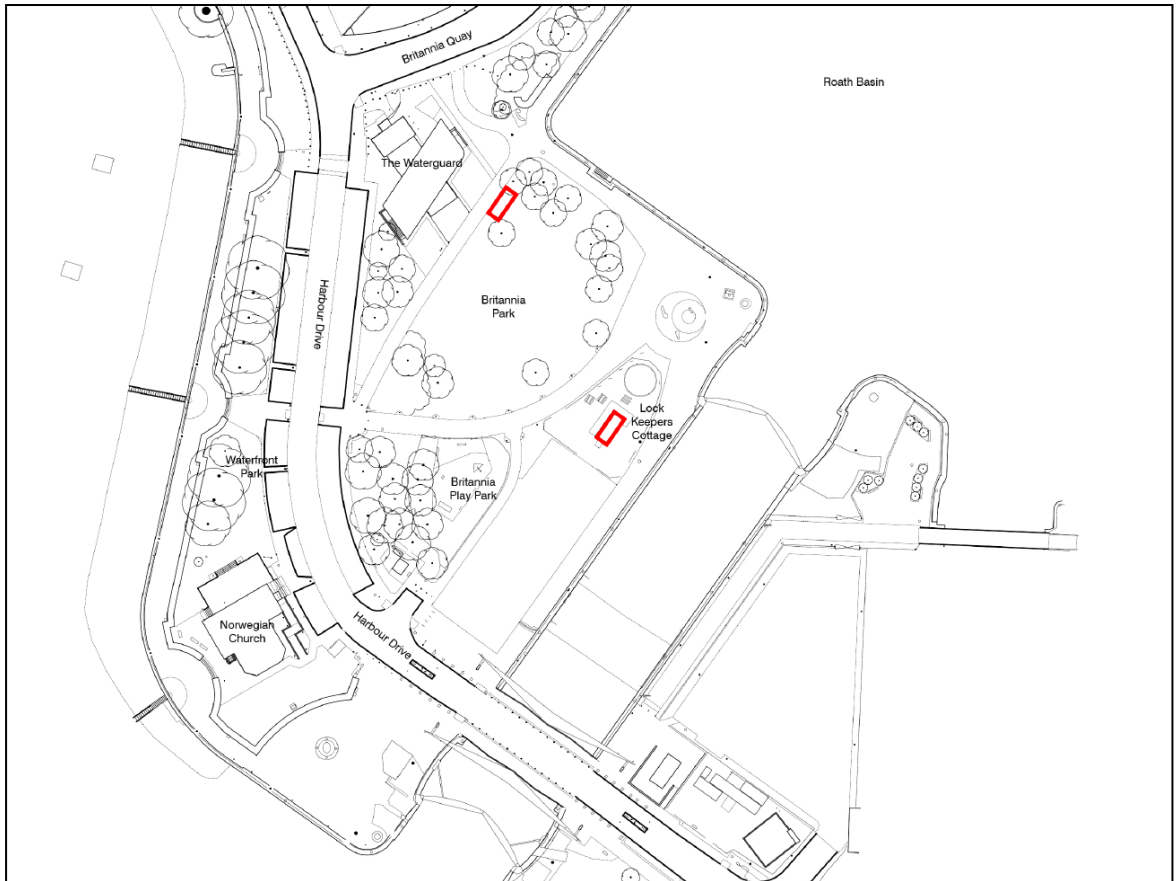
6. The methodology of moving and rebuilding the lock keeper cottage shall include for an analysis of existing mortars, bonding and coursing detail and for the careful deconstruction to allow reuse of as much original fabric as possible.
Reason: To enable for the reuse of as much original fabric, and appropriate use of original building technologies as is practically possible to maintain the authenticity of the building.

1. **DESCRIPTION OF PROPOSED WORKS**

- 1.1 Listed building consent is sought for the de-construction and rebuilding of a small stone and slate roofed workers shelter located adjacent to the outer lock crossing at Britannia park and for its re-erection in a position some 30-40m away in a location to the SW of the Waterguard pub.
- 1.2 As originally submitted, the proposal was to deconstruct the building and to re-erect it using a stone/building fabric numbering system but with the intent of omitting the central dividing fire breast in the building upon reconstruction. The agent has subsequently amended the proposal to rebuild the building exactly as deconstructed.
- 1.3 This would not prevent any future application to modify the building if desired with appropriate justification, but such works were not supported on a speculative basis and so are no longer proposed or included within this application.
- 1.4 The building is Listed as being of historic and architectural interest, Grade II (Two) as an interesting survival from the port and for its group value with Roath Basin sea lock.

2. **DESCRIPTION OF BUILDING / SITE**

- 2.1 The building is located in a roughly central position paralleling the outer Roath Basin Lock (Originally a sea lock but now plugged and made redundant as a consequence of the Cardiff Bay Barrage). The surrounding area which was once part of the historic operational docks is now a hard and soft landscaped area of open space which includes a grassed area, a children's play area; an area of gravel chippings, a hardscaped area of paviers; Public art (the 'Beastie Benches') and the Listed workman's building.
- 2.2 The workman's hut is currently located approximately 60m distant of the Grade II (two) Listed Waterguard Public House, approximately 70m distant of the non-designated Norwegian Church, and approximately 60m from the Origami bridge lock crossing.
- 2.3 For a number of years the workman's building has been used as a kiosk facility serving refreshments to users of the adjacent recreational space; however that use has ceased and the hut is now vacant.



The hut has an historic exterior of coursed stone, with occasional larger stone 'jumpers' between courses (a non-formulaic snecked construction), a slate roof and timber windows. The interior of the hut has seen some modification of its central chimney breast dividing wall and has been fitted with modern tiles and stainless steel sinks.

- 2.4 The area of Britannia park experiences a relative and continuous passing of pedestrians and cyclists using the barrage access path and Porth Teigr as a route to and from Penarth and BBC Roath Lock Studios and Mermaid Quay as well as from other Office workers and residents of accommodation sited to the North of the Basin.
- 2.5 This particular hut is set back some distance from the Origami bridge in comparison with another Lock keepers cottage on the SE of the Lock (also listed) which is more prominent from the principal highway.

3. **SITE HISTORY**

- 3.1 17/01848/MJR – Outline hybrid planning application for redevelopment of the site to provide a new landmark building of up to 24 storeys in height, a revised park and additional bay edge buildings and re-location of the former workmen's hut - Withdrawn
- 3.2 17/01849/MJR – Listed building consent application for the lifting and relocation the Lock keeper's cottage. Withdrawn.

- 3.3 94/00305R - Renewal of Outline PP 90/00479R
- 3.4 90/00479R – [Development of Roath Basin, North Side] Outline Planning Permission for mixed uses: 800,000 sq ft office space plus retailing, residential, hotel, opera house, leisure uses, visitor centre and Public Open Space. - Granted

4. **POLICY FRAMEWORK**

4.1 National Policy

Planning Policy Wales (Edition 10) December 2018

Esp. Chapter 6 Distinctive and Natural Places - Historic Environment

4.2 Technical Advice Notes

Tan 24: The Historic Environment (May 2017)

4.3 Local Policy

Caselaw provides that development Plan Policies are not material to the determination of applications for Listed Building Consent, however Policies KP17 and EN9 of the Cardiff Local Development Plan 2006- 2026 (Adopted January 2016) sets out the Local Authority stance in respect of the Conservation and Preservation of Historic assets within the City.

KP17: Built Heritage

Cardiff's distinctive heritage assets will be protected, managed and enhanced, in particular the character and setting of its Scheduled Ancient Monuments; Listed Buildings; Registered Historic Landscapes, Parks and Gardens; Conservation Areas; Locally Listed Buildings and other features of local interest that positively contribute to the distinctiveness of the city.

EN9: Conservation of the Historic Environment

Development relating to any of the heritage assets listed below (or their settings) 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.

- i. Scheduled Ancient Monuments;*
- ii. Listed Buildings and their curtilage structures;*
- iii. Conservation Areas;*
- iv. Archaeologically Sensitive Areas;*
- v. Registered Historic Landscapes, Parks and Gardens; or*
- vi. Locally Listed Buildings of Merit and other historic features of interest that positively contribute to the distinctiveness of the city.*

4.4 Other considerations

The Pierhead Conservation Area Appraisal 2009
The Mount Stuart Square Conservation Area Appraisal 2009

5. **INTERNAL CONSULTATIONS**

5.1 None undertaken

6. **EXTERNAL CONSULTATIONS**

6.1 The Joint Commission of National Amenity Societies has been consulted:

RCAHMW

Thank you for notifying us of this application for listed building consent for the controlled demolition and rebuilding of this building at an alternative location within Britannia Park.

The remit of the Royal Commission permits us to comment on the historical significance and context of a monument or structure and on the adequacy or otherwise of the record. Lockys Cottage was listed for its special interest as a late C19th lock-keeper's 'cottage'. It is at present empty. The proposal for moving the cottage relates to the proposed development of the area for as a museum of military medicine. Current advice is, of course, that listed building should remain in their historic setting. However, as the heritage impact assessment points out, Cardiff Bay has seen the relocation of several historic buildings, including the famous Norwegian Church. Nevertheless, if consent is granted, it is important that this low-key listed building remains close to its historic lock-side location.

If listed building consent for demolition is granted, we suggest that as a condition of consent the applicant is required to deposit a full drawn and photographic record of the building in the public archive of the Royal Commission (The National Monuments Record of Wales).

6.2 **Council for British Archaeology**

Thank you for consulting the Council for British Archaeology (CBA) regarding this application for deconstruction and relocation of the lock keeper's cottage to an alternative location within Britannia Park.

We have reviewed this application and would like to register our objection.

The lock keeper's cottage is a Grade II Listed building. It is currently located in its original position close to the sea lock at the south west corner of the Roath Basin. This position directly relates to the original purpose of the structure and as such, its location and setting is integral to the significance of the building. To remove the building even a short distance would destroy its physical connection with the lock and harm the historical significance of the

cottage.

As the HIA states many other historical structures relating to the running and operation of the docks have since been removed, including the other early lock keeper's cottages. This means that the remaining lock keeper's cottage in its original position is one of the few early structures remaining that relate to the original social and economic purpose of the area and demonstrates a role and way of life which no longer exists.

It seems to me that the options which have been considered are not realistic. If a new building is proposed it would surely be possible to design it in such a way as to retain the cottage in its current location. The reasons suggested for the failure of the previous use as a catering venue, specifically the seasonal use restriction would seem to be easily solvable by the creation of hard landscaping and a modern heated shelter.

In addition to its demolition and relocation, it is proposed that interior features are altered in its reconstruction, in particular the chimney. This further harms the significance of the building.

PPW10 6.1.12 states that "The demolition of any listed building should be considered as exceptional and require the strongest justification."

PPW10 6.1.13 states that: "Applicants for listed building consent must be able to justify their proposals, show why the alteration or demolition of a listed building is desirable or necessary and consider the impact of any change upon its significance. This must be included in a heritage impact statement, which will be proportionate both to the significance of the building and to the degree of change proposed."

TAN 24 para 5.15 "An application for the demolition of a listed building should be made in exceptional circumstances and only as an option of last resort. Consent for demolition should not be given simply because redevelopment is economically more attractive than the repair and re-use of a historic building. The following factors need to be considered:

- The condition of the building, the cost of repair and maintenance in relation to its importance and the value derived from its continued use. Where a building has been deliberately neglected, less weight will be given to these costs.
- The efforts made to keep the building in use or to secure a new use, including the offer of the unrestricted freehold of the building for sale at a fair market price that reflects its condition and situation.
- The merits of the alternative proposals for the site, including whether the replacement buildings would meet the objectives of good design and whether or not there are substantial benefits for the community that would outweigh the loss resulting from demolition.

We do not consider that sufficient justification has been provided as required by PPW10 nor that the factors from TAN 24 have been fully addressed.

We understand the difficulties of finding sustainable new uses for small buildings such as this but we would suggest that there are more imaginative solutions which could be explored which would have a less harmful impact on the significance of this building.

I trust these comments will be useful to you; please do not hesitate to contact me if you need further assistance. Please keep the Council for British Archaeology informed of any developments in this case.

6.3 Glamorgan and Gwent Archaeological Trust

The proposal will require mitigation

You may recall that we have commented on the pre-planning for the development, which includes the removal of this building to another location, within the development boundary, and on the application 19/02598. We have consulted the information in the Historic Environment Record curated by this Trust, which details that there are both designated and non-designated historic assets within the area of the proposed development. The area is part of the Roath Dock and Basin, which was constructed from 1874 onwards, on land reclaimed from the sea. 19th century historic mapping shows the area as sea, the First Edition OS map shows the Basin, sea wall and graving docks. There are four Listed Buildings within or adjoining the site relate to the maritime use, of which Locky's Cottage (Cadw ref. 14060) is one, the others being: the Sloping Stone Sea Wall (Cade ref. 14058), the Former H.M. Customs and Excise Office (Cadw ref. 14059), and the Dock Walls of Roath Basin (Cadw ref. 14062). Apart from the cottage, there will be no significant effect on any of these structures.

There is the potential that enabling works and groundworks during the construction phase may encounter archaeological deposits, particularly those associated with the creation of the Basin and associated dockside features such as tramways, sheds and other structures or buildings. It has been our experience that such features when described as demolished or cleared leave remains, and the likelihood of these being encountered can be mitigated by condition. It is unlikely that more deeply buried deposits relating to the tidal muds and other organic deposits would be encountered.

Regarding the Cottage, historic building recording can mitigate the impact on the removal of the cottage, by recording it within its current setting.

We recommend a condition requiring the applicant to submit a detailed written scheme of investigation for the implementation of a programme of archaeological work, to mitigate the impact of the development.

It will also include provision for the recording of the cottage, to Level 3 within Historic England's Guide to Good Recording Practice, 2016. The written

scheme would include detailed contingency arrangements including the provision of sufficient time and resources to ensure that any archaeological features or finds that are located are properly investigated and recorded; it should include provision for any sampling that may prove necessary, post-excavation recording and assessment and reporting and possible publication of the results. To ensure adherence to the recommendations the suggested condition should be worded as model condition 24 given in Welsh Government Circular 016/2014

No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

With the reason being: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

It is our Policy to recommend that all archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA),

<https://www.archaeologists.net/codes/cifa>)

and that it is carried out either by a CIfA Registered Organisation or an accredited MCIfA Member (<https://www.archaeologists.net/regulation/organisations>).

If you have any questions or require further advice on this matter, please do not hesitate to contact us.

6.4 **Cardiff Civic Society**

19/02508/MNR (Application for Listed Building Consent)

*The Grade 2 listed Locky's Cottage should remain in its current location where it has context and significance. The only justifiable reason for relocating an historic building is to preserve it. Relocating it to make way for development is deeply inappropriate.

Relocation of Locky's Cottage would affect its character as a building of historic interest. It is a common misunderstanding that the special interest of a listed building lies only in its features, this interest extends also to its history and context. British Listed Buildings describes Locky's Cottage as 'an interesting survival from the port and for group value with Roath Basin sea lock'. Removed from Roath Basin, its historic significance would be lost.

For the above reasons, both these applications should be refused.

7. **REPRESENTATIONS**

7.1 The proposals have been advertised by a multiple site and press notice.

Neighbours

7.2 There is evidently some cross over in terms of the number and reasons for objections received in respect of planning application 19/02506 for the development of the land on which the Workman's building stands, and those specific to this application. For completeness all objections have been recorded here and have been annexed to the planning committee schedule.

7.3 A "***Resident petition to Cardiff Council to save Britannia Park***" was received in March 2020. [81 signatures >50 in Cardiff] Lead Petitioner Ms Barbara Crossman

7.4 A further petition of objection was presented to full Council by Councillor Rodney Berman on 26th November 2020. [246 signatures >50 in Cardiff] Councillor Berman has also confirmed that he is the Lead Petitioner for this particular petition.

7.5 Three comments in support of the replacement development have been received including that of the Chief Executive of the Cardiff and Vale Health Board. The 130th (St John) field ambulance research group; and Dr W Williams (GP).

7.6 No neutral comments have been received.

7.7 36 comments of objection have been received.

7.8 The principal reasons for objection is that the building has a historic importance and significance in its current location and because that importance and significance will be diminished if it is moved; and that its relationship with the other Lock keeper's cottage will be lost.

8. **ANALYSIS**

8.1 Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Confirms that Listed Building Consent is required for any works for the demolition of a listed building; or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest.

8.2 A duty placed on the Local Planning Authority, as required by Section 16(2) of the Act requires that when considering whether to grant listed building consent for any works the local planning authority must ... *have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*

- 8.3 Applications to relocate listed buildings are therefore somewhat anomalous in that although the requirement to obtain listed building consent for works of demolition is very clear, most often the duty and corresponding guidance is applied in the context of considering an absolute loss, or a proposed change to the building rather than in the context of a proposal which is to preserve it, albeit in an alternative setting.
- 8.4 The key issues here then relate to whether moving the listed building, both in principle, and in the manner proposed, represents an unjustifiable risk to the fabric of the building, its integrity, and value as a building of architectural interest, i.e. the potential for damage or irrecoverable loss; and as to whether the relocation of the building would diminish its historic value, and significance, to an unacceptable degree.

The potential for irrecoverable loss or damage

- 8.5 The Heritage Impact Statement notes that there is past precedent in respect of relocation of historic buildings, and offers examples of where this has been undertaken, including examples of docks buildings in very close proximity to the application building. These include the Northern frontage of the Waterguard Public House which was the former Tax office at the Docks required to be moved for a road realignment; The Norwegian Church which previously occupied a site further north alongside the Bute East Dock; and the Dock's D Shed which now occupies a site at the Flourish (Craft in the Bay).
- 8.6 It is also acknowledged that there have been a number of statues which have been moved from their original locations within the city, and also that many of the Historic Buildings in St. Fagan's Museum of Welsh Life have been re-erected there from their original locations.
- 8.7 Although, there have been various reasons, different methodologies employed, and differences in the suitability of the buildings themselves to undergo such movement, what the above examples do illustrate is that it is perfectly possible to relocate a historic building, without undue physical damage if sufficient care is taken.
- 8.8 Helpfully, this building is very robust in respect of the simplicity of its construction, materials, and in that its design does not include for any finely detailed architectural features.
- 8.9 In respect of moving this particular building, the methodology proposed, is that of a stone by stone deconstruction, numbering and re-assembly on the basis of a reversal of the deconstruction process. It has been suggested that given the limited scale of the building, that an alternative approach of undermining its foundations, and lifting the building as a complete structure might offer lesser risk; however as a stone building of snecked construction, it is accepted that there may be a greater potential for the building to break apart as a consequence of lifting, and that a managed deconstruction and rebuilding considered may be preferable to some engineers.

- 8.10 Different methodologies applied to the proposal to move the building are therefore acknowledged to bring with them different potential advantages and disadvantages in terms of their impact on the structure, for example the nature of the mortar used to bed and joint the stone and the ease or otherwise of its removal; the method of attaching the slate outer covering to the roof structure; the specific value of each of the components involved, as far as they may be original or not, and their fragility will all be influential.
- 8.11 Currently the Heritage Impact Assessment suggests that the favoured methodology to move the building would be that of a managed deconstruction and rebuilding, but there is little evidence of investigation of any alternative, or any detailed commentary on the nature of the construction and merit or demerit of any proposed technique of deconstruction. To this end, it is suggested that if accepted in all other respects, that this would merit further detailed consideration of evidence-based options which could be subject of control by means of condition(s) applied to any consent as may be recommended to be granted.
- 8.12 It is concluded however that if undertaken with due care that the building might be moved without significant danger to the integrity of the building or the loss of such architectural features and qualities it possesses.

Historic value and significance.

- 8.13 At Section 5.13, Technical Advice Note 24 (Historic Environment) indicates that when determining a listed building consent application, the local planning authority should consider the importance and grade of the building and its intrinsic architectural or historic interest including the physical features of the building which justify its listing and contribute to its significance, for example its form and layout, materials, construction and detail; and the impact of the proposed works on the significance of the building.
- 8.14 It is observed that the building is listed as being of National significance, but of the lowest grade of listing. It is also noted that the special interest of the building is largely attributed to its original use, its scale and the robustness of its construction very much as a service or operational building necessary to ensure adequate working conditions for workers essential to the efficient functioning and safe operation of the docks.
- 8.15 The special interest of the building is therefore not derived from an unusual construction or unique architectural features or finishes, or for any particular or exquisite architectural detailing; in fact precisely for the opposite reason, in that the building is considered special very much because of its secondary nature, functional design and ordinary (for the period) nature of construction and detailing.
- 8.16 The Heritage Impact Assessment provides a well researched history of the Listed Building and analysis of its likely date of construction, function and context in relation to surrounding features and milestones in the development

of the docks.

- 8.17 This suggests that the building was constructed sometime between 1878 and 1898, some 20 years after the construction of (originally two) workers buildings located opposite each other nearer to the southern gates of the outer sea lock and recorded on early ordnance bases.
- 8.18 The HIA suggests that this particular workers hut was most likely built to assist in the passage of vehicles over a central swing bridge which allowed access to the adjacent Bute dry dock (1880-1900) and Queen Alexandra Dock (1907) as port activities increased.
- 8.19 A reasonable amount of evidence would suggest that the colloquial name of 'Locky's cottage' is likely a misnomer, and that the hut once had a stronger relationship with the former swing bridge (removed late 1980s-1990s), rather with operation of the lock gates which existed since the opening of the Basin in 1874.
- 8.20 In terms of significance, it is also noted from early Ordnance bases that there were a number of these buildings placed all around the locks/docks for the comfort of workers for very many activities and functions. They were a secure store for heavy tools, and allowed for a fire, sink and drying area for cloths, but it is not considered likely their use was exclusive.
- 8.21 As mentioned above, there is also a further workman's hut, on the opposite side of the lock, which has been restored as part of the development of Roath Basin South. This building shares very similar construction and form to the application building.
- 8.22 At Section 5.13, Technical Advice Note 24 (Historic Environment) also indicates that when determining a listed building consent application, the local planning authority should consider
- The contribution of curtilage and setting to the significance of the building, as well as its contribution to its local scene.
 - The impact of the proposed works on the significance of the building.
 - The extent to which the proposed works would bring substantial community benefits for example, by contributing to the area's economy or the enhancement of its local environment.

Context

- 8.23 Although the workman's hut likely had an association with the Swing Bridge, it is unlikely to have had a curtilage of its own, its use would have required a practical siting, close to the bridge and the lock which the bridge spanned, but it would have likely been an independent structure, with no need of a defined demise.

- 8.24 Although not integral to the bridge, previous Ordnances suggest that the hut would have aligned with the bridge in a closed position, and visually would have had an association with the bridge. However given that the bridge has long been removed, and if that historic connection is considered likely, the hut has now lost its context, and it's former purpose is only remotely tangible now, other than as a historic service building to the docks generally.
- 8.25 There is nothing in the building to suggest that the hut housed any mechanical or electrical installations directly connected to the bridge, although it is accepted that these may have been removed as part of earlier works to realise the local park, it is considered more likely that the hut was predominantly a shelter and that the gearing for the bridge, whether hydraulic or electrical) would have been housed elsewhere, or have been integral to the bridge structure.
- 8.26 Whilst acknowledging Cadw's 'Setting of Historic Assets in Wales' which expands upon the contribution of setting to significance; it is concluded that regeneration of the area, the formation of the park and ancillaries including the children's play area and most importantly the removal of the swing bridge has all but destroyed the context of the workman's hut and any positive contribution that setting had to its significance.
- 8.27 From this it is further concluded that the deconstruction (or lifting) of the building and re-siting it a short distance away from its current position, would not be unduly damaging to the significance of the building. Or public appreciation of it or its purpose.
- 8.28 This section of the Tan does make clear that the merits of any alternative proposals for the site, including whether replacement buildings would meet the objectives of good design; and whether or not there are substantial benefits for the community that would outweigh the loss resulting from demolition are material factors (albeit again presuming a context of absolute loss) are material.
- 8.29 The proposed Museum of Military Medicine is a very high quality architectural piece, will provide new managed public facilities, a café offer, and can be envisaged to provide a meeting place, and draw patrons locally as well as acting as a visitor attraction in its own right. On this occasion public benefit and community benefit are considered one and the same, and the new facilities proposed to compliment and enhance the use of the park, to a greater extent than could be provided by the operation of the hut as a retail facility in its current position.

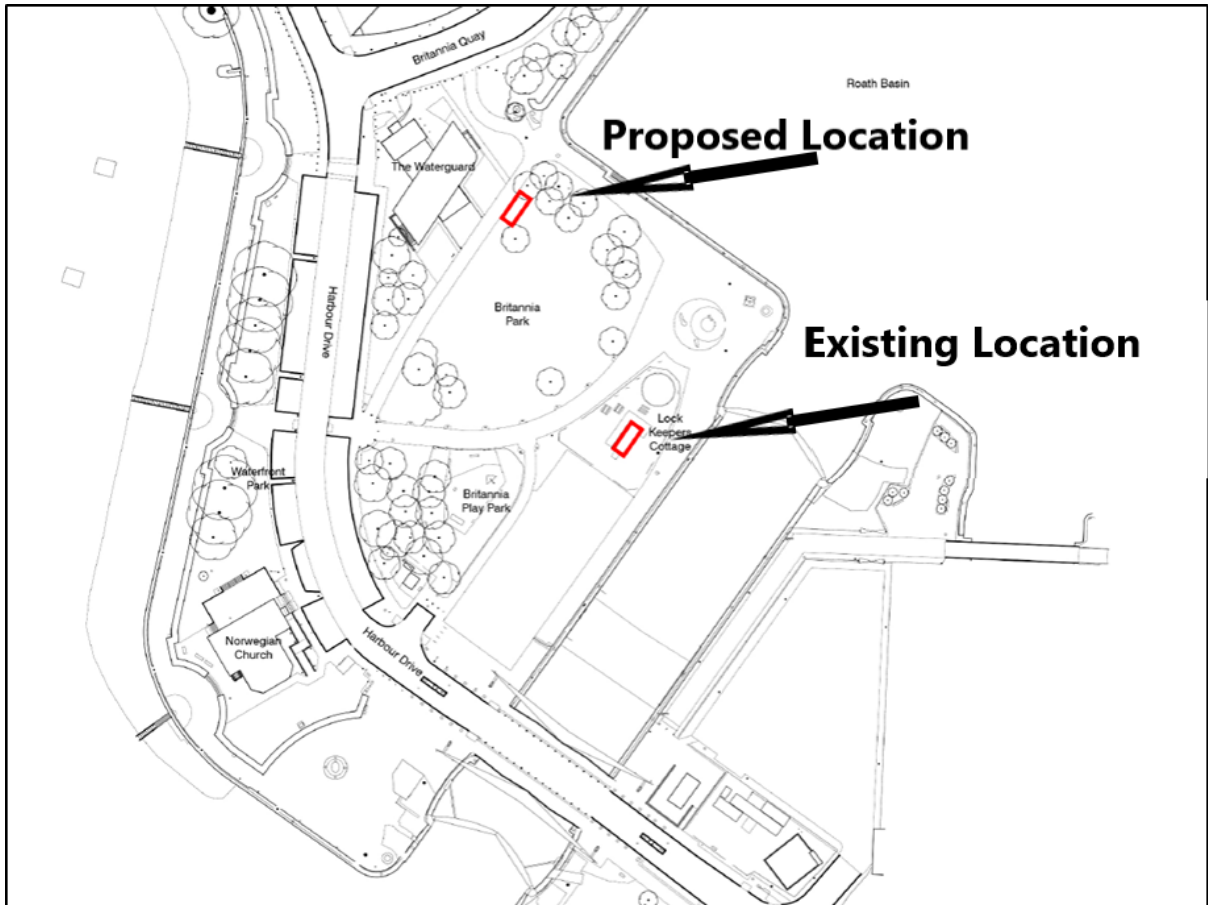
Alternative new settings.

- 8.30 The submitted documentation confirms that a number of different locations were considered for 'Locky's cottage'. A position to the north of the new museum building, overlooking Roath Basin was dismissed, as the building would be entirely hidden from Harbour Drive by the proposed. A further option

of relocating the Lock Keepers Cottage to the south of Harbour Drive, adjacent to the sea lock gates, Scott Antarctic Memorial and the Norwegian Church with a southerly aspect overlooking Cardiff Bay was also considered but considered too far out of its original context. As indicated in the observations of the Royal Commission, a location close to the lock would seem critical in terms of preserving any remaining association with that feature of the dock, and so the proposed location just south of the Waterguard would appear a good choice in terms of limiting the extent of movement, maintaining a waterside setting, and potentially attracting a future use for the building in the context of the park.

Conclusion

- 8.31 The merit of the proposed new building has been considered under Planning Application 19/02650. It is evident that the listed 'Locky's cottage' cannot remain in its current location for that development to go ahead. The mitigation proposed is that of re-siting the listed building, which would not otherwise be supported other than for reasons of public betterment. However in this particular case, the evidence provided as to its likely former use is compelling, and so too is the conclusion that its original context has been lost, and that its remaining significance would not be affected unduly by its retention in an alternative position; and that also its proposed location may assist, but certainly would not detract from its potential future usage.
- 8.32 On balance it is therefore recommended that Listed Building Consent be Granted.
- 8.33 This recommendation is made to members of Planning Committee, and will be subject to referral to Cadw.



PETITION

COMMITTEE DATE: 16/12/2020

APPLICATION No. **20/01952/MJR** APPLICATION DATE: 01/10/2020ED: **PLASNEWYDD**

APP: TYPE: Outline Planning Permission

APPLICANT: Ventura Developments and Holding Ltd

LOCATION: THE ROATH PARK, 170 CITY ROAD, ROATH, CARDIFF,
CF24 3JEPROPOSAL: PROPOSED DEMOLITION OF EXISTING BUILDING, WITH
CONSTRUCTION OF MULTI- LEVELLED BUILDING, WITH
RESIDENTIAL UNITS ON UPPER FLOORS AND RETAIL USE
ON GROUND FLOOR AND BASEMENT

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

1. The proposed scale of the building would be out of keeping with the scale of surrounding buildings and would constitute an over-dominant and incongruous feature in the street scene, to the detriment of visual amenity and contrary to policy KP5(i and xii) of the Cardiff Local Development Plan, Supplementary Planning Guidance "Cardiff Infill Sites" (November 2017), Supplementary Planning Guidance "Tall Buildings" (January 2017), and Planning Policy Wales Technical Advice Note 12 - Design (March 2016).
2. The development would be detrimental to residential amenity in that a building of the height proposed would appear obtrusive and overbearing when viewed from neighbouring properties, contrary to policy KP5(x) of the Cardiff Local Development Plan.
3. The nature and location of the building to be demolished suggest that there is a reasonable likelihood of an impact upon roosting bats. In the absence of a bat survey relating to this site it is not possible to assume that the proposed development would have no negative implications for bat species and therefore approval of the application would be contrary to policy EN7 of the Cardiff Local Development Plan and paragraphs 6.4.3, 6.4.4, 6.4.5, 6.4.22 and 6.4.23 of Planning Policy Wales (edition 10).
4. The proposal, by virtue of the nature of the proposed development and the number of proposed residential units, meets the thresholds and criteria set out in policies KP6, H3 and C5 of the Cardiff Local Development Plan and Supplementary Planning Guidance 'Planning Obligations' (January 2017) for the provision of affordable housing, community facilities and functional open space but the proposal does not

include appropriate affordable housing or functional open space on site or an acceptable scheme for alternative off-site provision, or confirmation from the relevant parties that they are willing to provide a financial contribution in lieu of such provision and in fulfilment of the requirements for contributions relating to community facilities, or a satisfactory viability appraisal setting out how the developer is unable to meet the full policy requirements, and is therefore contrary to policies KP6, KP7, H3 and C5 of the Cardiff Local Development Plan and Cardiff Supplementary Planning Guidance "Planning Obligations" (January 2017).

1. DESCRIPTION OF PROPOSED DEVELOPMENT

1.1 The application is for outline planning permission for the demolition of a three storey public house with attached single storey skittle alley and its replacement with a multi-storey building which would have retail uses at basement and ground floor level and 7 storeys of residential units (around 37 flats) above.

1.2 The application is in outline, with all matters of detail (i.e. access, appearance, landscaping, layout and scale) reserved for future consideration. However, illustrative plans and photomontages have been submitted which show the applicant's intentions with regard to the appearance, layout and scale of future development. Where scale is a reserved matter, applications for outline planning permission must state the upper and lower limit for the height, width and length of each building included in the development proposed. In this case the following parameters have been provided:

Height - upper limit (including lift shafts) 24.8m; lower limit 13.8m.

Width – 10.5 to 12.3m.

Length - (including both frontages) 45 to 46.5m.

1.3 The illustrative plans and photomontages show a building on the same general footprint as the existing public house, at its tallest on the City Road frontage and reducing in height as it runs along Kinraig Street. It would be separated from the terraced housing on Kinraig Street by the existing alleyway, which would provide access to a rear courtyard. The corner of the building would be emphasised by balconies surrounded with a coloured cladding element. A flat roof area surrounded by 1.8m high translucent panels on one of the upper floors would provide amenity space for the occupants. Most of the units on the upper floors would have small balconies set into the elevations. A mix of external materials (facing brick, render and cladding) would be used, set at slightly differing planes. Roofs would be flat.

2. DESCRIPTION OF SITE

2.1 The application site lies within the City Road District Shopping Centre, at the corner of City Road and Kinraig Street, and contains a three storey, late Victorian public house, the Roath Park, which is currently vacant. The building is part of a terrace fronting onto City Road, the adjoining units to the south being

two storeys in height and containing a mix of uses (including a restaurant, retail shop and commercial office) with residential flats above.

- 2.2 The building steps down to a single storey element (which contains the skittle alley) in Kingcraig Street, which is a residential street containing Victorian terraced houses. The skittle alley building is separated from the residential terrace by a 2.5m wide gap which contains the side access to the adjacent dwellinghouse and a gated access to the rear yard of the public house, separated by a stone wall.

3. **SITE HISTORY**

- 3.1 98/01400/W - Extend into yard with new skittle alley and upgrade toilets with new disabled w.c. facility.

4. **POLICY FRAMEWORK**

- 4.1 *Cardiff Local Development Plan 2006-2021:*
KP5 (Good Quality and Sustainable Design);
KP6 (New Infrastructure);
KP7 (Planning Obligations);
KP13 (Responding to Evidenced Social Needs);
KP16 (Green Infrastructure);
H3 (Affordable Housing);
H6 (Change of Use or Redevelopment to Residential Use);
EN7 (Priority Habitats and Species);
EN10 (Water Sensitive Design);
EN13 (Air, Noise, Light Pollution and Land Contamination);
T5 (Managing Transport Impacts);
R1 (Retail Hierarchy);
R4 (District Centres);
C1 (Community Facilities);
C2 (Protection of Existing Community Facilities);
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).
Tall Buildings (January 2017).
Cardiff Residential Design Guide (January 2017).
Planning Obligations (January 2017).
Cardiff Infill Sites (November 2017).
Green Infrastructure (November 2017).
Managing Transportation Impacts (Incorporating Parking Standards) (2018).
- 4.3 *Planning Policy Wales (Edition 10 – December 2018):*
2.2 All development decisions, either through development plans policy choices or individual development management decisions should seek to contribute towards the making of sustainable places and improved well-being.
3.3 Good design is fundamental to creating sustainable places where people

want to live, work and socialise. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surrounding area.

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.

3.9 The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement.

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. This will include considering the provision of, and access to, community and health assets, such as community halls, libraries, doctor's surgeries and hospitals. Health impacts should be minimised in all instances, and particularly where new development could have an adverse impact on health, amenity and well-being. In such circumstances, where health or amenity impacts cannot be overcome satisfactorily, development should be refused.

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.

4.2.22 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.

4.3.30 Although retailing (A1) uses should underpin retail and commercial centres, it is only one of the factors which contribute towards their vibrancy.

4.3.34 Leisure and entertainment, and food and drink uses can benefit retail and commercial centres, and with adequate attention to safeguarding amenities can contribute to a successful evening economy. In addition to general diversity of uses, mixed use developments, which combine retailing with entertainment, restaurants and, where appropriate, residential in a comprehensive and planned way should also be encouraged where appropriate to promote lively centres during both the day and the evening.

4.3.40 Local and village shops, and public houses provide an important role in the local community and their loss can have a detrimental impact, particularly in rural locations.

4.3.41 The economic and social function of local shops, village shops and public houses should be taken into account when considering applications for a change of use into residential or other uses.

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.

6.4.3 The planning system has a key role to play in helping to reverse the decline in biodiversity and increasing the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement. Development plan strategies, policies and development proposals must consider the need to:

- support the conservation of biodiversity, in particular the conservation of wildlife and habitats;
- ensure action in Wales contributes to meeting international responsibilities and obligations for biodiversity and habitats;
- ensure statutorily and non-statutorily designated sites are properly protected and managed;
- safeguard protected and priority species and existing biodiversity assets from impacts which directly affect their nature conservation interests and compromise the resilience of ecological networks and the components which underpin them, such as water and soil, including peat;
- secure enhancement of and improvements to ecosystem resilience by improving diversity, condition, extent and connectivity of ecological networks.

6.4.4 It is important that biodiversity and resilience considerations are taken into account at an early stage in both development plan preparation and when proposing or considering development proposals. All reasonable steps must be taken to maintain and enhance biodiversity and promote the resilience of ecosystems and these should be balanced with the wider economic and social needs of business and local communities. Where adverse effects on the environment cannot be avoided or mitigated, it will be necessary to refuse planning permission.

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

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

6.4.23 Developments are always subject to the legislation covering European protected species regardless of whether or not they are within a designated site.

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.

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

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

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

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

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

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 *Transportation:* No car parking is proposed, which is acceptable. However, residents would not be eligible for residential parking permits. A cycle parking area is illustrated, although this looks tight in terms of manoeuvring/access space. Cycle parking needs to be covered and secure, and provided at a rate of one space per bedroom for the residential. Minimum horizontal spacings are 0.5m (1m gaps between Sheffield stands). There also needs to be staff/visitor parking for the retail unit, per the SPG. A cycle parking condition is recommended.
- 5.2 Cardiff Council have aspirations for public realm/footway improvements on City Road, and have secured s106 contributions from other schemes, and it would seem appropriate for this development to do likewise. I would be looking for footway improvements for the length of the Kinraig St frontage as well, which can be incorporated in the s106 figure. If there is deemed to be any reason that this s106 contribution cannot be sought there would need to be a planning condition relating to footway improvements around the site.
- 5.3 *Waste Strategy & Minimisation Officer:* The proposed waste and recycling storage area has been noted, however in a mixed development commercial and domestic waste must not be mixed. Two separate areas for the storage of waste and recycling need to be identified on the submitted plan. Please ensure these areas are documented on future plans. Guidelines for every 10 apartments are as follows
- 1 x 1100 litre bin for general waste
 - 1 x 1100 litre bin for recycling
 - 1 x 240 litre bin for food waste.
- 5.4 A designated area for the storage of bulky waste is now a compulsory element of all communal bin stores. The City of Cardiff Council offers residents a collection service, for items which are too large to be disposed of in general waste bins (i.e. fridges, televisions, mattresses etc.). There must be a designated area where these items can be left, with appropriate access to allow Council collection crews to remove. This area will prevent unwanted waste being left in the communal bin store or other areas, thereby improving the aesthetics of the site.
- 5.5 The developer is advised; as bulk containers are specified for this development, access paths to the kerbside for collection should be at least 1.5 metres wide,

clear of obstruction, of a smooth surface with no steps. Dropped kerbs should also be provided to ensure safe handling of bulk bins to the collection vehicle. The maximum distance that crews are expected to pull bins is 25m if the distance from the bin store to the refuse vehicle is further than this then a collection point near the access would have to be designated and details of who would be responsible for moving the bins to and from the collection point would need to be provided.

- 5.6 *Housing Development & Enabling*: In line with the Local Development Plan (LDP), Policy H3 an affordable housing contribution of 20% of the 37 units (7 units) is sought on this brown-field site. Our priority is to deliver on-site affordable housing, in the form of affordable rented accommodation, built to Welsh Government Development Quality Requirements. However, given the proposed design of the scheme, the practicality of managing and maintaining affordable housing on-site for a Registered Social Landlord may be unsustainable. On that basis we would be prepared to accept a financial contribution in lieu of on-site affordable housing provision. On the basis of the above, we would seek a financial contribution of **£485,982** in lieu of 7 x 1 bedroom flats, which is calculated in accordance with the formula in the Planning Obligations – Supplementary Planning Guidance (SPG)(2017).

Housing Waiting List Figures (1/7/20) – Plasnewydd

1 bed – 806

2 bed – 393

**applicants registered for this area; applicants can register for more than one area*

- 5.7 *Drainage*: No comments received.
- 5.8 *Pollution Control (Noise & Air)*: No objections subject to the approval of a Demolition and Construction Environment Management Plan prior to commencement, a noise report detailing the noise emissions from local sources (plant noise, road traffic and daytime and night time noise levels from the activities of the existing and proposed nearby commercial units), and any works required to the proposal to ameliorate their effects, a scheme of sound insulation works to the floor/ceiling structure between the proposed A3 ground floor development and the first floor, restrictions on delivery times to the A3 element and limits on the brightness of any illuminated advertisements.
- 5.9 *Neighbourhood Regeneration (Community Facilities)*: With larger scale outline applications, we would as a standard request a set £1,291.38 per dwelling, where the number of bedrooms is unknown. However, in this instance most dwellings will only have one bedroom. The standard contribution for a one-bedroom dwelling is £720.51. If possible the Section 106 agreement should state that a contribution is to be made in line with the 2017 SPG, the amount to be determined once the relevant reserved matter is approved.

6. **EXTERNAL CONSULTEES RESPONSES**

- 6.1 None.

7. **REPRESENTATIONS**

7.1 The application has been advertised by site notice and neighbour notification. More than 100 individual representations have been received, objecting to the proposals for the following reasons:

1. Loss of part of the city's built heritage. The existing building should be re-used not demolished. It is the last Victorian pub on City Road. The proposed development would further erode the Victorian character of the street and the area. Cadw should consider listing the building, or the area should be considered a conservation area. The building should be retained and preserved for future generations as an important link to local history. Every development like this diminishes the city's reputation as a place of individual character.
2. Damage to local culture and amenity. This is one of the only pubs in the area that caters predominantly to local residents, not students. It provides an opportunity for socialising out of the city centre. It is also one of a dwindling number of places where cultural events can happen. Local pubs also have cultural and social significance within British culture as a whole.
3. The pub is not necessarily unviable – Brains have allowed it to decline but there are numerous examples of other pubs that have been revitalised by investment and/or the introduction of mixed uses.
4. Old traditional pubs such as this attract visitors and make a contribution to the local economy that goes well beyond the direct contribution made through their taxes, jobs and business rates.
5. There are already too many one bedroom units and HMOs in this area and many recently built student flats remain uninhabited. What the community needs is family accommodation, affordable housing and employment opportunities, not more student housing. Demand for student accommodation, particularly of this type which would be affordable only to wealthy overseas students, is falling and may not recover post – COVID. 6. The flats would be likely to be turned into another illegally unlicensed HMO.
7. The nature of the accommodation will attract a high proportion of Buy to Let landlords, resulting in a temporary population who are not committed to the local community.
8. There are derelict buildings in the area that should be redeveloped instead.
9. The applicant has made no attempt to consult with the local community.
10. The construction will not bring new jobs and business to the area, in the same way that the two Student Castles further down the same street did not inject further revenue into the local area in the way developers pledged.
11. Recent developments have increased population density in the area, which has had negative impacts in terms of serious crime and anti-social behaviour.
12. The development will put undue strain on nearby doctors, dentists and other public services.
13. There will be a negative effect on house prices.
14. There will be an increase in litter and fly tipping which is already a major

- problem in the area.
15. Building works will cause congestion and noise.
 16. The area lacks sufficient parking capacity for 37+ additional occupants and their visitors and already suffers greatly from illegal parking issues at the junction next to the Roath Park.
 17. Increased demand for parking from new residents may reduce available space for customers of nearby businesses, which are already struggling.
 18. Increased traffic on City Road leading to more congestion and a reduction in highway safety – vehicles delivering to the ground floor businesses are likely to park across the pedestrian crossing next to the site and there isn't the infrastructure to cycle safely, especially for families.
 19. There is a problem with bike security in this area.
 20. There appears to be little to no grass, trees or plant life included in the scheme. There should be significant planting to absorb pollution and offset carbon.
 21. Not providing a place to securely park and charge their vehicle means these developers are denying all future occupants the option of purchasing an electric vehicle and will detract from the good work Cardiff Council has made in sustainability.
 22. Future residents would have a poor living environment due to fumes etc from nearby restaurants, noise and lack of communal space.
 23. Loss of light to adjacent residents on City Road and Upper Kingcraig Street as a result of an overbearing building.
 24. Loss of privacy to adjacent residents.
 25. Increased noise from residents and traffic due to the proposed number of apartments.
 26. The proposed building is unattractive and will look outdated and tired within 10 years.
 27. The proposal is out of keeping with adjacent housing. It is too tall, and the blue cladding is at odds with the brickwork that dominates the street scene. The design is wildly out of character with those buildings around it and inappropriate for the mostly residential area.
 28. Other tall, out-of-keeping buildings in the area should not set a precedent for more. The other few tall buildings on City Road are clearly disconnected from the proposed development location. High rise is pooled around the junction with Newport Road. This proposal, not surrounded by any other tall buildings, just low-rise terraces, creates an unattractive contrast and overbearing feel. The other existing and proposed mid-rises in the area on the Northern end of City Road also create this feel and this should not be repeated.
 29. The application lacks vital details such as number of flats and potential residents etc.
 30. There is no factor of sustainable design in the proposal - nothing to increase energy efficiency.
 31. The development is a clearly aggressive attempt to gentrify this culturally diverse area and price out local residents.
 32. The development is another opportunity for this agency to exploit students by providing unsafe and overpriced accommodation.
 33. Another Labour Council will not get voted for if more gross and needless

apartments are put up.

34. Other new builds in the area that obtained planning under the guise of student accommodation are now stealthily changing to private, which increases the car using population and parking demand.

7.2 Cardiff Civic Society has submitted the following objections:

- a) This handsome Victorian building is an integral part of the fabric of the neighbourhood, and should be preserved.
- b) The proposed block of flats is inappropriate for this site as it is jarring in design, is out-of-character with nearby buildings, and does nothing to enhance the environment.
- c) The proposed building is three storeys higher than any other building in the vicinity, and will adversely affect the character of the neighbourhood..
- d) The increased traffic will also exacerbate poor air quality in this part of the city.

7.3 A petition of 266 signatures has also been submitted. The petition states that the signatories “strongly object to planning application 20/01952/MJR to demolish the Roath Park pub and replace it with a multi-levelled building with residential units on upper floors and retail use on the ground floor and basement.”

8. **ANALYSIS**

8.1 The application site is located within the City Road District Centre as defined by the adopted Local Development Plan Proposals Map. Policy R4: District Centres is therefore relevant to an assessment of the proposal. Policy R4 aims to promote and protect the shopping role of District Centres and favours retail, office, leisure and community facilities. Paragraph 5.273 of the supporting text recognises that the provision of residential accommodation at upper floors within centres can support their vitality, attractiveness and viability.

8.2 This proposal incorporates retail uses at ground floor level, which will provide an active frontage on City Road. In addition the provision of residential accommodation in the centre would increase footfall and positively benefit the centre’s vitality and viability.

8.3 Policy H6 of the Local Development Plan (Change of Use or Redevelopment to Residential Use) permits the redevelopment of redundant premises where: there is no overriding need to retain the existing use of the premises and no overriding alternative local land use requirement; the resulting residential accommodation and amenity will be satisfactory; there will be no unacceptable impact on the operating conditions of existing businesses; necessary community and transportation facilities are accessible or can be readily provided or improved; and it can be demonstrated that the change of use to a more sensitive end use has been assessed in terms of land contamination risk and that there are no unacceptable risks to the end users.

8.4 This proposed development’s location within a district centre would provide readily accessible community and sustainable transportation facilities for future

residents and would also positively contribute to the aims of Policy R4. As such, the proposal raises no land use policy concerns in principle.

- 8.5 As the application includes the demolition of a building, the proposal must be considered in relation to Table 2 in section 1.5.1 of the Ecology and Biodiversity section of the approved Green Infrastructure SPG, which sets out the criteria used for deciding when a bat survey is needed. In this instance, the nature and location of the building suggest that there is a reasonable likelihood of an impact upon roosting bats, therefore the application should be supported by a bat survey to determine if this is the case. However, there is no indication that a bat survey has been carried out and therefore it is not possible to determine that there would be no harm to bats (which are European Protected Species) and that the development would accord with LDP policy EN7 (Priority Habitats and Species); approval of the application would therefore be contrary to the requirements of the adopted Green Infrastructure SPG as well as Planning Policy Wales, particularly paragraphs 6.4.5 and 6.4.22, and the Council's obligation under the Environment (Wales) Act 2016, which imposes a duty on the Local Authority to seek to maintain and enhance biodiversity in the proper exercise of its functions. Paragraph 3.33 of the 'Infill Sites' SPG advises that:

'The Green Infrastructure SPG (2017) explains the actions which should be undertaken if protected species such as bats and nesting birds are present on a site. It is important that no works are undertaken until the necessary investigations have taken place. Surveys should be carried out by suitably qualified, experienced and licensed surveyors in accordance with published guidance and best practice. If EPS are likely to be affected by the proposals, the planning application should include details of all the mitigation that will be put in place to offset the anticipated impacts.'

- 8.6 There are also a number of serious concerns regarding the scale and indicative appearance of the development. The application is for outline planning permission with all details of layout, scale, appearance, access and landscaping reserved for future consideration. However, applicants are obliged to submit details of the maximum and minimum dimensions of the proposed development, and in this case the applicant has also submitted indicative plans and elevations. These show that the building would be up to 24.8m tall, 12.3m wide and 46.5m long and is intended to contain 37 flats over 7 storeys above a ground floor/basement commercial unit.

- 8.7 The scheme should be assessed against the Infill Sites SPG and, as the proposed building would be more than twice the height of neighbouring buildings and located away from the city centre, the Tall Buildings SPG.

- 8.8 The Infill Sites SPG states that:

'All development must be of good design and make a positive contribution to the adjacent townscape/landscape. This should come about following a clear vision for the project identified after a detailed analysis of what is appropriate for the context. The design response may be expressed in a number of ways but should always make a positive contribution to the context of the area.' (para.

2.3)

'Infill development needs to be sensitive to its context.' (para. 3.8)

'Infill development should take account of and respond to existing building heights (number of storeys and floor to ceiling heights), scale and massing of buildings in the street.' (para. 3.18)

'Some appropriate sites may be able to accommodate slightly taller buildings where they make positive contribution to the street scene, such as corner sites, on primary routes, and in higher density areas with variation in heights and massing. Where a taller building is proposed, the end treatment should relate sensitively to the heights of the adjacent buildings so that the rhythm of the street is not interrupted. This will often result in an appropriate reduction of height. The use of sympathetic elevational treatments can be used to relate innovative or modern designs with a more traditional context. Roofs should remain in proportion with those in surrounding buildings to create a successful transition between new and existing development.' (para. 3.20)

'Infill, backland development and site redevelopment can help to increase the efficiency of land and reduce demand for greenfield sites as outlined in PPW and Cardiff Local Development Plan, Policy KP5. However, the density of development, both in terms of scale and massing, as well as the number and type of units, should vary according to the site character and context and must respond sensitively to the scale, form and massing of existing development in the area.' (para. 3.21)

8.9 The 'Tall Buildings' SPG advises that:

'In areas outside the city centre, buildings tend to be far lower. Buildings which are double or more than double height of surrounding properties or significantly taller in terms of actual height and number of floors, would be considered tall in this context. Tall buildings outside the city centre are unlikely to be supported unless they can be demonstrated as meeting all of the criteria outlined in this SPG.' (para. 1.14)

'All tall building proposals must demonstrate that:

- *There would be no negative impacts on important views or vistas.*
- *The character or setting of heritage assets is not harmed.*
- *The proposal will be a positive feature in skyline & streetscape, either by complementing a cluster of tall buildings or forming a strategic landmark.*
- *No material harm is caused by overshadowing or overlooking.*
- *There will be walking and cycling accessibility to sustainable transport and local facilities.'* (para. 2.2)

'The form of the building must have a positive effect on the skyline and where appropriate, aid the legibility of the townscape, for example by providing a terminating landmark to a vista (without compromising other criteria).' (para. 6.8)

- 8.10 The 'Tall Buildings' SPG also advises that:
'The submission of an outline application for a tall building will not normally be appropriate given the requirement for detailed information to allow the application to be adequately assessed.' (para. 9.5).
- 8.11 The building would sit on a very narrow plot on a busy street corner and would be very significantly larger than other buildings in the locality. It would be extremely prominent in the City Road townscape in views from both north and south and this level of prominence would be out of scale and character with other development in the immediate context. The application site is not in an area where taller buildings are being encouraged. The development would not respond sensitively to the scale of existing development in the area, and would introduce a negative feature to the skyline and streetscape. It would therefore be contrary to the requirements of the Infill Sites and Tall Buildings SPGs as quoted above, and is considered unacceptable.
- 8.12 A building of this height would also have an adverse impact on the amenities of residents of neighbouring properties. The 'Infill Sites' SPG states that:
'Any infill, backland or site redevelopment must consider both the new and future occupiers' amenity, as well as the amenities available to neighbouring residents.' (para. 4.1); and
'To safeguard the amenity of existing residents, proposals must not result in unacceptable harm regarding the level of overbearing, overshadowing or overlooking of neighbouring properties.' (para.4.11).
The 'Tall Buildings' SPG advises that:
'Tall buildings will not be permitted in locations where they would overshadow or overlook adjacent properties to the significant detriment of the amenity of neighbouring occupiers.' (para. 6.37).
- 8.13 The scheme is considered to be overbearing upon neighbouring homes and garden areas in Kinraig Street, and in particular in Arran Street. The scheme has been modelled to show the building in its setting and to explore shadow impacts. Most of the shadow effects fall into street spaces and across properties, but not into private amenity areas, and therefore overshadowing is not considered to be particularly significant. However, the presence of such a tall building would be overbearing and obtrusive, which would adversely affect residential amenity, and it is also likely that the privacy of nearby private gardens would be compromised should a roof terrace be provided as shown on the indicative plans.
- 8.14 The amenities of future occupiers of the development must also be considered. The indicative plans show the majority of apartments with a single aspect, to the north, gaining no direct sunlight. This would not be good design and would not provide good living spaces. The 'Infill Sites' SPG states that:
'Infill, backland and site redevelopment must result in the creation of good places to live.' (para. 3.5) and *'Dual aspect dwellings (where windows are found on two external walls) are preferable to single aspect units. There will be a presumption against single aspect units unless the design is shown to allow adequate daylight and ventilation to all habitable rooms.'* (para. 4.10).
Apartment buildings should preferably not have apartments facing exclusively

towards the north, so that people who have limited aspect to amenity space can at least have access to direct sun light.

- 8.15 The proposed outdoor amenity space (in the form of a roof terrace and balconies) would also be sub-standard – the aspect from the roof is poor, apart from on the street side, and many of the balconies gain no sun light. Residential units on the ground floor and fronting City Road have no amenity space, which is contrary to the SPG standards. Balconies would not be supported in this location, which is prone to air pollution and noise from traffic on City Road.
- 8.16 The concerns regarding the amenities of future occupiers do not, however, constitute grounds for the refusal of this application given that it is an outline application with all details reserved for future consideration. The only aspects of the proposal that can be considered at this stage are the principle of the development and the proposed scale in terms of the parameters given in the ‘scaling statement’.
- 8.17 Policies KP6 and KP7 of the Cardiff Local Development Plan require all new developments to make appropriate provision for, or contribute towards, all essential, enabling and necessary infrastructure required as a consequence of the development, and enable planning obligations to be sought to mitigate any impacts directly related to the development, in line with Planning Policy Guidance. Local Development Plan policies and supplementary planning guidance indicate that a development of this nature and scale generates a requirement for affordable housing, functional open space and community facilities. However, the application does not include any binding commitment from the developer to fulfil these requirements and relevant parties have not indicated that they are willing to enter into a binding legal agreement with the Council in respect of appropriate financial contributions, nor has a satisfactory viability appraisal been submitted setting out how the developer is unable to meet the full policy requirements.
- 8.18 Policy H3 of the Cardiff Local Development Plan states that :
“ The Council will seek 20% affordable housing on Brownfield sites and 30% affordable housing on Greenfield sites in all residential proposals that:
i. Contain 5 or more dwellings; or
ii. Sites of or exceeding 0.1 hectares in gross site area; or
iii. Where adjacent and related residential proposals result in combined numbers or site size areas exceeding the above thresholds, the Council will seek affordable housing based on the affordable housing target percentages set out above.
Affordable housing will be sought to be delivered on-site in all instances unless there are exceptional circumstances.”
- Policy C2 states:
“Proposals involving the loss or change of use of buildings currently or last used for community facilities will only be permitted if:
i. An alternative facility of at least equal quality and scale to meet community needs is available or will be provided within the vicinity or;
ii. It can be demonstrated that the existing provision is surplus to the needs

of the community.”

Policy C5 states:

“Provision for open space, outdoor recreation, children’s play and sport will be sought in conjunction with all new residential developments. This policy is aimed at securing the provision or improvement of open space and other appropriate outdoor recreation and sport in conjunction with all new residential developments over 8 units and on site provision of functional open space in conjunction with all new residential developments over 14 units. The appropriate amount of multi-functional green space is based on a minimum of 2.43 hectares of functional open space per 1,000 projected population. All other open space provision will be in addition to the provision of multi-functional green space.”

- 8.18 Failure to provide an appropriate element of affordable housing and open space, and to compensate satisfactorily for the loss of a community facility (the public house), or to agree to pay a financial contribution in lieu of such provision, is, in the absence of satisfactory evidence that the scheme would be unviable were the contribution to be made, contrary to the requirements of policies KP6, KP7, H3, C2 and C5 of the Cardiff Local Development Plan and Cardiff Supplementary Planning Guidance “Planning Obligations” (January 2017).
- 8.19 A financial contribution towards public realm improvements has also been requested but these works could be secured via a planning condition if the developer did not agree to provide the contribution via a S106 obligation.
- 8.20 To summarise the Section 106 requirements, based on a development containing 37 one-bedroom flats as indicated in the application and calculated in accordance with the Planning Obligations SPG, the following financial contributions would be required from the developer:
Affordable Housing : **£485,982**;
Parks (public open space) : **£42,697**;
Community Facilities : **£26,659**
(Public Realm improvements at City Road and Kinraig Street : **£41,871**).
- 8.21 With regard to the objections received (see paragraph 7.1 of this report) –
1. The existing building is not protected from demolition. Cadw have not included it on the statutory list of buildings of architectural or historic importance and the surrounding area does not fulfil the criteria for designation by the Council as a conservation area. Outside of conservation areas, normal permitted development rights set by Welsh Government apply, including those for demolition. Any replacement building would, however, require planning permission and would be required to complement the character of the area.
 2. In Wales there is no equivalent to the English scheme whereby a pub can be given a degree of protection by being designated an ‘Asset of Community Value’. LDP policy C2 states that ‘proposals involving the loss or change of use of buildings currently or last used for community facilities will only be permitted if: i) An alternative facility of at least equal quality and scale to meet community needs is available or will be

provided within the vicinity or; ii) It can be demonstrated that the existing provision is surplus to the needs of the community' (the policy also applies to commercial uses if they provide a social or welfare benefit to the community). A community use provided by a public house could therefore be protected by this policy but in this case the building itself could be demolished without the need for planning permission. The community use could be replaced by an alternative facility secured via a section 106 obligation.

3. The viability of the pub is not relevant to the determination of this application. Permission is not required to close the pub or to demolish the building.
4. The local planning authority does not have the powers to prevent a pub closing.
5. The application is not for student housing or HMOs and the number of flats and bedrooms is not for determination at this stage.
6. If flats are approved they could not be turned into HMOs without further planning permission, and it cannot be assumed that the owner would act illegally.
7. Tenure is not a material planning consideration.
8. There are no planning policies which require derelict buildings to be redeveloped before other developments can take place.
9. The applicant was under no obligation to consult with the local community before submitting the application.
10. The development would include commercial uses on the lower level, which would provide employment opportunities. Also, the proposal is not for student housing.
11. It cannot be assumed that residents of the development would engage in crime and anti-social behaviour.
12. The relatively small increase in population that would result from this development would have a negligible impact on local public services.
13. The potential impact of development on house prices is not a material planning consideration.
14. It cannot be assumed that the proposed development would result in an increase in litter and fly-tipping.
15. The temporary disturbance that may be caused by building works would not constitute valid grounds for the refusal of planning permission. Also, construction noise is controlled by other legislation.
- 16 - 18. Transportation officers have raised no objections to the proposals and have indicated that it is acceptable for the development to provide no car parking and that residents would not be eligible for residential parking permits. It cannot be assumed that residents would park illegally or that local businesses are dependent on car parking spaces that would be used by residents of the development. Any increase in traffic caused by residents of the development would be unnoticeable. Improvements to the pedestrian and cycling environment are being carried out in the area.
19. At the detailed application stage the plans would be required to demonstrate that adequate secure and sheltered cycle parking facilities would be provided.
20. The plans are indicative only, and the issue of green infrastructure would be considered at the detailed application stage.

21. The site is in a sustainable location which is highly accessible by public transport, walking and cycling, and residents would not be encouraged to own a vehicle.
22. The living environment of future residents is discussed above but as this is an outline application this does not constitute grounds for the refusal of planning permission.
23. The overbearing impact of the building is discussed above.
24. As this is an outline application the position of windows is not being considered at this stage and this does not constitute grounds for the refusal of planning permission.
25. Any noise arising from the apartments would be domestic in nature and could be controlled under environmental health legislation. It is also unlikely that noise levels would be higher than the potential noise generated by a public house use.
26. The appearance of the building is a reserved matter and is not for consideration at this stage.
27. The proposed height of the building is of concern but the external finishing materials are indicative only and are not for consideration at present.
28. Other tall buildings located on City Road do not set a precedent for allowing a tall building on this site. Each planning application must be determined on its own merits.
29. The proposal lacks these details because it is an outline application with all details reserved for future consideration.
30. The plans are indicative and the design of the building is not for consideration at this stage. Energy efficiency would in any case be a matter controlled by the Building Regulations.
31. A development of flats would not change the cultural profile of the area and the potential cost of the accommodation is not relevant to the consideration of a planning application.
32. The application is not for student accommodation, and the management of the property is not a planning matter.
33. This is not a material planning consideration.
34. Developments of student flats cannot change to non-student residences without planning consent. There is no guarantee that such an application would be approved and there is a recent example of an appeal against the Council's refusal of permission to change student flats on City Road to general accommodation being dismissed.

8.22 The objections raised by the Civic Society are addressed in the responses above. The petition does not specify any particular points of objection.

8.23 In conclusion, the proposed development is considered unacceptable by virtue of its excessive height, which would be overbearing and detrimental to visual amenity, the lack of consideration of the impact on protected species and the lack of a commitment by the developer to provide appropriate affordable housing or functional open space on site or an acceptable scheme for alternative off-site provision, or confirmation from the relevant parties that they are willing to provide a financial contribution in lieu of such provision and in fulfilment of the requirements for contributions relating to community

facilities, or a satisfactory viability appraisal setting out how the developer is unable to meet the full policy requirements. It is therefore recommended that the application be refused.

9. **OTHER CONSIDERATIONS**

9.1 *Crime and Disorder Act 1998*

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

9.2 *Equality Act 2010*

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

9.3 *Environment (Wales) Act 2016*

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

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

The Well-being of Future Generations (Wales) Act 2015 places a duty on the Welsh Ministers (and other public bodies) to produce well-being objectives and take reasonable steps to meet those objectives in the context of the principle of sustainable development. The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act), has been considered and account has been taken of the ways of working set out at section 5 of the WBFG Act in the determination of this application, and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the well-being objectives referred to in section 9 of the WBFG Act.

Site Location Plan (Ref: GVA/SLP/RP1)

The Roath Park, 170 City Road, Cardiff



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Gemapping plc 2017. Plotted Scale - 1:1250



For illustrative purposes only.



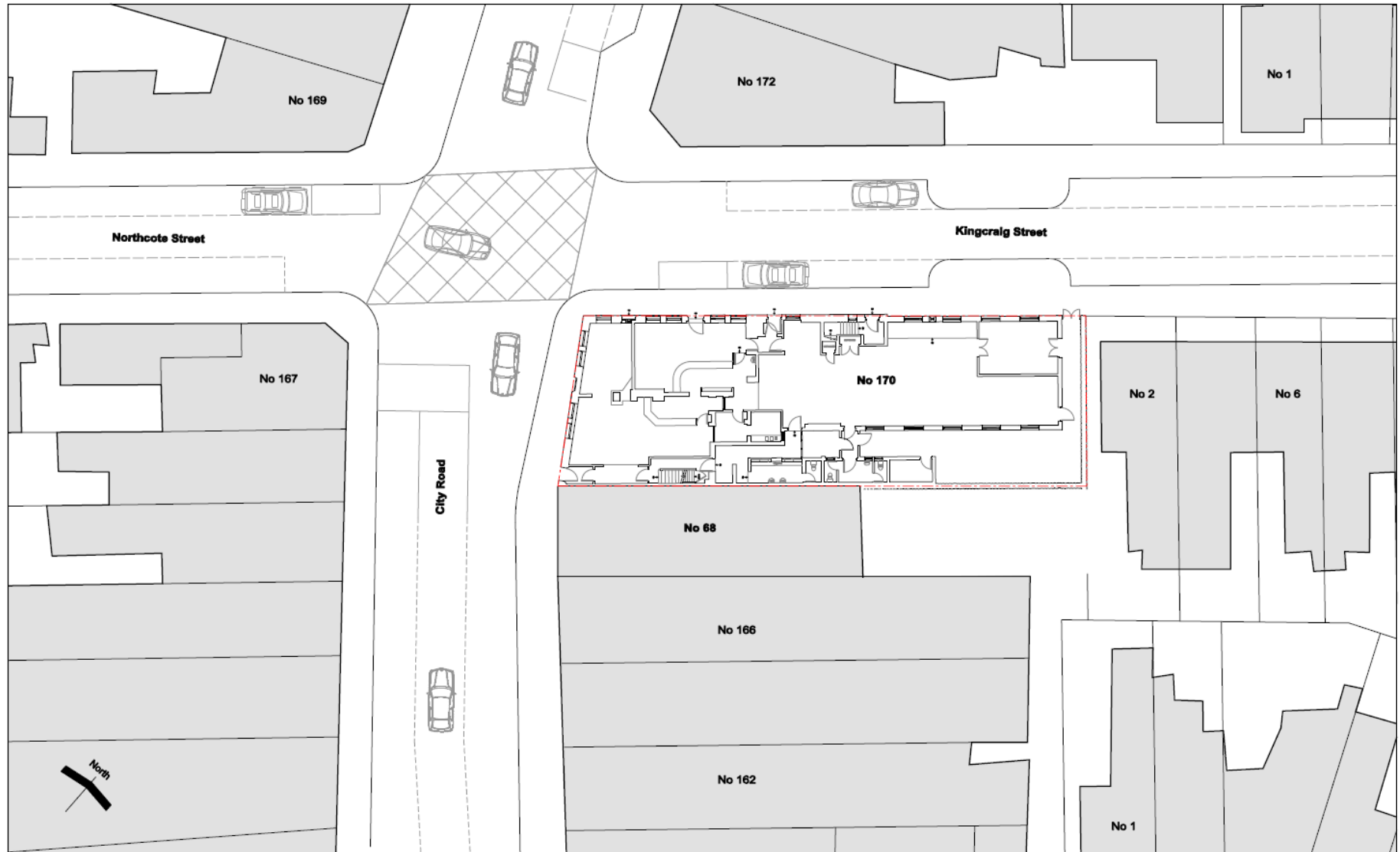












Existing Site Plan



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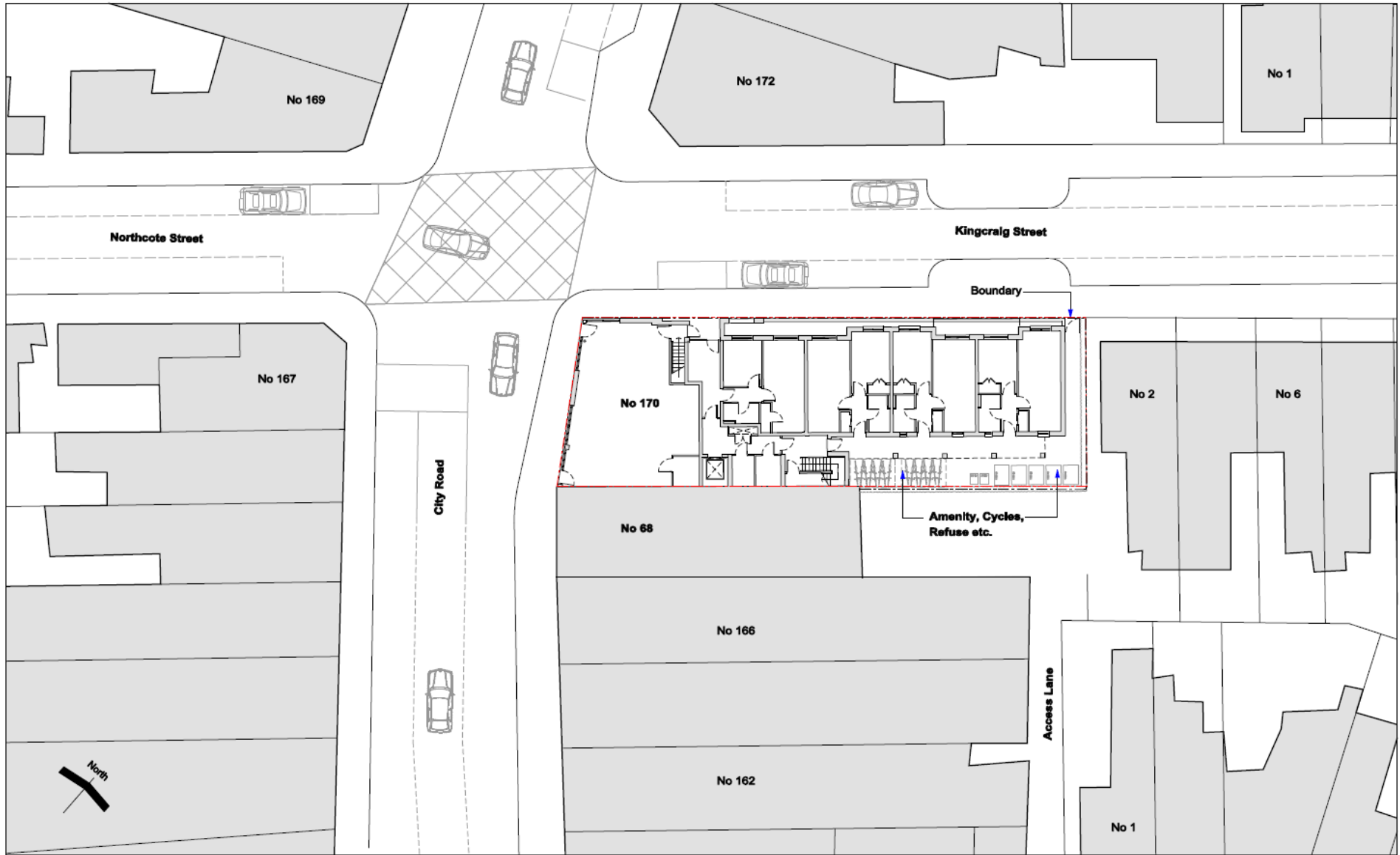
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Title: **Existing Site Plan**

Scale: 1:250 @ A3
 Date: Feb 2020

Revision:

Drawing No: **506 ES 01**



Proposed Site Plan



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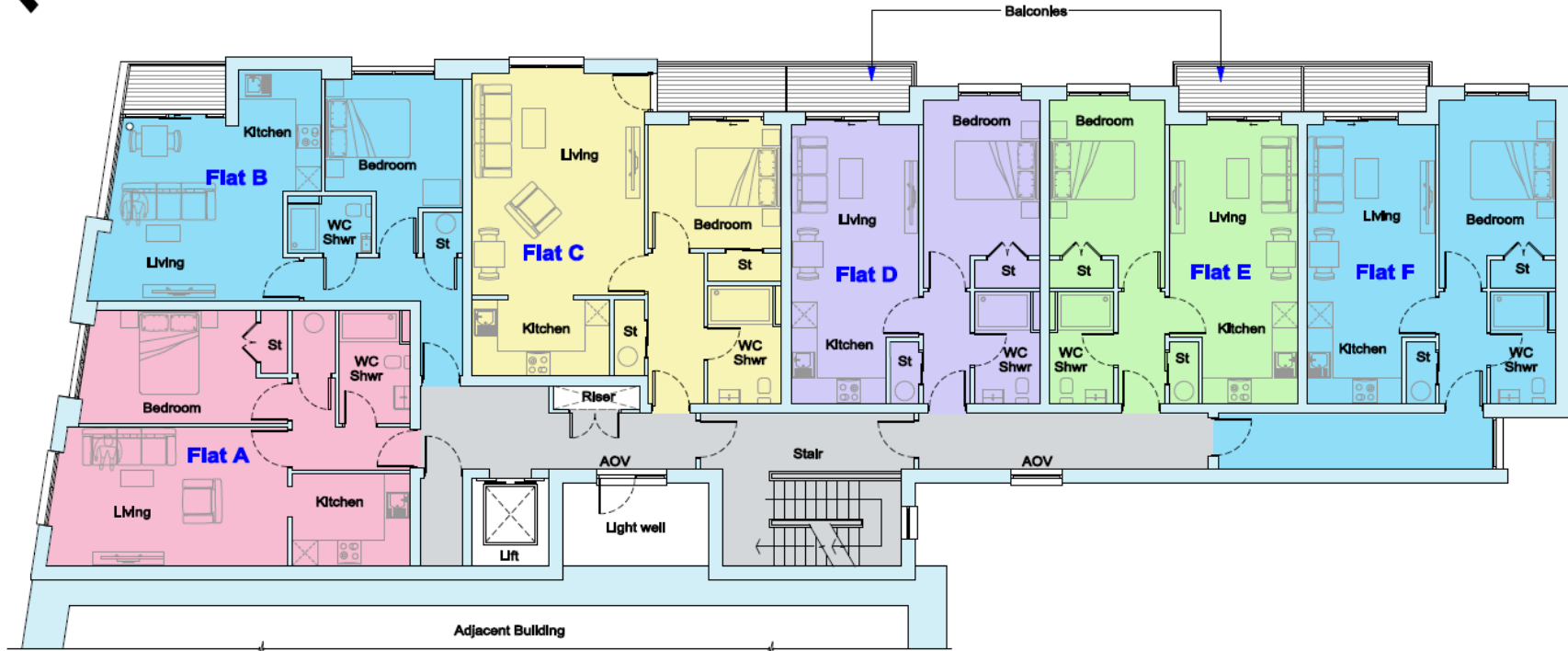
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Title: Proposed Site Plan

Scale: 1:250 @ A3
 Date: Feb 2020

Revision:

Drawing No: **506 PS 01**



Proposed First Floor Plan

(Floors 02 & 03 similar)

Flat:	Bedrooms:	GIA: M ²
A	1	48.1
B	1	42.7
C	1	49.7
D	1	39.7
E	1	39.7
F	1	49.1



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Site: **170 City Road, Cardiff.**

Scale: 1:100 @ A3
 Date: Feb 2020

Title: **Proposed First Floor Plan**

Revision:

Drawing No: **506 - PL 01**



Kingcraig Street

Proposed Elevation to Kingcraig Street

City Road

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Scale: 1:100 @ A2
 Date: Feb 2020

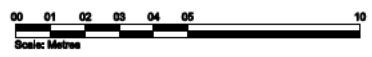
Revision:

Title: Proposed Elevations
 (Sheet 01)

Drawing No: 506 PE 01



- External Materials:**
- 01 = Render
 - 02 = Brick
 - 03 = Fibre cement slate
 - 04 = Aluminium windows
 - 05 = Spandrel panel
 - 06 = Glass balustrading
 - 07 = Aluminium panels

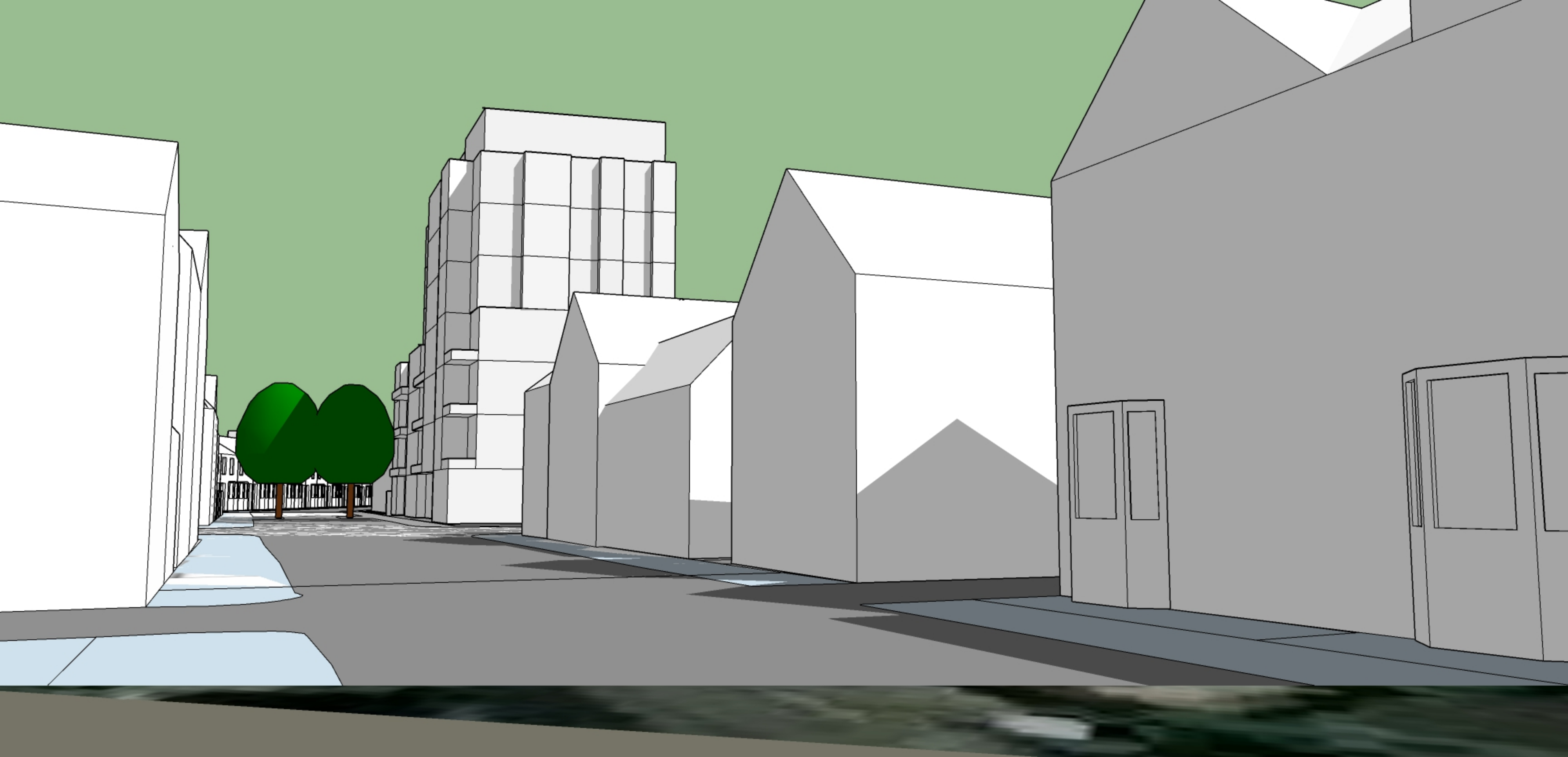


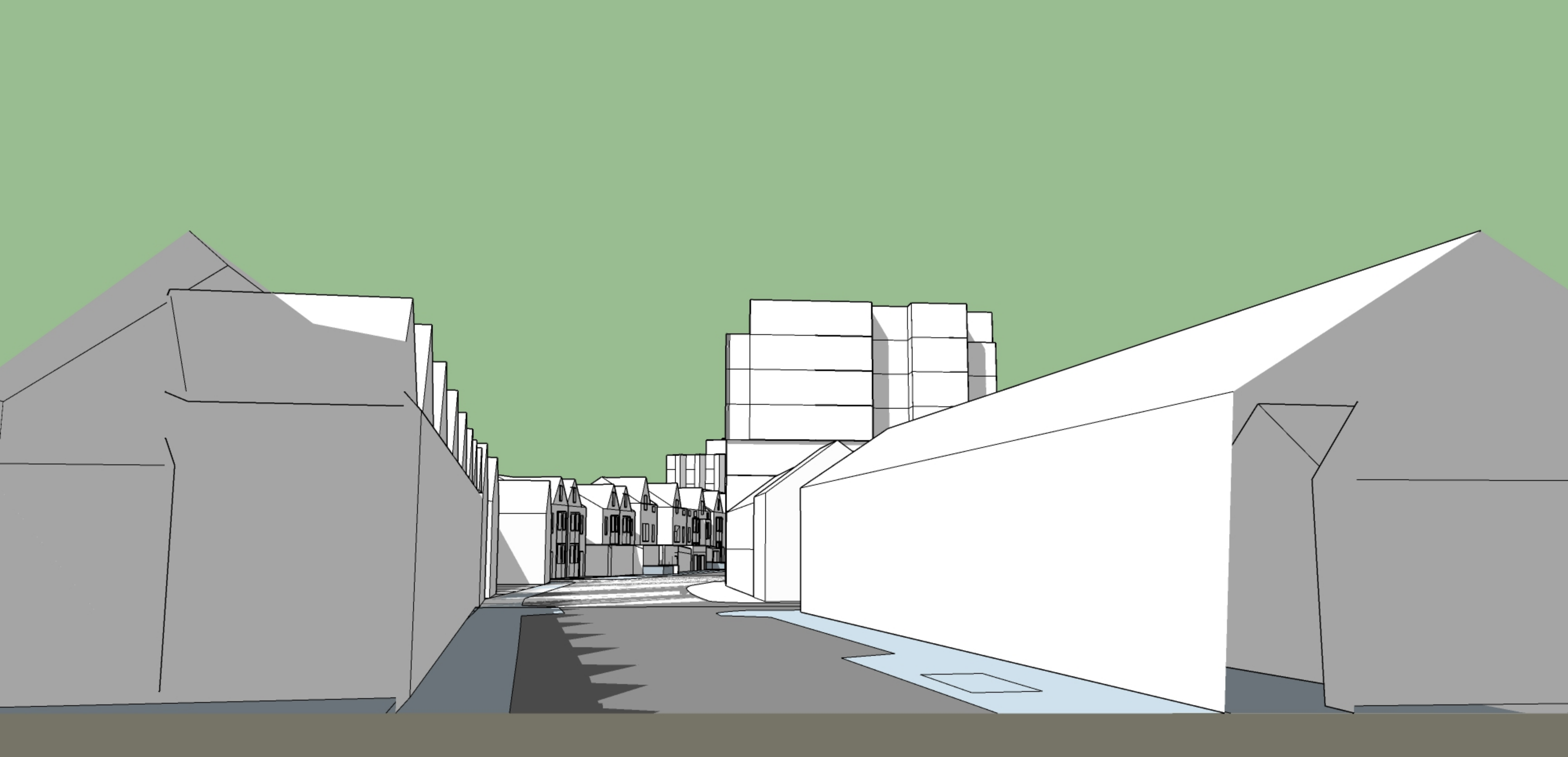
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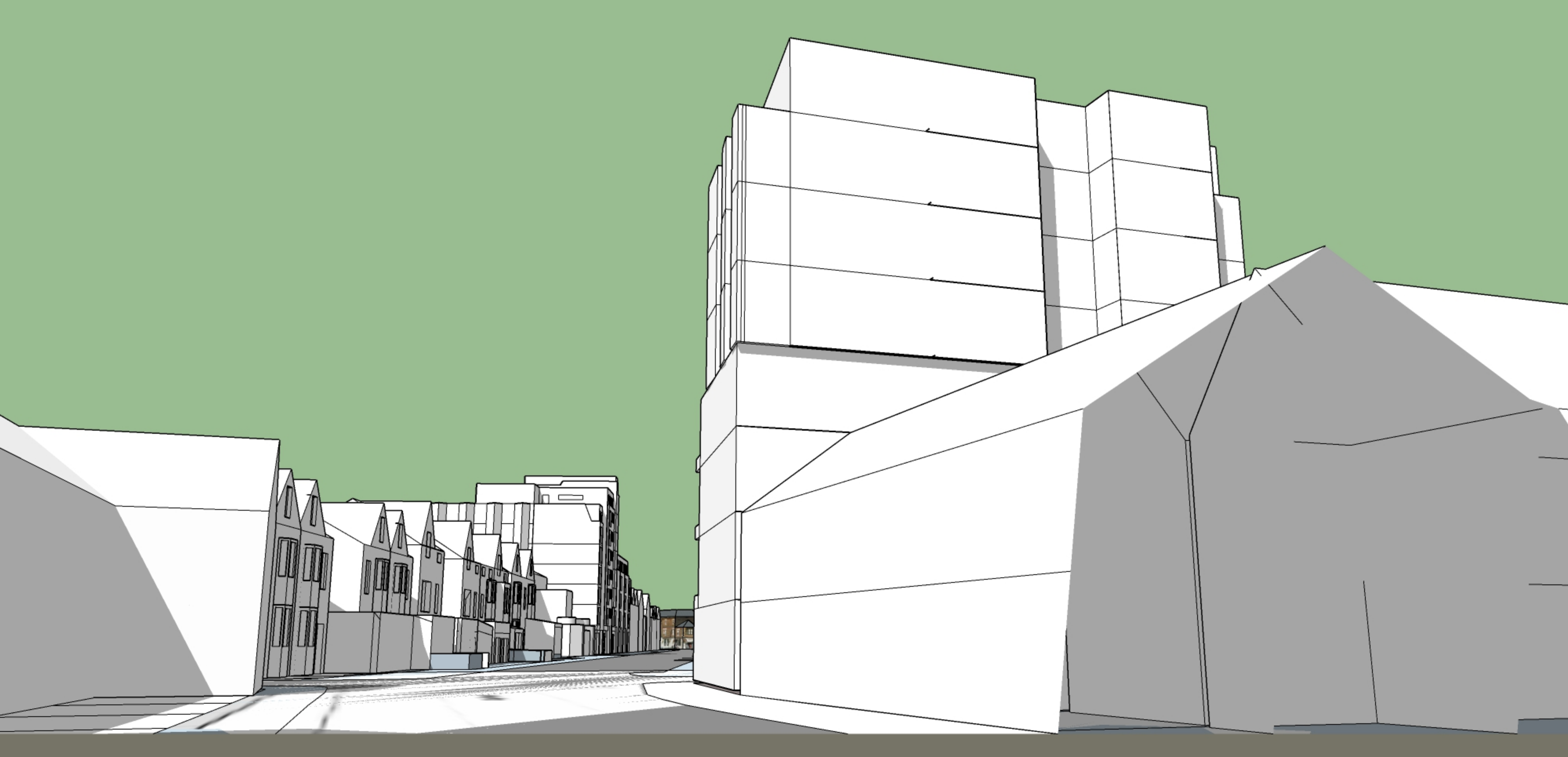
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 Revision:

Title: **Proposed Elevations (Sheet 02)**
 Drawing No: **506 PE 02**



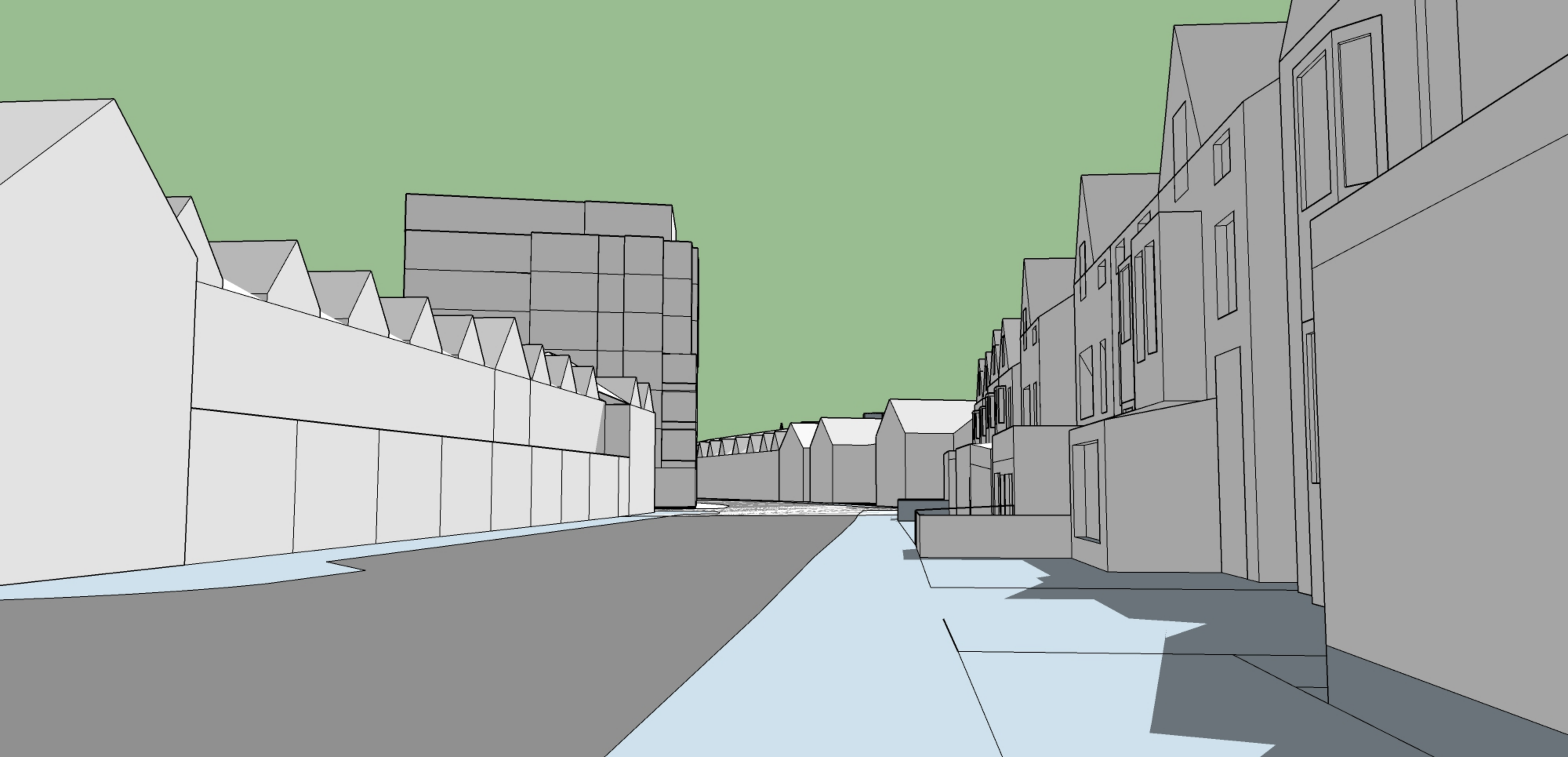








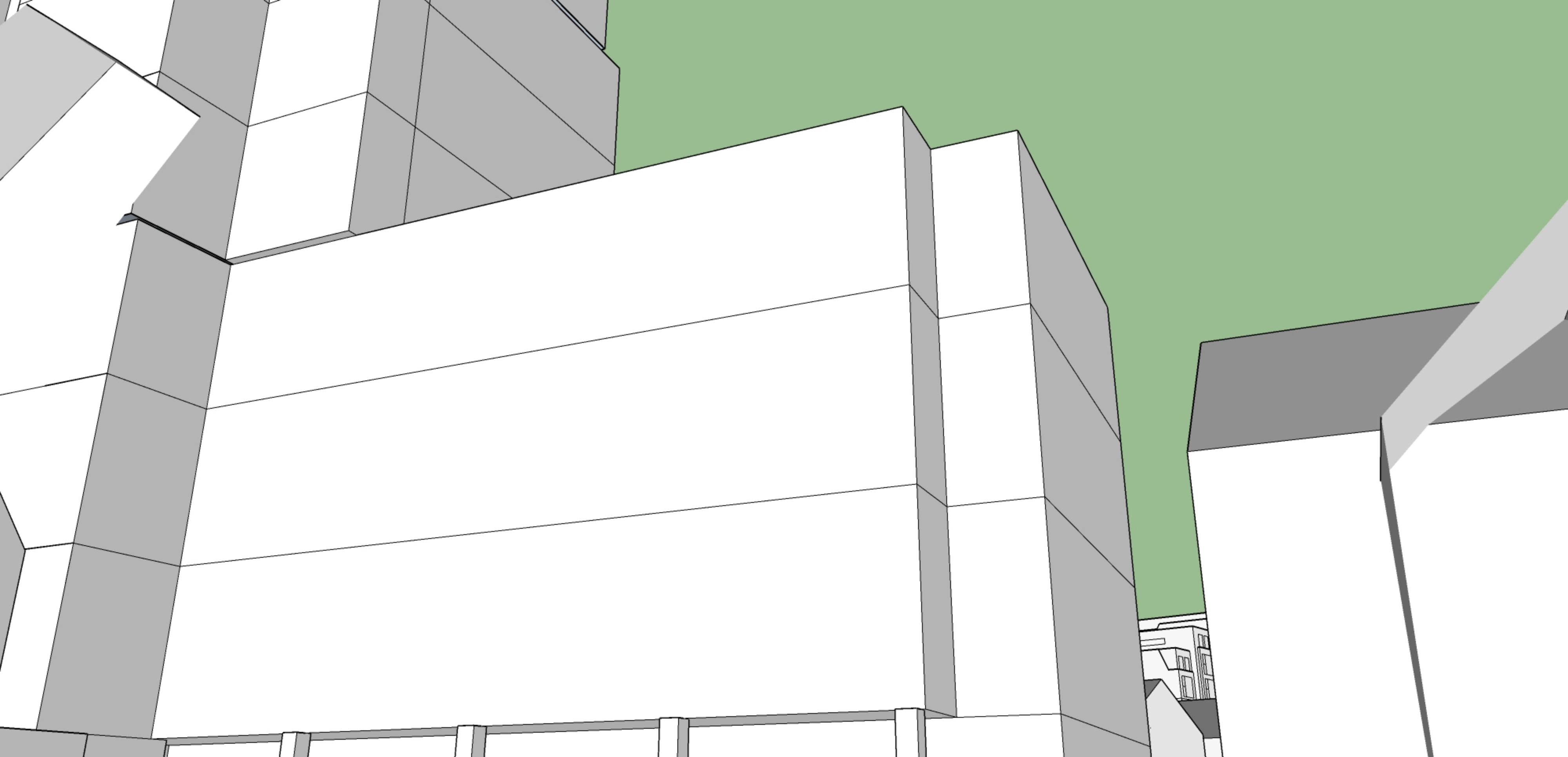












COUNCILLOR OBJECTION, MS COMMENTS & PETITION

COMMITTEE DATE: 16/12/2020

APPLICATION No. **20/01481/MJR** APPLICATION DATE: 04/08/2020

ED: **WHITCHURCH/TONGWYNLAIS**

APP: TYPE: Discharge of condition

APPLICANT: Velindre NHS Trust & Asda Stores Ltd

LOCATION: LAND TO THE NORTH WEST OF WHITCHURCH HOSPITAL, PARK ROAD, WHITCHURCH, CARDIFF

PROPOSAL: PARTIAL DISCHARGE OF CONDITION 16 (GREEN INFRASTRUCTURE MANAGEMENT STRATEGY) OF 17/01735/MJR

RECOMMENDATION 1 : That Condition (Green Infrastructure Management Strategy – GIMS)) of application 17/01735/MJR is Partially discharged and shall be undertaken in accordance with the scope of the enabling works associated with the two bridges (known as Phase 1) and the following information:

Green Infrastructure Management Strategy (16/10/20) reference:

347168-MML-028-XX-RPT-ECO-2000-001 revision P07

Appendix A - Policy Context

Appendix B - GIMS Zone Plans A – D reference 347168-MML-028-XX-DWG-LAN-2000-001 revision P2

Appendix B - Landscape GIMS Plans Zones A – D references:

347168-MML-028-XX-DWG-LAN-2000-002 revision P2

347168-MML-028-XX-DWG-LAN-2000-003 revision P2

347168-MML-028-XX-DWG-LAN-2000-004 revision P2

347168-MML-028-XX-DWG-LAN-2000-005 revision P2

Appendix B - Ecology GIMS plans Zones A - D references:

347168-MML-028-XX-DWG-ECO-2000-005 revision P2

347168-MML-028-XX-DWG-ECO-2000-006 revision P2

347168-MML-028-XX-DWG-ECO-2000-007 revision P2

347168-MML-028-XX-DWG-ECO-2000-008 revision P2

Appendix C - Phase 1 Habitat Plan reference:

347168-MML-028-XX-DWG-ECO-3000-005 revision P2

Appendix D - Wider Green Infrastructure Plan reference:

347168-MML-028-XX-DWG-ECO-2000-003 revision P2

Appendix E - Invasive Species Location Plan reference:

347168-MML-028-XX-DWG-ECO-3000-001reference P01

Appendix F - Toolbox Talks:

Badgers

Bats and Trees

Birds

Common reptile

Dormouse
Great Crested Newt
Monitoring Summary
Sign off sheet
Giant Hogweed
Indian Balsam
Japanese Knotweed
Rhododendron

Appendix G - Planting schedules and post-planting management and maintenance plans (16/10/20) (In main GIMS report)

Appendix H - New infrastructure design guidelines (16/10/20) (In main GIMS report)

Appendix I - Reptile Fencing Plan (16/10/20) revision P1

Appendix J - Land ownership plan (16/10/20) revision P1

Appendix K - Grass Snake Egg-laying Heaps Guidance (16/10/20) P01

Appendix L - Arboriculture Reports:

Arboriculture Report 2017 (16/10/20): Rev C

Updated Arboriculture Report - Arboriculture Impact Assessment (16/10/20)
70066877-ARB-JA-001

GIMS Adherence Statement including drawings 6.1 - 6.7 (16/10/20)
70066877/GW/GIMS AS Rev C

GIMS AS Appendix A Habitat Areas Summary Tables (16/10/20)

GIMS AS Appendix B Draft landscape proposals (16/10/20) Rev A

GIMS AS Appendix C Dormouse licence mitigation methodology technical note (16/10/20)

Letter from WSP to CC dated 10/11/20 responding to NRW letter 04/11/20

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

RECOMMENDATION 3: The highway works required by planning condition 10, 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.

RECOMMENDATION 4: Any closure of the Public Rights of Way needs to be applied for 6 weeks in advance of commencing development

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

1.1 Technical approval is sought from the Local Planning Authority (LPA) to partially

discharge Condition 16 (Green Infrastructure Management Strategy) of planning application 17/01735/MJR.

Condition 16 reads as follows:

No Reserved Matters application shall be approved by the Local Planning Authority and no development and site clearance shall take place until a Green Infrastructure Management Strategy (GIMS) for the delivery, establishment and ongoing management, maintenance and monitoring of green infrastructure for the whole site, for both the establishment phase and long term, has been submitted to and approved in writing by the Local Planning Authority. The GIMS shall accord with the Landscape Masterplan and mitigation measures set out in the Environmental Statement and its addendum, and in the Environmental Mitigation Plan. The GIMS shall include the following details:

a) Proposals for the retention, creation, enhancement and management and maintenance of ecosystems and their constituent habitats, including woodlands, hedgerows and trees, grasslands, water features and SuDs, highway trees/verges, and other habitat providing foraging, community and breeding opportunities for wildlife, and phasing of that provision, including a description of the habitats, their desired condition, key indicators to show when the desired condition has been achieved and management operations;

b) As part of a) details shall include: a plan and proposals for the retention, creation and enhancement of an ecotone of a minimum of 15m width along the edge of the Glamorgan Canal / Long Wood SSSI. The Plan and proposal of the buffer zone scheme shall be free from built development including lighting, gardens and formal landscaping. The scheme shall include:

- Plans showing the extent and layout of the buffer zone;*
- Details of proposed planting scheme for the buffer zone (the scheme should only incorporate local native species);*
- Details of how existing vegetation will be managed in the buffer zone;*
- Details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management, if necessary*

c) Mitigation, compensation and enhancement measures to be delivered for protected species affected by the development. These measures shall relate to, but shall not be limited to,

- Bat roosts and bat habitat connectivity as outlined in Table 6.9 in Chapter 6 (Ecology) of the Environmental Statement dated October 2017*
- Precautionary methods of vegetation clearance to avoid harm to dormice if present*
- A contingency for the eventuality that dormice are detected during vegetation clearance*
- A contingency for the discovery of previously undetected Great Crested Newts in terrestrial habitats on site*
- Provision of bird nesting habitat, including within new buildings on site. Enhancement measures for bats and birds shall be in accordance with the advice given in 'Designing for Biodiversity: A Technical Guide for New and*

Existing Buildings, Second Edition. RIBA Publishing, London. Gunnell, K. et al., 2013', or most recent subsequent edition thereof.

- d) *Appropriate scheduling and timing of management and maintenance operations*
- e) *Proposals for habitat and species monitoring, and updating of the GIMS*
- f) *Treatment for the eradication of any invasive non-native species found at the site to be undertaken in accordance with Chapter 6 of the Environmental Statement (October 2017).*
- g) *A lighting scheme and implementation plan to control light spillage to wildlife corridors and habitats. The scheme shall include, but not be limited to, details of the siting and type of lighting to be used, measures to control light spillage, drawings setting out light spillage in key areas for wildlife, measures to monitor lux levels and remedial action to be undertaken where problems are identified. The scheme shall include cross sections of roads, footpaths and cyclepaths and adjacent properties where they intersect with any identified sensitive receptors and those cross sections shall also show green infrastructure and lighting proposals*
- h) *Approach to safety of any SuDs features for the general public.*
- i) *A plan showing areas for adoption by the Council, any statutory undertaker and areas to be maintained by a private management company*
- j) *Implementation programme.*
- k) *A landscaping implementation programme.*
 - *Scaled planting plans prepared by a qualified landscape architect.*
 - *Proposed finished levels.*
 - *Earthworks.*
 - *Hard surfacing materials.*
 - *Existing and proposed services and drainage above and below ground level.*

Planting plans shall be supplemented by:

- *Schedules of plant species, sizes, numbers or densities prepared by a qualified landscape architect.*
- *Scaled tree pit sectional and plan drawings prepared by a qualified landscape architect.*
- *Topsoil and subsoil specification for all planting types, including full details of soil assessment, protection, stripping, storage, handling, amelioration and placement to ensure it is fit for purpose. Where imported planting soils are proposed, full specification details shall be supplied, including certification in accordance with British Standards and interpretive reports by a soil scientist demonstrating fitness for purpose and a methodology for handling, amelioration and placement.*
- *Planting methodology and post-planting aftercare methodology prepared by a qualified landscape architect. The submitted details shall be consistent with other plans submitted in support of the application and the landscaping shall be carried out in accordance with the approved design and implementation programme. The approved GIMS, and any subsequent amendments as shall be agreed in writing by the Local Planning Authority, shall be implemented in accordance with the approved details and programme for implementation. Should monitoring and/or surveys indicate a failure of the mitigation measures or a decline in population or distribution, remedial measures shall be agreed in writing with the Local Planning*

Authority and shall be implemented as agreed. Reason: To protect and enhance the Green Infrastructure resource of the site and to protect priority habitats and species.

- 1.2 The application has been submitted to ensure that, if approved, the applicant can apply to Natural Resources Wales (NRW) for a European protected species licence (EPS) and commence the felling of trees on the railway cutting before the beginning of the bird-nesting season. Further EPS licences will be required for other works on the main site.
- 1.3 The structure of the submission is as follows: the Motts GIMS document version 7 provides the broad framework for the site with the scheme GIMS adherence statement covering those matters which are for consideration, in this case Phase 1.

2. DESCRIPTION OF THE SITE AND AREA

- 2.1 The planning application site, as shown by the red line, is 14.5 hectares in area and is undeveloped land that is characterised by rough grassland and scrub, enclosed by dense, broadleaved woodland and shrubs. The boundary of the application site includes the main site for development of the hospital facility, and those areas required to facilitate access from the Coryton Gyrotory and the emergency access route from the Hollybush Estate. The land is gently undulating former pastoral farmland (The highest point of the main site area is the north-west boundary which ranges between 51m AOD (Above Ordnance Datum) and 57m AOD with the site sloping down to the south-east boundary where the ground level is between 41m AOD and 43m AOD). The site is subdivided into a network of fields of varying sizes with some overgrown field hedgerows remaining in private ownership. The site is no longer grazed by horses, but is crossed by informal and formal footpaths. The site has a non-statutory designation as a Site of Importance for Nature Conservation (SINC) for its natural grassland.
- 2.2 However, this submission, whilst considering site wide matters, relates to the works for site clearance/construction of the bridges along the railway cutting and the Lady Cory triangular piece of land.

3. PLANNING HISTORY

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.

4. POLICY FRAMEWORK

- 4.1 National Planning Policy:
 - Planning Policy Wales (10th Ed, 2018)

Planning Policy Wales Technical Advice Notes:

- Technical advice note (TAN) 5: Nature conservation and planning (September 2009);
- Technical advice note (TAN) 10: Tree preservation orders (October 1997);
- Technical advice note (TAN) 11: Noise (October 1997);
- Technical advice note (TAN) 12: Design (March 2016);
- Technical advice note (TAN) 18: Transport (March 2007);
- Technical advice note (TAN) 21: Waste (February 2017);
- Technical advice note (TAN) 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);

DETAILED POLICIES

ENVIRONMENT

EN6 (Ecological Networks and Features of Importance for Biodiversity);

EN7 (Priority Habitats and Species);

EN8 (Trees, Woodlands and Hedgerows);

EN10 (Water Sensitive Design);

EN11 (Protection of Water Resources);

EN13 (Air, Noise, Light Pollution and Land Contamination).

COMMUNITY

C3 (Community Safety/Creating Safe Environments);

C6 (Health).

- 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);

Planning for Health and Wellbeing (November 2017).

5. INTERNAL CONSULTEE RESPONSES

5.1 Public Rights of Way : No objections

5.3 The Council's Trees and Landscaping officer states:

I support the principle of creating a diverse, native species woodland with a layered canopy, the specification for specimen tree planting as part of this should accord with best arboricultural practice and the planting palette and specification generally should be based on the outcome of a soil resource survey and plan. The planting of an excessive number of large species trees at close spacing will result in plantation style woodland and trees with defects of form due to gross mutual suppression that result in a reduced safe, useful life expectancy. Consequently planting should focus on ensuring that specimen trees are able to achieve optimal size, spread and seed production, to encourage a natural process of succession. I understand these principles will be addressed in further submissions and therefore I raise no objections.

5.4 The Council's Ecologist states:

Thank you for forwarding Natural Resources Wales letter of 03/12/20. On this basis of that letter, we can be satisfied for planning purposes that NRW would be likely to grant a licence in respect of impacts upon dormice, subject to further information to be submitted at the European Protected Species licensing stage. Therefore, in accordance with case law ('Morge' ruling) we should not refuse to discharge this condition based on the measures that it proposes to manage the impact of the enabling works and construction access upon dormice

6. EXTERNAL CONSULTEE RESPONSES

6.1 Natural Resources Wales (NRW):

Thank you for reconsulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which we received on 19/11/2020.

We do not object to the partial discharge of condition 16 (Green Infrastructure Management Strategy) of 17/01735/MJR and comment as follows.

European Protected Species

Further to our correspondence of 28/8/20, 14/10/20 and 4/11/20, we note the submission of the following additional and revised information in support of the above application:

- Letter from Elisabeta Torok (WSP) to Cardiff Council dated 10 November 2020.

As before, we understand that it is intended to seek partial discharge of this condition as it relates to construction of the access roads only. We note the

documents submitted in support of the application also include information which relates to the subsequent phase of the development. Please note therefore that our observations in this letter relate only to those aspects relevant to the Construction of Access Roads. We make no observations on the acceptability of the other aspects of these proposals in this response.

Our primary comments on this proposal relate to dormice, a European Protected Species. We also address matters relating to lighting proposals.

Dormice

In our letter of 4 November 2020, we noted that dormouse habitat provision is to be a combination of new compensatory planting to be provided at the end of the Phase 1 construction period, alongside enhancement of retained habitats, which we are seeking at the outset. We welcomed clarification of the nature of the habitat to be enhanced as set out within the draft method statement submitted and that all habitats will now be subject to long-term management (30 years).

However, we sought clarification on some aspects of the proposed management.

In this context, further to the meeting between Cardiff Council, the applicant and their consultants to discuss the proposals on 5 November 2020 we note that the following letter has been provided to Cardiff Council for NRW's consideration:

- Letter from Elisabeta Torok (WSP) to Cardiff Council dated 10 November 2020.

The letter seeks to provide further information and clarification of the long-term dormouse habitat management proposals. It sets out the broad principles of management. Whilst this information and that within the previously submitted draft method statement will need further development to support a protected species licence application, it provides for an adequate basis upon which to review our position.

On the basis of the information previously submitted and the outline prescriptions in the letter, we have no further comments to make on the discharge of this condition at this time.

Lighting

With regards to lighting, we note the content of WSP's letter. We note that some temporary lighting may be required for the construction phase (where overnight works may be required – e.g. for concrete pours), and that in terms of the permanent lighting, only the ducting will be put in as part of Phase 1 of the works.

As indicated previously, in consideration that a partial discharge of Condition 16 is sought, and assuming that Cardiff Council is satisfied for partial discharge

to consider lighting to overarching principles only, then we would not object in this regard. We advise that full discharge of the condition is supported by a detailed lighting scheme, as required by the condition, that meets the overarching principles.

We make no further comments about lighting at this time.

We confirm we do not object to the partial discharge of Condition 16 (Green Infrastructure Management Strategy) of 17/01735/MJR.

It should be noted that the above advice relates to the determination of the planning application only. Further information will need to be submitted for a European Protected Species licence.

Further Advice - SSSI Buffer Zone Planting

We note the section in WSP's letter dated 10.11.20:

'Further Advice – relating to SSSI Buffer Zone Planting.

We will engage NRW in further discussion during later phases of the development to agree a suitable management approach for the habitats within the SSSI buffer zone to ensure the right balance is achieved. The management of the buffer zone will not be included in the licence application in relation to dormice for the Enabling Works.'

We advise that this is satisfactory.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our [website](#) for further details.

- 6.2 Cadw: have considered the request to list the bridges and after a site visit and detailed assessment have concluded that the bridges do not meet the high threshold for listing.

7. REPRESENTATIONS

- 7.1 The application is a subsequent application under the EIA regulations, which requires the application to be publicised by site and press notice in addition to neighbour letter. These requirements have been undertaken which resulted in 350 letters of representation being received all of which object to this application. These objections are summarised below:

1. The developer keeps adding lengthy documents for which there is little time for the community to consider and research. This is a fundamental

violation of the community, especially as these submissions were submitted during the lockdown period and effects the mental health of the community to an acceptable level.

2. The proposal results in the destruction of 6.25 acres of land for the enabling works.
3. Loss of healthy trees, loss of habitat for dormouse, birds, bats and reptiles which will result in the loss of various species.
4. Permanent loss of approximately 40% of the SINC, Forest Farm Country Park, Coryton Heronry Wood SINC, Lowland Meadows, Semi-natural broad-leaved woodland - LBAP habitat - Loss of significant areas of broad-leaved woodland within the LNR. Loss of scrub habitat.
5. The proposal will result in the loss of access to the public to the meadow and railway cutting at a time when there is a urgent need to have access to green areas for peoples well being.
6. The submission is incomplete as it does not cover all matters within the condition.
7. This condition is contrary to Welsh Government Head of Planning bio-diversity advice and cannot be approved.
8. The acceptance of this condition would violate the Council's own regulations, the Welsh Governments additional legislation, including the Future Generations Act, the Environment Act, and the Building Better Places regulations released this year.
9. The proposed model of cancer care support by Velindre is outdated and is discouraged in England where Cancer care should be next to a general hospital and land has been offered by UHW for this all works should be halted until the review has been concluded.
10. The proposal fails to meet the Climate emergency declared by both Cardiff Council and Welsh Government.
11. This application should not be determined until the Senedd enquiry.

7.2 A petition of 97 signatures has been submitted by the 'save the northern meadows' group who object to this application on the following grounds:

- Velindre NHS Trust has not discharged Planning Condition 16 in 17/01735/MJR since it has not produced for consideration a Green Infrastructure Management Strategy (GIMS) which adequately covers the delivery, establishment and on-going management, maintenance and monitoring of green infrastructure for the whole site, for both the establishment phase and long term.

By its own admission, the design for the main works of the new Velindre Cancer Centre and car park has not yet been developed. Currently only outline design detail is provided for the main scheme design.

As such, under Planning Condition 16 in 17/01735/MJR no development or site clearance may take place until a GIMS covering all aspects detailed above is in place. Due to this, development and clearance can only take place after procurement of a main contractor and detailed plans for development are submitted. Any clearance/enabling work taking place prior to this is in breach of Condition 16 and therefore should be rejected on this basis.

- Once produced in full, the GIMS will have to properly attend to the deleterious impacts upon the SINC since these are likely vastly underestimated in terms of impact upon the surrounding LNR and SINC through, amongst other issues, habitat fragmentation. This is in line with the Section 6 Biodiversity Duty of the Environment (Wales) Act 2016, which notes the protection and enhancement of biodiversity. As highlighted by Chief Planner Neil Hemington in his letter 'Securing Biodiversity Enhancement', 'significant weight' will be given to the absence of biodiversity enhancement. Due to the absence of correct level of detail within the GIM, this condition shall be impossible to uphold, and the application must be rejected.
- In line with this, Section 5.109 of Cardiff's Local Development Plan states: "The network of SSSIs/SACs/SPAs and Ramsar Sites alone is not sufficient to maintain the biodiversity of Cardiff. It is therefore important to identify other locally designated wildlife sites such as Sites of Importance for Nature Conservation (SINCs) and Local Nature Reserves (LNRs)."
- With so many outstanding questions and objections locally and nationally, including:
 - Petitions to all associated planning applications;
 - A Senedd petition being considered for debate in mid-September;
 - A call-in of all associated applications to the Welsh Government, along with Westminster MP for Cardiff North Anna McMorrin calling for an independent clinical review of the medical model;

It is premature to allow any enabling works to be undertaken prior to all of these being considered and debated. Loss of this crucial green space will be devastating. The devastation will be even greater if enabling/clearance work is done and irreversible damage caused, only for the hospital to be relocated following the clinical review.

- Given Cardiff Council's own LDP acknowledges we do not currently have enough sites to maintain the biodiversity of Cardiff, it cannot allow such significant damage to be done prematurely and potentially without purpose should the plans for the build change location. For this reason the application must be rejected.

- As stated by the Woodland Trust: “Ash dieback will kill around 80% of ash trees across the UK. At a cost of billions, the effects will be staggering. It will change the landscape forever and threaten many species which rely on ash.”

Within the proposed area for development, there are numbers of healthy and strong specimens of ash trees, of significant age. These must to be preserved in order to support the species' reliant upon them and in order to restock supplies in the future and aid the recovery.

The willing destruction of healthy ash trees must be prevented and a request made for an independent, detailed assessment of the area in relation to ash trees before any enabling/clearance work takes place. Furthermore, within the railway cutting is a significant elm tree – a rarity in woodland - following Dutch Elm Disease. This adds to the biodiversity of the area and is significant to the preservation of the site. For these reasons, the application must be rejected.

- The two stone bridges in the railway cutting form part of the old Cardiff Railway – significant in our cultural and industrial history. These are currently under assessment by Cadw for listing consideration. Clearance and enabling works risk potential damage to the bridges through dust, vibrations and from the weakening of the structures by removing trees and vegetation, and disturbing roots. The movement of heavy vehicles and equipment also risk damage.

The subsequent new roads and bridges which follow this enabling works will also ruin the aesthetic qualities of the old stone bridges by obstructing the view of them, with aesthetic qualities being one of the categories Cadw consider in their decision. Should the bridges become listed there may also be a need to reconsider use of the railway cutting for storage of vehicles and equipment during enabling and construction works. For this reason, no work should take place until the listing decision is finalised and for this reason the application must be rejected at this time.

7.3 Local Ward Members: Phillips, Rees and Morgan:

We respectfully submit our objections to both of these planning applications. Along with many residents we remain significantly concerned with the environmental impact of these proposals, especially considering the complex interlink with planning application 20/00357/MJR (to which we have also objected).

We continue to be concerned at the progress of these proposals and would again highlight that the cumulative impact on the environment is not considered across the related applications.

We have numerous queries on the detail of elements of these schemes and given the nature and breadth of the submissions of these we are seeking the reassurance of officers that the minutiae have been robustly reviewed and the

quality of the potential implementation, should permissions be given, is suitable for the environment into which the development would go.

This is significant given the strength of local feelings against the development, and the sensitive environment around the site.

Our views echo many of those raised by the many comments displayed on the planning portal.

Where conditions set are not met, either in whole or in part, the application must be refused.

We have met with officers and the Cabinet Member for Culture and Leisure, alongside the Glamorgan Canal, specifically to discuss the major issue of water flow, silting, and water damage to pathways due to overflow which has already made some of the pathways inaccessible to vulnerable and disabled groups.

We have discussed the need for millions of pounds needed to be invested in order to return the canal and pathways to the required quality level.

We understand that surface run-offs and soakaways are unviable. Perhaps the site is unsuitable for development?

In an attempt to make it viable by concentrating potentially significant water flows into an already vulnerable water course is simply unacceptable to allow this development to add further to the issues. We all know about the flooding that occurred in this area at the beginning of 2020.

The feeder canal and Glamorgan canals both contributed to flood homes.

We also take issue with the suggestion that the pathway that would be used for this course is unused.

This is simply not the case. It is well used by walkers and runners alike. When using the area for our own leisure purposes we do use these pathways, there is sign posting through this area highlighting the footpaths.

This development is seeking to continuously creep outside of its promised scope, first with the access road, now into the nature reserve as they learn of the unsuitability of the natural drainage on the site. Perhaps now is the time for planning to say stop.

Cardiff has just launched its One Planet documentation and consultation. This development is seeking to use public land and watercourses to solve its problems. We must protect our public environment and spaces.

7.4 Anna McMorrin, Member of Parliament for Cardiff North has been consulted: No comments received.

7.5 Julie Morgan (Member of the Senedd for Cardiff North) has commented as follows :

Loss of trees and biodiversity

In order for the 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 2:1 ratio, and that 'Understorey woodland planting will be introduced which will diversify the existing woodland and provide a new woodland edge ecotone'. I am pleased that tree planting will be of native species (and that non-native species will only be used if there is a specific reason to do so e.g. only where they would provide a known ecological benefit such as nectar for invertebrates or seeds / berries for birds). 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."

8 ANALYSIS

- 8.1 This application is submitted to discharge technical matters associated with the approved planning permission. It is not an opportunity to consider the merits of the planning permission or to question matters the Committee has already considered and agreed. The acceptability of the partial discharge of this condition, as described, is the sole consideration of this application. A number of issues have been raised by objectors and are described in Section 7 above. In terms of material matters raised, they have been assessed as follows:
- 8.2 Condition 16 is limited in scope to the enabling works for the bridges and temporary access (phase 1) It was therefore not anticipated that all points of the condition would be discharged simultaneously. As a result and as noted by the objectors not all points have been addressed in the Motts GIMS report; but the report sets the scope of the submission and also sets a framework for the submission for discharging subsequent applications. The submitted 'Green Infrastructure Management Strategy Adherence Statement (Rev C Oct 2020) sets the framework that pulls the various plans and documents on how Condition 16 will be delivered throughout the project (but will be reviewed as the project progresses). This submission before committee is looking at Phase 1, site clearance but also accepting the wider principles set within the above GIMS document (not withstanding that further detail will need to be provided at the appropriate stage).

The document has comprehensively considered key matters of highway access and enabling works, green infrastructure protection, creation and management, habitat impact and mitigation. Other matters which are required to be considered under the current consent are not for consideration under this application.

In summary this GIMS and GIMS adherence statement achieves the following: The landscape mitigation and green infrastructure measures delivered as part of the Enabling Works will be first phase of the Green Infrastructure Guidelines Vision set out in Section 4.10.6 of the GIMS, to create a space that is well connected to the local landscape, that is multi-functional in the ecosystem services that it provides and that promotes a sense of calm and tranquillity for users of the site whilst remaining an open and accessible resource for the local community.

The works will adhere strictly to the overall strategy set out in the GIMS and will include; -

- Retain and improve access to public open space as an accessible resource for local people to reduce pressure on the SSSI and LNR; -
- New bat features to be built into all aspects of the works, including the two new bridges, on site above 4m from ground level;
- Provision of bird nesting habitat, including within new bridges on site; -
- Reptile hibernacula and grass snake egg laying heaps to be installed on grassy areas around the site; -
- Bug boxes/bug hotels to be installed as features around the site as log/brush piles in the informal areas of the site; -
- Woodland understorey planting to enhance existing woodlands in the rail cutting and adjacent the northern access -
- Native planting with an emphasis on planting to benefit pollinators and birdlife to include nectar and pollen rich species, night scented species, climbing/creeper species and early flowering bulbs to extend the length of the flowering period for pollinators and to link in with the formal bug hotels in this area; -
- Areas of increased biodiversity planting and biodiversity hedgerow planting; - Removal and management of invasive species;
- Sensitive external lighting systems designed to control light spillage to wildlife corridors and habitats (further details to be supplied);
- Footpath system through the site with connections to the wider footpath network; and -
Mitigation and habitat creation for dormice - Enhancement measures for bats and birds to be in accordance with the advice given in 'Designing for Biodiversity: A Technical Guide for New and Existing Buildings, Second Edition. RIBA Publishing, London. Gunnell, K. et al., 2013', or most recent subsequent edition thereof

Clarification on the above and has been provided by the applicant in their letter dated 10/11/2020, which states:

Dormice

We will provide a detailed timescale for all the proposed mitigation and enhancement measures as part of the development licence application for the Phase 1 Enabling Works. The management prescriptions will be extended to include clarity on the following points:

- The management prescription for Year One to remove ash *Fraxinus excelsior* trees present with ash die back *Hymenoscyphus fraxinus* is intended to remove 10% of the standing ash present in the woodland;
- Any existing hazel *Corylus avellana* will be coppiced in Year One as required (and as dictated by ground conditions);
- Vegetation clearance will aim to retain bramble *Rubus fruticosus* as this is an important food source for dormice;
- Replanting/interplanting of all existing gaps (gaps created by the targeted vegetation removal as well as natural gaps that may be present) will be undertaken in Year One and will be repeated after every vegetation clearance activity;
- Replanting/interplanting will be undertaken in the same winter as vegetation removal;
- The small-scale felling proposed every 4 years to achieve 5 holes in the tree canopy of 10x10m will first be undertaken in Year Five and will be continued for the 30 year management period;
- The coppicing of planted trees such as hazel and sweet chestnut *Castanea sativa* trees will be undertaken in a revised longer 20-25 year cycle than the 15 year cycle originally proposed;
- The amount to be coppiced in any one year will be removed from the management prescription. This will be replaced with a more flexible approach whereby a decision regarding the amount to be coppiced will be made on the ground based on the total amount of fruiting hazel and sweet chestnut present. The ecologist will decide every year what is considered appropriate ensuring that sufficient food source is retained for the dormouse population every year;
- Within the proposed review of the management prescription, to occur every 5 years, it will be specified that in year 10 and year 15 the need for coppicing will be reviewed to assess if the planted hazel and sweet chestnut is ready for earlier coppicing. This will provide flexibility should the plants reach the required maturity earlier than expected.

Lighting

We will provide information with regards to the proposed construction lighting for the Enabling Works as part of the development licence application in relation to dormice.

The permanent works constructed as Phase 1 Enabling Works will require street lighting on the northern access, emergency access and pedestrian/cycle link to Park Road/Coryton Station for staff/visitor/patient security and safety. The lighting will be designed in accordance with the guidelines and requirements set out in the GIMS to ensure light spill is minimised and lux levels are appropriate to minimise ecological impact. The lighting system will be 'dimnable' to ensure lux levels can be reduced during low hospital activity night-time periods. The lighting for the whole development will be designed holistically

as part of the main hospital development (Phase 2) and no permanent columns or lanterns will be installed as part of the Phase 1 Enabling Works contract.

The Enabling Works will include the installation of below ground lighting infrastructure (cable ducts and chambers) for the provision of permanent lighting in the future phase.

Further Advice – SSSI Buffer Zone Planting

We will engage NRW/Council in further discussion during later phases of the development to agree a suitable management approach for the habitats within the SSSI buffer zone to ensure the right balance is achieved. The management of the buffer zone will not be included in the licence application in relation to dormice for the Enabling Works.

The above has been considered by NRW, County Ecologist and Tree Officers who raise no objections to discharging the condition

9 Other matters relevant to the consideration of this application

- 9.1 Concerns have been raised by objectors in relation to the volume of documents submitted, the need for further consultation, and a perception that the system is biased towards the developer. The amendments address matters raised by technical considered. As the principal application was supported by an Environmental Statement (under Environmental Impact Assessment Regulations), this proposal is considered a “*subsequent application*” as required by the Regulation. Furthermore, and in line with the “*5 ways of working*” under WCFG Act, there is a requirement to notify interested parties, including residents on the submission and any updates. The plans and technical updates were necessarily long to allow technical consultees the ability to make a reasonable assessment.
- 9.2. 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.
- 9.3 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.
- 9.4 Well-Being of Future Generations Act 2016. Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure

that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision. It is also noted that section 2(5) of the Planning (Wales) Act 2015 affords protection to decisions taken under Part 3 of the 1990 Act, in that the Well-being of Future Generations (Wales) Act 2015 does not alter whether regard is to be had to any particular consideration under section 70(2) of the 1990 Act or the weight to be given to any consideration to which regard is had under that subsection. This means the provisions of the development plan, so far as material to the application, and any other relevant other material considerations remain the primary considerations when determining planning applications.

9.5 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.

It is considered that the LPA has considered its duty under this Act and has met its objectives for the reasons outlined above.

9.6 EIA development

The application constitutes a 'subsequent application' for the purposes of Part 3, Regulation 9(1)(a) & (b) of the Town & Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017. The application has been prepared in substantial accordance with the parameter plans, drawing and documents that were approved as part of the planning permission for the new Velindre Cancer Centre (LPA reference 17/01735/MJR, granted 27/03/2018). This current application, in relation to a condition of that permission, does not give rise to any significant effect on the environment, beyond those which were considered as part of the Environmental Statement that was approved under the above planning permission. The environmental information already before the local planning authority is considered adequate to assess the significant effects of the development on the environment, and has been taken into consideration as part of this application in accordance with the aforementioned Regulations. It is considered, therefore, that a further addendum to the Environmental Statement is not required to accompany this submission.

9.7 The Nuttfield trust review of the proposed Cancer model has been released and being considered by relevant parties but it is not a material consideration in the determination of this application.

- 9.8 CADW have confirmed that the existing bridges will not be listed however, the CEMP has submitted a robust monitoring of the bridges during the construction period (see application 20/1515/MJR)
- 9.9 The loss of access to NHS land and the railway cutting is noted, however the loss of access to the railway cutting is limited to the 9 months and that principle has been agreed through the principal permission. Technical consultees have not objected to this, and the PROW Officer has considered the potential temporary closure of the right of way and raises no objection.

10. Conclusion

- 10.1 The details submitted are considered acceptable to allow a partial discharge of Condition 16 (GIMS) at this point in the project programme with the expectation by all parties of further augmentation and further discharge of additional details at a later date. There are no technical objections to the partial discharging of the condition and the submission is in line with the plans considered by the committee in December 2017.
- 10.2 For the above reasons, the proposal is considered acceptable, and it is recommended that the Condition 16 can be partially discharged as outlined in recommendation 1 of this report.

- NOTES:**
 1. POINT SCALE FROM THIS DRAWING. USE FIGURED DIMENSIONS ONLY.
 2. ALL LEVELS ARE IN METRES ABOVE DATUM.
 3. ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE STATED.

- LEGEND:**
- PROPOSED KERBS
 - PROPOSED FOOTWAY
 - PROPOSED TACTILE PAVING
 - PROPOSED CARRIAGEWAY
 - PROPOSED MAIL ROAD CARRIAGEWAY
 - PROPOSED BATHWORK IN CUTTING
 - PROPOSED BRIDGE PARAPET
 - PROPOSED BRIDGE PAVEMENT
 - SITE CLEARANCE BOUNDARY
 - GATE
 - SITE EXTENT

DRAFT

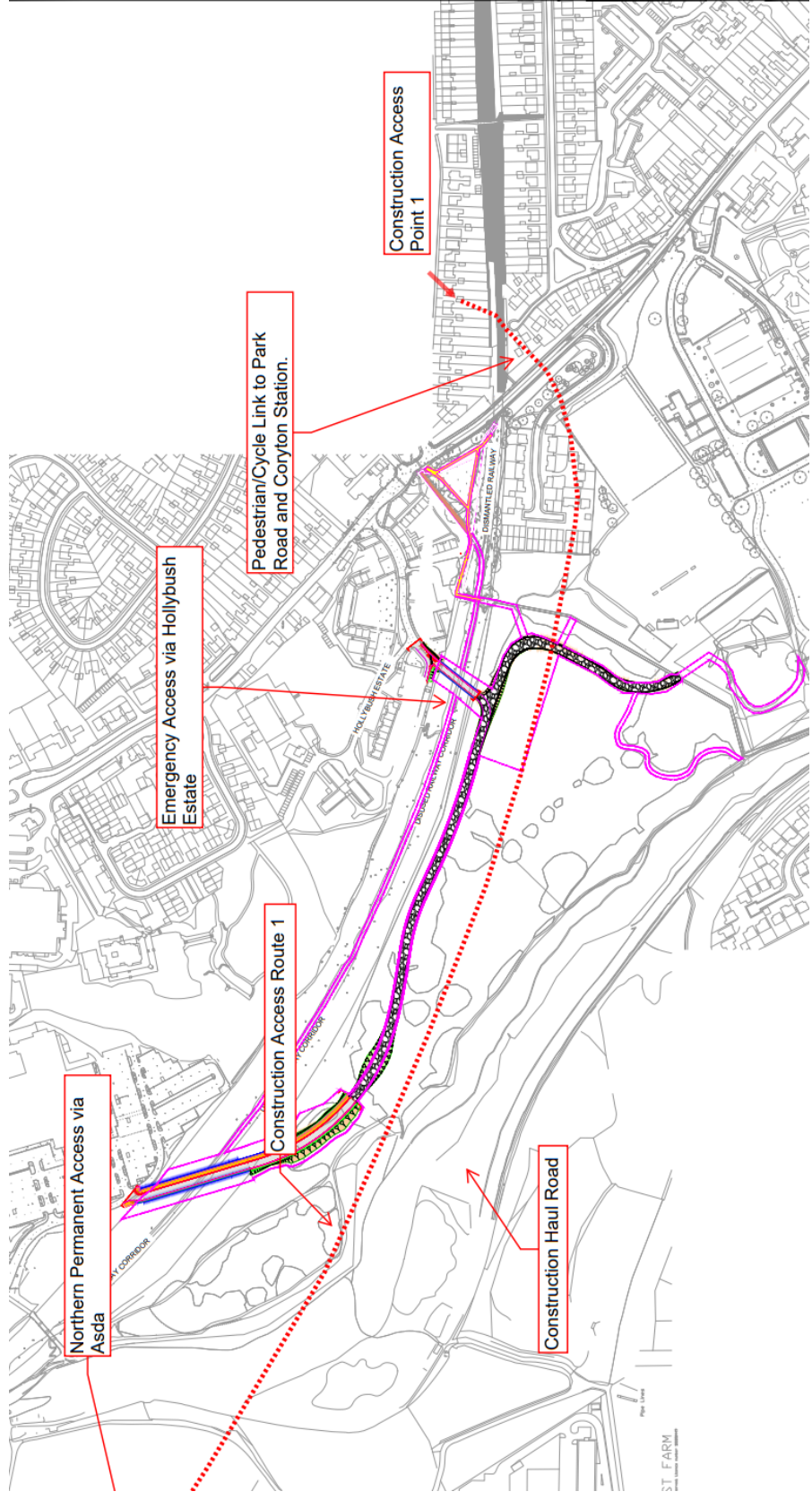
NO.	DATE	BY	DESCRIPTION

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VELINDRE UNIVERSITY NHS TRUST

ivicc ENBLING WORKS



ST. FARM



KEY

- Planning Application Boundar
- Phase 1 Enabling Works Bou
- Work Area 1
- Work Area 1A
- Work Area 2
- Work Area 3
- Work Area 4
- Work Area 5
- Work Area 6
- Work Area 8
- Work Area 8A
- Work Area 9

Sources: Esri, Maxar, GeoEye, Earthstar
Geographics, CNES/Airbus DS, USDA, I
AeroGRID, IGN, and the GIS User Comr



Client:

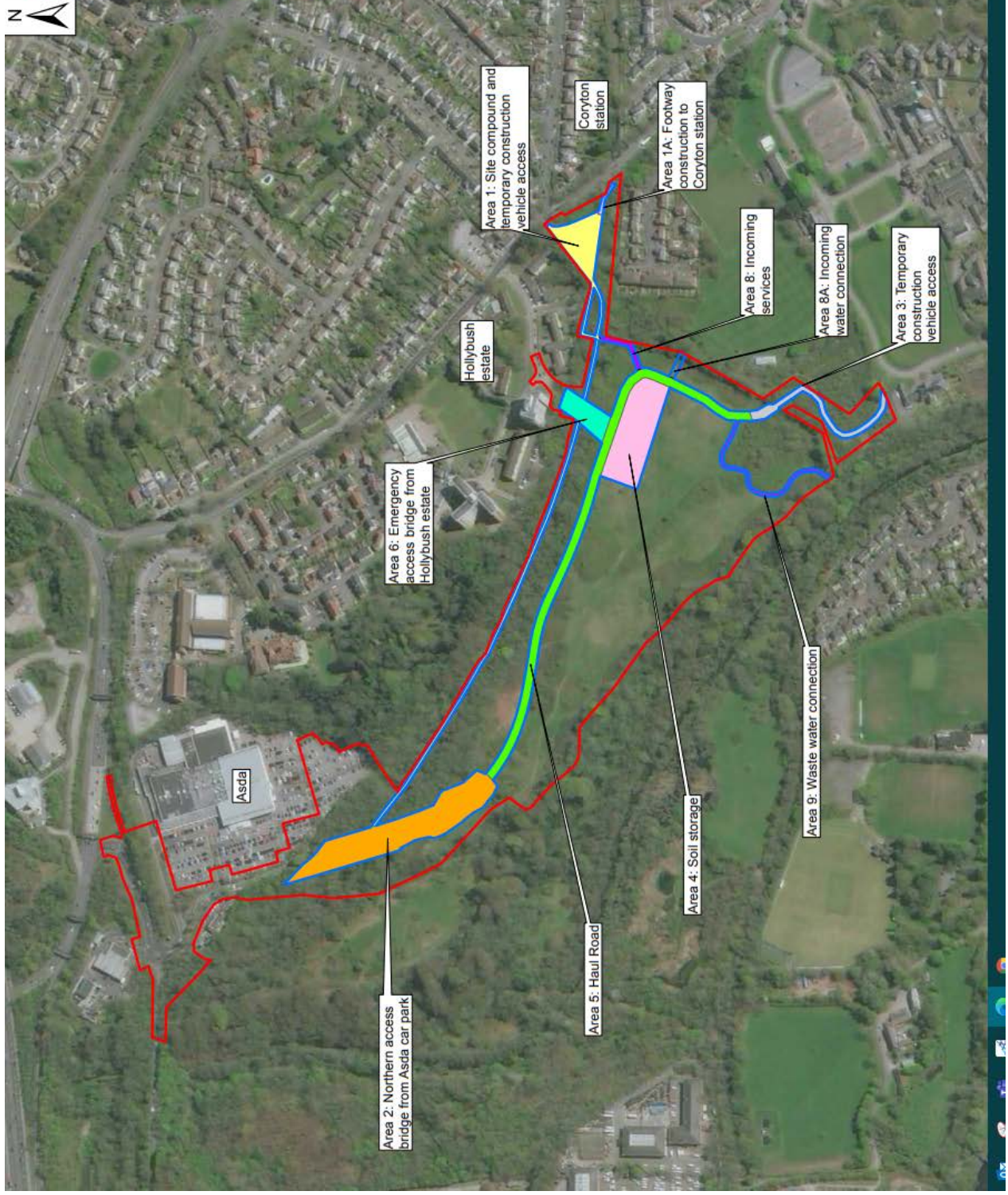
VELINDRE NHS TRUS'

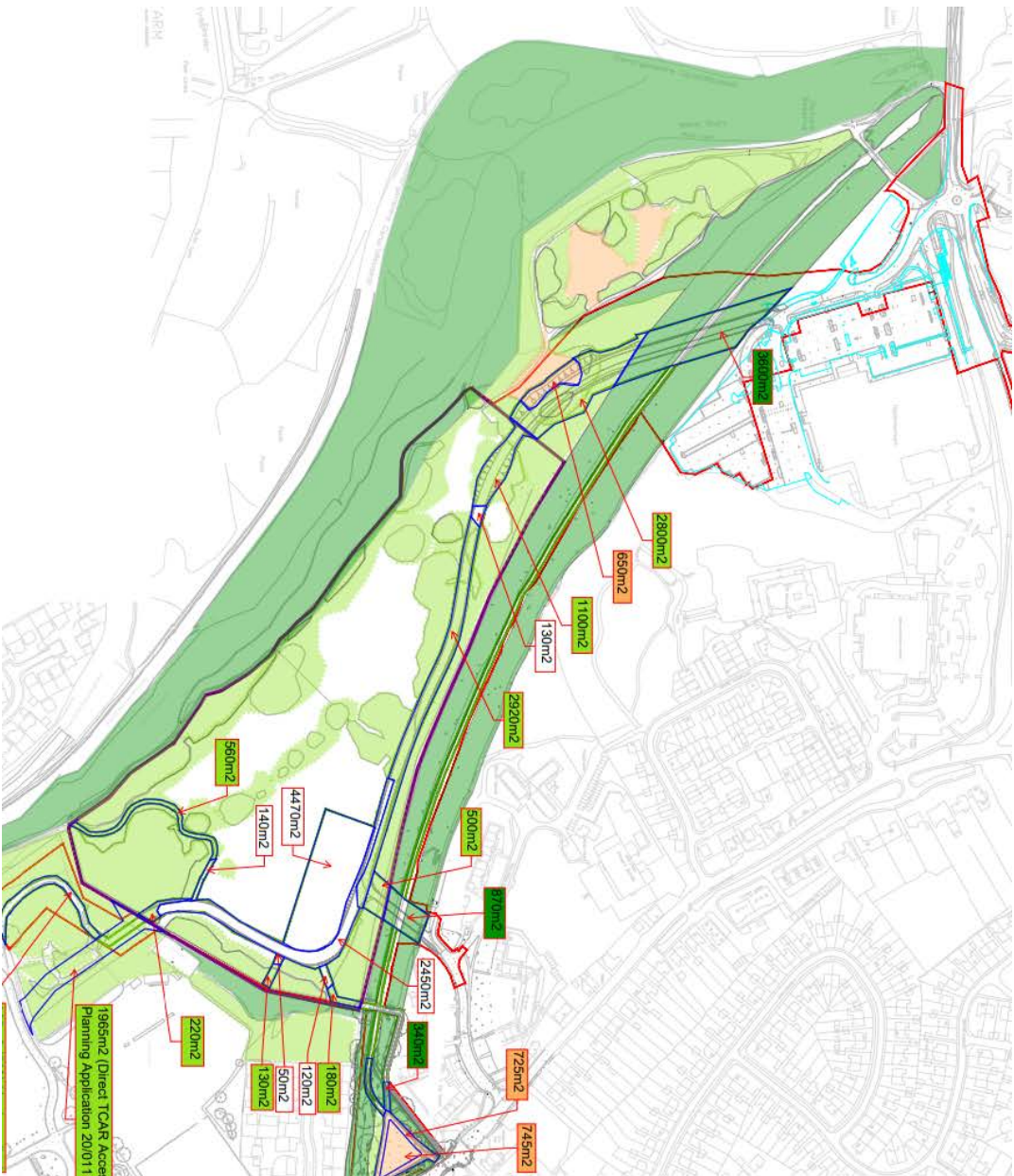
Project:

VELINDRE HOSPITAL
HIGHWAY ACCESS WORK
DORMOUSE LICENCE APPLIC

Title:

SITE LOCATION





Phase 1: Enabling Works Impacted Habitat

Habitat	Permanent Enabling Works	Temp. Haul Road, T-CAR, Construction Accesses and Working Areas	Total
Broad Leafed Woodland - Semi Natural	5,010m ²	0m ²	5,010m ²
Scrub - Dense Continuous	3,610m ²	7,130m ²	10,740m ²
Total Woodland and Scrub (terrestrial habitat)	8,620m ²	7,130m ²	15,750m ²
Natural Grassland - Semi-improved	1375m ²	745m ²	2,120m ²
Poor Semi-improved Grassland	170m ²	7,190m ²	7,860m ²
Total	10,165m ²	15,065m ²	25,230m ²

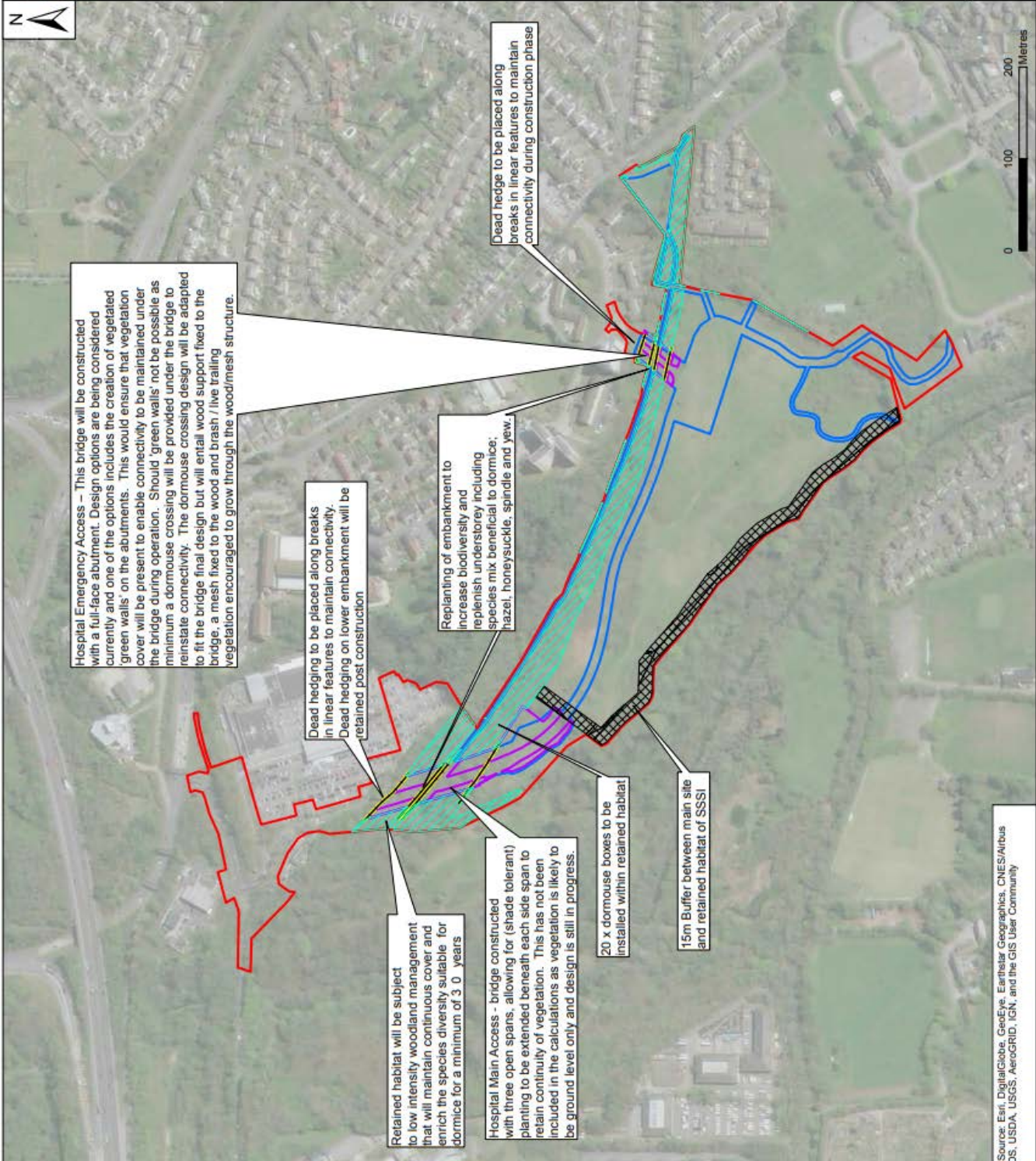
Note: Area measurements are approximate, based on a combined Ordnance survey and topographic survey data mapping.

REV	DATE	BY	DESCRIPTION	GW	GW
R1	19/10/20	GM	Issue on Area Measurements added		
A1	24/03/20	GM	Final Issue		
REV	DATE	BY	DESCRIPTION	GW	GW





- Key**
- Planning Application Boundary
 - Phase 1 Enabling Works Boundary
 - Areas or proposed landscaping for Access Road
 - Dead hedges
 - SSSI Buffer
 - Retained Habitat



Hospital Emergency Access – This bridge will be constructed with a full-face abutment. Design options are being considered currently and one of the options includes the creation of vegetated green walls on the abutments. This would ensure that vegetation cover will be present to enable connectivity to be maintained under the bridge during operation. Should 'green walls' not be possible as a minimum a dormouse crossing will be provided under the bridge to reinstaite connectivity. The dormouse crossing design will be adapted to fit the bridge final design but will entail wood support fixed to the bridge, a mesh fixed to the wood and brush / live trailing vegetation encouraged to grow through the wood/mesh structure.

Dead hedging to be placed along breaks in linear features to maintain connectivity. Dead hedging on lower embankment will be retained post construction

Replanting of embankment to increase biodiversity and replenish understory including hazel, honeysuckle, spindle and yew.

Dead hedge to be placed along breaks in linear features to maintain connectivity during construction phase

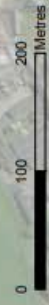
Retained habitat will be subject to low intensity woodland management that will maintain continuous cover and enrich the species diversity suitable for dormice for a minimum of 30 years

Hospital Main Access - bridge constructed with three open spans, allowing for (shade tolerant) planting to be extended beneath each side span to retain continuity of vegetation. This has not been included in the calculations as vegetation is likely to be ground level only and design is still in progress.

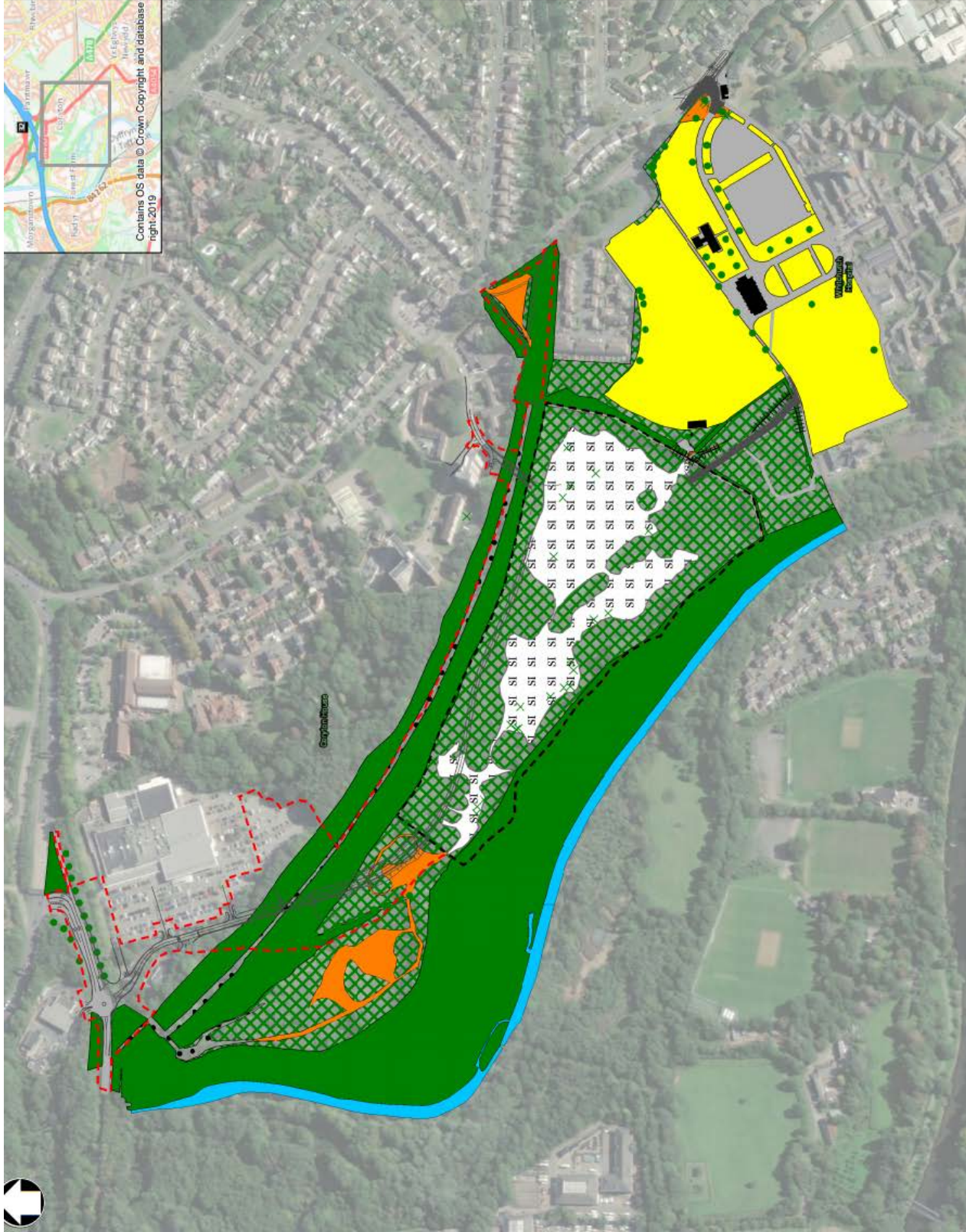
20 x dormouse boxes to be installed within retained habitat

15m Buffer between main site and retained habitat of SSSI

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus JS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Date:	VELINDRE NHS TRUST
Project:	VELINDRE HOSPITAL HIGHWAY ACCESS WORKS DORMOUSE LICENCE APPLICATION
Title:	MITIGATION PLAN
Drawn by:	JSDS
Checked:	MMD
Approved:	ET
Figure No:	FIGURE 4A
Date:	09/07/2020
Scale:	4,000 @ A3



- Main nVCC* site boundary
- - - Planning application boundary
- Detailed design
- X A2.2 - Scrub - scattered parkland/scattered trees
- A3.1 - Broadleaved parkland/scattered trees
- A3.1 - Broadleaved parkland/scattered trees
- J2.1.2 - Intact hedge - species-poor
- HHHH J2.4 - Fence
- A1.1.1 - Broadleaved woodland - semi-natural
- A2.1 - Scrub - dense/continuous
- B2.2 - Neutral grassland - semi-improved
- SI B6 - Poor semi-improved grassland
- C3.1 - Other tall herb and fern - ruderal
- G2 - Running water
- J1.2 - Cultivated/disturbed land - amenity grassland
- J3.6 - Buildings & infrastructure
- J4 - Bare ground
- J5 - Hardstanding

* nVCC - new Veilindre Cancer Centre

Notes
 1. For information only, not for construction
 2. Contains Ordnance Survey data © Crown copyright and database rights 2019 Ordnance Survey. All rights reserved.
 Mott MacDonald OS Licence: 0100207991
 3. Contains survey data from 2016 and 2018.

Rev	Date	Drawn	Description	Chkd	Appd
P1	19/02/20	GO	For information	KP	CW

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 W www.motdmac.com



Client: **Velindre NHS Trust**

Title: **The new Veilindre Cancer Centre Phase 1 Habitat Plan**

Designed	K. Parrington	KP	Eng. Check	K. Parrington	KP
Drawn	G.D. Donovan	GD	Coordination	R. Minston	RM
GIS Check	H. Wheldon	HW	Approved	C. Williams	CW

COUNCILLOR OBJECTION, MS COMMENTS & PETITION

COMMITTEE DATE: 16/12/2020

APPLICATION No. **20/01515/MJR** APPLICATION DATE: 04/08/2020

ED: **WHITCHURCH/TONGWYNLAIS**

APP: TYPE: Discharge of condition(s)

APPLICANT: Velindre NHS Trust & Asda Stores Ltd

LOCATION: LAND TO THE NORTH WEST OF WHITCHURCH HOSPITAL, PARK ROAD, WHITCHURCH, CARDIFF

PROPOSAL: PARTIAL DISCHARGE OF CONDITIONS 17 (CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN), DISCHARGE OF CONDITIONS 10 (HIGHWAY AND PEDESTRIAN WORKS DETAILS), 13 (BRIDGE FINISHES), AND 14 (SOIL RESOURCE SURVEY (ACCESS AND ENABLING WORKS)) OF 17/01735/MJR

RECOMMENDATION 1: That the submitted conditions shall be discharged as follows:

Condition 17 (CEMP):

Is **partially** discharged and shall be undertaken in accordance with the scope of the works outlined 'enabling works' which are indicated under Figure 1.1: Enabling Works and described under 1.3: Implementation Programme in the Construction Environment Management Plan (CEMP) (prepared by Mott MacDonald dated October 2020 Revision D).

The applicant is advised that this condition will be required to be discharged for each phase of development including once a contractor has been appointed to undertake the enabling works.

Condition 10 (Highways and pedestrian works) is **discharged** and shall be undertaken in accordance with the following plans:

General Arrangement Emergency Access:

70066877-WSP-XX-XX-DR-CE-P2-0101 P01

Plan and profile Emergency Access:

70066877-WSP-XX-XX-DR-CE-P2-0102 P01

Contours Emergency Access:

70066877-WSP-XX-XX-DR-CE-P2-0103 P01

Cross sections Emergency Access:

70066877-WSP-XX-XX-DR-CE-P2-0104 P01

Road Restraint System Emergency Access:

70066877-WSP-XX-XX-DR-CE-P2-0401 P01

Drainage Plan Emergency Access:

70066877-WSP-XX-XX-DR-CE-P2-0501 P01
Drainage Details Emergency Access:
70066877-WSP-XX-XX-DR-CE-P2-0502 P01
Pavement Details Emergency Access:
70066877-WSP-XX-XX-DR-CE-P2-0701 P01
Pavement Standard Details Emergency Access:
70066877-WSP-XX-XX-DR-CE-P2-0702 P01
Kerbs and Footways Emergency Access:
70066877-WSP-XX-XX-DR-CE-P2-1101 P01
Kerbs and Footways Standard Details Emergency Access :
70066877-WSP-XX-XX-DR-CE-P2-1102 P01
Traffic signs and Road Markings Emergency Access:
70066877-WSP-XX-XX-DR-CE-P2-1201 P01
General Arrangement Emergency Access 1 of 2:
70066877-WSP-XX-XX-DR-CE-P2-001 P01
General Arrangement Emergency Access 2 of 2:
70066877-WSP-XX-XX-DR-CE-P2-002 P01
Proposed pedestrian path Coryton Railway plan:
70066877-WSP-XX-XX-DR-CE-P3-0101 P01
Proposed pedestrian path Coryton Railway profile:
70066877-WSP-XX-XX-DR-CE-P3-0102 P01
Proposed pedestrian path Coryton Railway profile:
70066877-WSP-XX-XX-DR-CE-P3-0103 P01
Proposed pedestrian path Coryton Railway profile:
70066877-WSP-XX-XX-DR-CE-P3-0104 P01
Proposed pedestrian path Coryton Railway contours:
70066877-WSP-XX-XX-DR-CE-P3-0105 P01
Proposed pedestrian path Coryton Railway kerbs and footway70066877-WSP-
XX-XX-DR-CE-P3-1101 P01
Proposed pedestrian path Coryton Railway standard detail 70066877-WSP-
XX-XX-DR-CE-P3-1102 P01
Proposed pedestrian path Coryton Railway Signs 70066877-WSP-XX-XX-DR-
CE-P3-1201 P01

Condition 13 (Bridge Finishes) is **discharged** subject to implementation of the following plans

Asda Bridge Proposed Finishes 1 of 2:
70066877-WSP-XX-XX-DR-CE-P1-001 F1 P01
Bridge finishes Asda Bridge Proposed Finishes 2 of 2:
70066877-WSP-XX-XX-DR-CE-P1-002 F2 P01
Emergency Access Proposed Finishes 70066877-WSP-XX-XX-DR-CE-P2-001
F1 P01

Condition 14 (Soil Resources) is **discharged**, subject to implementation, in accordance with Motts Soil Resource Survey Soil Resource Survey 347168-MML-028-XX-RPT-CIV-2000-002 (but does not authorise the stripping of the main site)

RECOMMENDATION 2: To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the

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

RECOMMENDATION 3: The highway works required by planning Condition 10, 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.

RECOMMENDATION 4: Any closure of the public rights of way needs to be applied for 6 weeks in advance of commencing development

1. DESCRIPTION OF PROPOSED DEVELOPMENT

- 1.1 Technical approval is sought from the Local Planning Authority (LPA) of a number pre-commencement conditions that were imposed on the planning permission reference 17/01735/MJR, these being:

Condition 17 Construction Environmental Management Plan (CEMP) reads as follows:

Prior to the commencement of any site clearance, construction works or development (except for demolition), a Construction Environmental and Management Plan (CEMP) for the whole site shall be first submitted to and approved in writing by the Local Planning Authority. The CEMP shall accord with the Landscape Masterplan and mitigation measures set out in the Environmental Statement and its addendum, and in the Environmental Mitigation Plan. The CEMP shall include:

- a. An implementation programme;*
- b. A Construction Traffic Management Plan, to include but not limited, to the management of site access, parking (to be within the main body of the site) and wheel washing facilities;*
- c. Details of site hoardings (including the erection, maintenance, security and any decorative displays) and means of enclosure to prevent unauthorized access during construction;*
- d. Details of the storage of plant and materials (including any oils, fuels and chemicals), construction compounds, any temporary facilities for construction staff;*
- e. Dust Management Plan and measures to control the emission of dust and dirt from construction and minimise sediment loading*
- f. A Noise Management Plan and measures to control and monitor noise, the details to be submitted shall include the suggested information (including phasing) outlined in Chapter 9: Noise and vibration Environmental Statement dated October 2017;*

g. Measures to control cementitious materials;
h. A Site Waste Management Plan for the recycling and/ or disposal of all waste resulting from construction works;

i. A Construction Drainage Scheme indicating how surface water and land drainage run off will be dealt with to prevent contamination, nuisance, subsidence or flooding;

j. a Green Infrastructure Construction Protection Strategy (GICPS) detailing measures for the protection of the ecological (habitats & protected species), arboricultural, landscape, soil, open space and SuDs resource during clearance and construction, including those existing elements proposed for retention and translocation, and those proposed to be created or enhanced as part of the application. The GICPS shall comply with the approved Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan and the approved Soil Resource Survey and Soil Resource Plan for that site/ land and shall include but shall not be limited to:

- an assessment of the impacts*
- a plan showing green infrastructure to be lost, retained, enhanced, translocated and newly created and its phasing*
- a plan showing protection zones for the ecological (habitats & protected species), arboricultural, landscape, soil, open space and SUDS resource for the construction phase, which shall include but not be limited to a 15m wide buffer zone alongside the Glamorgan Canal / Long Wood SSSI precautionary measures to avoid harm to previously undetected dormice and badgers;*
- pre-construction checks Mott MacDonald | new Velindre Cancer Centre Construction Environment Management Plan 347168-MML-028-XX-RPT-CIV-2000-001 | 14 October 2020 2*
- details of site clearance and construction methods and measures to be taken to minimize the impact of any works*
- phasing / timing of works*
- a lighting scheme, including measures to reduce light spillage from construction onto key habitats and corridors.*

k. List of on-site contacts and their responsibilities and arrangements for ecological site inductions for contractors working on site; the details so approved and any subsequent amendments as shall be agreed in writing by the Local Planning Authority shall be complied within in full throughout the construction period.

l. Details of the remediation and timescale of the triangular piece of land to the east of the Hollybush Estate.

m. The details so approved and any subsequent amendments as shall be agreed in writing by the Local Planning Authority shall be complied within in full throughout the construction period

Reason: To manage the impacts of construction in the interests of highway safety, and protection of the environment and public amenity in accordance with Policy KP16 of the adopted Cardiff Local Development Plan (2006-2026

In support of partial discharge (the application description was changed as not all points of the condition can be discharged at present) and it must also be noted that given the complexity of the development, Conditions 17 and 14 will be required to be re-discharged as the scheme progresses.

The details currently before committee relate to Phase 1, being the site clearance works to enable the construction of the bridges. As noted within the submitted CEMP, the condition will need to be re-discharged once a contractor has been appointed.

Condition 10 (Highway and pedestrian works details) reads as follows:

No part of the development hereby permitted shall be commenced until a scheme of highway works to provide an emergency access connection to the Hollybush Estate road (including details of the proposed barriers and their operation) and pedestrian and cycle connection to Park Road and Coryton Station as shown in principle on the approved plans has been submitted to and approval in writing by the LPA. No part of the development shall be occupied until the approved scheme has been implemented to the satisfaction of the LPA. Reason: To provide safe commodious pedestrian, cycle and emergency vehicle access to the proposed development in the interests of highway safety in accordance with Policy T5 of the adopted Cardiff Local Development Plan (2006-2026).

The submitted plans relocate the adopted path away from the existing trees and aligns with the road. These plans were considered under the principal permission but have been refined with drainage and signage. The existing 5 bar gate would be replaced with removable bollards.

Condition 13 (Bridge finishes) which reads:

“Prior to commencement of development, details of the finish and colour of the proposed bridges shall be submitted to and approved in writing with the Local Planning Authority, and implemented in accordance with the approved details. Reason: To ensure the development harmonises with its environment in accordance with Policy KP5 of the adopted Cardiff Local Development Plan (2006-2026)”

The pillars would be finished in pattered profiled finished concrete with the bridge beams finished in corten steel, which retains a rust colour. The 1.8 metre high steel parapet wall would be finished is a mid Brunwisck Green.

The emergency access bridge would be concrete with parapet wall would be finished is a mid Brunwisck Green (same as the Asda bridge).

Condition 14 (Soil resource survey & plan) which reads:

“No development shall take place until a Soil Resource Survey and Plan, prepared in accordance with the 2009 DEFRA Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, and covering each phase of development, has been submitted to and approved in writing by the LPA. Reason: to ensure that a valuable soil resource is efficiently and effectively

protected from harm and re-used as appropriate for landscaping purposes in accordance with Policy KP15 of the adopted Cardiff Local Development Plan (2006-2026)."

Motts Soil Resources survey and plan dated 16th January, 2020 is a 59 page report that has considered the Soil Resource Survey Methodology, Soil Resource Survey results, Soil Management Plan (including soil monitoring and aftercare).

- 1.2 The application has been submitted to ensure that, if approved, the applicant can apply to Natural Resources Wales (NRW) for a European protected species licence (EPS) and commence the felling of trees on the railway cutting before the beginning of the bird nesting season. (March. - Oct.)

2. DESCRIPTION OF THE SITE AND AREA

- 2.1 The planning application site, corresponds to the red line boundary indicated on the site location plan. The site is 14.5 hectares in area and is an undeveloped land that is characterised by rough grassland and scrub, enclosed by dense, broadleaved woodland and shrubs. The boundary of the application site includes the main site for development of the hospital facility, and those areas required to facilitate access to them from the Coryton Gyrotory and the emergency access route from the Hollybush Estate. The land is gently undulating former pastoral farmland (The highest point of the main site area is the north-west boundary which ranges between 51m AOD (Above Ordnance Datum) and 57m AOD with the site sloping down to the south-east boundary where the ground level is between 41m AOD and 43m AOD). The site is subdivided into a network of fields of varying size with some overgrown field hedgerows remaining in private ownership. The site is no longer grazed by horses, but is crossed by informal and formal footpaths. The site has a non-statutory designation as a Site of Importance for Nature Conservation (SINC) for its neutral grassland.
- 2.2 However, this submission is concentrated upon the railway cutting and in particular the locations of bridges and the triangular piece of land know as Lady Cory field.

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.

4. POLICY FRAMEWORK

- 4.1 National Planning Policy:

- Planning Policy Wales (10th Ed, 2018)

Planning Policy Wales Technical Advice Notes:

- Technical advice note (TAN) 5: Nature conservation and planning (September 2009);
- Technical advice note (TAN) 10: Tree preservation orders (October 1997);
- Technical advice note (TAN) 11: Noise (October 1997);
- Technical advice note (TAN) 12: Design (March 2016);
- Technical advice note (TAN) 18: Transport (March 2007);
- Technical advice note (TAN) 21: Waste (February 2017);
- Technical advice note (TAN) 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).

- 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:

My comments are limited to condition 17 and condition 10, other conditions are not considered to relate to highway or transportation matters.

Partial discharge conditions 17 (construction environment management plan).

The submitted CEMP, chapter 2 looks in detail at construction traffic management under the headings below.

- 2.1 Northern Access Arrangements,
- 2.2 Southern Access Arrangements,
- 2.3 Travel to/from site on external roads,
- 2.4 Site Roads,
- 2.5 Emergency Access,
- 2.6 Car Parking during Construction,
- 2.7 Wheel Washes.

The documents also details the temporary bridge construction access route via Lady Cory Field, accessed from Park Road opposite the junction with Lon-y-Celyn and Pantmawr Road. This route will be used to access former railway cutting to allow construction of the two development bridges, located at Asda and Hollybush Estate. The submission advises that the access track will be constructed using temporary metal trackway matting, with the existing slope down into the cutting being made wider to accommodate vehicles.

Once construction of the access bridges is complete, the CEMP advises that the track will be taken up, excess materials removed and the rail cutting and Lady Cory Field reinstated to an agreed specification that will be developed with the Council. New footpaths will also be provided to connect Pendwyallt Road/Park Road with the railway cutting and the Velindre site, with these being constructed as part of the enabling works and detailed in discharge of Condition 10. The parent permission 17/01735/MJR limits the length of use of the Lady Cory Field construction access to a maximum of 9 months.

In terms of the wider construction management, it is identified that all

construction traffic will access from the north via the Coryton Gyratory. Once bridge construction is complete traffic will then access the site from the north via Longwood Drive and the Asda car park (2.1), or the south route via Park Road and the improved Whitchurch Hospital entrance (2.2).

As detailed in the Temporary Construction Access Road (TCAR) application 20/01110/MJR, construction traffic will be restricted in the times at which it can use the two entrances (Asda/Whitchurch Hospital) so as to avoid or minimise disruption to the local highway network. Thus construction traffic using Park Road will be timetabled to avoid school drop-off/pick-up and traffic using the Asda entrance will avoid peak store times. This principle is also enshrined in the submitted CEMP subject to these comments.

The CEMP advises (2.3) that construction traffic will be made aware of the access routes, with maps being provided to drivers to ensure designated routes are adhered to. Vehicles will be routed via main roads, avoiding indirect routes through residential areas, and all staff will be briefed in respect to the restricted delivery times/routes. The submission suggests that where feasible construction staff will be required to use public transport, in order to limit the number of vehicle movements to and from site.

The CEMP confirms that temporary site roads will be provided as required (2.4), and that parking for staff will be on site adjacent to the office accommodation (2.6), and that these will be maintained for use during construction. Wheel washes will also be placed at both access points to prevent mud being tracked onto public highway, with all construction vehicles leaving the site being required to pass through a wheel wash (2.7).

Paragraph 4 of the CEMP confirms that secure material stores, plant compounds and staff facilities will be established on-site and will not therefore directly impact use of the public highway. And paragraph 5 details dust suppression measures/protocol that will be implemented, limiting the impact of dust migration onto the adjacent public highway and properties.

Further references to construction hours, construction traffic and the enabling works programme are made in paragraph 6 of the CEMP, these references adding to and reinforcing the principles discussed above.

Paragraph 6.4.3.4 provides details in connection with the enabling works, road building, providing the following table of phases:

- Coryton interchange into Asda (April to June 2021);
- New approved southern access route across scrubland (May to July 2021);
- Bridge approach Asda side (May 2021 to Nov 2021);
- Asda bridge (Aug 2021 to July 2022);
- Hollybush Bridge (May 2021 to July 2022);
- Pedestrian/cycle link to Park Road and Coryton Station (May 2021 to July 2022).

It should however be noted that these dates are described as provisional,

subject to the appointment of the contractors and contract programmes. The applicant and contractor (once appointed) are reminded that licences and agreements under the Highways Act 1980 are required in respect of any works, permanent or temporary, to or that impact on the public highway or its use.

Having considered that submission and supporting documents I am content to agree partial discharge of the condition as far as it relates to the use of and impact of works on the public highway. I would also advise that the contractor (once appointed), in applying for full discharge of the condition is required to ensure that a record of HGV movements to and from the site is maintained and provided to the council for inspection as may be requested.

Full discharge Condition 10 (highway and pedestrian works details) –

No part of the development hereby permitted shall be commenced until a scheme of highway works to provide an emergency access connection to the Hollybush Estate road (including details of the proposed barriers and their operation) and pedestrian and cycle connection to Park Road and Coryton Station as shown in principle on the approved plans has been submitted to and approval in writing by the LPA. No part of the development shall be occupied until the approved scheme has been implemented to the satisfaction of the LPA. Reason: To provide safe commodious pedestrian, cycle and emergency vehicle access to the proposed development in the interests of highway safety in accordance with Policy T5 of the adopted Cardiff Local Development Plan (2006-2026).

Objectors contend (Petition Technical Objections submission) that Condition 10 is not satisfied inasmuch as the wording requires details of a ‘...pedestrian and cycle connection...’ to be submitted, and that as the submission does not include a cycle connection the condition cannot be discharged.

However, whilst I agree the description and title of the plans do not specifically reference cycling (referring as they do to pedestrian paths), it is clear from the drawings themselves that the intention is to provide shared pedestrian and cycle paths throughout. If we look at the submitted plans the width of the path is identified as 3m (the minimum for shared width path), and the ‘Traffic Signs and Road Markings’ plan (70066877-WSP-XX-XX-DR-CE-P3-1 rev P01) clearly indicates an intention to install shared cycle route signage. I must therefore conclude that the omission of the words cycle/cycling from the description is an oversight by the designer.

In considering what would be appropriate in terms of the path and any cycle facility, we must take into account the size and nature of the Lady Cory Field, and the impact the path would have on that setting. We must also consider what existing facilities the new path will connect with, in this case a rail station and Park Road to the east, and the Cancer Centre development to the west. Taking all the factors into account it is felt that it would be out of proportion to implement a fully segregated cycle facility that would involve the creation of a path with an overall width of some 5m for a length of less than 200m. In which respect it is noted that the proposed path does not tie into a segregated cycle facility at either

end and as such would represent an isolated stretch out of character with its surroundings.

The submissions in connection with the 'emergency access' bridge and connection to the Hollybush Estate have been assessed and are considered to be acceptable in discharge of this element of the condition, and I therefore have no comments to report in this regard.

The applicant is reminded that there are further processes associated with detailed design, licencing, implementation and adoption of the works which will be overseen by the Council. In relation to which, any works to the existing or proposed adopted public highway to be undertaken by the developer will be subject to agreement(s) under Section 38 and/or Section 278 of the Highways Act 1980 between the developer and Council.

I am therefore content that the submission in connection with Condition 10 is sufficiently comprehensive to agree discharge of the same

5.2 Public Rights of Way (PROW): No objections

5.3 The Strategic Planning Trees and Landscaping officer states:

The report submitted in discharge of Condition 14 (soil resource) is fine but it is important that the site monitoring proposed as part of the Soil Resource Plan (SRP) picks up on the requirements for remediation and that these are then explained to the LPA as part of soil scientist site monitoring reports sent to the LPA at different stages of development. Ripping depths, extents and methods for example, are of particular importance to ensure effective establishment and growth by larger trees. I also note the extent of the soil survey to the main site and that further works are proposed for assessment of the railway cutting.

5.4 The Strategic Planning Ecologist states:

In relation to the CEMP condition element of 20/01515/MJR, I have no concerns to raise as construction-related impacts pertaining to bats, dormice and the nearby SSSI have been considered by NRW and they have indicated that they have no objection to the CEMP. The issues that NRW do not consider, such as impacts upon reptiles, nesting birds and badgers etc are adequately addressed in the CEMP as far as it relates to the enabling works and temporary construction access route, provided these measures are implemented in full.

5.5 Shared regulatory services (Noise): note the proposed CEMP and raise no objection to the partial discharge of condition 17.

6. EXTERNAL CONSULTEE RESPONSES

6.1 Natural Resources Wales:

We have no objection to condition 17 (Construction Environment Management Plan) being partially discharged and provide the following advice.

We have no comments on conditions 10, 13, 14.

Condition 17: Construction Environment Management Plan (CEMP) We note the application seeks partial discharge of condition 17. We understand this application relates only to the 'enabling works' which are indicated under Figure 1.1: Enabling Works and described under 1.3: Implementation Programme in the CEMP (prepared by Mott MacDonald dated October 2020 Revision D).

Our advice is given in this context and we will provide further advice on discharge of condition 17 for each phase of works when submitted. In general, we are satisfied with the principles set out in the CEMP regarding protection of the SSSI, the water environment and protected species during construction. We provide the following advice on other regulatory matters and advisory comments for the developer to take forward.

Construction Drainage Scheme

We are satisfied with the proposal to discharge surface water run-off from the construction phases to the Melingriffith Feeder as described in Chapter 8 – Construction Drainage Scheme. This will bypass the sensitive Glamorganshire Canal. We note the CEMP states that a site specific Ground and Surface Water Management Plan (GSWMP) will be developed by the Principle Contractor, when appointed.

The following advice should be considered by the developer: 8.3.5 Discharge Quality This section refers to the '30/20/20 rule' as representing 'clean' water. This is not the case - clean water is uncontaminated rainfall, i.e. from roof tops. The limits referenced in this section are an example of permitted conditions for a discharge to surface water.

Depending on the circumstances, a water discharge permit could be issued with only a suspended solids limit condition. As such, if the developer cannot ensure discharge of only clean water, free from contaminants, they will need to apply for a water discharge permit from us. Our permitting team will then determine an acceptable level of water quality. More information on water discharge permits can be found on our website.

8.2.2 Discharge to a watercourse

The temporary outfall to the feeder will require a Flood Risk Activity Permit (FRAP) from us as the Melingriffith Feeder is classed as a main river. More information on FRAP can be found on our website. In terms of attenuation and control of flows, the run-off rate should be determined by the local authority as the Lead Local Flood Authority.

8.3.8 Excavation Dewatering Further information on whether any dewatering activities will require a permit can be found on our website or may need further discussion with our permitting team.

Construction Traffic Management Plan

2.7 Wheel washing: We note the proposals in terms of wheel washes. We recommend all wheel washing adheres to the guidance under GPP13: Vehicle

washing and cleaning. It would be useful if future CEMPs state the method of wheel washing and include the link to GPP 13

- 6.2 Cadw: have considered the request to list the bridges and after a site visit and detailed assessment have concluded that the bridges do not meet the high threshold for listing.

7. REPRESENTATIONS

- 7.1 The application is a subsequent application under the EIA regulations, which requires the application to be publicised by site and press notice in addition to neighbour letter. These requirements have been undertaken which resulted in 224 letters of representation being received all of which object to this application. These objections are summarised below:

1. Planning Condition 10 is not met as no submission for cycleway provisions has been outlined for within application 20/01515/MJR and therefore the conditions must not be granted;
2. Condition 17 is not met as there no noise or vibration limits outlined. This is completely disrespectful to the residents.

Condition 17 is further unmet as no adequate solutions for the problem of drainage of surface water from the site. Section 8.2.1 of the application states that: "disposal of surface water runoff via a soakaway or other infiltration to ground is unlikely and cannot be relied upon". The proposed solution is to drain surface water into the canal. This proposal outlined in section 8.2.2. for the discharge to a watercourse is wholly unacceptable and in stark contrast to the developer's claims that the impact on the SSSI will be minimal. This will have a devastating impact on the canal and SSSI. Further concern relates to the "disused track" and the proposed construction of an above ground drain and outfall into the canal. This is not a disused as stated and is in fact the access route to the upper path of the SSSI and used daily by the community.

Any drainage channel in this area would cause health and safety issues to users or make the area impassable. Both are an unacceptable impact on the SSSI, visitors to the nature reserve as well as local residents which use this route to access amenities such as Asda. Again, this misinformation, lack of local knowledge and utter disregard of the community is evident and harmful.

Furthermore, the surface water runoff into the heavily silted canal, will significantly increase the risk of flooding to thousands of homes living adjacent to the canal and along the river corridor in Whitchurch, Llandaff North, Gabalfa and the lower part of Danescourt, and in fact, beyond and into town.

3. The acceptance of these conditions would violate the Council's own

regulations, the Welsh Governments additional legislation, including the Future Generations Act, the Environment Act, and the Building Better Places regulations released this year

4. The proposed model of cancer care support by Velindre is outdated and is discouraged in England where Cancer care should be next to a general hospital and land has been offered by UHW for this all works should be halted until the review has been concluded.
5. The proposal fails to meet the Climate emergency declared by both Cardiff Council and Welsh Government
6. This application should not be determined until the Senedd enquiry.
7. Concern over parking of construction traffic
8. Concern over dust, noise and vibration from works

7.2 A petition of 97 signatures has been submitted by the 'save the northern meadows' group who object to this application on the following grounds:

- Condition 10 does not provide for a cycleway provision;
- Condition 17 no noise or vibration limits have been set
- Condition 17: no adequate solution to surface water drainage
- Section 8.2.2: discharge into water course is wholly unacceptable!
- Construction traffic will undermine the existing bridges, which are under consideration for listing

7.3 Local Ward Members Phillips, Rees and Morgan have been consulted

We respectfully submit our objections to both of these planning applications. Along with many residents we remain significantly concerned with the environmental impact of these proposals, especially considering the complex interlink with planning application 20/00357/MJR (to which we have also objected).

We continue to be concerned at the progress of these proposals and would again highlight that the cumulative impact on the environment is not considered across the related applications.

We have numerous queries on the detail of elements of these schemes and given the nature and breadth of the submissions of these we are seeking the reassurance of officers that the minutiae have been robustly reviewed and the quality of the potential implementation, should permissions be given, is suitable for the environment into which the development would go.

This is significant given the strength of local feelings against the development, and the sensitive environment around the site.

Our views echo many of those raised by the many comments displayed on the planning portal.

Where conditions set are not met, either in whole or in part, the application must be refused.

Specific concerns have been raised about the lack of provision for cycleways (Condition 10).

Condition 17 is not met as the proposed solution for removal of ground water is not suitable. We are extremely concerned that the applicant proposes to remove ground water via an above water pipe through the nature reserve to the Glamorgan Canal.

We have met with officers and the Cabinet Member for Culture and Leisure, alongside the Glamorgan Canal, specifically to discuss the major issue of water flow, silting, and water damage to pathways due to overflow, which has already made some of the pathways inaccessible to vulnerable and disabled groups.

We have discussed the need for millions of pounds needed to be invested in order to return the canal and pathways to the required quality level.

We understand that surface run-offs and soakaways are unviable. Perhaps the site is unsuitable for development?

In an attempt to make it viable by concentrating potentially significant water flows into an already vulnerable watercourse is simply unacceptable to allow this development to add further to the issues. We all know about the flooding that occurred in this area at the beginning of 2020.

The feeder canal and Glamorgan canals both contributed to flood homes.

We also take issue with the suggestion that the pathway that would be used for this course is unused.

This is simply not the case. It is well used by walkers and runners alike. When using the area for our own leisure purposes we do use these pathways, there is sign posting through this area highlighting the footpaths.

This development is seeking to continuously creep outside of its promised scope, first with the access road, now into the nature reserve as they learn of the unsuitability of the natural drainage on the site. Perhaps now is the time for planning to say stop.

Cardiff has just launched its One Planet documentation and consultation. This development is seeking to use public land and watercourses to solve its problems. We must protect our public environment and spaces. Various other comments.

The following list predominantly address elements of the proposal we feel should be addressed and included as further conditions should these applications be passed.

- The Emergency Bridge abutments not same design as main bridge? Keeping the same design will minimise the impact on local environment?
- The abutments of the main bridge are individual columns, not wall. They are in line with cutting not at an angle to it. Making both same and minimise visual impact.
- The main bridges have H4A containments to solid parapets with 1.8M high metal coverings. As the main bridge will have low traffic and a cycle/pedestrian path to one side, and the emergency bridge has no traffic why are these considered necessary? A lower and open parapet would lessen the impact and improve the visual experience for users
- The emergency gate example shown is not appropriate to the sensitive landscaped area in which it is to be placed.
- Why does the water drainage from the emergency bridge go to a drain and not to a soakaway?
- Pedestrian crossings at the ASDA roundabout are shown as “to be determined”? We have asked for these for some years to link the pedestrian footpath from Pendwyallt Road to link with Longwood Drive. There is no safe crossing currently and none shown on the plans.
- Why is there a 2M verge beyond the highway and cycle/footpath? Wouldn't a narrower verge assist the
- comment to minimise break in the canopy
- The existing footpath to Lady Cory Field is shown as being removed and a new footpath in the field being created. Why?
- How many trees are being felled and at what distance from the bridges? It's not clear from the submitted information as to whether the request at planning to minimise the impact of tree felling has been complied with.
- The CMP required road safety measures to be incorporated, to minimise impact and maximise safety at the junctions of Hollybush Road, Pantmawr Rd, Lon y Celyn, Lady Cory Field, Coryton Station junction. A walk to school 20mph limit has recently been imposed, under the Covid programme but this does not cover the requirements of the CEMP.

7.4 Anna McMorris, Member of Parliament for Cardiff North has been consulted: No comments have been received:

7.5 Julie Morgan (Member of the Senedd for Cardiff North) has commented as follows :

Air pollution and dust as a result of the construction project

Constituents have expressed concerns about levels of dust the project will generate and the amount of traffic that will pass along the already congested Pendwyallt Road. I note from the previous planning meeting and discussions around 20/01110/MJR that a live air quality monitoring device will now be installed at Coryton Primary School. Who will monitor the readings and how often will this be done? What plans are there to provide evidence to residents? Construction traffic on Pendwyallt Road and Park Road While enforcement of the speed limit on Pendwyallt and Park Roads is for the road safety partnership and police, I would hope that the Planning Committee includes a

recommendation to the developer that it draws the speed limit on these roads to the attention of construction vehicle drivers. This should strongly emphasise the importance of not exceeding it to promote best air quality possible and ensure the safety of both pedestrians and cyclists.

Historic chapel at old Whitchurch Hospital

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.

8 ANALYSIS

8.1 This application is submitted to discharge technical matters associated with the approved planning permission. It is not an opportunity to consider the merits of the planning permission or to question matters the committee has already agreed, such as the location of the bridges or the use of the railway cutting. A number of matters have been raised by objectors and those matters that are material to the consideration of the determination of these conditions have been considered below:

8.2 Condition 17 (CEMP)

The condition imposed upon the cancer hospital required various matters (12 points) to be discharged. The condition was constructed in order to allow a phased and progressive discharge of details at key stages of the construction programme to ensure that various relevant points can be considered at the appropriate stage of development and also allow consideration of the wider site context at the same time.

It was therefore not anticipated that all points of the condition would be discharged simultaneously. As a result and as noted by the objectors not all points have been addressed in the CEMP report; but the report sets the scope of the submission and also sets a framework for the submission for discharging subsequent applications.

The key matters which are presented to Committee are therefore:

Water discharge

As noted by objectors the proposal seeks to discharge construction water into the Glamorgan feeder and towards the SSSI. The submitted documentation confirms however that there will a robust framework - through daily sampling and monitoring, to ensure that the water discharging into the feeder would not result in harm. NRW (who will also have to issue a permit) have considered the submission and raise no objections to the proposal.

The site is not within a flood zone and the proposed works (phase1) removal of trees from the railway cutting will not result in direct flooding caused by these works and this has been assessed in paragraph 2.8 of the soils report and paragraph 5.3.5 & chapter 9 of the CEMP and is in line with the submitted ES that formed part of the approval of the Cancer hospital. Concern over flow rates and flooding are noted and will be submitted in the next edition of the CEMP once the contractor is known. However, the creation of pools within the site to contain water for discharge/inspection is considered an acceptable approach. The key concern over discharge rate will be submitted within the next submission when the contractor is known and will be assessed and agreed with drainage colleagues taking into account those concerns raised.

Traffic

The proposed access is for the first 9 months via the Lady Cory Field and via the Whitchurch hospital site. This has been agreed through the principal Planning Permission. Chapter 2 of the CEMP accords with this permission.

The proposed mitigation of the Lady Cory field (paragraph 1.4 of the report) includes for the use of protective matting to protect the grass.

Proposed car parking is confirmed as being within the main application site with access via the temporary access route through Whitchurch Hospital. The Transportation Officer has considered the arrangement and raises no objection to the proposal.

Ecology

The impact on ecology and necessary mitigation has been assessed within section 9 of the report, which sets out a framework - including construction lighting. This are consistent with the GIMS submission which is before committee today.

These matters have been considered by the Council's Ecologist and NRW have considered these matters and consider the submission acceptable.

Noise and Vibration

Chapter 6 of the CEMP report sets within its 8 pages principles for noise and vibration but recognises the limitations given the method of construction, (including potential / necessary extent and methodology of pilling) has not been agreed as these will be matters for the contractor to discharge.

The report does set out that works would be undertaken during daylight hours; includes a strategy for complaint handing and communication with residents prior to undertaking 'noisy' work.

Paragraph 6.4.3.4 - enabling works has considered noise generation and concludes that proposal would not result in high levels of noise to residents but will none the less place suitable monitoring in relevant locations (details will again be submitted once the contractor has been appointed). The hours of operation would meet those outlined in the advisory note attached (Recommendation 2 of this report).

Committee will also note that Shared Regulatory Service (Noise) raise no objection to this proposal.

Impact upon the existing overbridges

Paragraph 6.5.3.2 considers this point and states:

“At this location a precondition survey will be undertaken of the existing masonry over-bridges to the disused rail corridor ahead of the commencement of construction, and records circulated. Further periodic condition surveys will be undertaken during construction to continuously review the condition of the structures and to identify any deterioration of them due to construction traffic and operations. If the periodic monitoring raises concerns on the condition of the asset during the works, the working methods will be reviewed and where appropriate adjusted to mitigate any further deterioration. Appropriate guarding and barriers will be positioned between the structures and the construction route for plant, equipment and vehicles. This temporary protection will be in place for the duration of the construction works.”

This principle is acceptable and it is considered appropriate that further information will be submitted once a contractor has been appointed.

Whitchurch Hospital Chapel

Paragraph 6.5.3.1 considers this point and states:

“A precondition survey will be undertaken of the chapel prior to commencement of construction and vibration monitoring undertaken during construction to monitor the impact on the historic structure. Further periodic condition surveys will be undertaken during construction to continuously review the condition of the building and to ensure no deterioration of the building due to construction traffic. The building will be protected from accidental damage by passing vehicles with temporary concrete barriers placed at the roadside, for the duration of the construction.”

This is considered acceptable to ensure that the chapel is protected during this application. It must be noted that these requirements will be in place before the commencement of the 4 year permission that committee resolve to approve at the September committee.

Air quality (including dust)

Chapter 5 of the CEMP has assessed these points including wheel wash facilities to reduce dust and speed reduced to 10mph on the site. Further detail is provided in paragraph 5.3.6 (Air Quality) which states:

- loaded vehicles that are carrying dust generating materials will be covered, for example with sheets, when leaving site;
- there will be no burning of materials on site;
- all plant and vehicles will be maintained in good order so that they do not emit dark smoke, grit or dust. Prior to start-up and on start-up, plant will be inspected daily to identify excessive smoke, leaks and other defects that may result in air quality issues. If such defects are observed, they shall be recorded, and the affected item of plant quarantined until it is repaired or removed from site and replaced;
- the use of diesel generators will be minimised, and battery powered

- generators or mains connection will be used where available;
- engines will be turned off when plant is are not in use to avoid 'idling';
- the site speed limit will be signposted and will not exceed 10mph; and
- perimeter real time monitoring stations will be installed

These principles are considered acceptable as a basis for an appointed contractor to augment

Summary

Such details as have been submitted are considered acceptable in principle and sufficient to allow a partial discharge of condition 17 (CEMP) at this point in the project programme with the expectation by all parties of further augmentation and further discharge of additional details at a later date.

8.2 Condition 10 (Highway and pedestrian works details)

The proposed plans, (including aspects of drainage) have been considered by the Highways Authority, as the some of the paths will likely form part of the adopted highway network. The Transportation Officer raises no objection.

The paths will have a shared use between both cyclist and pedestrian and will allow for a much enhanced and usable path than that which exists at present, this is considered positive and will create an enhanced and useable route for sustainable travel and access that will link into the new Velindre and the wider Forest Farm/ Taff trail. Consideration had been given to widening the path to create separation between cyclist and pedestrian but this was considered to undermine the greenness of the triangular piece of ground and that a shared path was the least visually impacting and appropriate option. The removal of the gate that separates the Lady Cory Field from the Pendwyallt Road is considered a positive to aid connectivity to the wider area

The proposed gated barriers to the emergency access bridge are considered acceptable as they have the benefit of maintaining views into the site rather than a solid barrier.

8.3 Condition 13 (Bridge finishes)

The proposed bridge finishes (profiled concrete base/pillars, Corten Steel and Brunswick green painted finishes parapet steel) are typical of modern civic structures and would complement the story of the railway cutting when viewed in the context of the existing brick overbridges. Once the proposed landscaping starts to establish this will ensure that the bridges will harmonise with their surrounding and meets the principles set by KP5 of the LDP.

8.4 Condition 14 (soil resource survey and plan)

The submitted report has been considered by the Strategic Planning Tree Officer who has considered the detail of the submission and report's conclusion and raised no objection to discharging the condition, subject to implementation.

Soil stripping, which forms part of phase 2 (main site), are not currently supported and will not be discharged under this application.

Other matters relevant to the consideration of this application

- 8.5 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.
- 8.6 Equality Act 2010. The Act identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council's duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic, over and above any other person.
- 8.7 Well-Being of Future Generations Act 2016. Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision. It is also noted that section 2(5) of the Planning (Wales) Act 2015 affords protection to decisions taken under Part 3 of the 1990 Act, in that the Well-being of Future Generations (Wales) Act 2015 does not alter whether regard is to be had to any particular consideration under section 70(2) of the 1990 Act or the weight to be given to any consideration to which regard is had under that subsection. This means the provisions of the development plan, so far as material to the application, and any other relevant other material considerations remain the primary considerations when determining planning applications.
- 8.8 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.

It is considered that the LPA has considered its duty under this Act and has met its objectives for the reasons outlined above.

EIA development

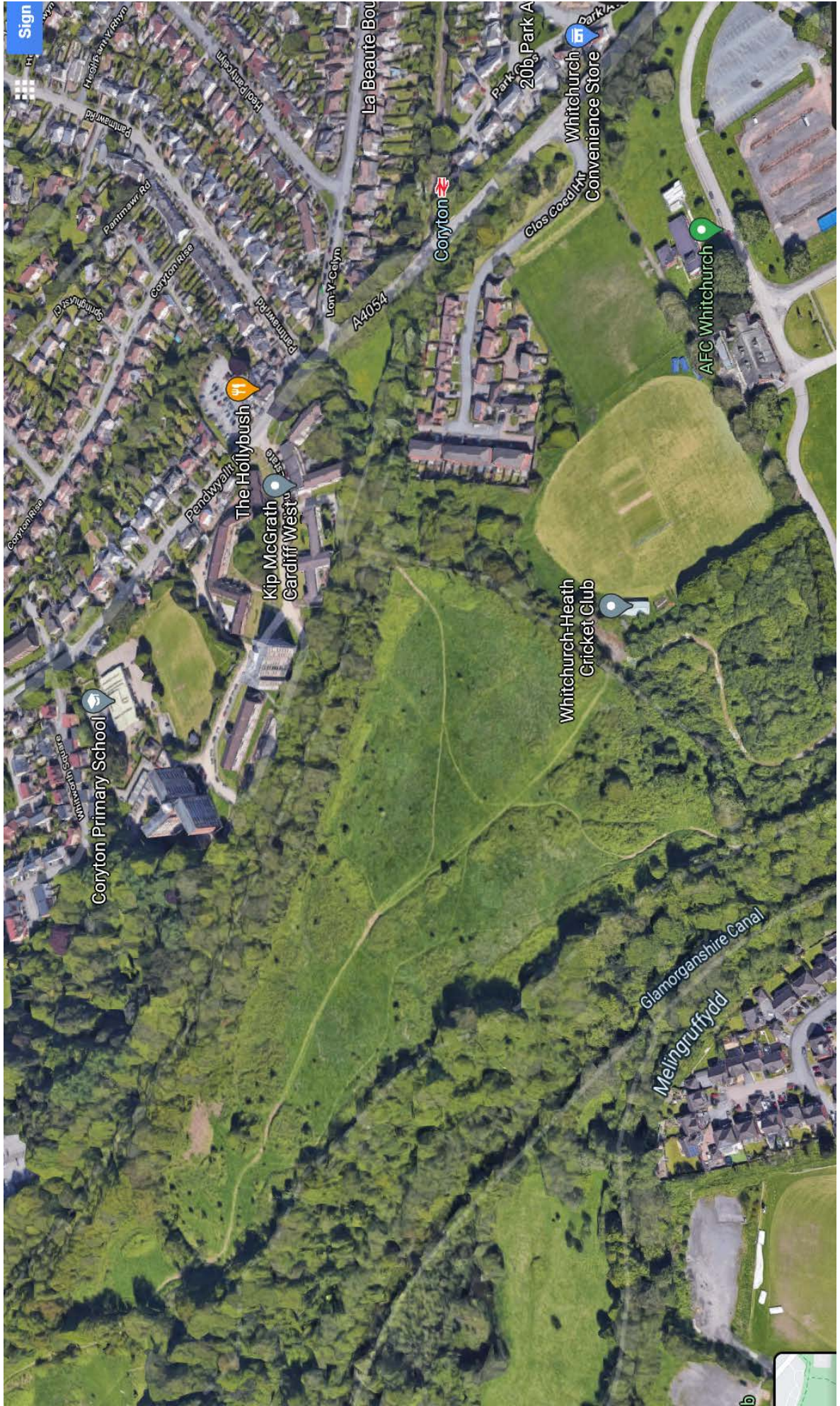
The application constitutes a 'subsequent application' for the purposes of Part 3, Regulation 9(1)(a) & (b) of the Town & Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017. The application has been prepared in substantial accordance with the parameter plans, drawing and documents that were approved as part of the planning permission for the new Velindre Cancer Centre (LPA reference 17/01735/MJR, granted 27/03/2018). This current application, in relation to a condition of that permission, does not give rise to any significant effect on the environment, beyond those which were considered as part of the Environmental Statement, that was approved under the above planning permission. The environmental information already before the local planning authority is considered adequate to assess the significant effects of the development on the environment, and has been taken into consideration as part of this application in accordance with the aforementioned Regulations. It is considered, therefore, that a further addendum to the Environmental Statement is not required to accompany this submission.

9 Conclusion

- 9.1 It is recommended that conditions are discharged in the manner outlined above at this time and that given the complexity of the development and of the site, that the phased discharge of conditions at key points within the programme is acceptable and appropriate to control key elements of the project as it progresses. Concerns raised are noted, but are not material to this stage of discharging the condition i.e. Condition 17- flooding. However, it is recognised that further work is required for Conditions 17 and 14 and these will be submitted at the appropriate time.
- 9.2 Such details which have been submitted will require further updating and definition to achieve full discharge in due course.
- 9.3 There are no technical objections to the discharging of the conditions and the submission is in line with the plans considered by the committee in December 2017.
- 9.4 For the above reasons, the proposal is considered acceptable and it is recommended that the conditions can be discharged as outlined in recommendation 1 of this report.

Figure 1.1: Enabling Works





Sign

Coryton Primary School

The Hollybush

Kip McGrath
Cardiff West

Whitchurch-Heath
Cricket Club

AFC Whitchurch

Glamorganshire Canal
Melingruffydd

La Beaufe Boulevard
A4034

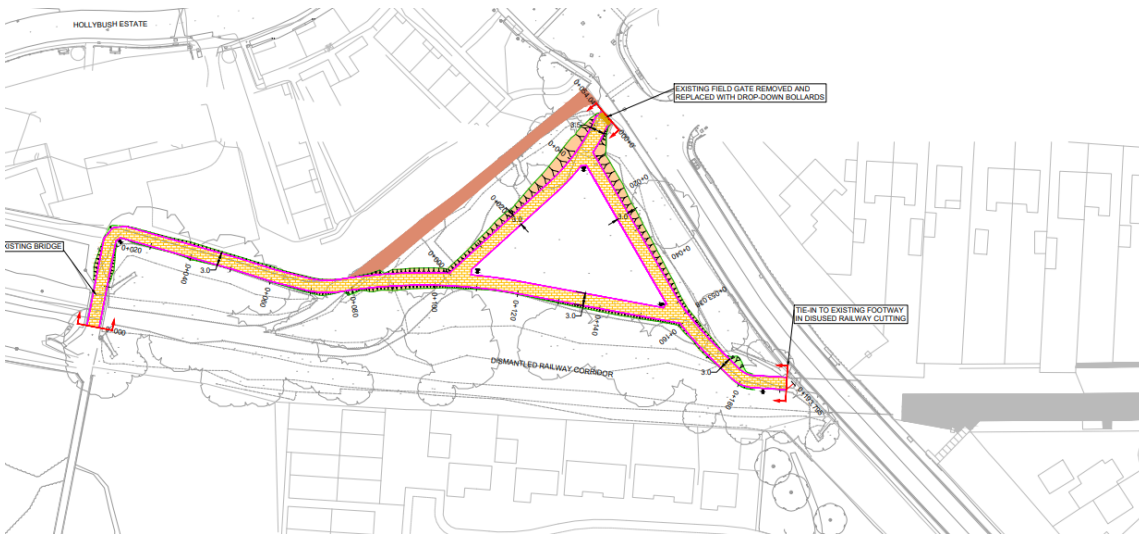
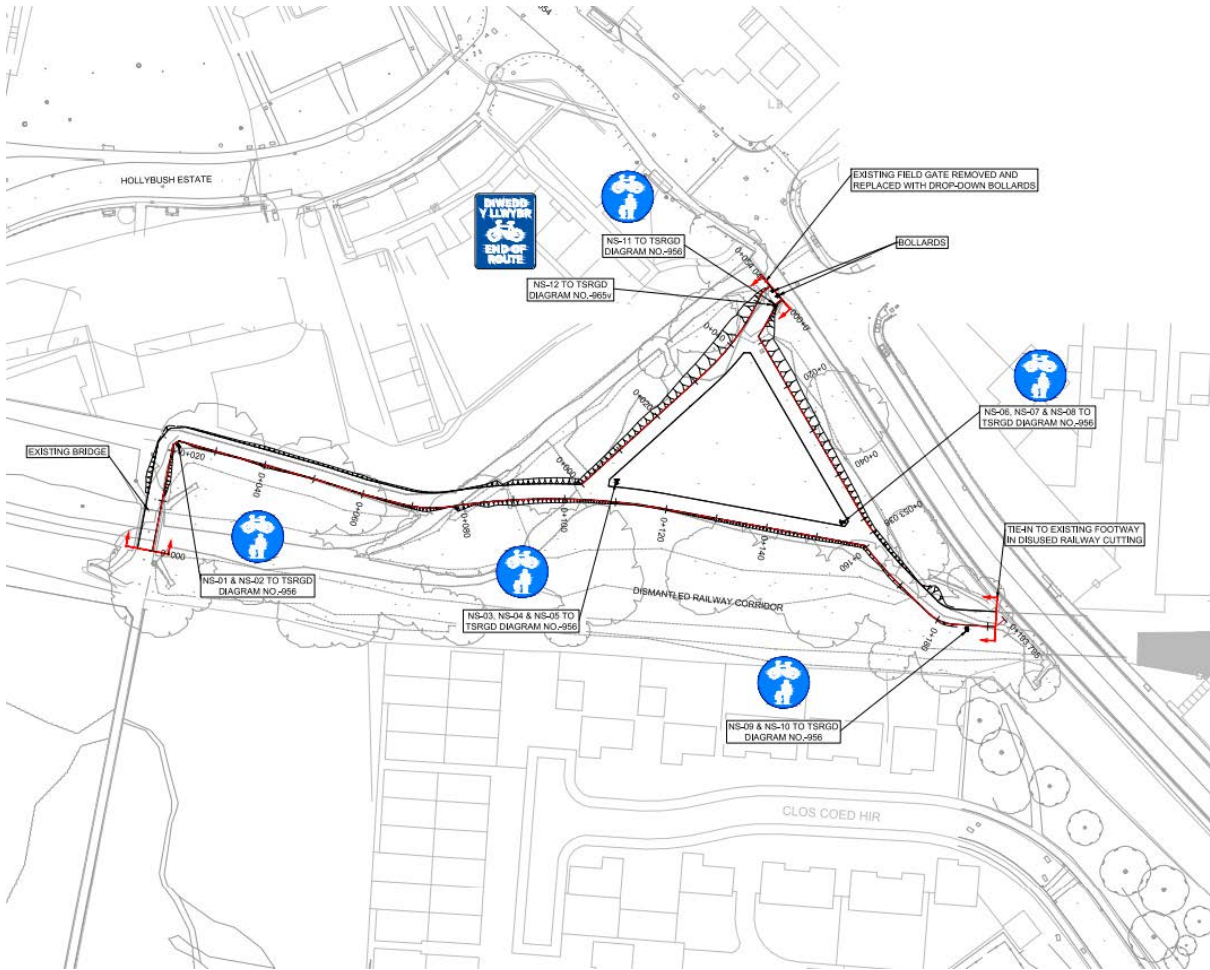
Coryton

200, Park A

Whitchurch
Convenience Store

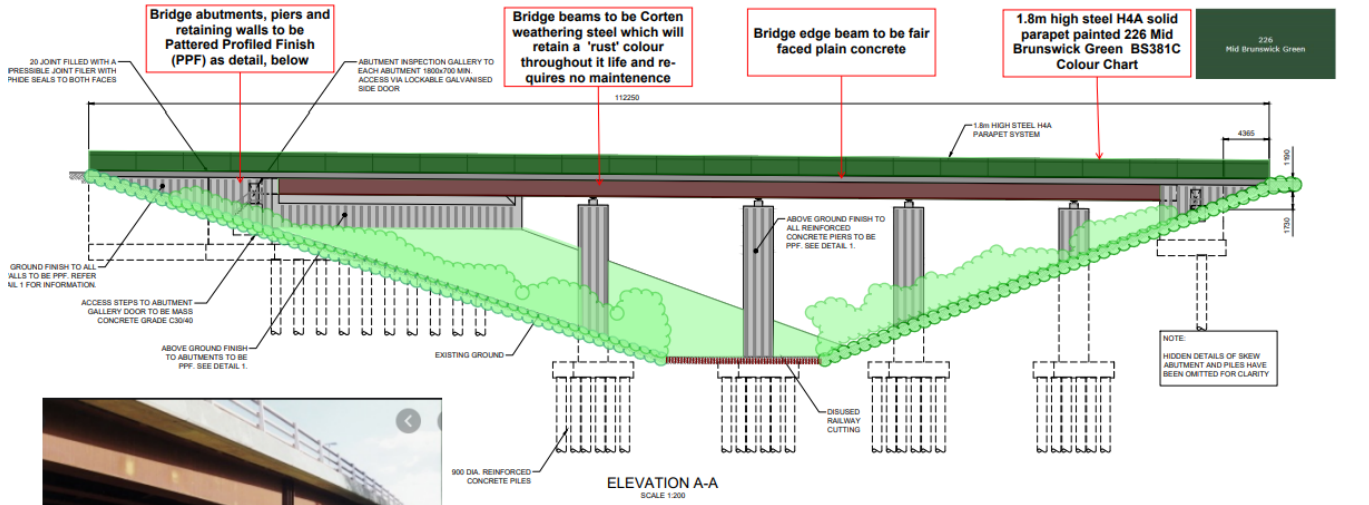


CONDITION 10

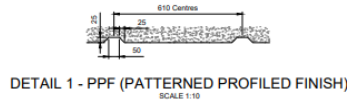


1. DO NOT SCALE FROM THIS DRAWING. USE FIGURED DIMENSIONS ONLY.
 2. ALL LEVELS ARE IN METRES ABOVE DATUM (AOD).
 3. ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE STATED.
 4. FOR HORIZONTAL AND VERTICAL ALIGNMENT INFORMATION REFER TO DRAWING 70068877.WSP.XXX.XX.CR.CE.P3-0102, 70068877.WSP.XXX.XX.CR.CE.P3-0103, 70068877.WSP.XXX.XX.CR.CE.P3-0104.
 5. FOR HIGHWAY CONTOUR INFORMATION REFER TO DRAWING 70068877.WSP.XXX.XX.CR.CE.P3-0105.
 6. REFER TO FOLLOWING DRAWING SERIES FOR DETAILS OF:
 - 200 SERIES - SITE CLEARANCE
 - 300 SERIES - FENCING
 - 500 SERIES - DRAINAGE
 - 600 SERIES - EARTHWORKS
 - 700 SERIES - PAVEMENT
 - 1100 SERIES - KERBS AND FOOTWAYS
 - 1200 SERIES - TRAFFIC SIGNS AND ROAD MARKINGS
 - 1300 SERIES - STREET LIGHTING
- KEY:**
- PROPOSED FOOTWAY
 - EXISTING FOOTWAY TO BE REMOVED
 - PROPOSED EARTHWORK IN CUTTING
 - PROPOSED EARTHWORK IN FILLING
 - PROPOSED KERB EDGING
 - PROPOSED CURBWAY TACTILES
 - PROPOSED FOOTWAY EDGE
 - ▲ TRAFFIC SIGN
 - PROPOSED BOLLARD
 - ┌┐ SITE EXTENT
- | NO. | REV. | BY | DESCRIPTION | DATE |
|-----|------|----|-------------|------|
| | | | | |
| | | | | |

CONDITION 13 (ASDA)

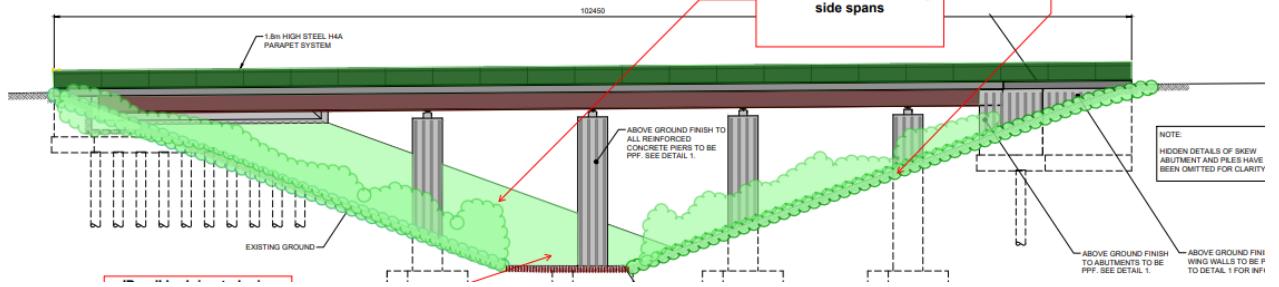


Example of Corten Weathering steel bridge beam

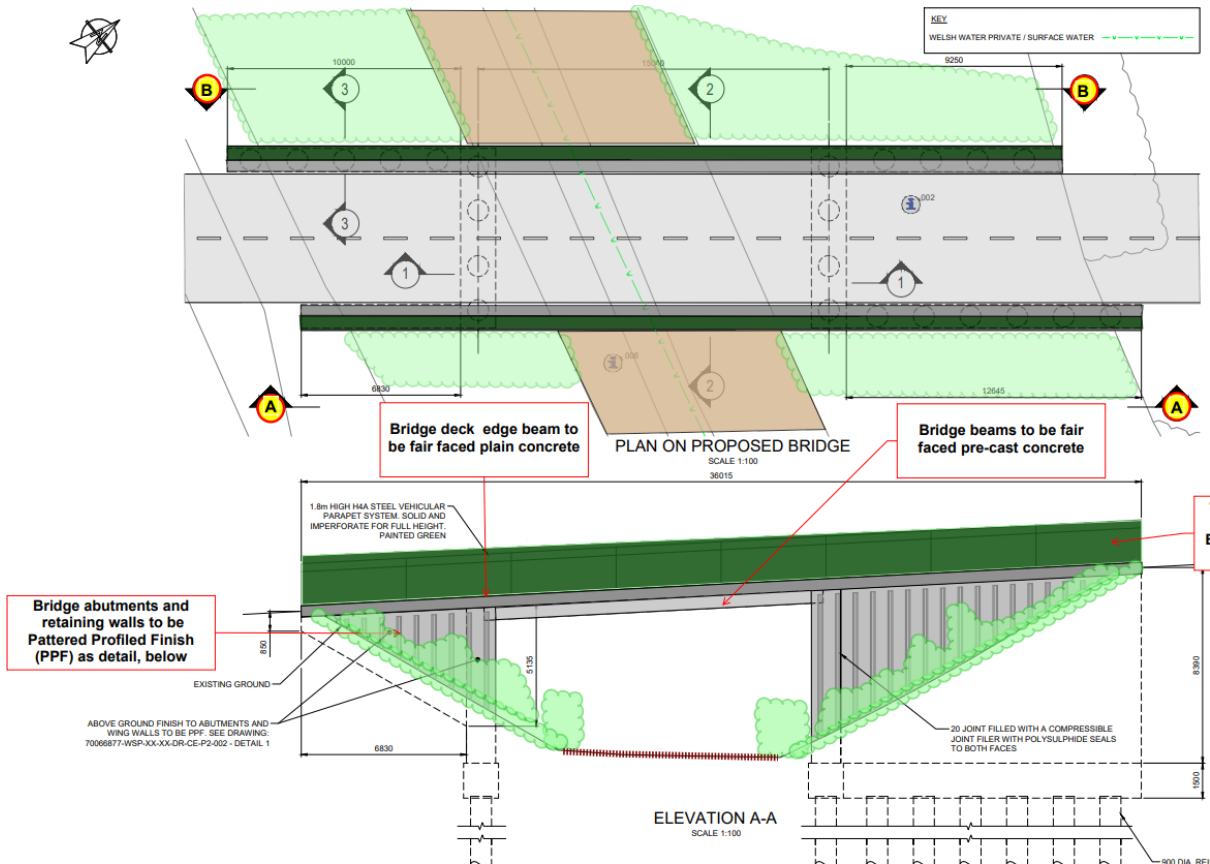


Comprehensive woodland and under-storey planting to be undertaken either side of new bridge to be continuous with existing rail cutting woodland

Shade tolerant planting to continue beneath the bridge side spans



(HOLLYBUSH)



KEY PLAN
SCALE 1:2000

NOTES:

- DO NOT SCALE FROM THIS DRAWING. USE FOUR-FIGURE DIMENSIONS ONLY.
- ALL LEVELS ARE IN METRES ABOVE DATUM (AOD).
- ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE STATED.
- REFER TO GENERAL ARRANGEMENT DRAWING NUMBER 70066877-WSP-JX-XX-OR-CE-P2-001 FOR ADDITIONAL DETAILS.

KEY:

- PROPOSED ROAD CENTRELINE
- 1.8m HIGH SOLID PARAPET PROVIDING H4A VEHICLE CONTAINMENT
- VEHICLE RESTRAINT SYSTEM TO PROVIDE H4A CONTAINMENT WITH TRANSITION TO SOLID PARAPET
- TEMPORARY PRE-CAST CONCRETE VEHICLE RESTRAINT BARRIERS
- POSTAL END TERMINAL
- 1.8m HIGH EMERGENCY ACCESS CRASH GATE
- SITE EXTENT

NO	REVISED	BY	DATE	REASON

FOR PLANNING

wsp

1 Castle Quay, Tynan, Co. Wick, Ireland
Tel: 047 832 2000

CIG
NHS
Velindre University NHS Trust

VELINDRE UNIVERSITY NHS TRUST

#VCC ENABLING WORKS

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

**MP/LOCAL MEMBER OBJECTION
PETITION**

COMMITTEE DATE: 16/12/2020

APPLICATION No. **20/01346/MJR** APPLICATION DATE: 21/07/2020

ED: **CATHAYS**

APP: TYPE: Full Planning Permission

APPLICANT: TE Cardiff 5 Ltd
LOCATION: 121-123 QUEEN STREET, CITY CENTRE, CARDIFF,
CF10 2BJ

PROPOSAL: CHANGE OF USE OF EXISTING UPPER FLOORS
FROM D1 AND B1 OFFICES TO RESIDENTIAL USE

RECOMMENDATION 1 : That, subject to relevant parties entering into a binding planning obligation in agreement with the Council under **SECTION 106** of the Town and Country Planning Act 1990, within 6 months of the date of this resolution unless otherwise agreed by the Council in writing, in respect of matters detailed in paragraph 10 of this report, planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. The consent relates to, and the development shall be implemented in accordance with the following approved plans and documents:

Plans

P520/SK00	Location Plan and Views
P520/SK101A	Proposed Basement Plan
P520/SK102A	Proposed Ground Floor Plan
P520/SK103A	Proposed First Floor Plan
P520/SK104A	Proposed Second Floor Plan
P520/SK105A	Proposed Third Floor Plan
P520/SK106C	Proposed Roof Plan
P520/SK107B	Proposed Elevations
P520/SK108A	Propose Sections

Documents

John Wotton Architects, Design & Access Statement ref:
P520/Admin/06/01/DAS
Savills, Supporting Planning Statement dated July 2020
Hunter Acoustics, Environmental Noise Assessment ref: 5938/ENS1-R1
dated 24 October 2020

Reason: for the avoidance of doubt.

3. Notwithstanding the submitted plans, details of the secured and under cover external cycle storage facilities shall be submitted to and approved by the Local Planning Authority. The external facilities subject of this condition, and the internal cycle parking facilities identified on plan number P520/SK101A shall be provided prior to the development being brought into beneficial use and shall thereafter be retained and maintained.

Reason. To ensure adequate provision for cyclists.

4. The refuse storage facilities as shown on plans umber P520/SK101A and 102A, and the Waste Management Strategy indicated in the approved Design and Access Statement shall be implemented in accordance with those details prior to the beneficial occupation of the development and shall thereafter be retained and maintained.

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

5. Notwithstanding the submitted plans, details of the rooftop amenity space facilities, including (but not limited to) details of rooftop balustrades, potted planting and other materials finishes shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the beneficial occupation of the development and shall thereafter be retained and maintained.

Reason: To ensure an appropriate standard of appearance and to provide meaningful amenity space for future occupiers.

6. Prior to the occupation of the residential units, a pre-occupation validation noise survey shall be conducted in order to demonstrate that the noise mitigation measures detailed in Environmental Noise Assessment 5938/ENS1-R1 are effectual in reducing external noise to agreed acceptable levels. The Survey, with a validated certificate of compliance by an approved acoustic assessor shall be submitted to the Local Planning Authority to demonstrate this has been achieved. Specifically:

BS8233:2014

35dB LAeq, 16hour;

30dB LAeq,8hour;

45dB LAFmax not to be exceeded more than 10-15 times per night.

55dB LAeq, 16hour in external amenity space

Details of the Mechanical Ventilation with Heat Recovery system.

The development shall not be beneficially occupied until such time as the formal written approval of the validation has been issued by the Local Planning Authority.

Reason: To ensure that the amenities of future occupants of the

development are protected from environmental noise.

7. Prior to the occupation of the residential units, an assessment of the plant noise shall be carried out in accordance with BS41412:2014 (or any British Standard amending or superseding that standard) shall be submitted to and agreed in writing by the Local Planning Authority to ensure the plant noise criteria detailed in Environmental Noise Assessment 5938/EBS1-R1 are met.

Reason: To ensure that the amenities of future occupants of the development are protected from environmental noise.

8. The communal hallway and staircase windows that serve the lightwell and overlook the bedroom windows to flats 3, 10 and 17 as identified on the approved plans shall be glazed in obscured glass and shall be non-opening below 1.8m from the finished floor level.

Reason: To protect the privacy an amenity of future occupiers.

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

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 Full planning permission is sought for a change of use of the upper floors to 121-123 Queen St (and 40 Windsor Place) from offices within Use Classes D1 and B1 to 20no. open market residential flats.
- 1.2 The schedule of accommodation, set over three floors is broken down into 4no. studio flats, 13no. 1 bed flats and 3no. 2 bed flats. Each of the flats benefits from floorspace that exceeds the minimum floorspace requirements for such conversions (studios 35-39sqm; 1 beds 50-75sqm & 2 beds 91sqm).
- 1.3 The ground floor of the site includes the entrance to the flats via the existing office entrance doors fronting Windsor Place, with stair and lift access to the upper floors. There is a secondary doorway (as existing) to the Queen Street frontage, which is to be utilised as a fire escape route. There is an external area

to the rear (accessed off Windsor place) for refuse storage and the parking of 8no. cycles.

The basement area of the site provides a 'bulky waste' storage area of approx. 10sqm and further cycle storage for 18 cycles, and is accessed via stairs and/or lift.

- 1.4 There are no external alterations to the building façade proposed, however, the submitted plans indicate a rooftop amenity space, with potted planting and areas for leisure /seating etc, with a new balustrade to be sited inside the existing parapet. This area is accessible to all future residents via the existing lift to the third floor and stairs to the rooftop via a new stairwell access structure beyond.

The proposed rooftop access structure measures approx. 3.0m high x 7.0m long x 3.2m wide and is to be sited to the eastern side of the building, adjacent to the parapet to the reduced level of the roof to no. 125 Queen Street. The structure is to be finished in white render.

2. **DESCRIPTION OF SITE**

- 2.1 The application site is a corner property at the junction of Queen Street and Windsor Place. The property comprises ground floor retail premises, with three floors of office space above, having active frontages to both Queen St and Windsor Place. Access to the retail floorspace is via Queen Street (secondary small access off Windsor Place), with access to the upper floors via existing glazed doors off Windsor Place.
- 2.2 The site is within the Queen Street Conservation Area, the Central and Bay Business Area, the Central Shopping area and an Archaeologically Sensitive Area.
- 2.3 The premises adjacent to and in proximity of the site are a mixture of retail, entertainment, restaurant and other business uses.

3. **PLANNING HISTORY**

- 3.1 12/00706/DCI – Change of use from banking premises to retail shop on ground floor and associated works– Approved.

17/00925/MJR – Change of use of 2nd floor 40 Windsor Place to a health & disability assessment centre with ancillary offices – Approved.

4. **POLICY FRAMEWORK**

- 4.1 Planning Policy Wales (Edition 10) Dec. 2018
- 4.2 The following policies of the City of Cardiff LDP are relevant to the consideration of this application:-

- KP7 Planning Obligations
- KP10 Central and Bay Business Areas
- KP18 Sustainable Transport
- H6 Change of Use or redevelopment to Residential Use
- EC3 Alternative Use of Employment Land and Premises
- EC4 Protecting Offices in the Central and Bay Business Areas
- EN9 Conservation of the Historic Environment
- T1 Walking and Cycling
- T5 Managing Transport Impacts
- W2 Provision for Waste Management Facilities in Development

4.3 The following Supplementary Planning Guidance is relevant:

- Access, Circulation and Parking Requirements (2010)
- Locating Waste Management Facilities (2017)
- Planning Obligations (2017)

5. **INTERNAL CONSULTEE RESPONSES**

5.1 The Operational Manager Transportation has been consulted and no comments have been received.

5.2 The Waste Manager notes the refuse storage facilities indicated on the submitted plans and the Waste Strategy indicated in the DAS, which are considered acceptable, subject to ongoing maintenance and compliance.

5.3 The Neighbourhood Renewal (Access) Manager has been consulted and no comments have been received.

5.4 The Neighbourhood Regeneration Manager advises that as the development is for less than 25 units, there is no adverse comment and no requirement for any planning obligations.

5.5 The Housing Strategy Manager advises:

In line with the Local Development Plan (LDP), Policy H3 an affordable housing contribution of 20% of the 20 units (4 units) is sought on this brown-field site.

Our priority is to deliver on-site affordable housing, in the form of affordable rented accommodation, built to Welsh Government Development Quality Requirements. However, given the proposed design of the scheme, the practicality of managing and maintaining affordable housing on-site for a Registered Social Landlord may be unsustainable. On that basis we would be prepared to accept a financial contribution in lieu of on-site affordable housing provision.

On the basis of the above, we would seek a financial contribution of **£277,704** in lieu of 4 x 1 bedroom flat which is calculated in accordance with the formula in the Planning Obligations – Supplementary Planning Guidance (SPG)(2017).

- 5.6 The Economic Development Manager has considered the proposals, having regard to the marketing information included in the Planning Statement and advises that the proposed change of use of the vacant office space to residential use does not raise any concerns or adverse comment, subject to a request for a financial contribution of **£20,928** to offset the loss of the offices, in accordance with the Planning Obligations SPG and Policy EC3 of the adopted LDP.
- 5.7 The Parks Manager has no objection, making the following comments and financial obligation request:

Design Comments

Presence of a roof garden is welcomed and will provide important amenity space for residents

Open Space Provision

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

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

Based on the information provided on the number and type of units, I have calculated the additional population generated by the development to be 26.3. This generates an open space requirement of 0.064 ha of on-site open space based on the criteria set for Housing accommodation, or an off-site contribution of **£27,288**. I enclose a copy of the calculation

As no public open space is being provided on-site, the developers will be required to make a financial contribution towards the provision of new open space, or the design, improvement and/or maintenance of existing open space in the locality, given that demand for usage of the existing open spaces would increase in the locality as a result of the development.

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

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

Agreement to secure payment of the contribution.

Consultation will take place with Ward Members to agree use of the contribution, and this will be confirmed at S106 stage. The closest areas of recreational open space are City Hall Lawn, Gorsedd Gardens, St Johns Churchyard and Friary Gardens.

- 5.8 The SRS (Noise & Air) Manager reviewed the original submission and required the applicant to make a further submission of an Acoustic Report in order to establish the potential impact of existing noise sources on the development.

The Hunter Acoustics Environmental Noise Assessment ref: 5938/ENS1-R1 dated 24 October 2020 was subsequently submitted and its content and findings have been reviewed and considered by the SRS Manager, who makes the following comments and recommendations:

I have now reviewed the above application and accompanying Environmental Noise Assessment ref 5938/EBS1-R1 (the Assessment) provided as part of this application and I view that the development is acceptable subject to condition, drawn from the recommendations of the Assessment.

The Assessment was completed following initial consultation with this team on what we felt needs to be achieved in order to equally protect future residents from noise, but also protect existing commercial activities and existing night time economy who may be negatively prejudiced by having residents living in close proximity without a high standard of acoustic design. (ie agent of change principle).

A specific concern raised is noise break-out from a nearby premises, namely the Flute and Tankard. The premises is permitted by the Licensing Authority to provide live music 0800 – 0100 hours, 7 days a week, and recorded music between 0800 – 0200 hours. The methodology details predicted live music break out from the premises to make overall assessment of cumulative noise sources (road, rail, HGV movements, other night time economy) to inform attenuation measures for the development, and achieve internal noise criteria.

The Assessment details that internal noise criteria can only be achieved by providing a scheme of secondary glazing, tight fitting casement frame and airspace. Where the standards can only be achieved through such scheme, the Assessment outlines the need for Mechanical Ventilation with Heat Recovery (MVHR) System to allow fresh air whilst the windows are closed. I agree with the judgements and rational, accepting the noise sensitive location of the development. The Assessment confirms that further information on the Glazing and MVHR will need to be provided and assessed to ensure the noise criteria is achieved. So far as I can see, there has been no specific facades or flats listed as requiring these attenuation measures, so can assume that all facades and flats will benefit from the same. *For advice, I would expect all supply air ventilations systems to be supplied with heat recovery to reduce energy loss in winter and be supplied with a heat recovery by-pass in summer. Further, all supply air ventilation systems shall have a standard and boost facility and the*

control shall be easily and practicably assessment by the occupants of the dwelling. In respect to the roof top terrace, I am in agreement with the proposed mitigation measures to bring levels to the agreed noise criteria, subject to the conditions below.

I agree with the Assessment that a 40dBLAr 1hr (day) and 40dBLAr 15mins (night) for the plant noise limit is set and that further assessment will be needed to ensure this standard is achieved, recognising that this is below background levels recorded.

Recommended Condition

Drawing from the conclusions above, I am on the opinion that conditions are attached to any permission granted that would require a pre-occupation survey be completed prior to occupation of the flats. Such survey would allow further consultation to take place with the Flute and Tankard and be completed when they are operating a representative evening, and also allow for some recovery of the central location thus showing the mitigation measures proposed were effective in achieving noise criteria. This would also allow the developer to work closely with an appointed acoustic consultant through the design stages encompassing the mitigation measures – as opposed to agreeing such measures with this team each time. A final survey will surely demonstrate the flats adequately protect the future residents and business alike.

Such a condition could be worded as follows, though I welcome any adjusted wording:

1. *Prior to the occupation of the residential units, a pre-occupation validation noise survey shall be conducted in order to demonstrate that the noise mitigation measures detailed in Environmental Noise Assessment 5938/ENS1-R1 are effectual in reducing external noise to agreed acceptable levels. A certificate of compliance by an approved acoustic assessor shall be submitted to the Local Planning Authority to demonstrate this has been achieved. Specifically:*

BS8233:2014

35dB LAeq, 16hour;

30dB LAeq, 8hour;

45dB LAFmax

55dB LAeq, 16hour in external amenity space

Details of the Mechanical Ventilation with Heat Recovery system.

2. *Prior to the occupation of the residential units, an assessment of the plant noise shall be carried out in accordance with BS41412:2014 (or any British Standard amending or superseding that standard) submitted and agreed with the Local Planning Authority to ensure the plant noise criteria detailed in Environmental Noise Assessment 5938/EBS1-R1 are met.*

As a final note, it is worth mentioning that *post* completion and once occupied, should a high standard not be achieved it is unlikely this team would be take

enforcement action on existing premises in the vicinity under the Statutory Nuisance provisions. This in turn negatively prejudices the development and so residents making it a less attractive, as opposed to prejudicing existing business and venues which is often the presumption. This is because when assessing Statutory Nuisance we must consider the Nature of the Area (similar to the agent of change principle) as well as actual volumes, time of day and type of noise etc. That is not to say that occupants are not affected by the noise due to poor design, but that would be the then “existing nature” – and it is just that is very unlikely further action can be taken. Therefore I stress the importance of achieving the best noise standards through the planning regime – and completing a preoccupation survey and encompassing Environmental Noise Attenuation into every part of the design is the best means of demonstrating this.

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 The Glamorgan Gwent Archaeological Trust have no adverse comment.

7. **REPRESENTATIONS**

7.1 Local Members were consulted and Councillor Norma Mackie (also on behalf of Councillors Sarah Merry and Christopher Weaver) offers the following comments in objection to the proposals:

Our primary objection is that the application does not appear to comply with Planning Policy Wales and the Noise and Soundscape Action Plan as the application makes minimal reference to soundproofing. We would specifically refer officers and members of the planning committee to paragraphs 4.3.1 to 4.3.5 inclusive of the Noise and Soundscape Action Plan. Developers have to ensure that their development is soundproofed, or take other action to ensure that residents in their development do not have reason to complain about noise from existing neighbouring properties.

Opposite the proposed development and in close proximity, is an established pub and live music venue, the Flute and Tankard. This venue runs a variety of very popular arts and music events, including jazz nights, folk nights, comedy nights, poetry nights, other live music performances and arts events. Many students from the Royal Welsh College of Music and Drama use the flute and tankard for practice gigs, as well as a number of smaller, up and coming artists from Cardiff.

This is an important space for music and culture in our city and contributes to our city’s recently developed music city strategy.

This pub is also used as a community resource, providing a community room in the city centre, to enable people to meet and socialise in a safe environment, helping to develop a community in the city centre and combating loneliness and the mental health issues that brings.

Whilst considering this application and the issues above, we would urge

members of the planning committee and planning officers to assess whether this proposed development deals adequately with the risk of noise from premises in close proximity. If it does not, as we believe is the case on the current submitted documentation, then we would urge members, or officers if this decision is delegated, to refuse the application or place requirements on it, in order that the development is properly soundproofed.

7.2 Jo Stevens, MP for Cardiff Central has submitted the following objection to the proposals:

I am writing having been contacted by a number of constituents, to object to the above planning application.

My primary objection is that the application does not appear to comply with Planning Policy Wales and the Noise and Soundscape Action Plan as the application makes minimal reference to soundproofing. I would specifically refer officers and members of the planning committee to paragraphs 4.3.1 to 4.3.5 inclusive of the Noise and Soundscape Action Plan. Developers have to ensure that their development is soundproofed, or take other action to ensure that residents in their development do not have reason to complain about noise from existing neighbouring properties.

Opposite the proposed development and in close proximity, is an established pub and live music venue, the Flute and Tankard. This venue runs a variety of very popular arts and music events, including jazz nights, folk nights, comedy nights, poetry nights, other live music performances and arts events. Many students from the Royal Welsh College of Music and Drama use the flute and tankard for practice gigs, as well as a number of smaller, up and coming artists from Cardiff.

As such, this is an important space for music and culture in our city and contributes to our city's recently developed music city strategy.

Whilst considering this application and the issues above, I would urge members of the planning committee and planning officers to assess whether this proposed development deals adequately with the risk of noise from premises in close proximity. If it does not, as I believe is the case on the current submitted documentation, then I would urge members, or officers if this decision is delegated, to refuse the application or place requirements on it, in order that the development is properly soundproofed.

7.3 Adjacent occupiers were notified of the application by letter.

Seven representations (third parties, neighbours, the Cardiff Music Board and the Music Venue Trust) objecting to the proposed change of use were received, with the concern in all cases being the potentially adverse impact the introduction of residents in very close proximity to a live late night entertainment venue would have on the future viability and operation of such a venue, due to increased risk of noise complaints from future residents, contrary to the provisions of the Cardiff Local Development Plan 2006-2026, Planning Policy

Wales (Ed.10 2018) and the Welsh Government Noise and Soundscape Action Plan 2018-2023.

A further representation from the Flute & Tankard has been received post submission of the Environmental Noise Assessment which disputes the findings of that report.

- 7.4 An online petition (via Change.Org) containing 788 electronic signatures in objection to the application has been submitted to the LPA. The grounds of objection relate to the potentially adverse impact on the live entertainment venue (Flute & Tankard).

The Local Planning Authority are continuing to try to contact the lead petitioner any further developments will be reported to Planning Committee.

8. **ANALYSIS**

- 8.1 A full planning permission is sought for a change of use of the upper floors of the premises at 121-123 Queen ST (and 40 Windsor Place), from vacant office accommodation to 20 residential self-contained flats/studio apartments, with external works limited to the provision of a roof terrace amenity space.

- 8.2 The proposal is for the change of use of the upper floors of 121-123 Queen Street from Class B1/D1 (office/non-residential institution) to a Class C3 (residential) use, comprising 20 flats. The application does not involve the change of use of the ground floor of the building (Class A1 / Retail). The site is located within the Central Business Area (CBA) of the adopted Cardiff Local Development Plan 2006-2026 (LDP). As such, the main land use planning policy issues relate to:

8.2.1 Whether the loss of Class B1 (office) floorspace is acceptable:

Policy EC4 (Protecting Offices in the Central and Bay Business Areas) of the LDP identifies that the alternative use of offices within the Central and Bay Business Areas will only be permitted where it can be demonstrated that there is no need to retain the site or premises for office use, having regard to the demand for offices and the requirement to provide a range and choice of sites available for such use. It states that where proposals involve the loss of office accommodation, a series of issues will be considered including whether and for how long the premises have been vacant and actively marketed for office use.

The applicant has identified in their Planning Statement that the upper floors of the building have remained predominantly vacant for the past two years despite having been actively marketed for Class B1 (office) use, which is a consideration in determining the acceptability of this proposal. In addition, given the availability of similar grade office accommodation within the Central Business Area, there is some policy justification to support the proposed change of use on quantitative grounds in this instance.

8.2.2 The acceptability of residential use at this location:

LDP Policy KP10 (Central and Bay Business Areas) describes the range of uses appropriate within the Central Business Area (CBA), which includes residential development. The principle of residential development is well established within the surrounding area and the central location of this site is suited to residential use as it is well served by transport links and is close to local amenities.

8.2.3 Environmental Impact and 'Agent of Change' Principle

The application site lies in a busy City Centre environment, and has a number of night time economy and entertainment venues in close proximity – Starbucks and KFC to the adjacent premises on Queen Street, the Central Bar to the ground floor of the neighbouring property on Windsor Place, and Valentinos restaurant and the Flute & Tankard to the opposite side of the Windsor Place frontage (with the Flute & Tankard being a live music and other entertainment venue).

In their letter dated 26 May 2017 to Local Planning Authorities, Welsh Ministers advised that *“Under the agent of change principle, if new developments or uses are to be introduced near a pre-existing business, such as a live music venue, it is the responsibility of the developer to ensure solutions to address and mitigate noise are put forward as part of the proposals and are capable of being implemented.”*

Para 4.1.43 of PPW (Ed 10 2918) advises, *“Similarly where residential development is proposed next to or near existing evening and night time uses.....it will be necessary to consider the compatibility of uses and to incorporate mitigation measures to minimise any impact on the amenity of any future residents. The agent of change principle will be a guiding principle for supporting the evening economy.....”*

Para 6.7.24 of PPW (Ed 10 2018) advises, *“The potential impacts of noise pollution arising from existing development, be this commercial, industrial, transport-related or cultural venues (such as music venues, theatres or arts centres), must be fully considered to ensure the effects on new development can be adequately controlled to safeguard amenity and any necessary measures and controls should be incorporated as part of the proposed new development. This will help to prevent the risk of restrictions or possible closure of existing premises or adverse impacts on transport infrastructure due to noise and other complaints from occupiers of new developments.”*

8.2.4 The applicant has submitted an Environmental Noise Assessment, undertaken by Acoustic Engineers, and this document has been reviewed and carefully considered by the Council's Shared Regulatory Services (Noise & Air) Manager in respect of its content, methodology and conclusions/findings.

The comments of the Shared Regulatory Services Manager can be seen in para 5.8 above, which advise the Local Planning Authority that in their expert

opinion, subject to the imposition of conditions requiring verification of the proposed soundproofing mitigation measures prior to the beneficial occupation of the development, there would be no objection to the proposals in terms of potential noise nuisance.

For the above reasons, and having due regard to the comments of the Shared Regulatory Services Manager, the proposal is considered acceptable in policy terms.

- 8.2.5 It is acknowledged that a further representation has been received which questions the quality of the Environmental Noise Assessment. As indicated above, the Assessment has been reviewed by the Shared Regulatory Services Manager, who has not raised any concerns regarding its validity.
- 8.2.6 Whilst an electronic (Change.Org) petition of 788 'signatures' has been submitted and is held on record, under current procedures the LPA could not verify the validity of the petition.

Notwithstanding this, the petition was submitted in objection to the proposal on grounds of adverse impact of new residents on the viability of the Flute & Tankard as a live performance venue.

As discussed above, this matter has been the subject of a Noise Assessment, which has been considered by the Council's Shared Regulatory Services (Noise & Air) Manager. Their formal comments can be found in para 5.8 above, where it can be seen that there are no significant concerns, subject to the imposition of conditions.

In light of the above, it is considered that the Local Planning Authority have had due and proper regard to the submitted petition and its grounds for objection in the determination of this application.

Impact on Character and Appearance of Queen St Conservation Area

- 8.3 Given that the very limited external works are taking place at rooftop level, they are considered to have no significant impact on the character or appearance of the Queen Street Conservation Area, or the visual amenity of the wider area as a whole. Whilst the new staircase rooftop structure may be partially visible when approaching Queen Street from Station Terrace (from the east), at such a height and finish it is considered that this would present as a neutral feature in an inner city roofscape.

Residential Amenity and Standard of Accommodation

- 8.4 Each of the proposed flats benefits from a floor area well in excess of the Council's minimum standards. In addition, being commercial in original nature, the floor to ceiling heights are above the normal residential scale (particularly to the first floor).
- 8.5 It is noted that some of the flats have deep footprints and single aspect, thus

requiring consideration regarding energy efficiency to the point furthest from window openings. In other cases, these deep footprints could give rise to concern. However, in the case of this particular site, the larger scale footprints, increased ceiling heights and the larger than usual fenestration (allowing more light penetration) are considered sufficient to mitigate any such concerns and it is considered that, in this instance, there would be no justifiable or sustainable grounds for refusal of consent.

- 8.6 Aspect from the majority of flats is acceptable, with two elevations having street frontages. Although Windsor Place is a relatively narrow 'street', it is to be expected that, in an inner city setting, this is more likely to occur and should not be a barrier to residential conversion. The third 'rear' elevation overlooks the rear area created by no. 39 Windsor Place and the student accommodation fronting Windsor Lane. Views from the windows serving these flats allow for a distance of approx. 25m between facades and this is above the minimum threshold. It is of note that one vertical line of windows serving flats 2, 9 and 16 may conflict very slightly with the side elevation of no. 39 Windsor Place, but this is offset by the wider open aspect towards the rear as indicated above and is considered insufficient to warrant refusal of consent.

It is also noted that the bedroom windows to flats 3, 10 and 17 have very restricted aspects onto an existing lightwell. Whilst flat 17 (3rd floor) has the best opportunity for light penetration of the three units, it is considered that as these are bedrooms, with all other standards issues considered acceptable, it would be unreasonable to withhold consent on this issue alone.

- 8.7 All future residents would benefit from access to the proposed rooftop terrace via lift to the third floor and then stairs to the roof. Given this potential level of movement past a number of windows that would look into the bedrooms of flats 3, 10 and 17, it is considered reasonable to require the communal area windows affected to be obscurely glazed.
- 8.8 The submitted plans show a rooftop amenity area of approx. 280sqm, benefitting from potted planting, decking and seating areas, with a new balustrade and planter enclosure. This area is set well inside the roof parapet and will not be visible from the street. This area is considered to represent a significant benefit to future residents given the inner city setting of this site and further details of the nature of the planting and finishes are required by condition in order to secure a high quality environment.

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.
- 9.3 *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 upon the achievement of wellbeing objectives as a result of the recommended decision.

10 **LEGAL AGREEMENT**

- 10.1 The following contribution requests have been made, with reference made to the Community Infrastructure Levy tests (and having regard for the amended submission):

Parks – A contribution of **£27,288** is requested towards the maintenance/provision of open space in the vicinity of the site.

Affordable Housing – A contribution of **£277,704** is requested in lieu of any on-site affordable housing provision.

Economic Development – A contribution of **£20,928** is requested, to offset the loss of the existing vacant office accommodation.

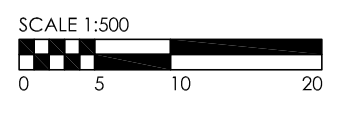
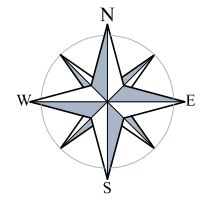
The applicant has confirmed that the above mentioned contributions are acceptable.

11. **CONCLUSION**

- 11.1 In light of the above, and having regard for current planning policy and guidance, it is recommended that planning permission be granted, subject to conditions and a legal agreement



Legend:
 Site Boundary Line



rev note date

PLANNING

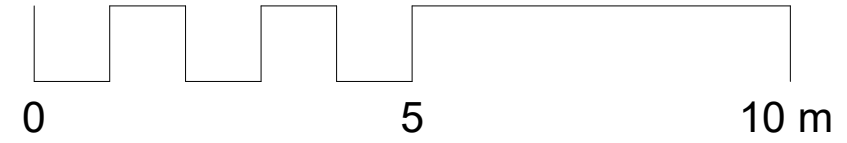
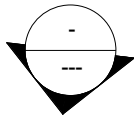
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TE Cardiff 5 Ltd

**Barclays, Queen St,
 CARDIFF**

title
Site Location Plan

job no.	drg no.	rev
P520	SK100	-
scale	date	drawn by
1:500 @ A3	June '20	CD
		checked by



1 Basement

1 : 100

A	Layout revised to suit client's comments.	03/07/20
Rev	note	Date

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Barclays Queen St
CARDIFF

title
Proposed Basement Plan

job no.	drg no.	rev
P520	SK101	A
scale (@A3)	date	drawn by checked by
1 : 100	June '20	CD



1 **0F**
1 : 100

A	Layout revised to suit client's comments.	03/07/20
Rev	note	Date

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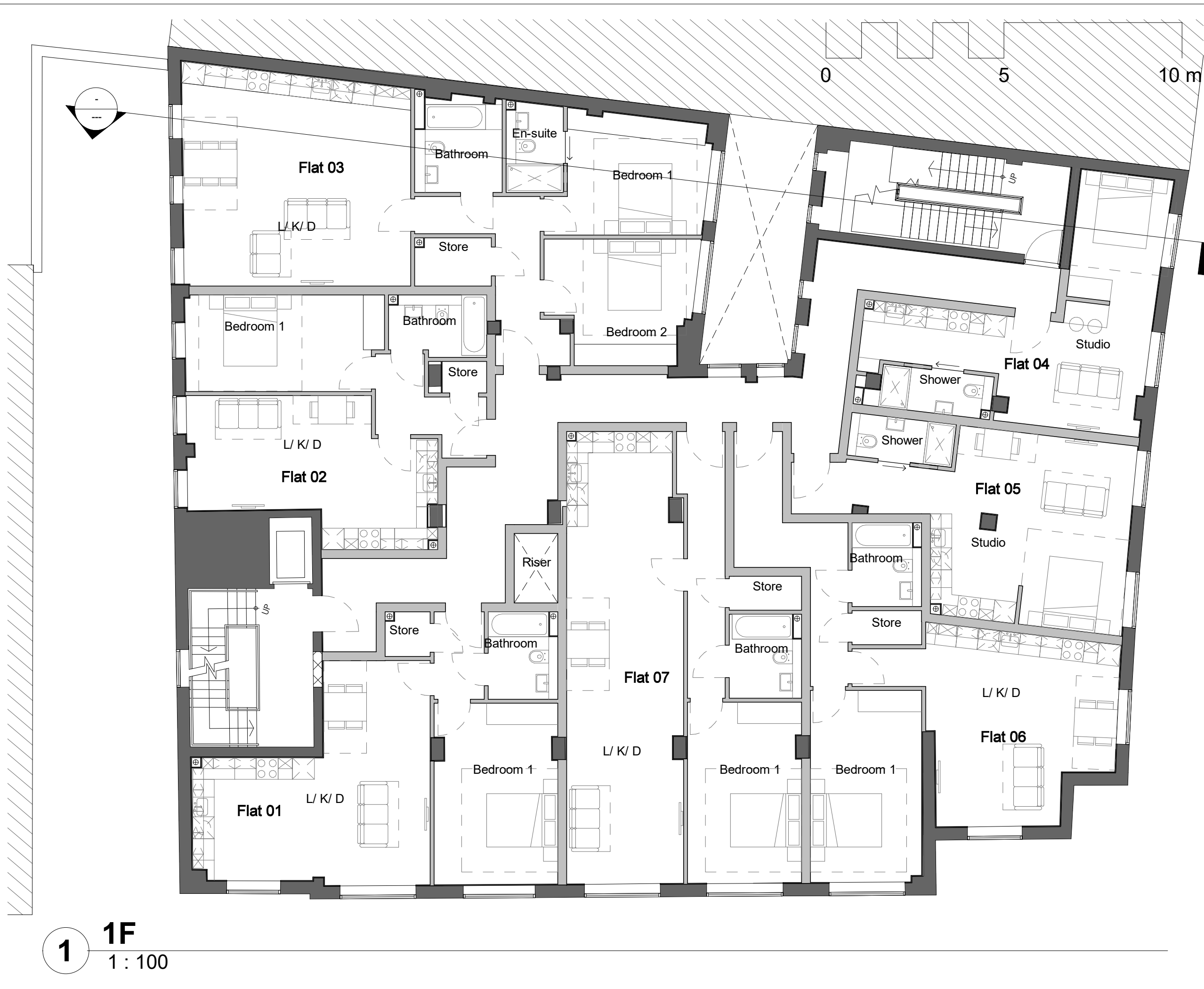
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TE Cardiff 5 Ltd

Barclays Queen St
CARDIFF

title
Proposed GF Plan

job no.	drg no.	rev
P520	SK102	A
scale (@A3)	date	drawn by checked by
1 : 100	June '20	CD Checker



Area Schedule (GIA)			
Level	Name	Type	Area
1F	Flat 01	1B2P	61 m ²
1F	Flat 02	1B2P	52 m ²
1F	Flat 03	2B4P	91 m ²
1F	Flat 04	Studio	35 m ²
1F	Flat 05	Studio	39 m ²
1F	Flat 06	1B2P	64 m ²
1F	Flat 07	1B2P	75 m ²
2F	Flat 08	1B2P	60 m ²
2F	Flat 09	1B2P	52 m ²
2F	Flat 10	2B4P	91 m ²
2F	Flat 11	Studio	39 m ²
2F	Flat 12	Studio	37 m ²
2F	Flat 13	1B2P	65 m ²
2F	Flat 14	1B2P	75 m ²
3F	Flat 15	1B2P	50 m ²
3F	Flat 16	1B2P	52 m ²
3F	Flat 17	2B4P	91 m ²
3F	Flat 18	1B2P	51 m ²
3F	Flat 19	1B2P	63 m ²
3F	Flat 20	1B2P	67 m ²

A	Layout revised to suit client's comments.	03/07/20
Rev	note	Date

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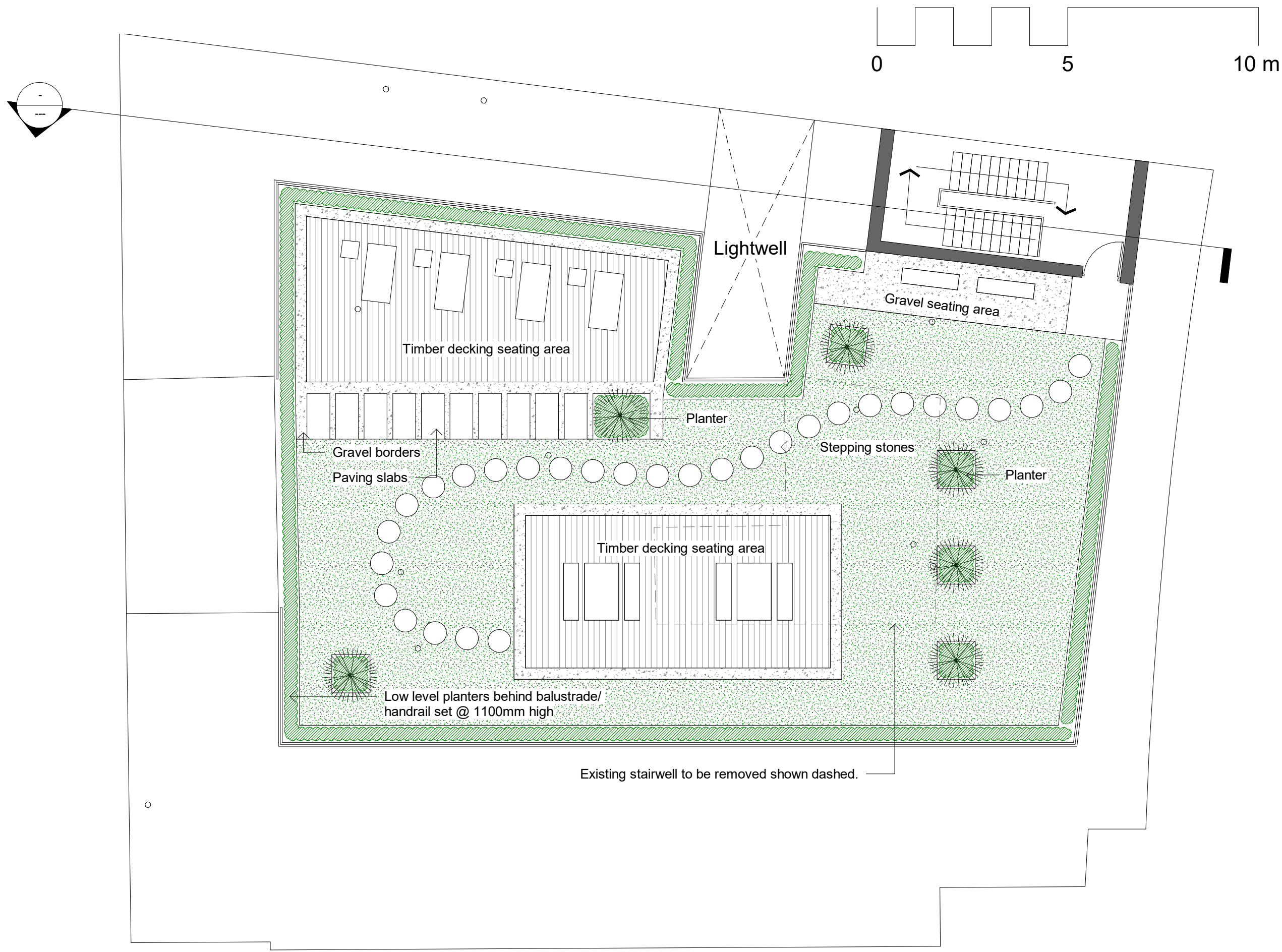
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Barclays Queen St
CARDIFF

title
Proposed 1F Plan

job no.	drg no.	rev
P520	SK103	A
scale (@A3)	date	drawn by checked by
1 : 100	June '20	CD

1 **1F**
1 : 100



C	Existing stairwell to be removed added.	02/12/20
B	Landscape added to roof layout.	08/07/20
A	Layout revised to suit client's comments.	03/07/20
Rev	note	Date

PLANNING

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**Barclays Queen St
 CARDIFF**

title
Proposed Roof Plan

job no.	drg no.	rev
P520	SK106	C
scale (@A3)	date	drawn by checked by
1 : 100	June '20	CD

1 Roof
 1 : 100



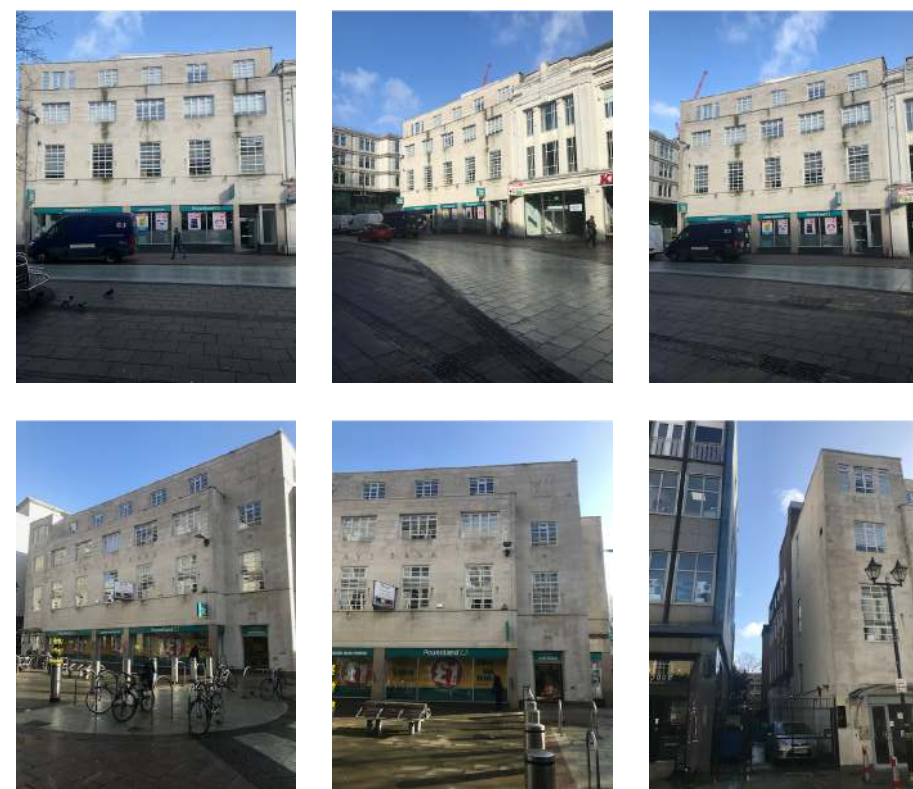
Windsor Place Elevation



Queen Street Elevation



Rear Elevation



B Elevations corrected to suit existing. 02/12/20
 A Handrail/ balustrades added to roof terrace. 08/07/20
 rev note date

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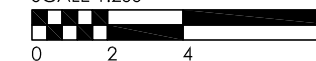
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**Barclays, Queen St
 CARDIFF**

title
Proposed Elevations

job no.	drg no.	rev
P520	SK107	B
scale	date	drawn by
1:200 @ A3	June '20	CD
		checked by
		-

SCALE 1:200



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

MP, AM & LOCAL MEMBER OBJECTIONS & PETITION

COMMITTEE DATE: 16/12/2020

APPLICATION No. **20/01279/MJR** APPLICATION DATE: 07/07/2020

ED: **SPLOTT**

APP: TYPE: Renewal of previous permission

APPLICANT: Parc Calon Gwyrdd Limited
 LOCATION: LAND AT ROVER WAY, PENGAM
 PROPOSAL: RENEWAL OF 17/02130/MJR FOR THE REMOVAL OF FILL MATERIAL AND THE CONSTRUCTION OF A BIOMASS POWER PLANT (UP TO 9.5MW) AND A MAXIMUM OF 130,000 SQ. FT. OF INDUSTRIAL ACCOMMODATION (B8 USE CLASS), NEW ACCESS ROADS AND ASSOCIATED LANDSCAPING WORKS

RECOMMENDATION 1 : That, having considered the environmental information, planning permission be **GRANTED** subject to the following conditions:

TIME LIMIT

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

Reasons:

 - A. In accordance with the provisions of Article (3)1 of the Town and Country Planning (General Development Procedure) Order 1995.
 - B. and C. In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990.

PLANS AND DOCUMENTS

2. The development hereby approved shall be carried out in broad

accordance with following approved plans:

- (i) Location Plan (A(P)-01);
- (ii) Site Plan (A(P)-02);
- (iii) Site Existing (A(P)-03);
- (iv) Proposed Site Sections (A(P)-04);
- (v) Landscape Plan (A(P)-07);

The development hereby approved shall be carried out in accordance with following approved plan:

- (vi) Ghost Island Junction Arrangement With 16.5m Articulated Vehicle Swept Path Analysis (173097/SK/11 Revision A);

The development hereby approved shall be carried out in accordance with following approved document:

- (i) Parameter Schedule, Downs Merrifield Architects, 8 November 2017;

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

PHASING STRATEGY

- 3. No reserved matters shall be approved until a phasing strategy for the development of the site (including the removal of fill material) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing strategy.

Reason: To ensure an orderly form of development.

VIRGIN WOOD FUEL

- 4. The total tonnage of virgin wood treated at the plant hereby approved shall not exceed 75,000 dry tonnes per annum (Virgin wood includes trees, branches and bark derived from forestry work, woodland management, tree surgery and other similar operations including sawmills). No material other than virgin wood shall be processed at the Power Plant. Records of the amount of fuel processed shall be retained and made available to the Local Planning Authority on request.

Reason: The application has been assessed on the basis of this tonnage limit.

ENVIRONMENTAL PERMIT

- 5. No processing or removal of the 'overburden' material (that above the membrane underlying the original capping layer) shall take place until an appropriate assessment/waste classification of the material has been undertaken and an appropriate Environmental Permit has been granted by the relevant Permitting Authority. All subsequent works to process and remove this material shall be undertaken in accordance with the permit conditions, and all necessary additional sampling requirements of the material as required under the permit, for which evidence of their approval shall first be submitted to the Local Planning Authority.

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

GROUND GAS PROTECTION

6. Following the completion of the reworking of materials in Zone 2, and prior to the construction of any building in Zone 2 (see 'Profile Makeup', Environmental Statement, Appendix 7.5), the developer shall submit to the Local Planning Authority a scheme to investigate and monitor the site for the presence of gases* including a plan of the area to be monitored. The monitoring shall be carried out in accordance with the approved scheme prior to the construction of any building in Zone 2.

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

All gas protection measures required by the Local Planning Authority shall be installed and appropriately verified prior to the occupation of any part of the approved development 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 shall 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.

CONTAMINATED LAND MEASURES – ASSESSMENT

7. No works below the membrane underlying the original capping layer or elsewhere below the overburden shall take place until an assessment of the nature and extent of contamination of the underlying material has been submitted to and approved in writing by the Local Planning Authority. This assessment shall be carried out by or under the direction of a suitably qualified competent person * in accordance with BS10175 (2011) Code of Practice for the Investigation of Potentially Contaminated Sites and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

- (i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The study shall establish a

'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;

(ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;

(iii) an assessment of the potential risks to:

- human health
- groundwaters and surface waters
- adjoining land
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
- ecological systems
- archaeological sites and ancient monuments; and
- any other receptors identified at (i)

(iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

All work and submissions carried out for the purposes of this condition shall be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11'

(September 2004) and the WLGA / WAG / EA guidance document 'Land Contamination: A guide for Developers' (2012), unless the Local Planning Authority agrees to any variation in writing.

* 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.

CONTAMINATED LAND MEASURES – REMEDIATION & VERIFICATION PLAN

8. No works below the membrane underlying the original capping layer or elsewhere below the overburden shall take place until a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

All work and submissions carried out for the purposes of this condition

shall be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document 'Land Contamination: A guide for Developers' (July 2006), unless the Local Planning Authority agrees to any variation in writing.

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

CONTAMINATION LAND MEASURES – REMEDIATION & VERIFICATION

9. The remediation scheme approved by Condition 8 (Remediation & Verification Plan) shall be carried out in accordance with the approved details prior to the occupation of any permanent structure of the approved development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

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

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

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

CONTAMINATED LAND MEASURES – UNFORESEEN CONTAMINATION

10. 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 received the Local Planning Authority's written approval. An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme and verification plan shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved

remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the Local Planning Authority within 2 weeks of the discovery of any unsuspected contamination.

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

IMPORTED SOIL

11. 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.

12. 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 Local Planning Authority.

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

USE OF SITE WON MATERIALS

13. 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.

INTEGRITY OF THE MDPE MEMBRANE

14. Upon completion of the investigation into material underlying the membrane below the original capping layer, a weekly scheme of repairs to restore/maintain the integrity of the membrane where necessary shall be submitted to and approved in writing by the Local Planning Authority. The repairs shall be carried out in accordance with the approved details within a timescale that shall be agreed in writing with the Local Planning Authority.

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

NO PILING

15. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written permission of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reason: There is an increased potential for pollution of controlled waters from inappropriate methods of piling.

DRAINAGE DETAILS

16. No development shall take place until a drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall demonstrate how the site will be effectively drained; the means of disposal of surface water and indicate how foul flows will communicate to the public sewerage system. Thereafter, the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further surface water or land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

POTABLE WATER SCHEME

17. No building shall be constructed until a potable water scheme to serve the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that the existing water supply network can satisfactorily accommodate the proposed

development site. If necessary a scheme to upgrade the existing public water supply network in order to accommodate the site shall be delivered prior to the occupation of any building. Thereafter, the agreed scheme shall be constructed in full and remain in perpetuity.

Reason: To ensure the site is served by a suitable potable water supply.

AIR QUALITY ASSESSMENT

18. No reserved matters application shall be approved until an Air Quality Assessment (AQA) for the detailed design of the Biomass Plant has been submitted to and approved in writing by the Local Planning Authority. The AQA shall include an assessment of the impact of the plant emissions and any necessary mitigation measures to ensure the overall impacts of the plant are acceptable. The plant shall be constructed in accordance with the approved details and maintained thereafter.

Reason: To ensure air quality is maintained to satisfactory levels.

PLANT NOISE ASSESSMENT

19. Prior to beneficial occupation of the Biomass Power Plant a noise assessment shall be carried out and submitted to and approved in writing by the Local Planning Authority to ensure the noise emitted from fixed plant and equipment on the site achieves a rating noise level of background -10dB at the nearest noise sensitive premises (Rover Way Traveller Site) when measured and corrected in accordance with BS 4142: 2014 (or any British Standard amending or superseding that standard). This assessment shall include an assessment of the impact of the noise from this proposed development after the removal of material from the site which may currently act as a noise barrier to the nearest noise sensitive receptors at the traveller site on Rover Way. The development shall be carried out in accordance with the approved assessment.

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

DELIVERY TIMES

20. Deliveries shall only take place at the site between the hours of 08:00 and 18:00 Monday to Saturday and at no time on Sundays or Bank Holidays.

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

ODOUR ASSESSMENT

21. No material shall be removed from the site until an odour assessment has been submitted to and approved in writing by the Local Planning Authority. The assessment shall detail any potential adverse impact from odours during the removal of material and shall quantify the potential

impact of generated odour upon business users and residents in the vicinity utilising methodology set out in the Institute of Air Quality Management's (IAQM) best practise guidance; "Guidance on the assessment of odour for planning." In the event that the assessment indicates a negative impact upon local residents or businesses then the assessment shall include appropriate mitigation measures that shall be implemented to the written satisfaction of the Local Planning Authority prior to the development commencing.

Reason: To safeguard the amenity of nearby and future residents.

NO CHIPPING ON SITE

22. No wood chipping shall take place on the application site.

Reason: To safeguard the amenity of nearby and future residents.

STORAGE OF MATERIALS

23. There shall be no open storage of materials of any kind outside any approved buildings on the site.

Reason: To safeguard the amenity of nearby and future residents.

CHP ARRANGEMENTS

24. Prior to the construction of the Biomass Power Plant hereby approved, details of the creation of electricity and thermal energy, arrangements for establishing a connection to the local grid and the timing for such energy provision shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To maximise the potential for renewable energy in accordance with LDP Policy EN12 (Renewable Energy and Low Carbon Technologies).

25. FUEL ASH

Prior to the approval of any reserved matters application for the Biomass Power Plant, details of a scheme for the management and disposal of fuel ash arising from the development shall be submitted to and approved in writing by the Local Planning Authority. The disposal of the fuel ash shall be carried out in accordance with the approved scheme.

Reason: In order to ensure the disposal of waste from the site without harm to local amenity.

CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN (CEMP)

26. Prior to the commencement of any removal of existing material, construction works or development on any phase, a Construction Environmental and Management Plan (CEMP) for that phase shall be submitted to and approved in writing by the Local Planning Authority in order to manage the impacts of construction on that phase. The CEMP

shall include:

- (ii) The parking of vehicles of site operatives and visitors;
- (iii) Loading and unloading of plant and materials;
- (iv) Storage of plant and materials;
- (v) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (vi) Details of highways/footway closures;
- (vii) Wheel washing facilities;
- (viii) Measures to monitor and control the emission of dust and dirt during material removal and construction;
- (ix) A scheme for the recycling/disposing of waste resulting from the removal of fill material and construction works;
- (x) A plan showing the routes for vehicles undertaking material removal, construction and operational activity (i.e. delivery of Biomass Fuel) and the destination of any material removal. No routes through residential areas will be permitted;
- (xi) A list of on-site contacts and their responsibilities;
- (xii) A Construction Drainage Scheme indicating how surface water and land drainage flows will be controlled to prevent contamination, nuisance, subsidence or flooding to land, buildings, watercourses or highways within that phase (or part thereof) or adjacent land, buildings, watercourses and highways during the construction period;

The details so approved and any subsequent amendments as shall be agreed in writing by the Local Planning Authority and shall be complied with in full throughout the construction period for that phase.

Reason: In the interests of highway safety, and protection of the environment and public amenity.

SITE WASTE MANAGEMENT PLAN (SWMP)

27. Prior to the commencement of any removal of existing material, construction works or development on any phase, a Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the Local Planning Authority. The SWMP shall include (where relevant):

- (i) Details for the transportation of all excavated material, including the type of vehicles to be used;
- (ii) Details of how contaminated material will be treated and disposed;
- (iii) Measures to reduce environmental impacts of construction waste. The development shall be carried out in accordance with the approved SWMP for that phase. Transfer/consignment notes of all material transported off-site shall be made available upon request to the Local Planning Authority.

Reason: To reduce environmental impacts of construction waste.

PROVISION OF ROVER WAY JUNCTION

28. No development shall take place, including the removal of overburden down to the level of the existing membrane, until the Rover Way/Site Access priority junction hereby approved (Drawing No. 173097/SK/11 Revision A) has also been approved in writing by the overseeing highway authority and implemented to their written satisfaction.
Reason: To facilitate safe and efficient access to and egress from the proposed development in the interests of highway and pedestrian safety.

PEAK HOUR RESTRICTIONS

29. No vehicles shall access or egress the site during the morning and afternoon peak periods of 8am to 9am and 5pm to 6pm.
Reason: To avoid congestion on the local highway network.

AUTOMATED TRAFFIC COUNTERS

30. Prior to the commencement of development details of Automated Traffic Counters (ATCs) to be installed to both the Rover Way and Tide Fields Road access/egresses shall be submitted to and approved in writing by the Local Planning Authority. The approved ATCs shall be installed prior to the commencement of development and shall be retained thereafter. The ATCs shall record the number of vehicles accessing and egressing the site. Records of the number, arrival time and departure time of each vehicle shall be submitted to the Local Planning Authority upon request.
Reason: To monitor the number of vehicles accessing and egressing the site

OPERATIONAL TRAFFIC MANAGEMENT PLAN

31. Prior to the operation of the Biomass Plant and associated industrial floorspace, a detailed Operational Traffic Management Plan (OTMP) shall be submitted to and approved in writing by the Local Planning Authority. The OTMP shall include details of the times of operation of the Biomass Plant and commercial units, a schedule of operational related vehicle movements to and from the site as described in Chapter 10 of the Environmental Statement and Technical Appendix 10.1 (para 5.15), any restrictions of movements on the highway network, and the routing of operational related traffic on the local highway network to avoid sensitive receptors as indicated in the Outline Planning Application Environmental Statement and technical Appendix 10.1 (Transport Statement). The development shall operate in accordance with the approved OTMP.
Reason: In the interests of highway safety, and protection of the environment and public amenity.

ECOLOGY DATA SHELF LIFE

32. If site clearance in respect of the development hereby approved does

not commence (or, having commenced, is suspended for more than 12 months) within 2 years from the date of the most recent survey, the approved ecological measures secured through (other planning conditions) shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to i) establish if there have been any changes in the presence and/or abundance of habitats and species and ii) identify any likely new ecological impacts that might arise from any changes. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised, and new or amended measures, and a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Works shall then be carried out in accordance with the new approved ecological measures and timetable. Reason: To ensure that the assessment of the impacts of the development upon the species concerned, and any measures to mitigate those impacts, are informed by up-to-date information.

GREEN INFRASTRUCTURE STRATEGY (GIS)

33. A comprehensive Green Infrastructure Strategy (GIS) for the site detailing measures to avoid, mitigate and compensate for impacts upon ecological interests, together with measures to provide habitat enhancement shall be submitted to and approved in writing by the Local Planning Authority prior to the approval of any reserved matters applications. The GIS shall incorporate other elements of green infrastructure including trees, a soil resource survey and plan, landscaping and public rights of way, as well as ecology. It shall also encompass each phase of the development as well as the future management of habitats.

The ecological element of the GIS shall include, but not be limited to:

- (i) Timing of works to avoid visual and noise disturbance to overwintering and migratory wetland birds;
- (ii) Landscaping details, based upon pages 19 to 21 inclusive of the Ecology Survey Report 2017, to ensure that the current open mosaic habitats and species-rich grassland form the majority of the semi-natural habitat on site, such that they continue to support the present range of invertebrates and plants;
- (iii) Long-term management prescriptions for buddleia and other invasive scrub species to prevent species-rich grassland and open mosaic habitats from becoming overgrown;
- (iv) Timing of works to avoid destruction of bird nests where possible, and contingency in the event that nesting birds are detected if works need to take place during the nesting season;
- (v) Contingency in the event that reptiles are discovered during site clearance / construction;
- (vi) Eradication plan for Japanese Knotweed and other invasive non-native plant species;
- (vii) Details of green roofs and birds boxes, especially Swift nest

- boxes, on the new buildings;
- (viii) Details of other enhancement measures such as a pond, reptile habitat piles / hibernacula, bug hotels and bee banks etc. The development shall be carried out in accordance with the approved GIS.

Reason: To maintain and enhance green infrastructure provision on the site.

WALES COAST PATH

34. Details submitted in pursuance of Condition 1A shall include a scheme of improvements to the Wales Coast Path. The submitted details shall include, but not be limited to, resurfacing and clearer way marking. The approved scheme shall be implemented in accordance with the approved details prior to the occupation of the development.

Reason: To maintain and enhance the Wales Coast Path.

SEVERN ESTUARY COASTAL BUND AND SCREEN

35. No development shall take place until details of measures to construct a coastal bund and screen to shield earth movements and construction activities from the Severn Estuary European Sites has been submitted to and approved in writing by the Local Planning Authority. The bund and screen shall be constructed in accordance with the approved details and shall be retained and maintained for the entire construction period. The approved details shall include:

- (i) full details of the design of the bund and screen;
- (ii) line-of sight sections to demonstrate that all aspects of the construction including the biomass power plant and industrial buildings, cranes, scaffolding, site operatives and piling rigs are not visible to wetland birds on the foreshore within 200 metres of the application site;
- (iii) a timetable for their provision;
- (iv) a written commitment to only construct the bund and screen between April to September;
- (v) outside of April to September, a written commitment to avoid any construction activity between two hours before high tide and two hours after;

Reason: To avoid any adverse effect upon the integrity of the Severn Estuary European Sites and the SSSI.

EXTERNAL LIGHTING

36. Prior to their installation on site details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To safeguard nature conservation interests.

FINISHED FLOOR LEVELS

37. Details submitted in pursuance of condition 1A shall include the proposed floor levels of any building in relation to the existing ground level and the finished levels of the site. The development shall be constructed and completed in accordance with the approved details.

Reason: Confirmation of the ground and floor levels are required to ensure an orderly form of development.

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

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

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

The following must not be imported to a development site:

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

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land. The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

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

RECOMMENDATION 5: That the applicant be advised that the Wales Coast Path cannot be closed or worked on at any point without the necessary license. If investigative works or new apparatus is to be installed on the right of way or temporary closures are required, an application must be made to Cardiff Council's PROW Team and Network Management for the appropriate licenses.

RECOMMENDATION 6: That the applicant be advised that the works to Rover Way approved under this permission will require the approval of the Highways Authority under a Section 278 Agreement. The applicant is also advised that if they intend to adopt the internal access roads a Section 38 Agreement will be necessary.

RECOMMENDATION 7: The applicant is advised that section 3.25 of Planning Policy Wales states that the land use planning system should take account of the conditions which are essential to the Welsh language and in so doing contribute to its use and the Thriving Welsh Language well-being goal. In this context and with regard to the Welsh Language (Wales) Measure 2011, it is recommended that: (1) developments adopt a Welsh name that is consistent with the local heritage and history of the area, (2) during the construction phase, on site marketing information (i.e. text on construction hoardings / flags / banners – as consented) be provided bilingually and (3) for commercial developments, shopfront / premises signage be provided in Welsh or bilingually. Where bilingual signage is provided, Welsh text must not be treated less favourably in terms of size, colour, font, prominence, position or location (it is recognised that Welsh translation does not extend to company / business names). Cardiff Council's Bilingual Cardiff team (BilingualCardiff@cardiff.gov.uk) can provide advice on unique and locally appropriate Welsh names for developments, bilingual marketing / branding and bilingual signage.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 Outline planning permission with all matters except access reserved was granted by Planning Committee on 14 June 2018 for the removal of fill material and the construction of a biomass power plant (up to 9.5MW) and a maximum of 130,000 sq ft of industrial accommodation (B8 Use Class), new access roads and associated landscaping works on land at Rover Way.
- 1.2 Condition 1 of the permission requires applications for approval of reserved matters to be made to the Local Planning Authority before the expiration of 3 years from the date of the permission i.e. before 14 June 2021, with development beginning within

- 1.3 This application seeks to vary condition 1 to extend the life of the outline planning permission by an additional two years from any new decision date to ensure that an appropriate Environmental Permit and approval of the Highways Authority under a Section 278 Agreement have been secured.
- 1.4 The original application was subject to Environmental Impact Assessment (EIA) and was accompanied by an Environmental Statement (ES). This environmental information was considered in the determination of this application. This current application is accompanied by a statement from the agent confirming that the original ES remains adequate to assess the significant effects of the development on the environment in accordance with Regulation 9(2) of The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017.
- 1.5 The Local Planning Authority has screened this application and agrees with the agent's statement, noting that the development parameters have not changed and remain as previously approved.

2. DESCRIPTION OF SITE

- 2.1 The site previously accommodated a non-domestic land fill site and extends to approximately 17 hectares. It is currently used by as an off-road motorcycle facility which is managed by the Council. The site contains earth mounds to a height approximately 30 metres above sea level. Rover Way is approximately 8 metres above sea level.
- 2.2 The site is known as the former 'frag tip' site and adjoins the Severn Estuary to the south east. A traveller site abuts the site to the northeast, with Rover Way/existing industrial operations to the northwest and southwest.
- 2.3 Further away to the northwest are the existing residential communities of Tremorfa and Pengam Green.
- 2.4 The Wales Coast Path adjoins the southeast boundary to the Severn Estuary, which is designated as a Special Area of Conservation (SAC), a Special Protection Area (SPA), RAMSAR site, and a Site of Special Scientific Interest (SSSI). A Site of Importance for Nature Conservation also exists beyond Rover Way at Pengam Moors.
- 2.5 The majority of the site, including the indicative area of built development, would be located within Zone B as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). However part of the site to the North East includes an access road within DAM zone C2.

3. SITE HISTORY

- 3.1 17/02130/MJR: Outline permission granted in June 2018 for the removal of fill material and the construction of a biomass power plant (up to 9.5MW) and a

maximum of 130,000 sq ft of industrial accommodation (B8 Use Class), new access roads and associated landscaping works.

- 3.2 14/01765/DCI: Permission granted in March 2015 for a single 500kW wind turbine with associated electrical infrastructure and crane hardstanding.
- 3.3 06/02438/E: Permission granted in December 2006 for the construction of an off-road motorcycle track using recycled aggregate (electric arc slag), sub soil and top soil, provide containerised facilities for office, first aid, training and drying.
- 3.4 97/02263/R: Permission granted in March 1998 to create a new landform to be used for informal public recreation and nature conservation.

4. POLICY FRAMEWORK

4.1 Planning Policy Wales, Edition 10 (December 2018)

4.2 Technical Advice Notes (TANs):

- 5 Nature Conservation and Planning
- 8 Renewable Energy
- 11 Noise
- 12 Design
- 14 Coastal Planning
- 15 Development and Flood Risk
- 16 Sport, Recreation and Open Space
- 18 Transport
- 21 Waste

4.3 Local Development Plan (January 2016):

- KP1 Level of Growth
- KP4 Masterplanning Approach
- KP5 Good Quality and Sustainable Design
- KP6 New Infrastructure
- KP7 Planning Obligations
- KP8 Sustainable Transport
- KP9 Responding to Evidenced Economic Needs
- KP12 Waste
- KP13 Responding to Evidenced Social Needs
- KP14 Healthy Living
- KP15 Climate Change
- KP16 Green Infrastructure
- KP18 Natural Resources
- EC1 Existing Employment Land
- EN5 Designated Sites
- EN6 Ecological Networks and Features of Importance for Biodiversity
- EN7 Priority Habitats and Species
- EN8 Trees, Woodlands and Hedgerows

EN10	Water Sensitive Design
EN11	Protection of Water Resources
EN12	Renewable Energy and Low Carbon Technologies
EN13	Air, Noise, Light Pollution and Land Contamination
EN14	Flood Risk
T1	Walking and Cycling
T2	Strategic Rapid Transit and Bus Corridor Enhancement
T5	Managing Transport Impacts
T6	Impact on Transport Networks and Services
T7	Strategic Transportation Infrastructure
T8	Strategic Recreational Routes
C1	Community Facilities
C3	Community Safety/Creating Safe Environments
C6	Health
W2	Provision for Waste Management Facilities in Development

4.4 Supplementary Planning Guidance:

Green Infrastructure (November 2017)
 Managing Transportation Impacts (July 2018)
 Waste Collection and Storage Facilities (October 2016)
 Planning Obligations (January 2017)
 Planning for Health and Well-Being (November 2017)

5. **INTERNAL CONSULTEES RESPONSES**

- 5.1 The **Operational Manager, Transportation**, advises that, so long as the development is not changing, nor encouraging additional traffic generation he cannot see that a new Transport Assessment is required, as Rover Way is operating at capacity now. There are a number of restrictive conditions in the permission (for times of arrival, number of trips, monitoring exercises, etc) all of which need to be retained.
- 5.2 The **Shared Regulatory Service (Contaminated Land)** has no comments in relation to this application.
- 5.3 The **Council's Tree Officer** advises that any renewal of permission should include Condition 33 as per the 2017 permission, though he would suggest that this be amended to require a Soil Resource Survey and Plan in accordance with the Soils and Development TGN to inform landscaping details and specifications. The '17 permission refers only to a Soil Resource Survey.
- 5.4 The **Operational Manager, Waste Management**, has no objections to the extension of the outline permission relating to application 17/02130/MJR. Their previous comments remain relevant.
- 5.5 The Council's **Ecologist** has amended the Habitats Regulations Assessment (HRA) in line with advice received from Natural Resources Wales. He considers that the ecological conditions across the Severn Estuary as a whole are not likely to have changed to the extent that the proposed project is now more likely

to have an adverse effect on the integrity of the Severn Estuary EMS. A copy of the Appropriate Assessment is attached to this report.

- 5.6 The **Operational Manager, Environment (Noise & Air)** recommended conditions relevant for noise and odour impact assessments, delivery time restrictions, no chipping and open storage restrictions (conditions 19-22). These conditions have not been discharged and they are not aware of any recent housing developments that would be in closer proximity to this site since the 2017 applications. Therefore their comments remain the same.
- 5.7 The Council's **Public Rights of Way** Team has no objections to the two year extension of the consented application. It would be helpful if the applicant could liaise with them prior to any works being undertaken as licenses will be required to work on the site. Also, they are having a number of issues with fly tipping and illegal access along the Public Right of Way and would like to consider how the path will be protected in the future to prevent illegal access. PRow has grant funding to make improvements along the Wales Coast Path which is along this Public Footpath therefore further discussions would be helpful.
- 5.8 The **Operational Manager, Drainage Division**, has no comments on the application.
- 5.9 The **Shared Regulatory Service (Air Quality)** understands that this application is an extension request to the previous submitted and consented application 17/02130/MJR. The supporting air quality assessment documentation (original report and subsequent technical note) produced in accordance with 17/02130/MJR concluded that the 24-hour NO_x critical level will be exceeded in the Severn Estuary SPA/SAC. However due to the fact that the process contribution for NO_x in the outlined saltmarsh area is below 10% of the Critical Level, it can therefore be screened out as insignificant in accordance with Environment Agency guidance (Environment Agency, 2018, Air emissions risk assessment for your environmental permit). It was agreed that following these outcomes that a condition be applied and this judgement still applies to the extension submission.

6. EXTERNAL CONSULTEES RESPONSES

- 6.1 **Dwr Cymru Welsh Water** acknowledges that this application seeks the renewal of planning permission 17/02130/MJR for the 'removal of fill material and the construction of a circa 9.5MW biomass power plant and 130,000 sq. ft. of industrial accommodation (B8 use class), new access roads and associated landscaping works'. They can confirm their comments in their response letter to the original application still stand. They note the conditions recommend in their original response were included on the planning consent (Conditions 16 & 17). However, they can confirm they have not yet been instructed by the developer to undertake the Clean Hydraulic Modelling Assessment as required under condition 17.
- 6.2 **CADW**, in response to planning application 17/02130/MJR noted that scheduled monument GM296 Pen y lan Roman Site was not inter visible with

the development and that the development would have a negligible effect on the setting of scheduled monument GM474 Relict Seawall on Rumney Great Wharf. They therefore had no objection to the original application. They are unaware of any changes to the historic environment in the area surrounding the proposed development since that advice was given and therefore have no objection to the renewal of the consent.

- 6.3 **Glamorgan Gwent Archaeological Trust** note that the current application is for the renewal of 17/02130/MJR and their understanding of the archaeological resource within the application area is unchanged and consequently, their response remains the same and is reiterated below. Information in the Historic Environment Record notes that the application area is formed from industrial material placed to reclaim ground from the Severn Estuary during the 1970s. The ground is formed from layers of material tipped in different events since then, which now comprises a deep formation which has created a 30m AOD land surface. If the proposal were to involve any works which would significantly penetrate beneath the dumped material, essentially entering the estuarine deposits, then there would be the potential for archaeological deposits to be encountered. However, the details provided state that whilst some material will be removed, enough will remain to provide a foundation level at between 12m and 14m to allow enabling works for platforms for the various elements of the development. Archaeological works adjacent to the south west have not shown any significant archaeological features or finds and in this case it is their opinion that the proposed development will not adversely impact on any archaeological resource, and that consequently they do not recommend any mitigation measures.
- 6.4 **Natural Resources Wales** have been consulted on the Council's amended Habitats Regulations Appraisal (Appropriate Assessment) and their comments will be reported to Planning Committee.
- 6.5 **Welsh Government Transport Division**, as the highway authority for the M4 motorway and trunk roads in Wales, does not issue a direction in respect of this application.

7. **REPRESENTATIONS**

- 7.1 **Stephen Doughty MP** objects to further incineration/carbon intensive energy projects being built locally for the following reasons:
- (i) These are completely inconsistent with our UK and Wales Paris Climate Change objectives, the Future Generations Act of the Senedd and Cardiff Council's own One Planet strategy launched just last week.
 - (ii) Air pollution / air quality – Splott already has one incinerator and has significant other adverse contributors to air quality. These include pollution associated with traffic, heavy and light industry and of course the Viridor incinerator. The council has little or no information on the cumulative effect of this. He strongly feels that this information is needed before a decision can be made. Not least in the context of a respiratory disease pandemic, and wider evidence of air quality impacts on public

- health - this seems utterly inappropriate.
- (iii) Wentloog Incinerator application – Since the planning authority last considered the biomass application a further application has been submitted for a commercial waste incineration nearby which he also totally objects to. The data does not exist to state that 3 incinerators can operate safely in such a small area - with another in Barry just miles away - and others in the Severnside area, alongside the emissions already associated with another existing major industrial site – the local steel plant.
 - (iv) Neighbour Impact – The location of the proposed incinerator is next to a significant residential area, local schools and families living on the Rover Way and Shirenewton Traveller sites. These communities are already surrounded by industry and an extremely busy road. There is not enough information to guarantee their wellbeing will not be significantly impacted.
 - (v) Traffic – Rover Way is already heavily congested and additional vehicles will of cause adversely impact on this. Congestion on Rover Way impacts on the entire east of Cardiff but particularly on the roads of Splott, Tremorfa and Pengam Green. More development would require significant additional investment in Rover Way.
 - (vi) Eastern Bay Link Road – The Council has a long stated ambition for the road to be completed, construction of this site could well place that ambition in jeopardy.
 - (vii) Soil survey – Land at this site is contaminated but the council does not have accurate data as to the extent and this could well have got worse since previous applications. No building should take place on sites where this data is potentially inadequate.

7.2 **Vaughan Gething MS** writes on behalf of a number of his constituents in his capacity as Member of the Senedd for Cardiff South and Penarth. He highlights his concerns surrounding the renewal of planning permission for the proposed Biomass Power Plant on Rover Way. He urges the Planning Committee to reject this application, objecting as follows:

- (i) Air Pollution /Air Quality – Splott already has one incinerator and has significant other adverse contributors to air quality. These include pollution associated with traffic, heavy and light industry and of course the energy from waste incinerator. The Council has little or no information on the cumulative effect of this. He strongly feels that this information is needed before planning permission can be granted.
- (ii) Wentloog Incinerator application – Since the planning authority last considered the biomass application a further application has been submitted for a commercial waste incineration nearby. The data does not exist to state that 3 incinerators can operate safely in such a small area.
- (iii) Impact on neighbours – The location of the proposed incinerator is next to a significant residential area with many families living on the Traveller's site. These families are already surrounded by industry and

an extremely busy road.

- (iv) Traffic – Rover Way is already heavily congested, congestion on Rover Way impacts on the entire east of Cardiff but particularly on the roads of Splott, Tremorfa and Pengam Green. More development would require significant additional investment in Rover Way. Since the last time this application was considered the problem with horses fly-grazing on the side of the road in this area has got much worse, often these animals are not tethered, the council would need to address this problem before any development were permitted;
- (v) Eastern Bay Link Road – The Council has a long stated ambition for the road to be completed, construction of this site could well place that ambition in jeopardy;
- (vi) Soil survey – Land at this site is contaminated but the council does not have accurate data as to the extent and this could have worsened since previous application.

7.3 **Councillors Stubbs, Henshaw and Thomas**, the Local Members for Splott, object to the application for the following reasons:

- (i) Air pollution – Splott already has one incinerator and has significant other adverse contributors to air quality. These include pollution associated with traffic, heavy and light industry and of course the energy from waste incinerator. The Council has little or no information on the cumulative effect of this. They strongly feel that this information is needed before the application can be determined.
- (ii) Wentloog Incinerator application – Since the planning authority last considered the biomass application a further application has been submitted for a commercial waste incineration nearby. The data does not exist to state that 3 incinerators can operate safely in such a small area.
- (iii) Neighbour Impact – The location of the proposed incinerator is next to a significant residential area with many families living on the Traveller's site. These families are already surrounded by industry and an extremely busy road.
- (iv) Traffic – Rover Way is already heavily congested, congestion on Rover Way impacts on the entire east of Cardiff but particularly on the roads of Splott, Tremorfa and Pengam Green. More development would require significant additional investment in Rover Way. Since the last time this application was considered the problem with horses fly-grazing on the side of the road in this area has got much worse, often these animals are not tethered, the council would need to address this problem before any development were permitted;
- (v) Eastern Bay Link Road – The Council has a long stated ambition for the road to be completed, construction of this site could well place that ambition in jeopardy;
- (vi) Soil survey – Land at this site is contaminated but the council does not have accurate data as to the extent and this could have worsened since

- previous application;
- (vii) They request that this matter is brought to full Planning Committee and would like to thank the planning committee for considering these points and urge them to reject this application.

7.4 The application was advertised by **9 no. site notices** which were placed at key locations in the vicinity of the application site on 15 September 2020.

7.5 A **petition** of 563 signatures has been received (of which more than 50 are from the Cardiff area) opposing the application on the following grounds:

- (i) No clear reason for extension – No evidence has been given as to why the developer needs more time than currently allowed;
- (ii) Planning blight – An extension of planning permission would likely result in continued uncertainty over the use of the site which has no clear timeframe for completion. Under the Cardiff Local Development Plan this site could be better used;
- (iii) Air quality – They are deeply concerned that there has been no monitoring of small particulates (PM10 and PM2.5) in the locality, despite the nearby steel works, the existing waste incinerator, and the proposal for a second in Wentloog (ref: 19/02588/MJR), as well as the proximity of the site to residents and especially to the Gypsy, Roma and Traveller community on Rover Way adjacent to the planned power plant. Without such monitoring, it is impossible to know whether legal limits are already being approached or even exceeded;
- (iv) Documentation – Further documentation needs to be completed in light of Cardiff Council's policy commitments around Carbon neutrality by 2025. An Environmental Aspect Assessment and Strategic Environmental Assessment and sustainability appraisal should be undertaken. The renewal of this outline planning permission to build a wood-burning biomass incinerator will put the health of local residents at risk and fails to tackle the climate emergency which Cardiff Council and Welsh Government have announced and are resolved to fight against. Splott already has 1 waste incinerator, and with proposals for another in Wentloog, the east of Cardiff is at risk of up to three incinerators within close proximity to homes and schools in Splott, Tremorfa and Pengam Green. In particular, the proposed location of this biomass generator on Rover Way is next to a gypsy and traveller caravan site which has a number of residents with existing disabilities and health conditions (including respiratory problems);
- (v) Burning wood emits similar levels and a similar range of pollutants as burning coal including CO₂, sulphur dioxide, mercury, Volatile Organic Compounds and small particulates such as PM_{2.5}; all of which can be detrimental to human health and the environment;
- (vi) Biomass is a counter productive and flawed form of energy production. Generating a unit of energy from wood emits between 3% and 50% more CO₂ upfront than generating it from coal. Trees help to absorb excessive levels of CO₂ in the atmosphere, but cutting down trees to burn both releases the CO₂ back into the atmosphere and reduces our ability to capture CO₂. Often wood is shipped in from abroad which furthers the

deforestation and climate crisis across the world. Cardiff is the 6th most at risk city in the world to sea level rises and we ask that Cardiff Council reject this application in favour of encouraging investment in clean, renewable forms of energy.

7.6 **11 no. objections have been received from residents** on Cae Syr Dafydd (Canton), Baron's Court Road (Penylan), Hollybush Road (Cyncoed), Adventurers Quay (Butetown), Crwys Road (Cathays), Connaught Road (Plasnewydd), Railway Street (Splott), Inchmarnock Street (Splott), Hawker Close (Splott), Skelmuir Road (Splott) plus one representation from a resident of Newcastle Emlyn, who object to the application for the following reasons:

- (i) Air Pollution – burning waste wood would contribute particulates (PM10 concentrations) to an area of Cardiff already under air pollution stress from a combination of traffic, industrial works, and the Viridor incinerator. Legal nitrogen dioxide limits are being breached at Ocean Way which have not been included. The application should be suspended until further assessment has been carried out. Cardiff's air quality is amongst the worst 10 cities in the UK according to the WHO;
- (ii) Would produce CO₂ contrary to Cardiff's declaration of a Climate Emergency. Cardiff should be encouraging renewable electricity production instead. Biomass electricity is the least efficient way of using land to produce energy. It is not a clean or green energy resource and emits as much CO₂ as fossil fuels. Solar energy would provide a greater return. Importing wood from abroad would increase emissions;
- (iii) The application nearby for a commercial waste incinerator in Wentloog would add to pollution levels and should be factored in;
- (iv) Increased traffic to an area already congested. Over 40 vehicles a day will transport material to the site as well as staff yet a congestion charge is being considered for non-residents;
- (v) Lack of supporting documentation Cardiff Council and Welsh Government have both announced a climate and ecological emergency and committed to carbon neutrality by 2030 since the original approval. The biomass plant contradicts these policy obligations. A Strategic Environmental Assessment needs to be undertaken. Updated documentation has not been provided with the application and relying on information from 2017/18 is not sufficient. A Life Cycle Assessment has not been completed to assess the environmental impacts of the use of materials from acquisition to disposal. It is not understood how the application fits into the Welsh Government's circular economy strategy aspirations. An up-to-date Environmental Aspect Assessment should also be completed to highlight how the company plans on managing environmental risk using a life cycle approach (both indirect and direct aspects).

- (vi) No Environmental Permit has been secured from Natural Resources Wales. The application should be suspended until one has been granted;
- (vii) Increased health risks to nearby Traveller Community and further afield;
- (viii) Increased operational noise higher than the 20dB stated in the application. Monitoring of other nearby incinerators indicates a higher level.
- (ix) Lack of public consultation;
- (x) Contrary to the policy obligations around climate change and the UK Government's commitment to the Paris Climate Agreement of keeping temperature rises below 1.5%.
- (xi) Contrary to Cardiff's One Planet Strategy;
- (xii) Contrary to the Welsh Government's 2008 'Plant!' scheme (a tree is planted in celebration of every child born or adopted in Wales, with corresponding planting in Uganda since 2014).

7.7 **Friends of the Earth** object in the strongest possible terms to the renewal of planning permission on the following grounds:

- (i) No credible reason has been given for extending the time-period for commencing development. The planning consent granted in September 2017 requires the developer to commence the development within five years of that date, or two years of approval of the reserved matters. This means that the developer still has almost two years left to commence development and have the reserved matters approved. The argument put forward in the S.73 application is that an extension if required to ensure that a planning permit and authorisation by the Highways Authority can be secured. No reasons are given as to why the developer has not - as they understand - applied for such a permit and authorisation so far, nor why they would need more time than is already available to them under the existing planning conditions in order to go through those processes.
- (ii) Planning blight: The Cardiff Local Development Plan classifies the site as one "protected for B Use Class employment generating uses", (EC1.3), stating "In addition, in order to maximise the contribution to providing jobs from existing sites and promote the efficient use of land, the strategy seeks to encourage the intensification and refurbishment of existing employment land and premises which are under used, vacant or in decline." Right now, the site is largely vacant, i.e. it is not being put to use in any way that would provide employment. Since planning consent was granted in 2017, the developers appear to have done nothing to progress their proposed development, nor have they given

any reason for the delays on their part. They are now asking for three additional years to commence employment. This raises the prospect of the site remaining unavailable for any potential job-creating activities for several more years. They understand that time limits to planning consents have been introduced to ensure that land will not unnecessarily be taken out of active use indefinitely for proposed developments that may never materialise. We would suggest that an extension might well result in 'planning blight', i.e. stymie other proposals and developments for longer.

- (iii)** Air Quality – Since the original application was approved in 2017, a new Planning Policy Wales has been published which states in section 6.7.2.: *“National air quality objectives are not ‘safe’ levels of air pollution....It is desirable to keep levels of pollution as low as possible.”* Section 6.7.10 further states: *“asking a sustainable approach will mean balancing short-term needs against long-term objectives to reduce public exposure to airborne pollution and giving particular consideration to the presence of air quality management areas, noise action planning priority areas and areas with sensitive receptors when proposing new development and particularly when preparing development plans.”* They read this as a strengthening of air quality planning policy since the original planning decision was made. In the context of air quality, they are deeply concerned that there has been no monitoring of small particulates (PM10 and PM2.5) in the locality, despite the nearby steel works, the existing waste incinerator, and the proposal for a second in Wentloog (ref: 19/02588/MJR), as well as the proximity of the site to residents; especially to the Gypsy, Roma and Traveller community on Rover Way adjacent to the planned power plant. Without such monitoring, it is impossible to know whether legal limits are already being approached or even exceeded.
- (iv)** Documentation – Since the original approval of this planning permission, Cardiff Council and Welsh Government have both announced a climate emergency and committed to carbon neutrality by 2030. Due to the significant effect on clean air and net CO2 emissions, an extension of this planning permission should be considered bearing these policy changes in mind. In line with these new policy commitments, and in order to take account of the significant long-term environmental effects of this plant, under the EU Directive 2001/42/EC and The Environmental Assessment of Plans and Programmes Regulations 2004, we believe that a Strategic Environmental Assessment and sustainability appraisal needs to be undertaken with regard to this plant. As far as we are aware, a Life Cycle Assessment has not been completed to assess the environmental impact of the biomass plant's use of materials. Full accountability of the industrial ecology, procurement, supply and delivery of materials needs to be accounted for. An up-to-date Environmental Aspect Assessment should also be completed to highlight how the company plans on managing environmental risk using a life cycle approach (both indirect and direct aspects).

8. ANALYSIS

- 8.1 Members are advised to note that this application seeks to extend the life of the extant planning permission for a further two years from the date of any permission that is granted. No changes to the parameters of the outline permission are proposed. The scale and character of the development would remain as previously approved.
- 8.2 Following receipt of the application a screening exercise took place to establish whether the previous Environmental Statement (ES) remained adequate for the purposes of this application. It was concluded that, mindful the short time that had elapsed since the permission and that no other changes to the approved development were being proposed, the previous ES did indeed remain adequate to assess the significant effects of the development on the environment and no further information was required to assist in the determination of the application.

Planning Policy Context

- 8.3 Since the granting of the original planning permission in June 2018, Edition 10 of Planning Policy Wales has been published (December 2018) (PPW10). PPW10 recognises an energy hierarchy in which all new developments are expected to mitigate the causes of climate change. Reducing energy demand and increasing efficiency through the location and design of new development will assist in meeting energy demand with renewable and low carbon sources.
- 8.4 LDP Policy KP15 (Climate Change) advises that reducing carbon emissions is one of a number of factors that can mitigate against the effects of climate change.
- 8.5 Concerns have been raised during the public consultation surrounding the likely pollution levels generated by the biomass plant against the national planning policy backdrop of PPW10.
- 8.6 In response, it should be noted that the principle of this development has previously been established by the 2018 permission. Members should also note that the Local Planning Policy Context has not changed and remains the adopted development plan just as it was when the original planning application was approved. Finally, the biomass plant comprises one component of the application and needs to be considered in the context of the whole development; the biomass will provide thermal and heat energy to supply up to 130,000 square feet of zero to low carbon industrial development. The proposed development is considered to be in alignment with national and local planning policies to reduce carbon emissions.

Traffic

- 8.7 It is noted that the Operational Manager, Transportation, has no reason to oppose the application provided that all relevant conditions previously attached to the permission are re-attached to any future permission.

- 8.8 Regarding the future route of Eastern Bay Link, no details of the precise route are currently available. It is noted that Welsh Government Transport Division has not raised this as a concern. In any event the route will have to avoid private land and therefore the future extension is not considered to be an issue that could reasonably prevent the delivery of this development.

Land Contamination

- 8.9 It is noted that Shared Regulatory Services' Contaminated Land Team have no comments to make on this application. All previous conditions to safeguard against contamination are considered to remain sufficiently robust and are therefore recommended to be re-attached to any planning permission that Committee resolve to grant.

Noise

- 8.10 It is noted that Shared Regulatory Services Noise and Air Pollution Team remain satisfied that any potential noise impacts can be satisfactorily mitigated through re-attaching conditions, including the requirement to achieve acceptable noise levels through the submission and approved of a noise assessment.

Air Pollution & Health

- 8.11 It is noted that the Shared Regulatory Services Air Quality Officer is satisfied with the 2 year time extension sought, subject to a relevant condition securing the submission and written approval of an Air Quality Assessment confirming that the emissions from the Biomass Plant are within acceptable levels.
- 8.12 The original Environmental Assessment included the existing waste incinerator in Splott in the baseline information. The proposed ERF ('Mor Hafren') at Newlands Road is a 'Development of National Significance' (DNS) and will therefore be considered by the Planning Inspectorate who will submit a report to the Welsh Ministers. As this scheme does not benefit from a planning permission (an application for this project was registered in October 2020) it is not an existing or committed development for the purposes of the EIA Regulations. However, an 'in-combination' assessment of Mor Hafren and other similar developments is included within the Habitats Regulations Assessment (HRA). This HRA has been amended following dialogue with NRW and concludes that the effects of the proposals, including their 'in-combination' effects with other similar projects in the vicinity, would not be likely to have an adverse effect upon the integrity of the Severn Estuary European Marine Sites. NRW have been re-consulted on the amended HRA and their final comments will be reported to Planning Committee.

Residential Amenity

- 8.13 It is considered that the amenities of local residents can be adequately safeguarded through the imposition of relevant conditions that were previously

attached. There is no change to the parameters of the development that would lead to a different conclusion this time. Members are also reminded that the detailed design of the development will require further approval and residential amenity can again be considered at this stage.

Third Party Representations

8.14 In response to the third party representations received which have not already been covered in this report, the following comments are made:

- (i) The applicant is seeking a time extension to keep the permission 'alive' whilst they seek to obtain the necessary Environmental Permit Consent from Natural Resources Wales and approvals for works in the public highway from the Highways Authority. In any event, the Local Planning Authority does not require 'evidence' to justify the time extension – its duty is to determine any valid application it receives.
- (ii) Extending the life of the extant permission would, on the contrary, provide greater certainty for the future use of this site. The site is not allocated for any specific development in the Local Development Plan (LDP);
- (iii) The cumulative impacts of this development together with other developments in the vicinity were assessed in the original Environmental Statement (ES);
- (iv) The proposals for an energy recovery facility in Wentloog comprise a 'Development of National Significance' (DNS). This application by another developer is entirely separate from the current application before Committee. The DNS is currently under consideration by the Planning Inspectorate and will be determined by the Welsh Ministers (PINS ref: DNS/3236340). Any comments on this application should be submitted to the Planning Inspectorate;
- (v) Horses grazing untethered on the verges along Rover Way is a highways management issue to be resolved outside of the determination of this planning application;
- (vi) The Environmental Permitting process is regulated by Natural Resources Wales under separate legislation and sits outside the scope of the planning application process;
- (vii) The application has been publicised by 9 no. site notices and neighbour notification letters, exceeding publicity requirements;
- (viii) The Welsh Government's Plant! Scheme creates new woodlands for future generations across Wales at specific designated sites. However, a Green Infrastructure Strategy to include tree planting is required by condition to be approved prior to the submission of any reserved matters applications. Landscaping is also reserved for subsequent approval.
- (ix) The application is accompanied by an Environmental Impact Assessment which has assessed the likely significant environmental effects of the development. There is no planning requirement to also submit a Life Cycle Assessment.

8.15 *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.

- 8.16 *Equality Act 2010* – The Equality Act 2010 identifies a number of ‘protected characteristics’, namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council’s duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.
- 8.17 *Well-Being of Future Generations Act 2015* – 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.
- 8.18 *Environment (Wales) Act 2016* – This Act enshrines in law principles and policies for managing natural resources in a sustainable way. Amongst other things it introduces a new biodiversity duty on public authorities to seek to maintain and enhance biodiversity when exercising their functions, and in so doing to promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions. This duty and the resilience of ecosystems, have been considered and discharged in the evaluation of this outline application. Conditions are recommended that would serve to create and enhance local opportunities for wildlife and enhance biodiversity. This duty would be further considered during the consideration of reserved matters and future discharge of condition applications.

9. CONCLUSIONS

- 9.1 It is recommended that, having considered the environmental information, planning permission be granted for a further two years from the date of this permission, subject to relevant conditions.



rev	description	by	date
1	Amended red line		12/10/17
	first issue	RB	18/8/17

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project
 Parc Calon Gwyrdd
 First-Step Group

title
Location Plan
 status
 Planning
 scale @ A1
 1:2500

job number	drawing number	rev
129	A(P)-01	1

please consider the environment before printing this document
 refer to dimensions where provided - do not scale from drawing



Area = 16.45 Hectares (40.6 Acres)



rev	description	RB	18/8/17
		by	date



 project
 Parc Calon Gwyrdd
 First-Step Group

title
Site Plan
 status
 Planning

job number	drawing number	rev
129	A(P)-02	

please consider the environment before printing this document refer to dimensions where provided - do not scale from drawing

Habitats Regulations Appraisal

Severn Estuary Special Protection Area (SPA), Special Area of Conservation (SAC), and Wetland of International Importance (Ramsar Site)

Application No: 20/01279/MJR
Proposal: Renewal of 17/02130/MJR for the removal of fill material and the construction of a biomass power plant (up to 9.5mw) and a maximum of 130,000 sq. ft. of industrial accommodation (B8 use class), new access roads and associated landscaping works
Location: Land at Rover Way, Pengam
DC Officer: Tim Walter

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Introduction

0.1 This planning application was identified as requiring a Habitats Regulations Appraisal in accordance with section 1.5.11 of the approved Green Infrastructure Supplementary Planning Guidance.

0.2 Under Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 (as amended), referred to as the 'Habitats Regulations', a competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which...

- a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and
- b) is not directly connected with or necessary to the management of that site.

...must make an appropriate assessment of the implications for that site in view of that site's conservation objectives. In the light of the conclusions of the assessment, the competent authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site.

0.3 The European Sites considered here are the Severn Estuary Special Area of Conservation (SAC) and the Severn Estuary Special Protection Area (SPA).

0.4 As a matter of Welsh Government policy, Ramsar sites (sites listed under the Ramsar convention as wetlands of international importance) should be treated in the same way as SACs and SPAs, including in particular in relation to the consideration of plans and projects likely to affect them. Therefore following a procedure analogous to Regulation 63 in relation to the Severn Estuary Ramsar Site would also help ensure adherence to WG policy. For the remainder of this document these three designations will be referred to as the Severn Estuary European Marine Site (Severn Estuary EMS).

0.5 This procedure, known as a Habitats Regulations Appraisal (HRA), has been invoked because it has been identified that the current project has the potential to affect the Severn Estuary EMS and it is not directly connected with or necessary to the management of those sites.

0.6 Table 1 below sets out the main stages in undertaking a HRA. The subsequent HRA text will refer to Stage 1, Stage 2 etc as described in this table. It may not be necessary to complete all stages for all factors which may affect the designated sites.

Table 1	
Habitats Regulations Assessment: Key Stages	
Stage 1	
Screening for likely significant effect	<ul style="list-style-type: none"> ▪ Describe the project being considered ▪ Identify international sites in and around the plan/ strategy area in a search area agreed with the Statutory Body Natural Resources Wales ▪ Examine conservation objectives of the interest feature(s)(where available) ▪ Review proposals and consider potential effects on European sites (magnitude, duration, location, extent) ▪ Examine other plans and programmes that could contribute to in combination effects ▪ Produce Screening Assessment
	<ul style="list-style-type: none"> ▪ <i>If no effects likely – report no significant effect (taking advice from NRW if necessary).</i> ▪ <i>If effects are judged likely or uncertainty exists – the precautionary principle applies proceed to stage 2</i>
Stage 2	
Appropriate Assessment	<ul style="list-style-type: none"> ▪ Agree scope and method of AA with NRW ▪ Consider how project, in combination with other projects, will interact when implemented, taking into account inherent avoidance and mitigation measures (the Appropriate Assessment) ▪ Using the AA, and any conditions or restrictions which may be applied to any planning consent, undertake Integrity Test ▪ Report outcomes of HRA including mitigation measures, conditions or restrictions, and consult with NRW
	<ul style="list-style-type: none"> ▪ If plan will not significantly affect European site proceed without further reference to Habitats Regulations ▪ <i>If effects or uncertainty remain following the consideration of alternatives and development of mitigations proceed to stage 3</i>
Stage 3	
Procedures where significant effect on integrity of international site remains	<ul style="list-style-type: none"> ▪ Consider alternative solutions, delete from plan or modify ▪ Consider if priority species/ habitats affected ▪ Identify ‘imperative reasons of overriding public interest’ (IROPI) economic, social, environmental, human health, public safety ▪ Notify Welsh Government ▪ Develop and secure compensatory measures

0.7 Because the application being considered here is an outline planning application, Regulation 70(3) of the Habitats Regulations applies, i.e. ‘Where the assessment provisions apply, outline planning permission must not be granted unless the competent authority is satisfied (whether by reason of the conditions and limitations to which the outline planning permission is to be made subject, or otherwise) that no development likely adversely to affect

the integrity of a European site or a European offshore marine site could be carried out under the permission, whether before or after obtaining approval of any reserved matters.'

0.8 In simpler terms this means that, taking into account any planning conditions which may be attached to an outline planning consent, that consent can not permit any subsequent development which could adversely affect the integrity of the Severn Estuary EMS.

0.9 The check for likelihood of significant effects is an initial filter, and should be a relatively quick way of deciding whether the project would be likely to negatively affect the site in a significant way. The subsequent appropriate assessment stage would normally form the more in depth assessment. The term 'likelihood' is important. The test is a likelihood of effects rather than a certainty of effects. The check should only allow those projects to proceed where it is clear that any significant effect is unlikely. If there is doubt and further information is needed, it should be concluded that there is a likelihood of significant effects. In this context, and using the normal meaning of the words, "significant" effects are taken to be effects that are worthy of attention, noteworthy. A likely effect is one that is probable or well might happen. (Tyldesley, D. 2009).

0.10 In the Waddenzee case the ECJ ruled that a project should be subject to appropriate assessment **"if it cannot be excluded, on the basis of objective information, that it will have a significant effect on the site, either individually or in combination with other plans and projects"**. This is an important ruling because it establishes that 'likely' should not be interpreted as 'probable' or 'more likely than not'. Rather an effect should be considered likely if it cannot be ruled out on the basis of objective information. (Tyldesley, D. 2009).

0.11 When undertaking an appropriate assessment, the competent authority should distinguish clearly between mitigation (avoidance and reduction) measures and compensatory measures. It should take account of the avoidance and reduction measures built into the project and forming part of the project as proposed or applied for (Tyldesley, D. 2009).

0.12 In considering whether it can ascertain whether the project would have an adverse effect on the integrity of the European site, the competent authority should consider whether the imposition of conditions, or other restrictions, on the project, and the way in which it would be carried out, would enable it to be ascertained that the project would not have an adverse effect on the integrity of the site. (Tyldesley, D. 2009).

0.13 The following definition of the integrity of a site has been adopted by the UK Government. The integrity of the site is *"the coherence of its ecological structure and function, across its whole area, that enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which it was classified"*.

1.0 Stage 1

1.1 Project Description (as set out in Design and Access Statement submitted in support of this application)

1.1.1 The proposed development is to extend the time period of an existing planning consent granted under application 17/02130/MJR for a circa 9.5 MWe Combined Heat and Power station which will produce electricity and thermal energy via steam. The fuel source for the power station will be biomass which is a sustainable fuel and will be delivered either via the adjacent Cardiff Docks or sourced from established UK distributors or a combination of both. The details of the project itself are unchanged from that already granted.

1.1.2 The power station will be a cornerstone for the production of green energy and be the heart of a proposed 'green quarter' for Cardiff – supplying both electric and thermal energy for future developments.

1.1.3 In addition to the CHP, the proposed development also includes “high-bay” industrial accommodation, which will be mostly energized by the power station. The industrial units vary in size, 15,000 sq. ft. units on each corner and a terrace of four 25,000 sq. ft. units – all with full articulated lorry access. This would provide circa 12,000m² (~130,000 sq. ft.) of low to zero carbon industrial accommodation. The roof form of the industrial units have a saw tooth shape so to provide south facing angled roofs for long term photo-voltaic use and north facing roof lights. This together with the electric and thermal energy from the power station will ensure that the units will be low to zero carbon generation in accordance with the Welsh Government National Planning Policy.

1.1.4 The site sits within the heart of a historically heavily industrialized area of Cardiff. As such, any analysis must take into account the back drop of material remediation, recycling of metals and plastics and waste water remediation including an anaerobic digestion unit on three sides of the site. The fourth side comprises the Severn Estuary.

1.1.5 Access to the site will be from two positions. The main access point will be from Rover Way towards the north eastern boundary of the site. The secondary access point will be from Tide Fields Road to the south west.

1.1.6 Noise is a key factor within the immediate area as a result of the industrial processes carried out at the Celsa plant, most notably from the Melt Shop directly to the west of Parc Calon Gwyrdd. In order to reduce the impact of noise breakout from this site it is proposed to carefully reprofile the landscaped mounds around the new development, only broken by the location of the two access roads.

1.1.7 The existing footpath on the south of the site will be enhanced as it forms part of the Wales Coast Path. A landscape maintenance strategy will be provided to ensure that the path remains in good condition for walkers and seating and viewpoints provided to enhance the experience for all users.

1.2 Designated sites and their features

1.2.1 Severn Estuary Special Area of Conservation (SAC)

SAC Habitat Features

- Estuaries;
- Mudflats and sandflats not covered by seawater at low tide;
- Atlantic salt meadow (*Glauco-Puccinellietalia maritimae*).
- Sandbanks which are slightly covered by sea water all the time; and
- Reefs.

SAC Species Features

- Sea lamprey *Petromyzon marinus*;
- River lamprey *Lampetra fluviatilis*; and
- Twait shad *Alosa fallax*.

1.2.2 Severn Estuary Special Protection Area (SPA)

The Severn Estuary SPA supports internationally important assemblages of wildfowl and waders during the winter months and migratory periods. These designations are based on:

- Internationally important populations of the Annex 1 species Bewick's Swan.
- Internationally important populations of regularly occurring migratory species (Gadwall, Shelduck, Redshank, Dunlin and European White-Fronted Goose).

The site also qualifies as an SPA since it regularly supports in excess of 60,000 waterfowl during the winter. The species listed on the SPA citation as forming part of the assemblage include Wigeon, Teal, Pintail, Pochard, Tufted Duck, Ringed Plover, Grey Plover, Curlew, Whimbrel and Spotted Redshank. Mallard, Lapwing and Shoveler have also been added as a result of the 1995 SPA review.

1.2.3 Severn Estuary Ramsar Site

- Estuaries
- Assemblage of migratory fish species
- Bewick's swan
- European white-fronted goose
- Dunlin
- Redshank
- Shelduck
- Gadwall
- Assemblage of waterfowl

1.3 Conservation Objectives of the Relevant Designated Sites

The Conservation Objectives of the Relevant Designated Sites are taken as set out in the following document:- Natural England & CCW (2009) *The Severn Estuary / Môr Hafren European Marine Site comprising: The Severn Estuary / Môr Hafren Special Area of Conservation (SAC), The Severn Estuary Special Protection Area (SPA), The Severn Estuary / Môr Hafren Ramsar Site. Natural England & the Countryside Council for Wales' advice given under Regulation 33(2)(a) of the Conservation (Natural Habitats, &c.) Regulations 1994, as amended. June 2009. These Conservation Objectives have not changed since the 2017 application, therefore the advice provided by NRW (then as CCW) under Regulation 33(2)(a), now known as Regulation 37(3)(a), has not changed.*

1.3.1 The Conservation Objectives of the Severn Estuary SAC are:-

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats and habitats of qualifying species
- The structure and function (including typical species) of qualifying natural habitats
- The structure and function of the habitats of qualifying species
- The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely
- The populations of qualifying species, and,
- The distribution of qualifying species within the site.

Further information on the Severn Estuary SAC can be found at :-

<http://www.jncc.gov.uk/ProtectedSites/SACselection/sac.asp?EUCode=UK0013030>

1.3.2 The Conservation Objectives Severn Estuary SPA are:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features, and,
- The distribution of the qualifying features within the site.

Further information on the Severn Estuary SPA and Ramsar Site can be found at:-

<http://www.jncc.gov.uk/default.aspx?page=2066>.

The Conservation Objectives for the features of the Ramsar site are the same as those for the homologous features of the SAC and SPA.

Further information on the Severn Estuary Ramsar Site can be found at <http://www.jncc.gov.uk/pdf/RIS/UK11081.pdf>.

1.4 Factors to which site features are sensitive

1.4.1 With reference to the Conservation Objectives for the features of each site, the tables below list the factors to which each feature is sensitive for issues other than harm to birds. These tables are duplicated from those set out in 'Regulation 33' advice for these sites – see references below.

Table 2 SAC Vulnerabilities

Sensitivity		Exposure		Vulnerability	
High sensitivity	OOO O	High Exposure	x x x x	High vulnerability	⊗⊗⊗⊗ ⊗⊗⊗O ⊗⊗⊗x
Moderate sensitivity	OOO	Medium Exposure	x x x	Moderate vulnerability	⊗⊗OO ⊗⊗x x ⊗⊗⊗
Low sensitivity	OO	Low Exposure	x x	Low vulnerability	⊗⊗O ⊗xxx ⊗⊗x ⊗xx ⊗⊗ ⊗x
No detectable sensitivity	O	No exposure	x	No vulnerability	⊗O
?S =insufficient information on sensitivity; ✓ = migratory fish considered to be sensitive, but insufficient information to assess level of sensitivity					Unknown vulnerability

Categories of operations which may cause deterioration or disturbance ²⁵	Annex I features					Annex II species
	Estuaries	Subtidal Sandbanks	Mudflats & sandflats	Atlantic saltmeadow	Reefs	Fish ²⁶
Physical loss						
Removal / substratum loss	⊗⊗⊗⊗	⊗⊗⊗	⊗⊗⊗⊗	⊗⊗⊗⊗	⊗⊗O	⊗x
Smothering	⊗⊗⊗O	⊗⊗x	⊗⊗⊗	⊗⊗⊗O	⊗⊗	⊗x
Physical damage						
Changes in suspended sediment	⊗⊗⊗	⊗⊗⊗	⊗⊗⊗	⊗⊗⊗	⊗⊗⊗	⊗x
Desiccation & changes in emergence regime	⊗⊗O	⊗O	⊗⊗O	⊗⊗OO	⊗O	✓xx
Changes in water flow rate	⊗⊗⊗x	⊗⊗O	⊗⊗⊗x	⊗⊗⊗x	⊗⊗O	✓xx
Changes in wave exposure	⊗⊗⊗⊗	⊗⊗O	⊗⊗⊗⊗	⊗⊗⊗⊗	⊗⊗O	⊗x
Abrasion / physical disturbance (of habitats)	⊗⊗⊗x	⊗⊗x	⊗⊗⊗x	⊗⊗⊗x	⊗⊗O	✓xx
Changes in grazing management	⊗⊗	Not relevant	Not relevant	⊗⊗⊗⊗	Not relevant	Not relevant
Non-physical disturbance						
Noise & visual presence	⊗xx	⊗xx	⊗⊗x	⊗xxx	⊗x	✓xxx
Toxic contamination						
Introduction of synthetic compounds	⊗⊗⊗x	⊗⊗⊗x	⊗⊗⊗⊗	⊗⊗⊗x	⊗⊗xx	✓xxxx
Introduction of non-synthetic compounds	⊗⊗⊗x	⊗⊗⊗x	⊗⊗⊗⊗	⊗⊗⊗⊗	?Sxxxx	✓xxxx
Introduction of radionuclides	?Sxx	?Sxx	?Sxx	?Sxx	?Sxx	✓xx
Non-toxic contamination²⁷						
Changes in nutrient loading	⊗⊗⊗⊗ ²⁸	⊗⊗xx	⊗⊗⊗x	⊗⊗⊗x	⊗⊗xx	✓xxxx
Changes in thermal regime	⊗⊗⊗	⊗⊗	⊗⊗⊗	⊗⊗	⊗⊗	✓xxxx
Changes in turbidity ²⁹ (light penetration)	⊗⊗x	⊗⊗x	⊗⊗x	⊗x	⊗xx	✓xxx
Changes in salinity	⊗⊗⊗x	⊗⊗⊗x	⊗⊗⊗x	⊗⊗⊗x	⊗⊗xx	✓xxxx
Changes in oxygenation	⊗⊗⊗x	⊗⊗xx	⊗⊗⊗x	⊗⊗xx	⊗⊗xx	✓xxxx
Biological disturbance						
Introduction of microbial pathogens	⊗⊗⊗⊗	⊗⊗⊗⊗	⊗⊗⊗⊗	⊗⊗xx	?Sxxxx	✓xxxx
Introduction of non-native species	⊗⊗⊗O	⊗⊗O	⊗⊗OO	⊗⊗	?Sxx	✓xx
Selective extraction of species	⊗⊗⊗x	⊗⊗	⊗⊗	⊗⊗	⊗⊗	✓xx

²⁵ For a further explanation of each category see <http://www.marlin.ac.uk/sah/baskitemplate.php?benchmarks>

²⁶ River lamprey, sea lamprey & twaite shad

²⁷ All elements of non toxic contamination are interrelated and also link closely with changes in suspended sediment (physical damage)

²⁸ The high natural turbidity of the estuary negates these high levels with algal productivity being generally low – the estuary feature is therefore not considered vulnerable – see section 5.6.1.3.(viii)

²⁹ Turbidity here incorporates light penetration; suspended sediment under ‘changes in suspended sediment’ and its deposition under ‘smothering’

Table 3 SPA Vulnerabilities

Sensitivity		Exposure		Vulnerability	
High sensitivity	OOOO	High Exposure	x x x x	High vulnerability	⊗⊗⊗⊗ ⊗⊗⊗O ⊗⊗⊗x
Moderate sensitivity	OOO	Medium Exposure	x x x	Moderate vulnerability	⊗⊗OO ⊗⊗x x ⊗⊗⊗
Low sensitivity	OO	Low Exposure	x x	Low vulnerability	⊗⊗O ⊗xxx ⊗⊗x ⊗xx ⊗⊗ ⊗x
No detectable sensitivity	O	No exposure	x	No vulnerability	⊗O
?S = Insufficient information on sensitivity				Unknown vulnerability	

Categories of operations which may cause deterioration or disturbance	Internationally important populations of regularly occurring Annex 1 species		Internationally important migratory species and waterfowl assemblage		
	Intertidal mudflats and sandflats	Saltmarsh	Intertidal mudflats and sandflats	Saltmarsh	Hard substrates
Physical Loss					
Removal/substratum loss	⊗⊗⊗⊗	⊗⊗⊗⊗	⊗⊗⊗⊗	⊗⊗⊗⊗	⊗⊗⊗⊗
Smothering	⊗⊗⊗	⊗⊗⊗	⊗⊗⊗	⊗⊗⊗	⊗⊗⊗
Physical Damage					
Changes in suspended sediment	⊗⊗⊗	⊗⊗⊗	⊗⊗⊗	⊗⊗⊗	⊗⊗⊗
Desiccation and changes in emergence regime	⊗⊗O	⊗⊗OO	⊗⊗O	⊗⊗OO	⊗⊗O
Changes in water flow	⊗⊗⊗x	⊗⊗⊗x	⊗⊗⊗x	⊗⊗⊗x	⊗⊗⊗x
Changes in wave exposure	⊗⊗⊗⊗	⊗⊗⊗⊗	⊗⊗⊗⊗	⊗⊗⊗⊗	⊗⊗⊗⊗
Abrasion / physical disturbance (of habitats)	⊗⊗	⊗⊗O	⊗⊗⊗⊗	⊗⊗⊗x	⊗⊗⊗x
Grazing management	Not relevant	⊗⊗⊗⊗	Not relevant	⊗⊗⊗⊗	Not relevant
Non-physical disturbance					
Noise & visual presence	⊗⊗OO	⊗⊗⊗O	⊗⊗⊗O	⊗⊗⊗⊗	⊗⊗⊗O
Toxic contamination					
Introduction of synthetic compounds	⊗⊗⊗	⊗⊗⊗	⊗⊗⊗⊗	⊗⊗⊗x	⊗⊗⊗x
Introduction of non-synthetic compounds	⊗⊗⊗	⊗⊗⊗	⊗⊗⊗⊗	⊗⊗⊗⊗	⊗⊗⊗x
Introduction of radionuclides	?Sxx	?Sxx	?Sxx	?Sxx	?Sxx
Non-toxic contamination					
Changes in nutrient loading	⊗xxx	⊗⊗⊗x	⊗⊗⊗x	⊗⊗⊗x	⊗⊗xx
Changes in thermal regime	⊗x	⊗⊗	⊗⊗⊗	⊗⊗	⊗⊗
Changes in turbidity (light penetration)	⊗xx	⊗x	⊗⊗x	⊗x	⊗⊗x
Changes in salinity	⊗xxx	⊗⊗⊗x	⊗⊗xx	⊗⊗⊗x	⊗⊗xx
Changes in oxygenation	⊗xxx	⊗⊗xx	⊗⊗xx	⊗⊗xx	⊗⊗xx
Biological disturbance					
Introduction of microbial pathogens	⊗⊗xx	⊗⊗xx	⊗⊗⊗⊗	⊗⊗xx	⊗⊗⊗⊗
Introduction of non-native species	⊗x	⊗⊗	⊗⊗OO	⊗⊗	⊗⊗OO
Selective extraction of species	⊗⊗O	⊗⊗O	⊗⊗⊗	⊗⊗⊗	⊗xx

Table 4 Ramsar Vulnerabilities (as related to tables 1 & 2 above, and referring to sections and tables in Reg 33 advice (ref 12.1)).

Ramsar interest features	Relevant SAC and SPA features and supporting habitats	Reference section for advice on operations relevant to the Ramsar features
<i>Ramsar Interest feature 1 : Estuaries</i>	SAC: Annex I habitats Estuaries Intertidal mudflats and sandflats Atlantic Salt Meadows	Section 5.6.1 & Table 22 Section 5.6.3 & Table 22 Section 5.6.4 & Table 22
<i>Ramsar Interest feature 2 : Migratory fish assemblage</i>	SAC : Annex II species River lamprey <i>Lampetra fluviatilis</i> ; Sea lamprey <i>Petromyzon marinus</i> ; Twaite shad <i>Alosa fallax</i>	Section 5.6.6 & Table 22 Section 5.6.6 & Table 22 Section 5.6.6 & Table 22
Internationally important populations of waterfowl		
<i>Ramsar Interest feature 3: Bewick's swan</i>	SPA : Internationally important populations of regularly occurring Annex 1 species (Bewick's swan)	Section 5.7.1 & Table 23
<i>Ramsar Interest feature 4: European white-fronted goose</i> <i>Ramsar Interest feature 5: Dunlin</i> <i>Ramsar Interest feature 6: Redshank</i> <i>Ramsar Interest feature 7: Shelduck</i> <i>Ramsar Interest feature 8: Gadwall</i>	SPA: Internationally important populations of regularly occurring migratory species (same species as column to left) Supporting habitats Intertidal mudflats and sandflats Saltmarsh Hard substrates	Section 5.7.2 & Table 23 Section 5.6.3 & Table 22 Section 5.6.4 & Table 22
<i>Ramsar Interest feature 9</i> Internationally important assemblage of waterfowl	SPA: Internationally important assemblage of waterfowl Supporting habitats Intertidal mudflats and sandflats Saltmarsh Hard substrates	Section 5.7.2 & Table 23 Section 5.6.3 & Table 22 Section 5.6.4 & Table 22

1.4.2 Potential Impacts Arising From Project

1.4.2.1 The proposed development site is between 5 and 200 metres to the northwest of the foreshore of the Severn Estuary, which at this point is designated as a Site of Special Scientific Interest (SSSI), as a Special Area of Conservation (SAC), is classified as a Special Protection Area (SPA), and listed as a Ramsar site.

1.4.2.2 However, the proposed development will not encroach upon the Severn Estuary EMS, so there is no potential for effects due to land take or immediate physical disturbance of habitats. Nonetheless, mindful of the vulnerabilities in Section 4 above, there is potential for the proposed development to have the following impacts:

- Disturbance to bird features arising from removal of overburden, construction activities and from operation of the development;

- Site drainage and release of any existing land contamination causing pollution of the Severn Estuary EMS during removal of overburden, construction and operation of the development ;
- Aerial emissions causing pollution of the Severn Estuary EMS during operation of the development.
- Dust arising from removal of overburden and construction causing contamination and smothering of Severn Estuary EMS habitats
- Increased disturbance to birds caused by use of a temporarily re-aligned Wales Coastal Path at this site

1.4.2.3 These impacts correlate with the categories of operations which may cause deterioration or disturbance as set out in tables 2 to 4 above, as follows:-

Table 5. Comparison of likely impacts of the project with categories of operations which may cause deterioration or disturbance		Impacts arising from proposed development as set out in Tables 2 to 4 above					
		Disturbance to birds during works	Disturbance to birds due to changes in coastal path	Mobilisation of existing contaminants during works	Aerial emissions during operation	Dust emissions during works	Surface and foul water drainage during operation
Categories of operations which may cause deterioration or disturbance	Smothering	X	X	✓	✓	✓	✓
	Noise & Visual presence	✓	✓	X	X	X	X
	Introduction of synthetic compounds	X	X	✓	X	X	✓
	Introduction of non-synthetic compounds	X	X	✓	X	X	✓
	Changes in nutrient loading	X	X	X	✓	✓	✓

1.4.2.4 Tables 2 to 4 above also set out the levels of sensitivity of each of the features of the designations to the categories of operations which may cause deterioration or disturbance. These are summarised in Table 6 below. These levels of sensitivity will be used to assess the likelihood of any significant effect and subsequently and any adverse effect upon the integrity of the Severn Estuary EMS.

Table 6. Levels of sensitivity of Severn Estuary EMS features to identified pathways for adverse effect.

Receptors – Severn Estuary EMS Features		Pathway for adverse effect									
		Mobilisation of existing ground/groundwater contaminants		Disturbance		Smothering			Changes in nutrient loading		
		Toxic Contamination – Introduction of Synthetic Compounds	Toxic Contamination – Introduction of Non-synthetic Compounds	Noise	Visual	Aerial Emissions	Dust	Surface water run-off	Aerial Emissions	Dust	Surface water run-off
SAC Annex I Habitats	Estuaries	High	High	Low	Low	High	High	High	Low	Low	Low
	Subtidal Sandbanks	High	High	Low	Low	Low	Low	Low	Moderate	Moderate	Moderate
	Mudflats & sandflats	High	High	Low	Low	Moderate	Moderate	Moderate	High	High	High
	Atlantic Salt-meadow	High	High	Low	Low	High	High	High	High	High	High
	Reefs	Moderate	Unknown	Low	Low	Low	Low	Low	Moderate	Moderate	Moderate
SAC Annex II Species	Fish	Unknown	Unknown	Unknown	Unknown	Low	Low	Low	Unknown	Unknown	Unknown
Habitats of SPA Annex I species	Intertidal mudflats & sandflats	Moderate	Moderate	Moderate	Moderate	Moderate	Moderate	Moderate	Low	Low	Low
	Saltmarsh	Moderate	Moderate	High	High	Moderate	Moderate	Moderate	High	High	High
Habitats of SPA migratory species and waterfowl assemblage	Intertidal mudflats & sandflats	High	High	High	High	Moderate	Moderate	Moderate	High	High	High
	Saltmarsh	High	High	High	High	Moderate	Moderate	Moderate	High	High	High
	Hard substrates	High	High	High	High	Moderate	Moderate	Moderate	Moderate	Moderate	Moderate

1.4.2.5 The potential impacts from section 1.4.2.2 above are considered in turn, as part of the test of likely significant effect, in the following section.

1.4.3 Disturbance to birds during works

1.4.3.1 There is potential for removal of overburden and construction activities to cause visual and noise disturbance to overwintering and migratory wetland birds which are features of the SPA, as set out in Table 6 above. For example, use of cranes, together with noisy activities such as drilling, piling and operation of machinery, could disturb wetland birds while they are roosting or foraging on nearby foreshore habitats.

1.4.3.2 Table 6 illustrates that most of the Severn Estuary EMS features are either highly or moderately sensitive to this type of disturbance.

1.4.3.3 As a general rule, a distance of 200m between the receptor (i.e. the birds) and the activity (i.e. construction) is taken as the maximum distance over which the activity can affect the receptor. The entirety of the proposed project is within 200m of mean high water, and therefore potentially all construction or spoil removal works at this site may cause disturbance to wetland birds on the foreshore.

1.4.3.4 The ES, for example at sections 8.5.7, 8.5.8 and 8.5.9, makes reference to the construction of a bund to shield birds using the foreshore habitats from disturbance during removal of the overburden and construction of buildings. The ES also makes reference to undertaking works during the summer months when overwintering and migratory SPA-feature birds are in low numbers. These are valid suggestions for avoidance and mitigation of impacts, however I do not see that they are integral to or guaranteed by the project, as submitted, in sufficient detail so as to assure me that they will completely remove any possibility of a significant effect.

1.4.3.5 For example, as set out in section B.2.7.b) of Tyldesley 2009, counteracting measures:-

'...must be an integral part of the project, as proposed, so it is concluded that the project as a whole, including its mitigation measures, is unlikely to have an effect on the site. Possible or potential additional measures, such as conditions that might be applied later on, cannot be relied upon at this stage to determine that significant effects are not likely.'

1.4.3.6 Therefore it cannot be excluded, on the basis of the information provided thus far, that the project is likely to have a significant effect upon the Severn Estuary EMS, so an appropriate assessment of this factor is needed.

1.4.4 Disturbance to birds due to changes in coastal path

1.4.4.1 I am advised by my colleague in our Highways department (Jenn Griffiths email dated 22/01/18), that there is no expected increase in footfall in relation to the proposed biomass plant development. However, any measures which could be implemented as part of this proposed development which would discourage coastal path users from accessing the foreshore, would be welcomed. Those measures should be seen in the context of a wider predicted increase in coast path use in this area due to improvements elsewhere, and any such increase should be considered in the light of the HRA of the Wales Coast Path as a whole, conducted by NRW.

1.4.4.2 Therefore the proposed development is not likely to have a significant effect upon the Severn Estuary EMS via the medium of increased footfall along the coastal path at this point, so an appropriate assessment does not need to consider this factor.

1.4.5 Contamination of habitats caused by mobilisation of existing ground contaminants during works

1.4.5.1 The site for this proposed development is on the former 'Frag Tip', a historical landfill which has been identified by Pollution Control as a site with potential significant contamination and ground gas issues present. Therefore, during groundworks, soil contaminants may be disturbed and mobilised into groundwater, which may in turn migrate horizontally into surface waters. These contaminants could potentially harm Severn Estuary EMS habitats.

1.4.5.2 Table 6 illustrates that most of the Severn Estuary EMS features are either highly or moderately sensitive to all of these potential pathways.

1.4.5.3 I note the statement in section 8.5.11 of the ES that:- *'There is potential for an increase in contamination of the estuary habitats during re-working and removal of the tipped slag and other waste material'*. However, I also note from comment provided by Jason Bale on 22nd January 2018 that *'The report provides very little detail on how the works will be undertaken, and what mitigation measures will be implemented, only that such measures will be detailed in the (CEMP)'*. The same communication also indicates that further details remain to be provided, and also that *'...there are no details on appropriate mitigation measures to (sic) that the identified receptors are not adversely impacted from this element of the works'*. Those receptors include the sensitive habitats of the Severn Estuary EMS.

1.4.5.4 Some mitigation measures are proposed, and these are valid suggestions for avoidance and mitigation of impacts, however I do not see that they are integral to or guaranteed by the project, as submitted, in sufficient detail (as confirmed by Jason Bale as above) so as to assure me that they will completely remove any possibility of a significant effect.

1.4.5.5 It should be noted that the liner protecting the underlying 'frag' has already been compromised by coastal erosion and by the deposition of the overburden. Therefore any existing contaminants are already leaching out into the Severn Estuary EMS and nearby habitats, and any new mobilisation of existing contaminants should be seen in the context of this existing leaching. Equally, construction of a bund may serve to stop the existing leaching, but no details of the bund or of its detailed impact upon existing leaching are provided.

1.4.5.5 Therefore it cannot be excluded, on the basis of the information provided thus far, that the project is likely to have a significant effect upon the Severn Estuary EMS, so an appropriate assessment of this factor is needed.

1.4.6 Dust during works

1.4.6.1 As set out in section 8.5.11 of the ES, *'There is potential for an increase in contamination of the Severn Estuary habitats during re-working and removal of the tipped slag and other waste material. This could occur as contaminants are mobilised...as wind-blown dust'*.

1.4.6.2 Furthermore, Section 1.4 of the Construction Phase Impact Assessment October 2017 states that the dust emission class for earthworks at this site is considered to be 'large'. It further states in section 1.5 that dust will arise from piling of foundations, vehicles travelling over unpaved ground, and from the cutting of concrete.

1.4.6.3 Table 6 illustrates that most of the Severn Estuary EMS features are either highly or moderately sensitive to the impact of dust deposition.

1.4.6.4 Some mitigation measures are proposed, for example in sections 2.3 and 2.4 of the Construction Phase Impact Assessment, sections 9.6.2 to 9.6.4 of Chapter 9 – Air Quality - of the ES, and sections 7.6.6 to 7.6.8 of the ES Chapter 7 Geotechnical Conditions & Contaminated Land. These are valid suggestions for avoidance and mitigation of impacts, however I do not see that they are integral to or guaranteed by the project, as submitted, in sufficient detail (as confirmed by Jason Bale as above) so as to assure me that they will completely remove any possibility of a significant effect.

1.4.6.5 Therefore it cannot be excluded, on the basis of the information provided thus far, that the project is likely to have a significant effect upon the Severn Estuary EMS, so an appropriate assessment of this factor is needed.

1.4.7 Aerial emissions during operation

1.4.7.1 The proposed development is for a circa 9.5 MWe Combined Heat and Power station which will produce electricity and thermal energy via steam. However the exact nature and quantities of aerial emissions will not be determined until a later stage in the planning process.

1.4.7.2 With reference to Table 6 above, deposition of aerial emissions of particulates and NO_x have the potential to affect the features of the Severn Estuary EMS. I note from the consultation response provided by Craig Lewis of Shared Regulatory Services on 12th January 2018 that he considers the air quality impacts on the Severn Estuary EMS to be significant. Mr Lewis also notes that mitigation technologies and measures to reduce NO_x and particulates emissions have yet to be finalised.

1.4.7.3 Therefore it cannot be excluded, on the basis of the information provided thus far, that the project is likely to have a significant effect upon the Severn Estuary EMS so an appropriate assessment of this factor is needed.

1.4.8 Surface and foul water drainage during operation

1.4.8.1 It is noted that foul water arising from an operational development will be discharged via the Public Combined Sewer and treated accordingly. Therefore the proposed development is not likely to have a significant effect upon the Severn Estuary EMS via the medium of foul water emission, so an appropriate assessment does not need to consider this factor.

1.4.8.2 Surface water run-off may lead to contamination, smothering and nutrient enrichment of habitats, so in accordance with Tables 2 to 4 above there is a potential pathway to impact upon the Severn Estuary EMS features.

1.4.8.3 The Surface/Foul Water Drainage Strategy August 2017 identifies the method to dispose of surface water is to drain to the nearby sea, however drawing reference A(P)-02 shows two infiltration ponds which are presumably intended to intercept surface water run-off.

1.4.8.4 Therefore, while there remains uncertainty as to how surface water run-off will be treated, it cannot be excluded, on the basis of the information provided thus far, that the project is likely to have a significant effect upon the Severn Estuary EMS so an appropriate assessment of this factor is needed.

1.5 Other plans and programmes that could contribute to in combination effects

Waste Water Treatment Works Anaerobic Digestion Facility

1.5.1 Applications 13/00686 and 15/00591 propose a small-scale (2MW) anaerobic digestion facility at the Waste Water Treatment Works (WWTW) immediately (200m) to the south west of the Frag Tip. These applications were subject to a HRA, with the following outcomes:-

1.5.2 Atmospheric Pollution - Aerial emissions of NO_x, SO_x and particulates have the potential to affect habitats which are features of the Severn Estuary EMS, such as Saltmarsh and Coastal Grazing Marsh. However, the effects modelling within the Local Air Quality Impact Assessment indicate that Predicted Environmental Concentrations are within the critical levels for these habitats.

1.5.3 Water-borne pollution and mobilisation of existing ground contaminants - Given the distance between the proposal site and the Severn Estuary (about 350m), and the intervening land use (waste-water treatment tanks) it is unlikely that water-borne pollutants and mobilised existing ground contaminants will migrate laterally to the Severn Estuary EMS.

1.5.4 In addition, in their response of 12 May 2015, NRW have indicated that provided the development is carried out as stated in the application and supporting documents, they are of the opinion that the proposal would not be likely to have a significant effect on the Severn Estuary EMS. On this basis it can be assumed that there is not likely to be a significant effect upon the Ramsar site as well.

1.5.5 Therefore, given that the present application for a biomass plant has been identified as being likely to have a significant effect on the Severn Estuary EMS, but the WWTW anaerobic digester has not, the scale of potential contribution of the latter project to the overall atmospheric and waterborne pollution in this area is likely to be minor. However, even a minor addition to an already likely significant effect still results in a small overall increase in LSE, so the appropriate assessment of the present application should consider the in-combination effects of these projects.

Replacement Chimneys to Existing Boiler Room at Unit 68 Portmanmoor Rd Ind. Est.

1.5.6 This proposal (20/01626/MNR) entails replacement of existing chimneys to the existing boiler room at Princes Ltd facility Portmanmoor Road Cardiff, thereby extending their height from 12m to 20m. An Air Dispersion Modelling Report has been produced, and this will be used to inform a HRA for this application. Therefore on a precautionary basis this application is screened in for an in-combination assessment in the HRA for present Rover Way application.

Mor Hafren Bio Power Energy Recovery Facility Newlands Road

1.5.7 This proposal is a Development of National Significance and as such will be determined by the Planning Inspectorate in Wales. A Local Impact Report will be produced by Cardiff Council and the reference number 19/02588/MJR has been allocated to this, and a HRA has been produced for this application. Therefore on a precautionary basis this application is screened in for an in-combination assessment in the HRA for present Rover Way application.

Uskmouth Power Station

1.5.8 An application to Newport Council (Ref 20/0748) has been submitted for the erection of silos and de-dusting building, extension to rail unloading facility, new above ground conveyors and ancillary development. The zone of influence of this proposal could impact upon habitat which could be affected by the current Rover Way proposal. Therefore on a precautionary basis this application is screened in for an in-combination assessment in the HRA for present Rover Way application

1.5.9 Further projects are proposed in Cardiff which may in time be identified as needing a HRA, however at the time of undertaking the present HRA, these projects are not the subject of a pre-application so there are not sufficient details available to determine whether there is likely to be a significant effect on the Severn Estuary EMS in combination with the present 20/01279 application for amended timescales.

1.5.10 These developments include the Cardiff Parkway / Hendre Lakes project, and potential employment development at Longcross Farm. In both cases, a HRW is likely to require in-combination consideration with the present 20/01279 application for amended timescales, but sufficient details of these proposals have not been submitted to Cardiff Council as yet which would allow in combination consideration within the present HRA.

1.6 Summary of Test of Likely Significant Effect ('Significance Test')

1.6.1 The first step in considering a plan or project in accordance with Article 6.3 of the Habitats Directive is to determine whether it was likely to have a significant effect on a SAC or SPA (or Ramsar site). This is a coarse filter intended to identify those plans/projects which require further assessment of their implications and those where significant effects can be ruled out without further assessment. According to ECJ case law, this test should be applied in a precautionary way, such that a plan/project should be considered likely to have a significant effect if it cannot be excluded, on the basis of objective information, that it will have a significant effect. A significant effect is one likely to undermine a site's conservation objectives.

1.6.2 In considering this test, account is taken of any proposed mitigation measures which are integral to and guaranteed by the project, and which would counteract the potential effects described in Section 1.4 above. A summary of the results of the test of likely significance is set out in Table 7 below.

Factor	Likely Significant Effect?
Disturbance to bird features arising from construction activities and from operation of the development;	Yes
Site drainage and release of any existing land contamination causing pollution of the Severn Estuary EMS during construction;	Yes
Aerial emissions causing pollution of the Severn Estuary EMS during operation of the development.	Yes
Dust arising from construction causing contamination and smothering of Severn Estuary EMS habitats	Yes
Increased disturbance to birds caused by use of a temporarily re-aligned Wales Coastal Path at this site	No
Surface and foul water drainage during operation	Yes (surface water run-off only)

1.6.3 Where it is identified in Table 7 above that a factor is likely to have a significant effect upon features of the Severn Estuary EMS, then an Appropriate Assessment and test of adverse effect on integrity is required, and this is set out in section 2 below.

1.6.4 In addition, as set out in section 1.5 above, the impacts of several projects will need to be considered in combination with the present project in the appropriate assessment.

2. Appropriate Assessment

2.1 Agree scope and method of AA with NRW

2.1.1 NRW provided comprehensive comments on this application on 14th December 2017, and their recommendations for the scope of the HRA are as follows:-

- Disturbance to bird features arising from construction activities and from operation of the development;
- Site drainage and release of any existing land contamination causing pollution of the Severn Estuary EMS during construction;
- Site drainage causing pollution of the Severn Estuary EMS during operation of the development; and
- Aerial emissions causing pollution of the Severn Estuary EMS during operation of the development.

Further advice in respect of in-combination assessments was provided verbally on 30th November 2020.

2.1.2 These are broadly the same as those identified in section 1.4.2.2 above. In the same correspondence, NRW offered advice on the methodology of the HRA, and this offer was taken up in a series of telephone calls between the County Ecologist for Cardiff and NRW conservation officers.

2.1.3 As the project has not changed, nor has the Regulation 33 advice as set out above, we are entitled to rely upon this advice for the 20/01279 application for amended timescales. IN NRW's further advice of 16/10/20, NRW advised that Cardiff Council should consider whether there has been a change in the baseline environmental conditions which would lead to a change in likely significant effect or adverse effect upon integrity.

2.1.4 The original HRA was not based upon novel ecological survey work to establish an ecological baseline, but was instead based upon the factors arising from the proposed scheme and the effects they could have upon the conservation objectives of the EMS, together with an assumption of the presence of species and habitats. As none of these have changed, then it is natural that the conclusion of the HRA of the project when considered alone should not change.

2.1.5 Similarly, officers advising on contaminated land and transport impacts have not raised new concerns which were not raised at the time of the original 17/02130 application.

2.2 Consideration of how the project, in combination with other projects, will interact when implemented, taking into account inherent avoidance and mitigation measures (the Appropriate Assessment)

2.2.1 The purpose of this stage of the HRA is to undertake an appropriate assessment of the proposed project in relation to the conservation objectives of the Severn Estuary SAC, SPA and Ramsar sites. Subsequently this assessment, in combination with any conditions or restrictions which may be applied to any planning consent granted, will be used to determine whether the project will have an adverse effect on the integrity of those designated sites. The factors arising from the test of likely significance above, are considered in turn below.

2.3 Disturbance - Noise/visual disturbance of overwintering and migratory bird features of the SPA during removal of the overburden and construction of the Biomass Plant and associated infrastructure

2.3.1 There is potential for construction activities to cause visual and noise disturbance to overwintering and migratory wetland birds which are features of the SPA, as set out in Table 6 above. For example, use of cranes, or personnel working at height on scaffolding etc, together with noisy activities such as drilling, piling and operation of machinery, could disturb bird features while they are roosting or foraging on nearby foreshore habitats. Overwintering birds are disturbed by sudden movements and sudden noises. This can displace the birds from their feeding grounds. Disturbance can prevent the birds from feeding and in response they either a) decrease their energy intake at their present (disturbed) feeding site through displacement activity, or b) move to an alternative less favoured feeding site. Such a response affects energy budgets and thus survival. There is intermittent disturbance from both the landward and seaward side of the site. Bewick's swans are mainly affected by disturbance from the landward side and any increase in disturbance should be avoided. At present NE and NRW assess that the Annex 1 species are moderately sensitive to noise and visual disturbance on the intertidal mudflats and sandflats and highly sensitive to this category of operation on the saltmarsh.

2.3.2 It is acknowledged in the ES that there is a risk of disturbance of overwintering and migratory estuary birds by construction noise and vibration while the work is undertaken. Visual disturbance due to the presence of people and machinery is also possible. The construction of the coastal bund is proposed during the summer months, at a time of year when relatively few birds use the estuary, and the physical presence of the bund would reduce the potential for disturbance of the estuary once it is completed. It is also suggested that it is likely that birds feeding out on the mudflats in front of the tip would quickly become habituated to construction noise behind the coastal bund.

2.3.3 However, beyond this information, no details of the timing of works or of construction of the coastal bund are available at this time, as the present application is for outline consent.

2.3.4 Integrity Test: Disturbance - Noise/visual disturbance of overwintering and migratory bird features of the SPA during construction of the biomass plant and associated infrastructure

2.3.5 In principle, it is possible to avoid disturbance to birds during construction. For example, overwintering and migratory bird species are at their greatest concentration in the Severn Estuary between October and March inclusive. Therefore construction during the April to September period (inclusive) would not cause significant disturbance. However, it is recognised that it may not be feasible to restrict works to this period.

2.3.6 During the overwintering / migratory period, it is possible to avoid disturbance to birds on the foreshore by avoiding works activity during the period between two hours before high tide and two hours after high tide. It is during this four hour window that SPA-feature birds are most likely to occur within 200m of the construction activity. This is the distance within

which we typically consider disturbance effects to be significant. However, again it is recognised that it may not be feasible to restrict construction of the development to outside these four-hour windows.

2.3.7 The proposal to construct a coastal bund, with temporary screening along the top as suggested by NRW in their comments of 14th December, would shield the birds from the development activity provided:-

- Construction of the bund is completed within the April to September period, and
- Where construction of the bund takes place outside the April to September period, no construction activity can take place between two hours before high tide and two hours after high tide, and
- Line-of-sight cross sections can demonstrate that, taking account of the bund and temporary screening along the top, all aspects of construction of the biomass plant and other buildings, including cranes, scaffolding, site operatives, piling rigs etc., are not visible to wetland birds on the foreshore within 200m of the boundary of the construction site.

2.3.8 These measures will be secured by the following planning condition:-

‘Severn Estuary Coastal Bund & Screen

No development shall take place until details of measures to construct a coastal bund and screen to shield earth movements and construction activities from the Severn Estuary European Sites has been submitted to and approved in writing by the Local Planning Authority. The bund and screen shall be constructed in accordance with the approved details and shall be retained and maintained for the entire construction period. The approved details shall include:

- (i) full details of the design of the bund and screen;
- (ii) line-of sight sections to demonstrate that all aspects of the construction including the biomass power plant and industrial buildings, cranes, scaffolding, site operatives and piling rigs are not visible to wetland birds on the foreshore within 200 metres of the application site;
- (iii) a timetable for their provision;
- (iv) a written commitment to only construct the bund and screen between April to September;
- (v) outside of April to September, a written commitment to avoid any construction activity between two hours before high tide and two hours after;

Reason: To avoid any adverse effect upon the integrity of the Severn Estuary European Sites and the Severn Estuary SSSI.’

2.3.9 Provided this planning condition is attached and implemented then **in my view there would be no adverse effect upon the integrity of the Severn Estuary EMS, via the medium of Noise/visual disturbance of overwintering and migratory bird features.**

2.4 Site drainage and release of any existing land contamination causing pollution of the Severn Estuary during construction

2.4.1 The site for this proposed development is on the former 'Frag Tip', a historical landfill which has been identified by Pollution Control as a site with potential significant contamination and ground gas issues to be present. Therefore, during groundworks, soil contaminants may be disturbed and mobilised into groundwater, which may in turn migrate horizontally into surface waters. As set out above, these contaminants are likely to significantly harm Severn Estuary EMS habitats.

2.4.2 Comment provided by Jason Bale on 22nd January 2018 states that '*The (ES) report provides very little detail on how the works will be undertaken, and what mitigation measures will be implemented, only that such measures will be detailed in the (CEMP)*'. The same communication also indicates that further details remain to be provided, and also that '*...there are no details on appropriate mitigation measures to (sic) that the identified receptors are not adversely impacted from this element of the works*'. Those receptors include the sensitive habitats of the Severn Estuary. As this is an outline planning application, and remediation of the pollutants on site will take place on a phased basis, the fine details of those mitigation measures are not available at present.

2.4.3 Waterfowl are subject to the accumulation of toxins through the food chain or through direct contact with toxic substances when roosting or feeding. Their ability to feed can also be affected by the abundance or change in palatability of their prey caused by toxic contamination. At the moment there is no evidence to show that this is the case on the Severn Estuary, but the estuary is vulnerable to oil spills and there is a continuous discharge of toxins into the estuary, some of which bind to the sediments. This is an area that requires further assessment. The intertidal mudflats and sandflats and the saltmarsh are currently **highly vulnerable** to the introduction of synthetic and non-synthetic compounds, in accordance with Tables 2 and 3 above.

2.4.4 Integrity Test - Site drainage and release of any existing land contamination causing pollution of the Severn Estuary EMS during construction

2.4.5 Based on the above concerns and lack of detailed information provided to date, the following conditions are requested to be attached to any approval of the development to counteract any adverse effect upon integrity of the EMS:-

'PC Non Standard Requirement for Environmental Permit

The processing and removal of the 'overburden' material (above MDPE membrane.), shall not commence until an appropriate assessment/ waste classification of the material has been undertaken and an appropriate Environmental Permit, has been granted by the relevant

permitting authority. All subsequent works to process and remove this material must be undertaken in accordance to the permit conditions, and all necessary additional sampling requirements of the material as required under the permit must be reported to the LPA.

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.'

'PC13. GROUND GAS PROTECTION

Following the completion of the reworking of materials in Zone 2, and prior to the construction of any building in Zone 2, the developer must ensure a scheme to investigate and monitor the site for the presence of gases* including a plan of the area to be monitored, shall be submitted to the Local Planning Authority for its approval.

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

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

* 'Gases' include landfill gases, vapours from contaminated land sites, and naturally occurring methane and carbon dioxide, but does not include radon gas. Gas Monitoring programmes should be designed in line with current best practice as detailed in CIRIA 665 and or BS8485 year 2007 Code of Practice for the Characterization and Remediation from Ground Gas in Affected Developments,.

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

'PC14A. CONTAMINATED LAND MEASURES – ASSESSMENT

Prior to the commencement of any works below the MDPE membrane or elsewhere below the overburden, an assessment of the nature and extent of contamination of the underlying material 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)
- (iii) 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.'

'PC14B. CONTAMINATED LAND MEASURES – REMEDIATION & VERIFICATION PLAN

Prior to the commencement of any works below the MDPE membrane or elsewhere below the overburden 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.'

'PC14C. CONTAMINATED LAND MEASURES - REMEDIATION & VERIFICATION

The remediation scheme approved by condition PC14B must be fully undertaken in accordance with its terms prior to the occupation of any permanent structure of the approved 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.'

'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.'

'PC Non Standard Condition –Integrity of the MDPE Membrane

In order to minimise, any potential environmental impacts, of the investigation works of the material underlying the MDPE membrane, where the integrity of the membrane is damaged, then upon completion of the investigation repairs to restore/ maintain the integrity of the membrane must be completed. All areas of damage and subsequent repairs must be recorded and a reported and documented in a weekly report to the LPA. Where the repairs are not deemed suitable the LPA will request that further repairs are implemented as necessary.

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.'

2.4.6 If these conditions are attached to consent and subsequently enforced, then **there would be no adverse effect on the integrity of the Severn Estuary EMS via this pathway.**

2.5 Aerial emissions causing pollution of the Severn Estuary EMS during operation of the development.

2.5.1 The proposed development is for a circa 9.5 MWe Combined Heat and Power station which will produce electricity and thermal energy via steam. However the exact nature and quantities of aerial emissions will not be determined until a later stage in the planning process.

2.5.2 With reference to Table 6 above, deposition of aerial emissions of particulates and NOx have the potential the affect the features of the Severn Estuary EMS. The Atlantic Saltmeadow / Saltmarsh and mudflats & sandflats habitats are particularly sensitive to the effects of aerial pollution.

2.5.3 I note from the consultation response provided by Craig Lewis of Shared Regulatory Services on 12th January 2018 that he considers the air quality impacts on the Severn Estuary EMS to be significant. Mr Lewis also notes that mitigation technologies and measures to reduce NO_x and particulates emissions have yet to be finalised because the present application is for outline planning consent.

2.5.4 Integrity Test: Aerial emissions causing pollution of the Severn Estuary EMS during operation of the development

2.5.5 A series of mitigation measures are suggested in section 9.6 of the Air Quality section (Chapter 9) of the ES. These may include emissions abatement technologies to reduce NO_x and PM in the exhaust, and an appropriate stack height and exhaust exit velocity to maximise dispersion. In order to have confidence that there would be no adverse effect on integrity of the Severn Estuary EMS as a result of this factor, the following planning condition, together with other controls (such as Environmental permitting) must be applied to require and enforce counteracting measures which would eliminate any adverse impacts:-

'Condition: No reserved matters application shall be approved until an Air Quality Assessment (AQA) for the detailed design of the Biomass Plant has been submitted to and approved in writing by the Local Planning Authority. The AQA shall include an assessment of the impact of the plant emissions and any necessary mitigation measures to ensure the overall impacts of the plant are acceptable. The plant shall be constructed in accordance with the approved details and maintained thereafter.

Reason: To ensure air quality is maintained to satisfactory levels and to avoid any adverse effect upon the integrity of the Severn Estuary European Sites and the Severn Estuary SSSI.'

In their advice of 03/11/20, Shared Regulatory Services have confirmed that their advice remains the same and that the above condition is still appropriate. Therefore provided this planning condition is attached and implemented then **in my view there would be no adverse effect upon the integrity of the Severn Estuary EMS, via the medium of aerial emissions causing pollution of the Severn Estuary EMS habitats.**

2.6 Dust arising from construction causing contamination and smothering of Severn Estuary EMS habitats

2.6.1 The site covers some 166,500 m² and most of this will be subject to earthworks, involving excavation and haulage of material, tipping stockpiling and site landscaping. The earthworks will last around 6 months and dust will arise mainly from earth-moving vehicles travelling over unpaved ground and from the handling of dusty materials (such as dry soil). Construction will involve a number of steel framed and cladded buildings on concrete slabs, with a total building volume of around 270,000 m³. Dust will arise from piling of foundations, vehicles travelling over unpaved ground, and from the cutting of concrete. The construction will take place over a 24-month period. The number of heavy vehicles accessing the site, which may track out dust and dirt, is currently unknown, but it is estimated that there will be a maximum of around 100 outward heavy vehicle movements per day. The unpaved roadway

length at the site will be around 300 m. Based upon these parameters, the dust emission class for earthworks is considered to be *large*.

2.6.2 Integrity Test: Dust arising from construction causing contamination and smothering of Severn Estuary EMS habitats

2.6.3 The Construction Phase Impact Assessment submitted as part of the ES for this application lists a set of best-practice measures from the IAQM guidance (IAQM, 2016) that it is suggested should be incorporated into the specification for the works. These measures should ideally be written into a Dust Management Plan. Some of the measures may only be necessary during specific phases of work, or during activities with a high potential to produce dust, and the list should be refined and expanded upon in liaison with the construction contractor when producing the Dust Management Plan.

2.6.4 This Dust Management Plan, and its implementation, will be secured by the following planning condition:-

'Dust Management Plan

No development shall take place until a Dust Management Plan (DMP) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved DMP.

Reason: To ensure the satisfactory control of dust and to avoid any adverse effect upon the integrity of the Severn Estuary European Sites and the Severn Estuary SSSI.'

2.6.5 In this case **there would be no adverse effect on the integrity of the Severn Estuary EMS via this pathway.**

2.7 Surface drainage during operation

2.7.1 Surface water running off impervious surfaces can become contaminated with petrol, oil, heavy metals other pollutants from roads and parking areas, as well as fertilizers and pesticides from soft-landscaped areas. Roads and parking area can be sources of polycyclic aromatic hydrocarbons (PAHs), which are created as combustion byproducts of petrol, diesel and other fossil fuels, as well as of heavy metals such as lead, nickel, zinc copper and cadmium, Fertilizer use on landscaped areas can result in nitrates and phosphorus in urban runoff when improperly applied or over-used.

2.7.2 Eroding soils or poorly maintained construction sites can often lead to increased turbidity in runoff. Increased levels of sediment in water bodies can cause smothering of habitats, toxic contamination, and nutrient enrichment. These high levels of nutrients can reduce oxygen and boost algae growth while limiting native vegetation growth. Limited native vegetation and excessive algae has the potential to disrupt the entire aquatic ecosystem due to limited light penetration, lower oxygen levels, and reduced food reserves.

2.7.3 Integrity Test: Surface water drainage causing contamination and smothering of SAC / SPA habitats

2.7.4 Interception of contaminated surface water run-off is vital to avoid the adverse effects set out in Table 6 above. This can be achieved by the enforcement of a planning condition which requires the applicant to demonstrate that surface water will be managed in such a way as to avoid significant adverse impact upon the features of the Severn Estuary EMS, e.g.

‘Condition: No development shall take place until a drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate how the site will be effectively drained; the means of disposal of surface water and indicate how foul flows will communicate to the public sewerage system. Thereafter, the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further surface water or land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.’

2.7.5 If this were implemented then **there would be no adverse effect on the integrity of the Severn Estuary EMS via this pathway.**

3. Cumulative and in-combination effects

3.1 The following projects are assessed in-combination with the current application.

Replacement Chimneys to Existing Boiler Room at Unit 68 Portmanmoor Rd Ind. Est.

3.2 This proposal (20/01626/MNR) entails replacement of existing chimneys to the existing boiler room at Princes Ltd facility Portmanmoor Road Cardiff, thereby extending their height from 12m to 20m. An Air Dispersion Modelling Report has been produced, and this will be used to inform a HRA for this application. Therefore on a precautionary basis this application is screened in for an in-combination assessment in the HRA for present Rover Way application on the basis of potential impacts of NO_x upon Atlantic Salt Meadow habitats which are a feature of the Severn Estuary SAC..

3.3 An Air Dispersion Modelling report has been produced in support of this application and in his letter of 26/10/20 the Specialist Services Officer (Specialist Enterprise Services) of Shared Regulatory Services (who provide specialist technical advice to Cardiff Council on such matters) has stated that he agrees with the Air Quality Assessment that the significance of the long-term NO_x PC on the critical level can be categorised as Negligible.

Mor Hafren Bio Power Energy Recovery Facility Newlands Road

3.4 An application for a Development of National Significance has been submitted at land of Newlands Road, Cardiff (323618, 179648) by Mor Hafren Bio Power for an Energy Recovery

Facility fuelled by up to 200, 000 tonnes per annum of residual waste and exporting approx. 15Mw of electricity to the grid. The proposed built components within the development plot would comprise: a tipping hall, fuel bunker, process buildings (boiler and turbine halls, and 70m stack), air-cooled condensers, flue gas treatment plant, residue silos, firewater tanks and office and weighbridge. This project has been allocated application number 19/02588 in Cardiff

3.5 This proposal has been subject to a Habitats Regulations Assessment, which has concluded that the proposed development would not be likely to have a significant effect upon any Natura 2000 site, including the Severn Estuary SAC and SPA.

3.6 Moreover, an in-combination screening has been undertaken to examine whether the Mor Hafren project at Newlands Road be likely to have a significant effect when considered in combination with other plans and projects in the area. The conclusion of that in-combination assessment, set out in section 10.1.1 of the HRA document, is as follows:-

'The project alone is not considered to have any likely significant effects on the interest features of the relevant European sites. It follows that a project with no likely significant effects cannot act in-combination with other plans or projects as there are no appreciable effects on the site to consider.'

3.7 This being the case, at the time of production of the present version of the HRA for the renewal of 17/02130/MJR at Rover Way there is uncertainty over the impacts of the Mor Hafren project at Newlands Road, and further assessment of its impacts are ongoing.

3.8 However, NRW have advised that the present 20/01279 Rover Way application, the 19/02588 Mor Hafren project and the 20/01626 Portmanmoor application might all act in combination in terms of releases of NO_x, which may affect the Atlantic Salt Meadow habitat of the Severn Estuary SAC. This being the case, the following in-combination analysis has been undertaken by the Specialist Services Officer (Specialist Enterprise Services) of Shared Regulatory Services (who provide specialist technical advice to Cardiff Council on such matters).

Rover Way, Mor Hafren and Portmanmoor Road In Combination Assessment

3.9 In accordance with the advice produced by NRW when it comes to screening potential impacts expectant of a proposal the Environment Agency's Air Emissions Risk Assessment guidance is used; <https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit>

3.10 As dictated by this guidance, regardless of the baseline environmental conditions, a process contribution (PC) can be considered as insignificant if:

- the long-term (annual mean) PC is <1% of the long-term environmental standard; and

- the short-term (15-minute, 1-hour, 24-hour mean) PC is <10% of the short-term environmental standard.

3.11 The assessment submitted by the various Consultants for each outlined application considers the above and where necessary correctly proceeds to the next step in the Environment Agency's screening process to calculate the long term predicted environmental concentration (PEC), as well as short term process contribution (PC). Here, background concentrations are taken into consideration to determine outcomes. The emissions are deemed insignificant if:

- the long-term PEC is less than 70% of the long-term environmental standard ; and
- the short-term PC is less than 20% of the short-term environmental standards minus twice the long-term background concentration.

3.12 Adopting the first step, the NOX background/ baseline concentration value established by the report submitted in accordance with application 17/02130/MJR, which was calculated for the Saltmarsh area, is used. This approach ensures a conservative outlook given that the report was produced in 2017 and it is known that background levels do improve with time. Herein the baseline value used is 24.8 µg/m³.

3.13 Subsequently each individual application and focused on the PC calculated at a receptor representative of the Saltmarsh Area:-

PC

- 20/01279 Rover Way Biomass Plant - 0.41 µg/m³
- 20/01626 Portmanmoor Road chimney replacement application - 0.36 µg/m³
- 19/02588 Mor Hafren Energy Recovery Facility Project - 0.25 µg/m³

3.14 By combining the above and adding the baseline value, this produces a cumulative PEC value of 25.82 µg/m³ of NOx. Considering the criteria stipulated by the Environment Agency's Air Emissions Risk Assessment guidance 'The emissions are deemed insignificant if the long-term PEC is less than 70% of the long-term environmental standard', the PEC value of 25.82 µg/m³ is greater than the 70% threshold criteria.

3.15 However, the Environment Agency's guidance specifically outlines that where detailed dispersion modelling has been undertaken, no further action is required if resulting PECs do not exceed environmental standards, which in this instance is the critical level set at 30µg/m³.

When you do not need to take further action

You do not need to take further action if your assessment has shown that both of the following apply:

- your proposed emissions comply with [BAT associated emission levels \(AELs\)](#) or the equivalent requirements where there is no BAT AEL
- the resulting PECs will not exceed environmental standards

When you need to take further action

You'll need to do a cost benefit analysis if any of the following apply:

- your PCs could cause a PEC to exceed an environmental standard (unless the PC is very small compared to other contributors – if you think this is the case contact the Environment Agency)
- the PEC is already exceeding an environmental standard

3.16 Therefore, the PEC value is 25.82 µg/m³ which therefore does not breach the 30µg/m³ critical level. This conforms to the EA's guidance as cited above, and so, considering these three applications in combination, the critical level for impacts of NO_x upon Atlantic Salt Meadow habitat is not breached, so there would be no adverse effect upon the integrity of the SAC.

Uskmouth Power Station

3.17 An application to Newport Council (Ref 20/0748) has been submitted for the erection of silos and de-dusting building, extension to rail unloading facility, new above ground conveyors and ancillary development. The zone of influence of this proposal could impact upon habitat which could be affected by the current Rover Way proposal. Therefore on a precautionary basis this application is screened in for an in-combination assessment in the HRA for present Rover Way application

3.18 However on 25/11/20 NRW provided advice that they continue to have significant concerns with that proposed development and that a revised air quality assessment to allow the competent authority to carry out an assessment under Regulation 63 of the Conservation of Habitats and Species Regulations.

3.19 This being the case, at the time of production of the present version of the HRA for the renewal of 17/02130/MJR at Rover Way there is uncertainty and disagreement over the impacts of the Uskmouth Power Station project.

3.20 Therefore it is not possible to conduct an in-combination assessment with the Uskmouth Power Station project until those impacts are assessed to the satisfaction of all parties. It is recommended that the HRA of the Uskmouth Power Station project includes an in-combination assessment with the present Rover Way project when that assessment is complete.

Other Potential Projects

3.21 Applications 13/00686 and 15/00591 propose a small-scale (2MW) anaerobic digestion facility at the Waste Water Treatment Works (WWTW) immediately (200m) to the south west of the Frag Tip. These applications were subject to a HRA, with the outcome that Atmospheric Pollution and Water-borne pollution and mobilisation of existing ground contaminants were not likely to have a significant effect on the Severn Estuary EMS. In addition, in their response of 12 May 2015, NRW indicated that provided the development is carried out as stated in the application and supporting documents, they are of the opinion that the proposal would not be likely to have a significant effect on the Severn Estuary EMS

3.22 Therefore, any counteracting measures secured in relation to the present application to ensure that there is no adverse effect upon the integrity of the Severn Estuary EMS, together with any similar measures required to ensure that the 15/00591 application is not likely to have a significant effect upon the same site, will ensure that there is no overall adverse effect upon the integrity of the Severn Estuary EMS.

3.23 Further projects are proposed in Cardiff which may in time be identified as needing a HRA, however at the time of undertaking the present HRA, these projects are not the subject of a pre-application so there are not sufficient details available to determine whether there is likely to be a significant effect on the Severn Estuary EMS in combination with the present 20/01279 application for amended timescales.

3.24 These developments include the Cardiff Parkway / Hendre Lakes project, and potential employment development at Longcross Farm. In both cases, a HRW is likely to require in-combination consideration with the present 20/01279 application for amended timescales, but sufficient details of these proposals have not been submitted to Cardiff Council as yet which would allow in combination consideration within the present HRA.

4. Severn Estuary SSSI.

4.1 The Severn Estuary SSSI underpins the international designations and its features are largely similar to the features of those designations. Therefore, any measures identified above to avoid adverse effect upon the integrity of the Severn Estuary EMS will similarly avoid impact upon the SSSI features.

5. Conclusion

5.1 Table 8 below summarises the results of the test of adverse effect upon integrity for all of the factors identified as being likely to have a significant effect upon the Severn Estuary EMS features :-

Table 8 – Summary of Test of Adverse Effect upon Integrity		
Factor	Adverse Effect upon Integrity?	
	Alone	In Combination

Disturbance to bird features arising from construction activities and from operation of the development;	No	No
Site drainage and release of any existing land contamination causing pollution of the Severn Estuary during construction;	No	No
Aerial emissions causing pollution of the Severn Estuary EMS during operation of the development.	No	No
Dust arising from construction causing contamination and smothering of Severn Estuary EMS habitats	No	No
Increased disturbance to birds caused by use of a temporarily re-aligned Wales Coastal Path at this site	No	No
Surface and foul water drainage during operation	No	No

5.2 It is the conclusion of this Habitats Regulation Appraisal that, based upon the planning application and supporting documents as submitted, and provided the suggested planning conditions are attached and implemented, **the proposed development will not have an adverse effect upon the integrity of the Severn Estuary EMS.**

6. Consultation with Natural Resources Wales

6.1 In accordance with Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended):- *'The competent authority must for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representations made by that body within such reasonable time as the authority specify'*.

6.2 NRW were consulted on the original HRA and their comments have been incorporated into the present amended HRA.

7. References

Air Quality Technical Note: Rover Way Biomass Plant Report No. J3017C/1/F2. Air Quality Consultants, April 2018.

The Conservation of Habitats and Species Regulations 2017 <https://www.legislation.gov.uk/ukxi/2017/1012/contents/made>

European Commission (EC) (2000) Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.

EC (2001) Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.

EC (2007) Guidance Document on Article 6(4) of the 'Habitats Directive' 92/43/EEC. Clarification of Concepts of: Alternative Solutions, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence, Opinion of the Commission.

Habitats Regulation Assessment Screening: Mor Hafren Bio Power Cardiff. August 2020. Bradley Murphy Design Ltd.

IAQM (2012) *Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites*, [Online], Available: www.iaqm.co.uk/guidance.html.

IAQM (2016) *Guidance on the Assessment of Dust from Demolition and Construction v1.1*.

Natural England & CCW (2009) *The Severn Estuary / Môr Hafren European Marine Site comprising: The Severn Estuary / Môr Hafren Special Area of Conservation (SAC), The Severn Estuary Special Protection Area (SPA), The Severn Estuary / Môr Hafren Ramsar Site. Natural England & the Countryside Council for Wales' advice given under Regulation 33(2)(a) of the Conservation (Natural Habitats, &c.) Regulations 1994, as amended*. June 2009.

Tyldesley, D., (2009) Draft Guidance for Plan Making Authorities in Wales: The Appraisal of Plans under the Habitats Directive, for Countryside Council for Wales CCW Bangor.

'Waddenzee ruling' Case C-127/02, JUDGMENT OF THE COURT (Grand Chamber) 7 September 2004 (1) (Directive 92/43/EEC – Conservation of natural habitats and of wild flora and fauna – Concept of 'plan' or 'project' – Assessment of the implications of certain plans or projects for the protected site).

Cardiff Council : Strategic Planning And Environment : Development Control

Applications Decided between 02/11/2020 and 06/11/2020

<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>
BUTETOWN								
20/01708/MNR	10/09/2020	Welsh Ministers	DOC	PORTH TEIGR, CARGO ROAD, BUTETOWN, CARDIFF	DISCHARGE OF CONDITION 4 (KNOTWEED TREATMENT AREA) OF 20/01272/MNR	02/11/2020	Full Discharge of Condition	Discharge of Conditions
CATHAYS								
20/02220/MNR	02/11/2020	Troia (UK) Restaurants Ltd	NMA	43 THE HAYES, CITY CENTRE, CARDIFF, CF10 1GA	ALTERATIONS TO DUCTING - PREVIOUSLY APPROVED UNDER 19/02601/MNR	06/11/2020	Permission be granted	Non Material Amendment
CYNCOED								
20/00875/DCH	28/04/2020	SINGH-GARIB	HSE	43 OGWEN DRIVE, LAKESIDE, CARDIFF, CF23 6LJ	SINGLE AND TWO STOREY SIDE EXTENSIONS AND LOFT CONVERSION WITH REAR DORMER AND EXTERNAL ALTERATIONS	06/11/2020	Permission be granted	Householder
HEATH								
20/01502/MNR	04/08/2020	Maes-y-Coed Community Centre	CLU	MAES Y COED COMMUNITY CENTRE, MAES-Y-COED ROAD, HEATH, CARDIFF, CF14 4PP	THE ERECTION OF A GREENHOUSE TO COMMUNITY GARDEN PLUS ASSOCIATED PLANNED CHANGES TO FENCING AND HARD LANDSCAPING	02/11/2020	Withdrawn by Applicant	Other Consent Types
LISVANE								
20/02122/MNR	19/10/2020	Parochial Church Council of St Denys Church, Lisvane	DOC	7 CHURCH ROAD, LISVANE, CARDIFF, CF14 0SJ	DISCHARGE OF CONDITION 6 (SOFT LANDSCAPING) OF 20/00103/MNR	05/11/2020	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>
LLANISHEN								
20/01750/DCH	07/09/2020	Jenkins	HSE	18 MILL ROAD, LISVANE, CARDIFF, CF14 0XB	CONSTRUCTION OF SINGLE STOREY DOUBLE GARAGE EXTENSION, SIDE SINGLE STOREY LEAN-TO EXTENSION, REAR SINGLE STOREY EXTENSION, REPLACEMENT OF ALL WINDOWS WITH TIMBER DOUBLE GLAZED UNITS AND CLOSING OF EXISTING VEHICLE ENTRANCE AND RE-OPENING OF SECOND EXISTING VEHICLE ENTRANCE	03/11/2020	Planning Permission be refused	Householder
20/01719/DCH	03/09/2020	WATSON	HSE	73 COED COCHWYN AVENUE, LLANISHEN, CARDIFF, CF14 5BU	GROUND FLOOR FRONT EXTENSION	06/11/2020	Permission be granted	Householder
20/01742/DCH	03/09/2020	Nilsson	HSE	175 FIDLAS ROAD, LLANISHEN, CARDIFF, CF14 5LZ	TWO STOREY SIDE/REAR EXTENSION WITH PART SINGLE STOREY REAR EXTENSION	06/11/2020	Permission be granted	Householder
20/02094/DCH	21/10/2020	Gomez	CLD	YNYS Y COED, 3 WEST RISE, LLANISHEN, CARDIFF, CF14 0RE	HIP TO GABLE ROOF EXTENSION AND REAR DORMER EXTENSION	06/11/2020	Permission be granted	Other Consent Types
20/01518/MJR	09/10/2020	Hale Construction Ltd.	DOC	LAND AT CHILTERN CLOSE, LLANISHEN, CARDIFF, CF14 5DL	DISCHARGE OF CONDITIONS 8 (SOIL), 9 (AGGREGATES), 10 (SITE WON MATERIAL), 13 (VERIFICATION REPORT) AND 14 (CONTAMINATION) OF 13/01923/DCO	06/11/2020	Full Discharge of Condition	Discharge of Conditions

PENTWYN

<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>
20/01864/DCH	17/09/2020	Bijumon	HSE	84 WAUN FACH, PENTWYN, CARDIFF, CF23 7BD	SINGLE STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION	06/11/2020	Permission be granted	Householder
PENYLAN								
20/01350/MNR	14/07/2020	Mr Stephen Poole	FUL	REAR OF 62, PEN-Y-LAN ROAD, ROATH, CARDIFF, CF23 5HW	ALTERATIONS AND CHANGE OF USE FROM GARAGE TO HAIRDRESSING SALON	06/11/2020	Permission be granted	Minor - Retail (A1-A3)
PLASNEWYDD								
20/01749/DCH	04/09/2020	Moulani	HSE	86 DIANA STREET, ROATH, CARDIFF, CF24 4TW	PROPOSED SINGLE STOREY REAR EXTENSION	06/11/2020	Permission be granted	Householder
RHIWBINA								
20/01652/DCH	07/09/2020	Clarke	HSE	51 WENALLT ROAD, RHIWBINA, CARDIFF, CF14 6SB	PROPOSED VEHICLE CROSSOVER AT FRONT OF PROPERTY AND THE CREATION OF TWO VEHICULAR PARKING SPACES	06/11/2020	Permission be granted	Householder
20/02126/DCH	20/10/2020	Byrne & Jones	CLD	15 HEOL ISCOED, RHIWBINA, CARDIFF, CF14 6PA	GABLE END ROOF EXTENSION WITH REAR DORMER EXTENSION	06/11/2020	Permission be granted	Other Consent Types
20/01746/DCH	14/09/2020	GRIFFITHS	HSE	88 WENALLT ROAD, RHIWBINA, CARDIFF, CF14 6SE	PROPOSED SINGLE STOREY REAR EXTENSION	06/11/2020	Permission be granted	Householder
20/01747/DCH	04/09/2020	Nokes	HSE	9 HEOL WEN, RHIWBINA, CARDIFF, CF14 6EF	SINGLE STOREY SIDE EXTENSION AND CONSTRUCTION OF REAR BALCONY	06/11/2020	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>
20/01866/DCH	21/09/2020	Matheson	HSE	3 HEOL IFOR BACH, RHIWBINA, CARDIFF, CF14 6AY	REMOVAL OF EXISTING CONSERVATORY AND CONSTRUCTION OF SINGLE STOREY EXTENSION	06/11/2020	Permission be granted	Householder

RIVERSIDE

20/01908/DCH	25/09/2020	Head	NMH	142 CATHEDRAL ROAD, PONTCANNA, CARDIFF, CF11 9JB	AMEND REAR EXTENSION PITCHED ROOF TO A FLAT ROOF TO BRING IT IN LINE WITH THE EXTENSION UNDER CONSTRUCTION AT NUMBER 144 CATHEDRAL ROAD - PREVIOUSLY APPROVED UNDER 19/02116/DCH	06/11/2020	Permission be granted	Non Material Householder
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20/01991/MJR	05/10/2020	Portabella	NMA	REAR OF 35 ROMILLY CRESCENT AND 70-72 LLANDAFF ROAD, PONTCANNA, CARDIFF	TO CHANGE THE SLOPING GLAZING ELEMENTS TO FLATS 6 AND 7 (PLOTS 23 AND 24 SECOND FLOOR) TO VERTICAL 'CRITTALL' TYPE WINDOWS AND CHANGE THE EXTERNAL TREATMENT AT THIS LEVEL FROM BLACK RENDER TO DARK COLOURED CLADDING TO MATCH EXTERNAL TREATMENT ON FLAT 11 ON THIRD FLOOR (PLOT 28) - PREVIOUSLY APPROVED UNDER 19/02071/MJR	02/11/2020	Permission be granted	Non Material Amendment
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SPLOTT

<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>
20/01462/MNR	13/08/2020	DOMOS PROPERTY	FUL	69 SPLOTT ROAD, SPLOTT, CARDIFF, CF24 2BW	CHANGE OF USE OF HOUSE TO SUI GENERIS HOUSE IN MULTIPLE OCCUPATION FOR 9 RESIDENTS	03/11/2020	Permission be granted	Minor - Dwellings (C3)
20/01926/DCH	28/09/2020	Shadi	HSE	4 HART PLACE, PENGAM, CARDIFF, CF24 2TP	SINGLE STOREY REAR EXTENSION AND DETACHED GARDEN ROOM	06/11/2020	Permission be granted	Householder
TROWBRIDGE								
20/02188/MJR	28/10/2020	Wates Residential	NMA	WEST OF WILLOWBROOK DRIVE AND THE SOUTH OF CRICKHOWELL ROAD, CARDIFF	OMISSION OF BIN STORE TO PLOT 48 AND OMISSION OF ACCESS GATES TO REAR GARDENS OF PLOTS 181-187 - PREVIOUSLY APPROVED UNDER 18/01463/MJR	02/11/2020	Permission be granted	Non Material Amendment
19/01809/MJR	24/06/2019	C/o agent	FUL	ATLANTIC ECO PARK, NEWTON ROAD, WENTLOOG, CARDIFF, CF3 2EJ	WASTE PROCESSING AND BLENDING BUILDING	06/11/2020	Permission be granted	Waste Disposal
WHITCHURCH/TONGWYNLAIS								
20/01838/DCH	16/09/2020	White	CLD	16 TY NEWYDD, WHITCHURCH, CARDIFF, CF14 1NN	PROPOSED REAR FLAT ROOF DORMER, FRONT VELUX WINDOWS TO FORM LOFT CONVERSION	05/11/2020	Permission be granted	Other Consent Types
20/01544/DCH	14/08/2020	Davies	HSE	2 HEOL COED CAE, WHITCHURCH, CARDIFF, CF14 1HL	DEMOLITION OF EXISTING EXTENSION AND DETACHED GARAGE AND CONSTRUCTION OF NEW SINGLE STOREY REAR EXTENSION	06/11/2020	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>
20/01529/DCH	08/09/2020	Grange	HSE	25 HARFORD CLOSE, WHITCHURCH, CARDIFF, CF14 2TA	DORMER ROOF EXTENSIONS TO FRONT AND REAR INCLUDING RAISING OF RIDGE/ROOF LINE	06/11/2020	Planning Permission be refused	Householder

Cardiff Council : Strategic Planning And Environment : Development Control

Applications Decided between 09/11/2020 and 13/11/2020

<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>
BUTETOWN								
A/20/00068/MNR	23/10/2020	Cardiff Community Housing Association (CCHA)	ADV	LOUDOUN, PLAS IONA, BUTETOWN, CARDIFF, CF10 5HW	INSTALLATION OF FASCIA SIGN	09/11/2020	Permission be granted	Advertisements
CAERAU								
20/01932/DCH	08/10/2020	Mardon	HSE	9 COLIN WAY, CAERAU, CARDIFF, CF5 5AJ	PART TWO STOREY AND PART SINGLE STOREY REAR EXTENSIONS	11/11/2020	Permission be granted	Householder
CATHAYS								
A/20/00059/MNR	09/10/2020	ISG Ltd	ADV	TY WILLIAM MORGAN, SIX AND SEVEN WOOD STREET, WOOD STREET, CITY CENTRE, CARDIFF, CF10 1ER	INSTALLATION OF FLAGPOLE TO ROOF	11/11/2020	Permission be granted	Advertisements
20/02105/DCH	16/10/2020	Bond	CLD	33 MAINDY ROAD, CATHAYS, CARDIFF, CF24 4HL	CONSTRUCTION OF A REAR DORMER ROOF EXTENSION	09/11/2020	Permission be granted	Other Consent Types
20/01472/MNR	18/08/2020	ABBAS	FUL	90 MONTHERMER ROAD, CATHAYS, CARDIFF, CF24 4QY	CONVERSION TO TWO FLATS WITH GROUND FLOOR REAR EXTENSION	11/11/2020	Permission be granted	Minor - Dwellings (C3)
20/01710/MNR	03/09/2020	LaSalle	FUL	12 MORGAN ARCADE, CITY CENTRE, CARDIFF, CF10 1AF	CHANGE OF USE FROM A1 (RETAIL) TO PILATES VENUE D2 (ASSEMBLY & LEISURE)	09/11/2020	Permission be granted	Minor - Other Principal Uses

<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>
20/02158/MJR	22/10/2020	Rightacres Property Company Limited	DOC	PARKGATE HOUSE, WESTGATE STREET, CITY CENTRE, CARDIFF, CF10 1NW	DISCHARGE OF CONDITION 4 (ARCHITETURAL DETAILING OF MAIN ELEVATIONS OF NEW BUILDING) OF PLANNING PERMISSION 19/01538/MJR	11/11/2020	Full Discharge of Condition	Discharge of Conditions
20/02159/MJR	22/10/2020	Rightacres Property Company Limited	DOC	PARKGATE HOUSE, WESTGATE STREET, CITY CENTRE, CARDIFF, CF10 1NW	DISCHARGE OF CONDITIONS 12 (WINDOW DETAILS) AND 13 (INTERFACE AND PROPORTION DRAWINGS) OF LISTED BUILDING CONSENT 19/01540/MJR	11/11/2020	Full Discharge of Condition	Discharge of Conditions
A/20/00062/MNR	25/09/2020	Clear Channel UK Ltd	ADV	BUS SHELTER, STADIUM HOUSE, PARK STREET, CITY CENTRE, CARDIFF, CF10 1NT	NEW SIGNAGE	11/11/2020	Permission be granted	Advertisements
CREIGAU/ST FAGANS								
20/02178/MJR	29/10/2020	Persimmon Homes East Wales	NMA	PHASE 1 AND 2, M4 JUNCTION 33, MOTORWAY JUNCTION 33, CREIGIAU	AMENDMENTS TO ROOF TILE MATERIAL OF PLOTS 145-188, 191-194, 216-234, 236-237 FROM MARLEY MODERN SMOOTH GREY TO TILEWORKS GREY - PREVIOUSLY APPROVED UNDER 18/00696/MJR	11/11/2020	Permission be granted	Non Material Amendment
20/01865/DCH	17/09/2020	JONES	HSE	118 PARC-Y-FRO, CREIGIAU, CARDIFF, CF15 9SB	TWO STOREY SIDE EXTENSION	09/11/2020	Permission be granted	Householder
20/01525/DCH	10/08/2020	Atkins	HSE	1 VERVAIN CLOSE, ST FAGANS, CARDIFF, CF5 4PL	SINGLE STOREY SIDE EXTENSION	09/11/2020	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>
20/01703/MNR	28/08/2020	Davidson	FUL	LAND AT 9 BRYN BRIALLU, CREIGIAU, CARDIFF, CF15 9PR	RETROSPECTIVE CHANGE OF USE FROM PADDOCK/AGRICULTURAL LAND TO PRIVATE DOMESTIC GARDEN	11/11/2020	Permission be granted	Minor - Other Principal Uses
20/00792/DCH	19/05/2020	Davidson	HSE	9 BRYN BRIALLU, CREIGIAU, CARDIFF, CF15 9PR	SINGLE STOREY REAR EXTENSION	11/11/2020	Permission be granted	Householder
CYNCOED								
20/01836/DCH	17/09/2020	Harris	HSE	14 DAN-YR-HEOL, CYNCOED, CARDIFF, CF23 6JU	SINGLE STOREY REAR EXTENSION AND ATTIC CONVERSION WITH REAR DORMER EXTENSION	11/11/2020	Permission be granted	Householder
20/01162/MNR	10/07/2020	Hutchison 3G UK Limited	FUL	COMMUNICATION STATION HUTCHISON, PALACE COURT, CYNCOED ROAD, CYNCOED	REMOVAL AND REPLACEMENT OF THE EXISTING TELECOMMUNICATIONS FACE MOUNTED ROOFTOP SITE	12/11/2020	Permission be granted	Other Consent Types
ELY								
PRNO/20/00006/MNR	24/07/2020	Linc Cymru	DEM	THE MICHAELSTON, 105 MICHAELSTON ROAD, ELY, CARDIFF, CF5 4SY	DEMOLITION OF VACANT PUBLIC HOUSE TO ENABLE THE REDEVELOPMENT OF THE SITE	12/11/2020	No Prior Approval required	Other Consent Types

FAIRWATER

<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>
20/01992/MJR	13/10/2020	Lewis Homes	NMA	PARCEL 1D, PART 2 OF PHASE 2B ON LAND SOUTH OF LLANTRISANT ROAD, NORTH WEST CARDIFF	MINOR AMENDMENTS TO THE CONVEYANCE/MANAGEMENT PLAN, COLOUR & PRODUCT CHANGE FOR PAVIERS AND ALTERATION TO DESIGN OF BERKLEY HOUSE TYPE - PREVIOUSLY APPROVED UNDER RESERVED MATTER 19/02188/MJR IN RESPECT OF PARCEL 1D, PART 2 OF PHASE 2B ON LAND SOUTH OF LLANTRISANT ROAD PURSUANT TO OUTLINE PERMISSION REF 14/02157/MJR	11/11/2020	Permission be granted	Non Material Amendment

GABALFA

20/01945/DCH	05/10/2020	bennett	HSE	1 CANADA ROAD, GABALFA, CARDIFF, CF14 3BW	SINGLE STOREY REAR SIDE EXTENSION	09/11/2020	Permission be granted	Householder
20/01840/DCH	18/09/2020	Mr Tom Phillips	HSE	86 CANADA ROAD, GABALFA, CARDIFF, CF14 3BY	REPLACEMENT STORAGE SHED	09/11/2020	Permission be granted	Householder

HEATH

20/01609/MNR	21/08/2020	Vision 21 (Cyfle Cynru)	FUL	OAKS GARDEN CENTRE, ALLENSBANK ROAD, HEATH, CARDIFF, CF14 3RB	CONSTRUCTION OF REAR SINGLE STOREY EXTENSION TO PROVIDE DISABLED FACILITIES AND INSTALLATION OF LOG CABIN TEACHING FACILITY AND FENCE ENCLOSURE	09/11/2020	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>
20/02211/DCH	28/10/2020	Mr Ben Weatherburn	NMH	43 HEATHWAY, HEATH, CARDIFF, CF14 4JR	CHANGE OF SINGLE STOREY ROOF TO COMPLETE MONOPITCH - PREVIOUSLY APPROVED UNDER 20/00413/DCH	13/11/2020	Permission be granted	Non Material Householder
LISVANE								
20/01473/DCH	24/09/2020	Botherton	HSE	16 CARDINAL DRIVE, LISVANE, CARDIFF, CF14 0GD	REAR SINGLE STOREY EXTENSION	09/11/2020	Permission be granted	Householder
A/20/00057/MNR	09/09/2020	Waterstone Homes	ADV	MOOR LYNCH, RUDRY ROAD, LISVANE, CARDIFF, CF14 0SN	NEW SIGNS	09/11/2020	Permission be granted	Advertisements
LLANDAFF								
20/02058/DCH	19/10/2020	Parry	CLD	2 JOHN MORGAN CLOSE, DANESCOURT, CARDIFF, CF5 2RS	SINGLE STOREY REAR EXTENSION	09/11/2020	Permission be granted	Other Consent Types
20/01572/MNR	11/09/2020	Oag	FUL	34 HIGH STREET, LLANDAFF, CARDIFF, CF5 2DZ	REPLACEMENT DOOR AND FENESTRATION TO SHOP FRONT	11/11/2020	Permission be granted	Other Consent Types
LLANISHEN								
20/02114/DCH	21/10/2020	Borley-Smith	CLD	14 SOLVA AVENUE, LLANISHEN, CARDIFF, CF14 0NP	SINGLE STOREY INFILL EXTENSION TO REAR OF EXISTING DWELLING	09/11/2020	Permission be granted	Other Consent Types
LLANRUMNEY								
20/01884/DCH	28/09/2020	Cotteril	HSE	12 MENDIP ROAD, LLANRUMNEY, CARDIFF, CF3 4JN	SINGLE STOREY REAR AND SIDE EXTENSION	09/11/2020	Permission be granted	Householder
PENTWYN								

<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>
20/01950/DCH	30/09/2020	Owen	HSE	6 WYNCLIFFE GARDENS, PENTWYN, CARDIFF, CF23 7FA	SINGLE STOREY REAR EXTENSION	12/11/2020	Permission be granted	Householder
PENTYRCH								
20/00863/MNR	06/07/2020	Courtney	FUL	BARN AT ELM COTTAGE, HEOL-Y-PARC, PENTYRCH, CARDIFF, CF15 9NB	PROPOSED CONVERSION OF EXISTING BARN TO 3NO. SELF CONTAINED TOURISM UNITS	12/11/2020	Planning Permission be refused	Minor - Dwellings (C3)
20/00075/MNR	17/01/2020	CASE MORGAN	FUL	LAND AT TY CLYD, HEOL GOCH, PENTYRCH, CARDIFF, CF15 9PN	DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF 3 DETACHED DWELLINGS, ASSOCIATED ON-SITE PARKING PROVISION AND AMENDED SITE ACCESS	12/11/2020	Permission be granted	Minor - Dwellings (C3)
PENYLAN								
A/20/00050/MNR	26/08/2020	Khan	ADV	PHOENIX HOUSE, 389 NEWPORT ROAD, PENYLAN, CARDIFF, CF24 1TP	POST MOUNTED 'V' SHAPE PORTRAIT LED SCREENS FOR ADVERTISING	12/11/2020	Planning Permission be refused	Advertisements
A/20/00064/MNR	29/09/2020	JCDecauxUK	ADV	LAND AT AVENUE RETAIL PARK, NEWPORT ROAD, RUMNEY	UPGRADE EXISTING WEST FACING DISPLAY AND SLIGHTLY RELOCATE THE EXISTING NORTH FACING DISPLAY ON SITE	12/11/2020	Permission be granted	Advertisements
20/01439/DCH	29/07/2020	Gascoigne	HSE	6 TY-DRAW PLACE, PENYLAN, CARDIFF, CF23 5HF	REAR DORMER LOFT EXTENSION	09/11/2020	Permission be granted	Householder
PLASNEWYDD								

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20/01431/MNR	04/08/2020	Mujib	VAR	151 ALBANY ROAD, ROATH, CARDIFF, CF24 3NT	VARIATION OF CONDITION 6 OF 19/02414/MNR TO PERMIT THE SALE OF HOT FOOD FOR CONSUMPTION OFF THE PREMISES	09/11/2020	Permission be granted	Renewals and Variation of Conditions
20/01878/MNR	21/09/2020	Gardiner	FUL	THE COACH HOUSE, 143 DONALD STREET, ROATH, CARDIFF, CF24 4TP	CHANGE OF USE FROM WORKSHOP/STORAGE TO CLASSIFICATION D1 FOR PRIVATE COMMERCIAL ART GALLERY WITH ASSOCIATED WORKS	09/11/2020	Permission be granted	Minor - Other Principal Uses
20/02024/DCH	14/10/2020	Pisani	HSE	16 MORLAIS STREET, ROATH, CARDIFF, CF23 5HQ	SINGLE STOREY SIDE EXTENSION	11/11/2020	Permission be granted	Householder
20/01705/DCH	28/08/2020	Pequito	HSE	35 UPPER KINCRAIG STREET, ROATH, CARDIFF, CF24 3HA	PROPOSED REAR FIRST FLOOR EXTENSION	12/11/2020	Planning Permission be refused	Householder
PONTPRENNAU/ST MELLONS								
20/01808/DCH	17/09/2020	Fish	HSE	16 MAES Y BRYN, PONTPRENNAU, CARDIFF, CF23 8XQ	REPLACEMENT OF EXISTING GARDEN BOUNDARY WALL TO SAME STANDARD	11/11/2020	Permission be granted	Householder
RADYR								
20/01508/DCH	03/08/2020	Cooper	HSE	75 HEOL ISAF, RADYR, CARDIFF, CF15 8DW	PART SINGLE PART TWO STOREY REAR EXTENSION AND REAR DORMER ROOF EXTENSION	09/11/2020	Permission be granted	Householder

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20/01862/DCH	18/09/2020	Clement	HSE	65 DAN-Y-BRYN AVENUE, RADYR, CARDIFF, CF15 8DQ	REMOVE EXISTING FLAT ROOF TO SIDE ELEVATION SINGLE STOREY EXTENSION AND REPLACE WITH PITCHED ROOF AND CONSTRUCTION OF FRONT PORCH AND SIDE EXTERNAL STORE	11/11/2020	Permission be granted	Householder

RHIWBINA

20/00823/DCH	16/04/2020	Roderick	HSE	34 HEOL WEN, RHIWBINA, CARDIFF, CF14 6EG	SINGLE STOREY REAR EXTENSION	09/11/2020	Permission be granted	Householder
20/01853/DCH	16/09/2020	Moore	HSE	21 BRYNTEG, RHIWBINA, CARDIFF, CF14 6TS	TWO STOREY FRONT/SIDE EXTENSION	11/11/2020	Permission be granted	Householder

RIVERSIDE

A/20/00056/MNR	08/09/2020	The Spires Serviced Apartments	ADV	10 CATHEDRAL ROAD, PONTCANNA, CARDIFF, CF11 9LJ	INSTALLATION OF 3NO. EXTERNAL SIGN	09/11/2020	Permission be granted	Advertisements
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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>
20/00210/MNR	30/01/2020	Vodafone Limited	FUL	TELECOMMUNICATIONS SITE AT ROMILLY CRESCENT, PONTCANNA, CARDIFF	REMOVAL OF 15M HIGH HUTCHISON T RANGE TOWER INCORPORATING 6NO. ANTENNAS (BROWN); 1NO. 300MM DISH; 2NO. CABINETS (1NO. 1580X380X1350MM; 1NO. 184X440X1400MM) (RAL6009); AND, ALL ANCILLARY DEVELOPMENT INSTALLATION OF 20M HIGH TOWER WITH 6NO. ANTENNAS (3NO. SHROUDED; 3NO. UNSHROUDED) (BROWN); 1NO. 300MM DISH; 1NO. CABINET (1898X550X1602MM) (RAL7035); AND, ALL ANCILLARY DEVELOPMENT	12/11/2020	Permission be granted	Other Consent Types

SPLOTT

20/00676/MNR	18/03/2020	The Maltings Ltd	FUL	THE MALTINGS, EAST TYNDALL STREET, SPLOTT, CARDIFF, CF24 5EA	PROPOSED NEW GLAZED LIFT AND STAIRCASE TO EAST ELEVATION OF MALT HOUSE 3 AND INTERNAL ALTERATIONS TO KILNS 5 AND 6 IN MALT HOUSE 3 TO FACILITATE OFFICE USE	09/11/2020	Permission be granted	Minor - Offices (B1(a))
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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>
20/00677/MNR	18/03/2020	The Maltings Ltd	LBC	THE MALTINGS, EAST TYNDALL STREET, SPLOTT, CARDIFF, CF24 5EA	PROPOSED NEW GLAZED LIFT AND STAIRCASE TO EAST ELEVATION OF MALT HOUSE 3 AND INTERNAL ALTERATIONS TO KILNS 5 AND 6 IN MALT HOUSE 3 TO FACILITATE OFFICE USE	09/11/2020	Permission be granted	Listed Buildings

20/02107/DCH	19/10/2020	First Choice Housing Association	CLD	29 STORRAR ROAD, TREMORFA, CARDIFF, CF24 2RT	PROPOSED SINGLE STOREY REAR EXTENSION TO EXISTING SEMI DETACHED TWO STOREY PROPERTY, WITH ALL ASSOCIATED EXTERNAL AND DRAINAGE WORKS	09/11/2020	Permission be granted	Other Consent Types
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TROWBRIDGE

20/00285/MJR	25/02/2020	Neal Soils Ltd	FUL	TY TO MAEN FARM, NEWTON ROAD, WENTLOOG, CARDIFF, CF3 2EJ	RETENTION OF, AND EXTENSION TO, THE EXISTING MAINTENANCE BUILDING WITH ASSOCIATED RESURFACING OF THE EXISTING ACCESS AND PARKING AREAS AT THE APPLICANTS 'SOIL BLENDING, SOIL STORAGE AND AGGREGATE RECYCLING OPERATION' AT TY-TO-MAEN FARM	12/11/2020	Permission be granted	Major - Other Principal Uses
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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>
20/00729/MNR	31/03/2020	ANDREW	FUL	LAND AT USKLEY COTTAGE, NEWPORT ROAD, ST MELLONS, CARDIFF, CF3 2WJ	ERECTION OF A NEW DWELLING HOUSE	12/11/2020	Permission be granted	Minor - Dwellings (C3)
16/02866/MJR	02/12/2016	WATES RESIDENTIAL	DOC	WEST OF WILLOWBROOK DRIVE AND THE SOUTH OF CRICKHOWELL ROAD, CARDIFF	PARTIAL DISCHARGE OF CONDITION 8 (A- I AND K LANDSCAPING DETAILS) AND DISCHARGE OF CONDITIONS 12 (ECOLOGICAL MITIGATION STRATEGY), 20 (HISTORIC ENVIRONMENT MITIGATION) AND 23 (JUNCTION IMPROVEMENTS) OF PLANNING APPLICATION 16/01260/MJR	12/11/2020	Full Discharge of Condition	Discharge of Conditions
WHITCHURCH/TONGWYNLAIS								
20/01797/DCH	15/09/2020	anand	HSE	33 CAEGWYN ROAD, WHITCHURCH, CARDIFF, CF14 1QN	CONSTRUCTION OF A SINGLE STOREY SIDE EXTENSION, FRONT PORCH AND REAR BALCONY	12/11/2020	Permission be granted	Householder
20/01969/MNR	08/10/2020	BT	FUL	TELEPHONE EXCHANGE, MANOR WAY, WHITCHURCH, CARDIFF, CF14 1RD	INSTALLATION OF NEW LOUVRES WITHIN EXISTING FIRST FLOOR WINDOWS TO THE FRONT AND REAR ELEVATIONS	13/11/2020	Permission be granted	Other Consent Types

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20/01541/DCH	06/08/2020	Forse	HSE	83 HEOL PENLAN, WHITCHURCH, CARDIFF, CF14 2BZ	REMOVAL OF EXISTING OUTBUILDINGS AND CONSTRUCTION OF DOUBLE GARAGE WITH HOBBY STUDIO ABOVE	09/11/2020	Planning Permission be refused	Householder
20/01603/DCH	14/08/2020	Gardiner	HSE	10 PENYDARREN DRIVE, WHITCHURCH, CARDIFF, CF14 2TT	DEMOLITION OF AN EXISTING CONSERVATORY AND CONSTRUCTION OF A NEW SINGLE STOREY SENSORY ROOM	09/11/2020	Permission be granted	Householder
20/01606/DCH	18/08/2020	HUNTLEY	HSE	64 FELIN FACH, WHITCHURCH, CARDIFF, CF14 1NZ	SINGLE AND TWO STOREY FRONT, SIDE AND REAR EXTENSIONS	09/11/2020	Permission be granted	Householder

Cardiff Council : Strategic Planning And Environment : Development Control

Applications Decided between 16/11/2020 and 20/11/2020

<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>
ADAMSDOWN								
20/01975/MNR	05/10/2020	MINISTRY OF JUSTICE	FUL	H M PRISON, KNOX ROAD, ADAMSDOWN, CARDIFF, CF24 0UG	CREATING A LARGER OPENING AND INSTALLATION OF A NEW PEDESTRIAN ACCESS DOOR INTO THE EXISTING NORTH EAST ELEVATION OF THE MAIN ENTRANCE BUILDING	19/11/2020	Permission be granted	Other Consent Types
BUTETOWN								
20/00262/MNR	03/02/2020	CAVC	FUL	PART OF CANAL PARK ADJACENT TO CARDIFF AND VALE COLLEGE, DUMBALLS ROAD, BUTETOWN, CARDIFF, CF10 5FE	CONSTRUCTION OF 3G PITCH WITH FLOODLIGHTING AND SPECTATOR SEATING PLUS CHANGING FACILITIES WITH EXTERNAL PATHWAYS ALL WITHIN FENCED ENCLOSURE	19/11/2020	Permission be granted	Minor - Other Principal Uses

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19/03053/MNR	02/12/2019	Ty Krishna Cymru	FUL	EMLYN HOUSE, 4 DOCK CHAMBERS, BUTE STREET, BUTETOWN, CARDIFF, CF10 5AG	PART CHANGE OF USE FROM OFFICES (CLASS B1) TO MIXED OFFICE (CLASS B1) AND PLACE OF WORSHIP (CLASS D1 - NON-RESIDENTIAL INSTITUTION) WITH ALTERATIONS INCLUDING A THREE STOREY REAR EXTENSION, ROOF ALTERATIONS, THE ADDITION OF FRONT AND REAR DORMER WINDOWS, ASSOCIATED ANCILLARY CAFE, SHOP, TEMPORARY LIVING ACCOMMODATION, AND EXHIBITION SPACE WITH APPROPRIATE DEMOLITION WORK	16/11/2020	Permission be granted	Minor - Other Principal Uses

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19/03054/MNR	02/12/2019	Ty Krishna Cymru	LBC	EMLYN HOUSE, 4 DOCK CHAMBERS, BUTE STREET, BUTETOWN, CARDIFF, CF10 5AG	PART CHANGE OF USE FROM OFFICES (CLASS B1) TO MIXED OFFICE (CLASS B1) AND PLACE OF WORSHIP (CLASS D1 - NON-RESIDENTIAL INSTITUTION) WITH ALTERATIONS TO EXISTING STRUCTURE INCLUDING A THREE STOREY REAR EXTENSION, CHANGES TO THE ROOF, AND THE ADDITION OF FRONT AND REAR DORMER WINDOWS, AND ASSOCIATED ANCILLARY CAFE, SHOP, TEMPORARY LIVING ACCOMMODATION, AND EXHIBITION SPACE	16/11/2020	Permission be granted	Listed Buildings

CANTON

20/02239/DCH	02/11/2020	Voisey	CLD	2 VICTORIA AVENUE, CANTON, CARDIFF, CF5 1ET	PROPOSED GABLE END BUILD UP AND REAR MONO PITCHED ROOF DORMER AS PART OF A LOFT CONVERSION	18/11/2020	Planning Permission be refused	Other Consent Types
20/01647/MJR	21/08/2020	Cardiff Council	OUT	FITZALAN HIGH SCHOOL, LAWRENNY AVENUE, CANTON, CARDIFF, CF11 8QB	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	19/11/2020	Permission be granted	General Regulations

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20/01648/MJR	26/08/2020	Cardiff Council	FUL	PART OF LAND AT CARDIFF INTERNATIONAL SPORTS STADIUM, LECKWITH ROAD, CANTON, CARDIFF, CF11 8AZ	REPLACEMENT OF FITZALAN HIGH SCHOOL	19/11/2020	Permission be granted	General Regulations
20/01513/DCH	02/10/2020	Lewis	CLD	41 HALSBURY ROAD, CANTON, CARDIFF, CF5 1FX	SINGLE STOREY REAR EXTENSION	19/11/2020	Planning Permission be refused	Other Consent Types

CATHAYS

20/02287/MNR	12/11/2020	SUPERDRY	NMA	16-22 ST DAVID'S DEWISANT, GRAND ARCADE, CITY CENTRE, CARDIFF, CF10 2ER	EXISTING CRITTALL STYLE FRAMES WITH BLUE GLASS TO SHOPFRONT TO BE VINYL WRAPPED IN BLACK AND EXISTING TIMBER CLADDING TO BE EXTENDED - PREVIOUSLY APPROVED UNDER 17/01673/MNR	18/11/2020	Permission be granted	Non Material Amendment
20/02044/MNR	09/10/2020	Careers Wales Limited	FUL	CHURCHILL HOUSE, 17-21 CHURCHILL WAY, CITY CENTRE	CHANGE OF USE OF GROUND FLOOR FROM CLASS A1 USE (SHOP) TO CLASS A2 (PROFESSIONAL SERVICES) WITH ANCILLARY CLASS B1 (OFFICES) USE AT THE MEZZANINE LEVEL	18/11/2020	Permission be granted	Minor - Retail (A1-A3)
A/20/00072/MNR	22/10/2020	Baxter	ADV	125 QUEEN STREET, CITY CENTRE, CARDIFF, CF10 2BJ	NEW SIGNS	18/11/2020	Permission be granted	Advertisements
A/20/00069/MNR	26/10/2020	Designs Signage Solutions	ADV	18 TOWN WALL SOUTH, CITY CENTRE, CARDIFF, CF10 2EW	INSTALLATION OF INTERNALLY ILLUMINATED FASCIA SIGN	18/11/2020	Permission be granted	Advertisements

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20/02149/DCH	26/10/2020	Jenkins	CLD	24 RHIGOS GARDENS, CATHAYS, CARDIFF, CF24 4LS	SINGLE STOREY SIDE/REAR EXTENSION	18/11/2020	Planning Permission be refused	Other Consent Types

CREIGAU/ST FAGANS

20/01288/DCH	07/07/2020	Twamley	HSE	61 TREM Y RHYD, ST FAGANS, CARDIFF, CF5 6FT	INSTALLATION OF ELECTRIC GATES TO DRIVEWAY, 1.8m HIGH STEEL RAILINGS AND PERSONNEL GATE	18/11/2020	Permission be granted	Householder
20/01578/DCH	12/08/2020	Vascocellas	HSE	22 WINDSOR CLIVE DRIVE, ST FAGANS, CARDIFF, CF5 6HQ	SINGLE STOREY REAR EXTENSION AND CHANGE IN LEVELS AT THE REAR	18/11/2020	Permission be granted	Householder

CYNCOED

20/02093/DCH	28/10/2020	Evans	CLD	56 WINDERMERE AVENUE, ROATH PARK, CARDIFF, CF23 5PS	HIP TO GABLE EXTENSION AND REAR DORMER EXTENSION	17/11/2020	Permission be granted	Other Consent Types
15/02655/MNR	17/11/2015	Digger 39 Ltd	DOC	8 CEFN COED ROAD, CYNCOED, CARDIFF, CF23 6AQ	DISCHARGE OF CONDITIONS 2 (ROOFLIGHTS) AND 3 (MATERIALS) OF 15/01742/MNR + CONDITIONS 5 (MATERIALS), 8 (REFUSE STORE) AND 9 (CYCLE PARKING) OF APP 14/2957/MNR.	18/11/2020	Refuse to Discharge	Discharge of Conditions

20/01959/DCH	05/10/2020	summerfield	HSE	31 BEATTY AVENUE, ROATH PARK, CARDIFF, CF23 5QR	SINGLE AND DOUBLE STOREY SIDE EXTENSION	18/11/2020	Permission be granted	Householder
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FAIRWATER

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20/01570/DCH	13/08/2020	Price	HSE	83 ST FAGANS ROAD, FAIRWATER, CARDIFF, CF5 3AE	TWO STOREY SIDE EXTENSION, REMOVAL OF REAR WING, AND CONVERSION OF GARAGE INTO ANNEXE LIVING SPACE	18/11/2020	Planning Permission be refused	Householder
GABALFA								
20/02009/DCH	13/10/2020	Nicholson	HSE	3 AFRICA GARDENS, GABALFA, CARDIFF, CF14 3BT	SINGLE STOREY REAR/SIDE EXTENSION	18/11/2020	Permission be granted	Householder
GRANGETOWN								
20/01845/MNR	15/09/2020	Mr Gary Moore	CLU	1A & 1B PENDYRIS STREET, GRANGETOWN, CARDIFF, CF11 6RJ	CERTIFICATE OF LAWFUL USE - SELF CONTAINED FLAT	18/11/2020	Permission be granted	Other Consent Types
HEATH								
20/02013/DCH	14/10/2020	Wratten	HSE	45 HEATHWAY, HEATH, CARDIFF, CF14 4JR	SINGLE STOREY REAR EXTENSION AND LINK TO CONVERTED EXISTING GARAGE	18/11/2020	Permission be granted	Householder
20/01323/DCH	13/07/2020	Barakat	HSE	196 MANOR WAY, WHITCHURCH, CARDIFF, CF14 1RP	PROPOSED TWO STOREY FRONT AND SIDE EXTENSION	18/11/2020	Planning Permission be refused	Householder
20/01888/DCH	07/10/2020	Singh	HSE	75 ST INA ROAD, HEATH, CARDIFF, CF14 4LT	GROUND AND FIRST FLOOR SIDE AND REAR EXTENSIONS AND ALTERATIONS	19/11/2020	Permission be granted	Householder
20/02079/DCH	13/10/2020	Woods	NMH	148 HEATH PARK AVENUE, HEATH, CARDIFF, CF14 3RJ	TO OMIT PITCHED ROOF AND PROVISION OF FLAT ROOF - PREVIOUSLY APPROVED UNDER 20/00205/DCH	19/11/2020	Permission be granted	Non Material Householder

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18/00762/MNR	04/04/2018	RUSSELL	FUL	THANE & MEARS, 304A CAERPHILLY ROAD, BIRCHGROVE, CARDIFF, CF14 4NS	PROPOSED DEMOLITION OF 304A CAERPHILLY RD & ERECTION OF NEW DEVELOPMENT TO FORM A3 COMMERCIAL UNIT TO GROUND FLOOR WITH 5 NO FLATS OVER	20/11/2020	Permission be granted	Minor - Dwellings (C3)

LISVANE

20/00296/MJR	07/02/2020	Redrow Homes	DOC	PHASE 2A, CHURCHLANDS LAND NORTH AND EAST OF LISVANE, LISVANE, CARDIFF	DISCHARGE OF CONDITIONS 3 (TREE ROOT SPACE DETAILS) AND 4 (EXTERNAL FINISHES) OF 19/01973/MJR	16/11/2020	Full Discharge of Condition	Discharge of Conditions
19/02912/MJR	05/11/2019	Redrow Homes	DOC	PHASE 1 PUBLIC OPEN SPACE, CHURCHLANDS LAND NORTH AND EAST OF LISVANE, MAERDY LANE, LISVANE	DISCHARGE OF CONDITIONS 9 (CEMP), 13 (TREES), 15 (SOILS) AND 25 (INVASIVE SPECIES) OF 14/02891/MJR	16/11/2020	Full Discharge of Condition	Discharge of Conditions

LLANDAFF

20/01936/DCH	05/10/2020	gardner	NMH	50 BRIDGE STREET, LLANDAFF, CARDIFF, CF5 2EN	AMENDMENT TO EXTEND THE REAR EXTENSION - PREVIOUSLY APPROVED UNDER 20/00733/DCH	17/11/2020	Withdrawn by Applicant	Non Material Householder
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LLANISHEN

20/01927/DCH	29/09/2020	HUGHES	HSE	70 HEOL HIR, LLANISHEN, CARDIFF, CF14 5AB	SIDE AND REAR DOUBLE STOREY EXTENSION	17/11/2020	Permission be granted	Householder
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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>
20/02180/DCH	28/10/2020	roche	NMH	11 HAVENWOOD DRIVE, THORNHILL, CARDIFF, CF14 9HX	PROPOSED INCREASE IN THE SIZE OF THE REAR EXTENSION BY 1M - PREVIOUSLY APPROVED UNDER 20/01850/DCH	18/11/2020	Planning Permission be refused	Non Material Householder
20/01954/MNR	05/10/2020	PMG Cardiff Ltd	FUL	96-98 FIDLAS ROAD, LLANISHEN, CARDIFF, CF14 0NE	ROOF ALTERATIONS AND REFURBISHMENT TO EXISTING FLATS INCLUDING THE ENLARGEMENT OF FLAT 3	18/11/2020	Permission be granted	Minor - Dwellings (C3)

LLANRUMNEY

20/02111/MNR	16/10/2020	TANC Estates Ltd	DOC	781 NEWPORT ROAD, LLANRUMNEY, CARDIFF, CF3 4AJ	DISCHARGE OF CONDITION 6 (SOUND INSULATION WORKS) OF 20/00798/MNR	19/11/2020	Full Discharge of Condition	Discharge of Conditions
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PENTWYN

20/01870/MNR	22/09/2020	Flintec UK Limited	FUL	CAXTON HOUSE, CAXTON PLACE, PENTWYN, CARDIFF, CF23 8HA	REFURBISHMENT OF EXISTING OFFICE AND WAREHOUSE BUILDING INCLUDING ALTERATIONS TO POSITION OF ENTRANCE, EXTERNAL FINISHES AND WINDOW DETAILS, AND REMOVAL OF ROLLER SHUTTER DOOR AND EXTERNAL STAIRCASE	18/11/2020	Permission be granted	Other Consent Types
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PENTYRCH

<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>
20/02185/MNR	28/10/2020	Woods	NMA	LAND OFF THE GLADE, SCHOOL LANE, GWAELOD-Y-GARTH, CARDIFF, CF15 9HN	REDUCE THE VOLUME OF GLAZING ON THE REAR OF PLOT 1 AND INTERNAL AMENDMENT TO ALLOW FOR DISABLED EN-SUITE AND BEDROOMS - PREVIOUSLY APPROVED UNDER 20/00123/MNR	19/11/2020	Permission be granted	Non Material Amendment

PENYLAN

20/00844/MNR	19/05/2020	HANNAN	VAR	225 ALBANY ROAD, ROATH, CARDIFF, CF24 3NW	VARIATION OF CONDITION 2 OF 17/01765/MNR TO ALTER APPROVED PLANS	19/11/2020	Planning Permission be refused	Renewals and Variation of Conditions
20/01239/DCH	30/06/2020	Mrs Zara Parveen	HSE	97 OAK WOOD AVENUE, PENYLAN, CARDIFF, CF23 9EZ	DEMOLITION OF REAR SINGLE STOREY STUDY AND DETACHED GARAGE & CONSTRUCTION OF ONE/TWO STOREY REAR AND SIDE EXTENSIONS	17/11/2020	Permission be granted	Householder

PLASNEWYDD

20/02066/MNR	16/10/2020	Glenwood Church	FUL	TAVISTOCK GOSPEL HALL, TAVISTOCK STREET, ROATH, CARDIFF, CF24 3BE	TO LOWER THE CILL LEVEL OF EXISTING FRONT WINDOW, INTRODUCE SLIDE OPENING WINDOW TO FORM TAKEAWAY SERVERY FACILITY AND THE ADDITION OF A RETRACTABLE CANOPY	18/11/2020	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>
20/00585/MNR	10/03/2020	JNR	FUL	104 RICHMOND ROAD, ROATH, CARDIFF, CF24 3BW	CONVERSION OF DWELLING TO 4NO. FLATS AND ERECTION OF DOUBLE STOREY REAR EXTENSION AND REAR DORMER LOFT EXTENSION	19/11/2020	Permission be granted	Minor - Dwellings (C3)
A/20/00078/MNR	20/10/2020	Kaspa's Cwmbran Ltd	ADV	41-43 ALBANY ROAD, ROATH, CARDIFF, CF24 3LJ	NEW SIGNS	18/11/2020	Permission be granted	Advertisements
20/01697/MNR	01/09/2020	ASHRAF	FUL	188 CITY ROAD, ROATH, CARDIFF, CF24 3JF	GROUND FLOOR REAR EXTENSIONS TO SHOP AND FLAT, FIRST FLOOR REAR EXTENSION AND TWO SIDE DORMER EXTENSIONS	19/11/2020	Planning Permission be refused	Minor - Retail (A1-A3)
PONTPRENAU/ST MELLONS								
20/02097/DCH	16/10/2020	Tomic	HSE	16 PARKSTONE AVENUE, OLD ST MELLONS, CARDIFF, CF3 5TY	SINGLE STOREY REAR EXTENSION	18/11/2020	Permission be granted	Householder
RADYR								
20/01918/DCH	25/09/2020	O'Neill	HSE	3 BLAEN-Y-COED, RADYR, CARDIFF, CF15 8RL	CONSTRUCTION OF A TWO STOREY SIDE EXTENSION, SINGLE STOREY REAR EXTENSION, FRONT PORCH AND ASSOCIATED WORKS	18/11/2020	Permission be granted	Householder
20/01935/DCH	29/09/2020	Bowden	HSE	12 HEOL Y CWM, MORGANSTOWN, CARDIFF, CF15 8FG	FIRST FLOOR FRONT/SIDE EXTENSION	18/11/2020	Planning Permission be refused	Householder
20/02019/DCH	06/10/2020	hurley	HSE	23 MEADOWFIELD WAY, MORGANSTOWN, CARDIFF, CF15 8FL	REAR AND SIDE SINGLE STOREY EXTENSION	18/11/2020	Permission be granted	Householder
RHIWBINA								

<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>
20/01849/DCH	17/09/2020	Braithwaite-Lock	HSE	53 HEOL-Y-DERI, RHIWBINA, CARDIFF, CF14 6HD	CONSTRUCTION OF FRONT PORCH AND REAR SINGLE STOREY EXTENSION	18/11/2020	Permission be granted	Householder
20/01662/DCH	25/08/2020	Kirk	HSE	10 CLOS Y BRYN, RHIWBINA, CARDIFF, CF14 6TR	SINGLE STOREY REAR INFILL EXTENSION AND PROPOSED GABLE END ROOF EXTENSION WITH FRONT AND REAR DORMERS	18/11/2020	Permission be granted	Householder
20/01977/DCH	09/10/2020	Breverton	HSE	108 HEOL LEWIS, RHIWBINA, CARDIFF, CF14 6QD	DEMOLITION OF REAR EXTENSION AND REPLACEMENT WITH NEW REAR SINGLE STOREY EXTENSION	18/11/2020	Permission be granted	Householder
RIVERSIDE								
20/01586/DCH	14/08/2020	Anthony	HSE	18 DOGO STREET, PONTCANNA, CARDIFF, CF11 9JJ	GROUND FLOOR REAR AND SIDE EXTENSION AND LOFT CONVERSION WITH INSTALLATION OF ROOFLIGHTS	19/11/2020	Permission be granted	Householder
20/01029/MNR	09/07/2020	Wakely	FUL	15 GREEN STREET, RIVERSIDE, CARDIFF, CF11 6LN	CHANGE OF USE FROM C3 USE CLASS 1 BEDROOM FLAT AND 4 BED HMO TO C4 USE CLASS HOUSE IN MULTIPLE OCCUPATION	20/11/2020	Permission be granted	Minor - Dwellings (C3)
20/01777/DCH	16/09/2020	Thompson	HSE	3 DOGO STREET, PONTCANNA, CARDIFF, CF11 9JJ	LOFT CONVERSION WITH INSTALLATION OF ROOF WINDOWS TO REAR ELEVATION	20/11/2020	Permission be granted	Householder
20/01968/DCH	07/10/2020	howells	HSE	13 MARK STREET, RIVERSIDE, CARDIFF, CF11 6LL	SINGLE STORY REAR EXTENSION AND GARDEN CANOPY	18/11/2020	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>
SPLOTT								
20/01783/MNR	10/09/2020	Keyline	FUL	KEYLINE BUILDERS MERCHANTS LTD, FRESHMOOR ROAD, SPLOTT, CARDIFF, CF24 5ER	INTRODUCTION OF 3NO. HGV LOADING BAYS	18/11/2020	Permission be granted	Minor - Industry/Storage/Di stribution
WHITCHURCH/TONGWYNLAIS								
20/01504/DCH	05/08/2020	Gardiazabel	HSE	31 HEOL Y GORS, WHITCHURCH, CARDIFF, CF14 1HF	REAR EXTENSION WITH GABLE END ROOF EXTENSION AND CONSTRUCTION OF GARDEN OUTBUILDING	17/11/2020	Permission be granted	Householder
20/01108/MJR	11/06/2020	Velindre NHS Trust & Asda Stores Ltd	FUL	ASDA CARDIFF CORYTON, LONGWOOD DRIVE, WHITCHURCH, CARDIFF, CF14 7EW	PROPOSED ENGINEERING WORKS TO LONGWOOD DRIVE AND THE ASDA ACCESS HIGHWAY AND CAR PARK ARRANGEMENTS, ENABLING ACCESS TO THE PROPOSED VELINDRE CANCER CENTRE	17/11/2020	Permission be granted	Other Consent Types
20/02018/MNR	06/10/2020	Summers & Parker	FUL	LAND AT FLOWER GATE LODGE, 1A ALFREDA ROAD, WHITCHURCH, CARDIFF, CF14 2EH	CONSTRUCTION OF DETACHED DWELLING INCLUDING DEMOLITION OF EXISTING GARAGE AND ALTERATIONS TO EXISTING DRIVEWAY	20/11/2020	Withdrawn by Applicant	Minor - Dwellings (C3)

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20/02014/DCH	20/10/2020	Summers & Parker	HSE	FLOWER GATE LODGE, 1A ALFREDA ROAD, WHITCHURCH, CARDIFF, CF14 2EH	SINGLE STOREY REAR EXTENSION AND FIRST FLOOR EXTENSION, ALTERATIONS TO ROOF INCLUDING DORMER EXTENSIONS TO THE FRONT ELEVATION, CREATION OF AN ENTRANCE PORCH AND THE CONSTRUCTION OF A NEW CROSS-OVER ENTRANCE AND BOUNDARY FENCE	20/11/2020	Withdrawn by Applicant	Householder

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

Cardiff Council : Strategic Planning And Environment : Development Control

Applications Decided between 23/11/2020 and 27/11/2020

<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>
ADAMSDOWN								
20/01718/DCH	06/10/2020	HAMOOD	FUL	16 CONSTELLATION STREET, ADAMSDOWN, CARDIFF, CF24 0HN	FIRST FLOOR REAR CONSERVATORY EXTENSION	26/11/2020	Planning Permission be refused	Householder
BUTETOWN								
20/01341/MNR	15/07/2020	Elgoibar Limited	DOC	111-112 BUTE STREET, BUTETOWN, CARDIFF, CF10 5AD	DISCHARGE OF CONDITION 10 (EXTERNAL FINISHING MATERIALS) OF 18/02510/MNR	26/11/2020	Full Discharge of Condition	Discharge of Conditions
20/02190/MJR	27/10/2020	United Welsh Housing Association	DOC	ST CUTHBERTS CHURCH, 14A POMEROY STREET, BUTETOWN, CARDIFF, CF10 5GS	DISCHARGE OF CONDITION 6 (BUILDING SURVEY) OF 19/02618/MJR	26/11/2020	Full Discharge of Condition	Discharge of Conditions
20/01456/MNR	30/07/2020	Karim	FUL	59 PENARTH ROAD, BUTETOWN, CARDIFF	CHANGE OF USE FROM GENERAL STORAGE TO HAND CAR WASH WITH ASSOCIATED CABINS AND CANOPIES	23/11/2020	Permission be granted	Minor - Other Principal Uses
CATHAYS								
A/20/00053/MNR	28/08/2020	Virgin Money Stores	ADV	18-19 TRINITY STREET, CITY CENTRE, CARDIFF, CF10 1BH	NEW SIGNS	23/11/2020	Split decision (part app./part ref.)	Advertisements
20/01912/DCH	29/09/2020	Souto	HSE	64 MAINDY ROAD, CATHAYS, CARDIFF, CF24 4HQ	DEMOLITION OF EXISTING REAR EXTENSION AND CONSTRUCTION OF NEW REAR SINGLE AND PART TWO STOREY EXTENSION	25/11/2020	Permission be granted	Householder

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20/01707/MNR	01/09/2020	ARTHUR CROW	FUL	78 WOODVILLE ROAD, CATHAYS, CARDIFF, CF24 4ED	INSTALLATION OF REPLACEMENT SHOPFRONT	26/11/2020	Permission be granted	Other Consent Types

CREIGAU/ST FAGANS

20/02109/MJR	16/10/2020	Redrow Homes (South Wales), Trustees of St Fagans No 1&2 Trust and Trustees of S	NMA	GATEWAY LINEAR PARK, LAND NORTH AND SOUTH OF LLANTRISANT ROAD, NORTH WEST CARDIFF	TO EXTEND THE TIMEFRAME FOR SUBMITTING THE ADDITIONAL INFORMATION REQUIRED BY CONDITIONS 2 (PUBLIC ART), 3 (PLAY TRAIL DESIGN AND MAINTENANCE), 5 (FOOTWAY LIGHTING) AND 10 (DRAINAGE)OF 19/02144/MJR	23/11/2020	Permission be granted	Non Material Amendment
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20/01331/MJR	13/07/2020	BDW Homes	DOC	GOITRE FACH FARM, LLANTRISANT ROAD, ST FAGANS, CARDIFF, CF5 6JD	RE-DISCHARGE OF CONDITION 20 (CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN) OF 16/00106/MJR PREVIOUSLY APPROVED UNDER DISCHARGE OF CONDITION APPLICATION 17/01013/MJR IN ORDER TO EXTEND THE PREVIOUSLY AGREED CONSTRUCTION WORKING HOURS TO THOSE SET OUT IN SECTION 4 FOR A PERIOD OF SIX MONTHS.	23/11/2020	Full Discharge of Condition	Discharge of Conditions
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CYNCOED

<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>
20/01427/DCH	21/08/2020	Afelumo	HSE	60 HOLLYBUSH ROAD, CYNCOED, CARDIFF, CF23 6TA	HIP TO GABLE LOFT EXTENSION WITH SMALL FLAT ROOF SECTION	23/11/2020	Planning Permission be refused	Householder
20/00797/MNR	18/05/2020	White	NMA	LAND AT REAR OF AYLWARD, PARK END LANE, CYNCOED, CARDIFF, CF23 6JW	MINOR ALTERATIONS TO THE APPLICATION FOOTPRINT, FIRST FLOOR RIDGE HEIGHT AND CHANGE OF FENESTRATION - PREVIOUSLY APPROVED UNDER 14/00667/DCO AND SUBSEQUENTLY AMENDED BY 15/01459/MNR AND 17/01087/MNR	24/11/2020	Permission be granted	Non Material Amendment
20/01823/DCH	15/09/2020	ELSARRAG	NMH	53A HOLLYBUSH ROAD, CYNCOED, CARDIFF, CF23 6TZ	REDUCTION IN HEIGHT OF FRONT BOUNDARY WALL PREVIOUSLY APPROVED UNDER 17/00150/DCH	25/11/2020	Permission be granted	Non Material Householder
GABALFA								
20/02314/MJR	10/11/2020	Wates Residential	NMA	BRIARDENE, NORTH ROAD, GABALFA, CARDIFF, CF14 3BL	AMENDMENTS AS FOLLOWS: 1. CHANGE OF TENURE OF PLOTS 10-39 TO AFFORDABLE DWELLINGS; 2. ALTERATIONS TO EXTERNAL MATERIALS SPECIFICATION DUE TO TENURE CHANGE; 3. PRIVACY SCREENS ADDED TO DOUBLE BALCONIES ON APARTMENT BLOCK B - PREVIOUSLY APPROVED UNDER 17/01691/MJR	24/11/2020	Permission be granted	Non Material Amendment

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GRANGETOWN								
20/01212/MNR	29/06/2020	Penarth Industrial Service Retirement Benefit Scheme	OUT	TELECOMMUNICATIONS MAST, HOLDEN ROAD, LECKWITH	THE DEMOLITION OF AN EXISTING MAST CONTROL BUILDING AND THE CONSTRUCTION OF COMMERCIAL/INDUSTRIAL UNITS WITH ASSOCIATED SERVICE YARDS AND PARKING	24/11/2020	Permission be granted	Minor - Industry/Storage/Distribution
20/01070/MJR	08/06/2020	Figurehead Homes Limited	DOC	ISV SITE 2, FERRY ROAD, CF11 0SP	DISCHARGE OF CONDITION 6 (REMEDIATION SCHEME) OF 12/00934/DCI IN RESPECT OF PLOT 43 ONLY	26/11/2020	Full Discharge of Condition	Discharge of Conditions
20/02413/MNR	20/11/2020	AG Quidnet UK Industrial 2 BV	NMA	UNIT 8, FREEMANS PARC, PENARTH ROAD, LECKWITH, CARDIFF, CF11 8EQ	MINOR CHANGES TO EXTERNAL DETAILING - PREVIOUSLY APPROVED UNDER 20/00985/MNR	26/11/2020	Permission be granted	Non Material Amendment
HEATH								
20/02199/MJR	03/11/2020	Wates Residential	NMA	FORMER HIGHFIELDS CENTRE, 18 ALLENSBANK ROAD, HEATH, CARDIFF	AMENDMENTS RELATING TO ALTERATIONS TO SITE PLAN AND ELEVATIONS DUE TO THE SCHEME PROGRESSING AS 100% AFFORDABLE - PREVIOUSLY APPROVED UNDER 17/02464/MJR	27/11/2020	Permission be granted	Non Material Amendment
20/01527/DCH	05/08/2020	Sutherland	HSE	121 KING GEORGE V DRIVE NORTH, HEATH, CARDIFF, CF14 4EL	RETENTION OF TIMBER PERGOLA TO REAR OF PROPERTY	26/11/2020	Permission be granted	Householder

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20/02214/DCH	02/11/2020	Hanson	HSE	73 CAEGWYN ROAD, WHITCHURCH, CARDIFF, CF14 1TD	CONVERSION OF AND EXTENSION TO THE EXISTING DETACHED GARAGE FOR THE CREATION OF A SUMMER ROOM AND GYM	24/11/2020	Withdrawn by Applicant	Householder
19/03117/MNR	29/11/2019	PATEL	FUL	LAND TO REAR OF 161-163 PANTBACH ROAD, RHIWBINA, CARDIFF, CF14 1TZ	PROPOSED ERECTION OF NEW DWELLING HOUSE	23/11/2020	Permission be granted	Minor - Dwellings (C3)
20/01934/DCH	29/09/2020	Vaughan	HSE	13 HEOL GWYNEDD, BIRCHGROVE, CARDIFF, CF14 4PJ	CONSTRUCTION OF SINGLE STOREY EXTENSIONS TO FRONT AND REAR ELEVATIONS	23/11/2020	Permission be granted	Householder
20/01883/DCH	22/09/2020	Coles	HSE	4 CAE MAEN, BIRCHGROVE, CARDIFF, CF14 1UP	REAR SINGLE STOREY GABLE END EXTENSION WITH DORMER ROOF EXTENSIONS	23/11/2020	Planning Permission be refused	Householder
LLANDAFF								
20/01556/DCH	05/10/2020	O'Shea	HSE	168 CARDIFF ROAD, LLANDAFF, CARDIFF, CF5 2AD	FIRST FLOOR SIDE EXTENSION WITH DORMER EXTENSION	23/11/2020	Permission be granted	Householder
20/00221/DCH	30/01/2020	Mr Steve Thomas	HSE	22 PECKHAM CLOSE, DANESCOURT, CARDIFF, CF5 2SL	SINGLE STOREY SIDE AND REAR EXTENSION	23/11/2020	Permission be granted	Householder
20/00752/MNR	12/05/2020	The Cathedral School	DOC	THE CATHEDRAL SCHOOL, CARDIFF ROAD, LLANDAFF, CARDIFF, CF5 2YH	DISCHARGE OF CONDITIONS 3 (MATERIAL SAMPLES), 7 (USE OF SITE WON MATERIALS), 12 (LANDSCAPING) AND 13 (LANDSCAPING MAINTENANCE) OF 18/02565/MNR	23/11/2020	Full Discharge of Condition	Discharge of Conditions

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20/01645/DCH	21/08/2020	Davies	NMH	13 HEOL-Y-PAVIN, LLANDAFF, CARDIFF, CF5 2EG	AMENDMENTS TO WORKS PREVIOUSLY APPROVED UNDER 19/01802/DCH (OMISSION OF PART OF PROPOSED EXTENSION AND ALTERATION TO KITCHEN ENTRANCE).	23/11/2020	Permission be granted	Non Material Householder
20/01739/DCH	03/09/2020	Ciocca	HSE	54 PALACE ROAD, LLANDAFF, CARDIFF, CF5 2AH	ALTERED OPENINGS AND REPLACEMENT GLAZING TO REAR ELEVATION, SCREENED TERRACE TO FIRST FLOOR AND LOFT CONVERSION WITH CONSERVATION ROOFLIGHTS TO SIDE AND REAR	25/11/2020	Permission be granted	Householder
20/01766/DCH	06/10/2020	Velupillai	HSE	7 HOWELL'S CRESCENT, LLANDAFF, CARDIFF, CF5 2AJ	REPLACEMENT UPVC WINDOWS AND TIMBER DOOR TO FRONT OF PROPERTY	25/11/2020	Permission be granted	Householder
A/20/00045/MNR	06/08/2020	Morgans Consult	ADV	98 CARDIFF ROAD, LLANDAFF, CARDIFF, CF5 2DT	FASCIA WITH HALO ILLUMINATED LETTERING AND 2NO. PROJECTING SIGN	24/11/2020	Withdrawn by Applicant	Advertisements
20/02350/DCH	19/11/2020	Bird	HSE	60 ELY ROAD, LLANDAFF, CARDIFF, CF5 2JG	REMOVAL OF EXISTING PVC AND REPLACEMENT TIMBER CLADDING, WINDOWS AND DOORS	26/11/2020	Withdrawn by Applicant	Householder
20/01994/MNR	08/10/2020	The Pound 50+ Llandaff	DOC	THE POUND, 2 CATHEDRAL CLOSE, LLANDAFF, CARDIFF, CF5 2ED	DISCHARGE OF CONDITION 5 (ARCHAEOLOGICAL REPORT) OF 19/01605/MNR	25/11/2020	Full Discharge of Condition	Discharge of Conditions

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20/01998/DCH	09/10/2020	martin	HSE	REDCOT, 21 LLANTRISANT ROAD, LLANDAFF, CARDIFF, CF5 2PU	CONSTRUCTION OF DETACHED POOL HOUSE IN REAR GARDEN	26/11/2020	Planning Permission be refused	Householder
LLANISHEN								
20/01997/DCH	08/10/2020	Lunagaria	HSE	40 HEOL Y BARCUD, THORNHILL, CARDIFF, CF14 9JB	SINGLE STOREY REAR EXTENSION	26/11/2020	Permission be granted	Householder
20/01946/DCH	30/09/2020	uren	HSE	15 TANSY CLOSE, THORNHILL, CARDIFF, CF14 9FN	SINGLE STOREY REAR EXTENSION	25/11/2020	Permission be granted	Householder
LLANRUMNEY								
20/02064/DCH	21/10/2020	Morris	HSE	78 ELGAR CRESCENT, LLANRUMNEY, CARDIFF, CF3 5RW	GROUND FLOOR AND FIRST FLOOR REAR EXTENSIONS AND CONVERSION OF GARAGE INTO HABITABLE ROOM	25/11/2020	Permission be granted	Householder
PENTWYN								
20/00910/MNR	19/05/2020	Addids	FUL	LAND AT 108 GLYN RHOSYN, PENTWYN, CARDIFF, CF23 7DT	PROPOSED 3 BEDROOM DWELLING ATTACHED TO EXISTING	25/11/2020	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>
20/01073/MJR	22/06/2020	Capital, Estates and Operational Services, Cardiff and Vale University Health Bo	RES	LAND ADJACENT TO LLANEDEYRN COMMUNITY HUB AND LLANEDEYRN HEALTH CENTRE, MAELFA, LLANEDEYRN, CARDIFF	ALL RESERVED MATTERS PURSUANT TO 19/01610/MJR IN RESPECT OF SITE 1 - PROPOSED WELLBEING HUB, INCLUDING REPLACEMENT OF EXISTING CAR PARKING, SUSTAINABLE URBAN DRAINAGE SYSTEM, LANDSCAPE WORKS SITE 2 - PROPOSED DEMOLITION OF EXISTING HEALTH CENTRE, AND PROVISION OF CAR PARKING AREA, AND REPLACEMENT HARD SURFACE PLAY AREA (AMENDED POSITION) SITE 3 - PROPOSED TEMPORARY CAR PARK AT LAND ADJACENT TO LLANEDEYRN COMMUNITY HUB AND LLANEDEYRN HEALTH CENTRE, MAELFA, LLANEDEYRN, CARDIFF	23/11/2020	Permission be granted	Major - Retail (A1-A3)

PENTYRCH

20/01699/MNR	02/09/2020	Simmons	FUL	LAND AT MOUNTAIN ROAD, PENTYRCH	CONSTRUCTION OF TWO DWELLINGS	23/11/2020	Permission be granted	Minor - Dwellings (C3)
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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>
20/02017/DCH	06/10/2020	Preet-Ryatt	HSE	67 WESTVILLE ROAD, PENYLAN, CARDIFF, CF23 5DF	REPLACEMENT OF THREE REAR FIRST FLOOR SINGLE GLAZED WINDOWS WITH WOODEN DOUBLE GLAZED SASHES TO MATCH THE ORIGINAL DESIGN	25/11/2020	Permission be granted	Householder
20/02049/DCH	14/10/2020	Shorey	HSE	63 PEN-Y-LAN ROAD, PENYLAN, CARDIFF, CF23 5HZ	DEMOLITION OF EXISTING CONSERVATORY AND CONSTRUCTION OF A SINGLE STOREY REAR EXTENSION	26/11/2020	Permission be granted	Householder
PLASNEWYDD								
20/02041/DCH	14/10/2020	QURESHI	HSE	95 INVERNESS PLACE, ROATH, CARDIFF, CF24 4RW	PROPOSED SINGLE STOREY EXTENSION TO REAR	26/11/2020	Permission be granted	Householder
20/02033/MNR	09/10/2020	REDI 94 LTD	FUL	50 CROFTS STREET, ROATH, CARDIFF, CF24 3DY	CONVERSION OF GROUND FLOOR THREE BEDROOM FLAT INTO 2NO. ONE BEDROOM FLATS	25/11/2020	Permission be granted	Minor - Dwellings (C3)
20/01017/MNR	02/07/2020	Farooq	FUL	BODY IMAGE BEAUTY AND LASER CLINIC, 25 OXFORD STREET, ROATH, CARDIFF, CF24 3DT	ALTERATIONS AND CHANGE OF USE TO REVERT TO FORMER WORKSHOP PLUS SIDE AND FIRST FLOOR EXTENSIONS	25/11/2020	Planning Permission be refused	Minor - Retail (A1-A3)
20/01740/DCH	05/10/2020	Bowen	HSE	76 NINIAN ROAD, ROATH, CARDIFF, CF23 5EN	REMOVAL OF CHIMNEY STACK ON REAR ELEVATION	24/11/2020	Permission be granted	Householder
20/01039/MNR	04/06/2020	Clarke	FUL	PSW BUILDING CONTRACTORS, 163A DONALD STREET, ROATH, CARDIFF, CF24 4TP	DEMOLITION OF EXISTING COMMERCIAL BUILDING AND ERECTION OF 2NO. FLATS	24/11/2020	Permission be granted	Minor - Dwellings (C3)

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PONTPRENNAU/ST MELLONS								
19/01390/MNR	31/07/2019	P.M.S	FUL	4 BETHANIA ROW, OLD ST MELLONS, CARDIFF, CF3 5UD	PROPOSED 3 BEDROOM DWELLING IN GARDEN OF EXISTING PROPERTY & PROPOSED ALTERATIONS TO EXISTING DWELLING INCLUDING KITCHEN EXTENSION AND RECONFIGURATION OF FIRST FLOOR	26/11/2020	Permission be granted	Minor - Dwellings (C3)
RADYR								
20/01804/MJR	10/09/2020	Taff Housing Association	DOC	LAND AT DE CLARE DRIVE, RADYR, CARDIFF	DISCHARGE OF CONDITION 3 (MATERIALS), 11 (CYCLE PARKING), 13 (TRAVEL PLAN) AND 17 (REMEDIATION) OF 17/03034/MJR	26/11/2020	Full Discharge of Condition	Discharge of Conditions
RIVERSIDE								
20/02300/MNR	09/11/2020	Walrond	DOC	COACH HOUSE REAR OF 95 PONTCANNA STREET, PONTCANNA, CARDIFF, CF11 9HS	DISCHARGE OF CONDITION 5 (MATERIALS) OF 19/02997/MNR	25/11/2020	Full Discharge of Condition	Discharge of Conditions
RUMNEY								

<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>
20/02232/MJR	29/10/2020	Wates Residential	NMA	LAND OFF LLANDUDNO ROAD, RUMNEY	AMENDMENTS AS FOLLOWS: 1. COMMUNAL SPRINKLER PUMP ADDED; 2. SWALE AND EMBANKMENTS ADDED; 3. BIN STORES TO PLOTS 2-5 RELOCATED AND ADJACENT LANDSCAPING AND PARKING UPDATED; 4. FINISHED FLOOR LEVELS TO PLOTS 1-9 AND 16-16 AMENDED; 5. SPLAY TO SITE ENTRANCE AMENDED; 6. CHANGE OF TENURE TO PLOTS 6-16 TO AFFORDABLE DWELLINGS AND ASSOCIATED WORKS - PREVIOUSLY APPROVED UNDER 17/01681/MJR	24/11/2020	Permission be granted	Non Material Amendment

20/01535/DCH	17/08/2020	ALHONAYAN	HSE	219 GREENWAY ROAD, RUMNEY, CARDIFF, CF3 3PJ	FIRST FLOOR SIDE EXTENSION INCLUDING FRONT PORCH EXTENSION AND GROUND FLOOR REAR EXTENSION	23/11/2020	Permission be granted	Householder
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SPLOTT

20/01759/DCH	07/09/2020	POWELL	HSE	46 PAGE DRIVE, PENGAM, CARDIFF, CF24 2TU	RETAIN PARTLY COMPLETED REAR OUT-BUILDING AND COMPLETE AS PROPOSED	25/11/2020	Permission be granted	Householder
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TROWBRIDGE

<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>
20/01970/DCH	02/10/2020	Jenkins	HSE	11 WILLOW HERB CLOSE, ST MELLONS, CARDIFF, CF3 0RA	FIRST FLOOR SIDE EXTENSION	23/11/2020	Planning Permission be refused	Householder
20/01434/DCH	04/08/2020	Al-mayahi	HSE	19 WENTWORTH LANE, ST MELLONS, CARDIFF, CF3 0LH	SINGLE STOREY EXTENSION TO SIDE AND REAR	26/11/2020	Planning Permission be refused	Householder
WHITCHURCH/TONGWYNLAIS								
20/01859/DCH	21/10/2020	TATHAM	HSE	90 HEOL GABRIEL, WHITCHURCH, CARDIFF, CF14 1JW	SINGLE STOREY SIDE AND REAR EXTENSION	26/11/2020	Permission be granted	Householder
20/01906/MNR	25/09/2020	Davies	FUL	47 MERTHYR ROAD, TONGWYNLAIS, CARDIFF, CF15 7LG	CHANGE OF USE OF PART OF GROUND FLOOR AND VACANT FIRST FLOOR TO A TWO BEDROOM RESIDENTIAL FLAT	23/11/2020	Permission be granted	Minor - Dwellings (C3)
20/01772/DCH	08/09/2020	O'Neill	HSE	13 WESTBOURNE ROAD, WHITCHURCH, CARDIFF, CF14 2BQ	TWO STOREY REAR EXTENSION, CONSTRUCTION OF LEAN-TO ENTRANCE PORCH AND NEW FRONT GATE ACCESS	24/11/2020	Permission be granted	Householder