



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

## AGENDA

<b>Committee</b>	PLANNING COMMITTEE
<b>Date and Time of Meeting</b>	WEDNESDAY, 3 NOVEMBER 2021, 1.30 PM
<b>Venue</b>	REMOTE MEETING VIA MS TEAMS
<b>Membership</b>	Councillor K Jones (Chair) Councillors Stubbs, Ahmed, Asghar Ali, Driscoll, Gordon, Hudson, Jacobsen, Jones-Pritchard, Keith Parry, Sattar and Wong

### 1 Apologies for Absence

### 2 Minutes

To approve as a correct record the minutes of the meeting held on 6 October 2021.

### 3 Declarations of Interest

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

### 4 Petitions

Petitions have been received in relation to the following applications in accordance with Committee Meeting Procedural Rule 14.2. The petitioners have been advised of their right to speak and the applicants/agents of their right to reply:

21/01806/MJR, CANTON COMMUNITY HALL, LECKWITH ROAD, RIVERSIDE

21/01813/MJR, TRAMSHED, PENDYRIS STREET, GRANGETOWN

21/01785/MNR, LAND OFF CHERRYDALE ROAD, ELY

### 5 Development Control Applications

a 21/01806/MJR, CANTON COMMUNITY HALL, LECKWITH ROAD, RIVERSIDE

b 21/01785/MNR, LAND OFF CHERRYDALE ROAD, ELY

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- c 21/01813/MJR, TRAMSHED, PENDYRIS STREET, GRANGETOWN
- d 19/02864/MNR, REAR OF 17 AEL-Y-BRYN, RADYR
- e 20/01882/MJR, WINDRUSH, 58 PWLLMELIN ROAD, LLANDAFF
- f 21/01682/MJR, SITE OF 1-6 GUILDFORD CRESCENT, CITY CENTRE
- g 21/02203/DCH, 410 CYNCOED ROAD, CYNCOED
- 6 Applications decided by Delegated Powers - October 2021**
- 7 Urgent Items (if any)**

**Davina Fiore**

**Director Governance & Legal Services**

Date: Thursday, 28 October 2021

Contact: Kate Rees, 029 2087 2427, [krees@cardiff.gov.uk](mailto:krees@cardiff.gov.uk)



## **WEBCASTING**

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PLANNING COMMITTEE

6 OCTOBER 2021

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

72 : APOLOGIES FOR ABSENCE

Councillor Stubbs

73 : MINUTES

The minutes of the 18 August 2021 were approved.

74 : DECLARATIONS OF INTEREST

None

75 : PETITIONS

21/01234/MNR, 64 Heathfield Road, Gabalfa

In relation to the above the petitioner did not speak.

76 : DEVELOPMENT CONTROL APPLICATIONS

## **APPLICATIONS REFUSED**

20/01234/MNR – GABALFA

64 HEATHFIELD ROAD

Change of use from a single dwelling house (C3) to a 5 bedroom C4 house in multiple occupation.

77 : APPLICATIONS DECIDED BY DELEGATED POWERS

Noted

78 : URGENT ITEMS (IF ANY)

None

79 : DATE OF NEXT MEETING - 3 NOVEMBER 2021

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**LOCAL MEMBER OBJECTION & PETITION**

COMMITTEE DATE: 03/11/2021

APPLICATION No. **21/01806/MJR** APPLICATION DATE: 28/07/2021ED: **RIVERSIDE**

APP: TYPE: Full Planning Permission

APPLICANT: Cardiff Council Housing Development Team  
 LOCATION: CANTON COMMUNITY HALL, LECKWITH ROAD, RIVERSIDE, CARDIFF, CF11 8HG  
 PROPOSAL: DEMOLITION OF EXISTING CANTON COMMUNITY CENTRE, CAR PARK AND MUGA; PROPOSED DEVELOPMENT OF COMMUNITY LIVING SCHEME COMPRISING OF 41 FLATS, COMMUNITY HALL, MULTI-USE GAMES AREAS, LANDSCAPING, SUSTAINABLE DRAINAGE, CYCLE AND CAR PARKING, IMPROVED SUSTAINABLE TRAVEL INFRASTRUCTURE AND ASSOCIATED WORKS

**RECOMMENDATION 1** : That planning permission be GRANTED subject to the applicant entering a Unilateral Undertaking to (i) contribute **£29,676** to open space in the locality and (ii) prior to development commencing submit for approval details of off-site car park improvements, to include information on lining, signing and road marking improvements, to the Local Planning Authority and for the approved details shall be implemented prior to beneficial occupation and the following conditions:

1. C01 Statutory Time Limit
2. This approval is in respect of the following plans and documents:
  - Existing Location Plan 20017-C-A-(00)\_001-P10
  - Proposed Block Plan 20017-C-A-(00)\_002-P14
  - Proposed Ground Floor Plan 20017-C-A-(00)\_110-P13
  - Proposed First Floor Plan 20017-C-A-(00)\_111-P13
  - Proposed Second Floor Plan 20017-C-A-(00)\_112-P13
  - Proposed Third Floor Plan 20017-C-A-(00)\_113-P13
  - Proposed Fourth Floor Plan 20017-C-A-(00)\_114-P13
  - Proposed Roof Plan 20017-C-A-(00)\_115-P13
  - Proposed Street Sections 20017-C-A-(00)\_201-P11
  - Proposed Elevation 1 20017-C-A-(00)\_210-P11
  - Proposed Elevation 2 20017-C-A-(00)\_211-P11
  - Proposed Elevation 3 20017-C-A-(00)\_212-P11
  - Proposed Elevation 4 20017-C-A-(00)\_213-P11
  - Existing Site Sections 20017-C-A-(00)\_301-P10
  - Proposed Section 1 20017-C-A-(00)\_312-P10

- Proposed Section 2 20017-C-A-(00)\_313-P10
- External Wall Bay Detail 20017-C-A-(00)\_401-P10
- Planning Statement LRM Planning July 2021
- Design and Access Statement Version PO4 dated October 2021
- Landscape General Arrangement Tetra Tech A112688-1\_CanLL. GA400v15
- Community Garden Indicative Design Tetra Tech A112688-1\_CanLL. CG401v15
- Landscape Strategy Tetra Tech A112688-1\_CanLL. LS402v15
- Landscape Strategy with Soil Volumes Tetra Tech A112688-1\_CanLL. LS402v15
- Landscape Planting Proposals Tetra Tech A112688-1\_CanLL. LS403v15
- Landscape Specification Tetra Tech A112688-1\_CanLL. LS404v1
- Landscape design report Tetra Tech –
- Diagram 1 No Dig Construction Method received 19/10/2021
- Tree Protection Plans 1-4 received 19/10/2021
- Tree Retention/Removal Plan received 19/10/2021
- Arboricultural Impact Assessment and Arboricultural Method Statement dated 19/10/2021
- Arboricultural Impact Assessment 1-4 received 19/10/2021
- Transport Statement Lime Transport D2f – Oct 2021
- Noise Assessment Report Wardell Armstrong CA12078 – July 2021
- Drainage Drawing Strategy Grays Consulting 9850-GRY-01-00-DR-C001-P3
- Riverside Community Living Flood Consequences Assessment JBA Consulting July 2021
- Ecological Assessment Pure Ecology Sept 2020
- Tree Survey Treescene July 2020
- Tree Constraints Plan Treescene –
- Utility Survey Utilimap PAS128 – Nov 2020
- Topographical Survey Utilimap R2 – Nov 2020
- Geo-technical and geo-environmental report TerraFirma 16430
- Air Quality Screening letter dated 14/10/2021

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

3. The first and second floor windows in the southern elevation of the approved building shall be fitted with obscure glazing prior to the apartments being brought into beneficial use and which shall then be retained in perpetuity.

Reason: In the interests of privacy.

4. The first and second floor side balconies in the southern elevation of the approved building shall be fitted with an obscure screen a minimum of 1.8m high prior to the apartments being brought into beneficial use and

which shall then be retained in perpetuity.

Reason: In the interests of privacy.

5. Prior to the commencement of the development, except demolition, an assessment of the nature and extent of contamination shall be submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person \* in accordance with BS10175 (2011) Code of Practice for the Investigation of Potentially Contaminated Sites and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:
- (i) not required
  - (ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;
  - (iii) an assessment of the potential risks to:
    - human health,
    - groundwaters and surface waters
    - adjoining land,
    - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
    - ecological systems,
    - archaeological sites and ancient monuments; and
    - any other receptors identified at (i)
  - (iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / 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.

6. Prior to the commencement of the development, except demolition, 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.

7. The remediation scheme approved by condition 6 above must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

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

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

8. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the



contamination found has been approved. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the Local Planning Authority within 2 weeks of the discovery of any unsuspected contamination.

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

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

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

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

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

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

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

11. Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.  
Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.
12. One litter bin shall be provided in the vicinity of the MUGA prior to the new MUGA being brought into beneficial use.  
Reason: To provide a receptacle for waste (LDP Policy W2)
13. No member of the public shall be admitted to or allowed to remain on the multi- use Games Area between the hours of 20:00 and 09:00 on any day.  
Reason: To ensure that the amenities of occupiers of other premises in the vicinity of the site are protected (LDP Policy EN13).
14. Prior to the commencement of development, except for demolition, details of surveillance cameras to monitor the external perimeter of the apartments, Community Hall, all car parking bays, cycle stands, community garden and the Multi Use Games Area shall be submitted to and approved by the local planning authority. The cameras shall be installed in accordance with the approved details prior to beneficial use of the apartments, Community Hall, parking areas, cycle stands and the Multi Use Games Area accordingly and thereafter retained.  
Reason: To prevent crime (LDP Policy C3).
15. No development shall take place, except for demolition, until samples of the external finishing materials of the building, including bricks, mortar, tiles, windows and balustrading, have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
Reason: To ensure that the finished appearance of the development is of a high quality and mitigates impact on surrounding residential units (LDP Policy KP5).
16. Prior to the commencement of the development a detailed Construction Environment Management Plan for the construction phase of the development and a Construction Code of Practice shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environment Management Plan shall provide details of measures proposed for the storage of all plant, machinery and materials to be used in connection with the construction of the development and for controlling any escape of noise and/or fumes during the works. The development shall be carried out in accordance with the Construction Environment Management Plan.  
The scheme shall in particular include:-

- 1) locations for the storage of all plant and machinery to be used in connection with the construction of the development;
- 2) details of all fences and other physical protective measures to be placed on the site in connection with such storage including the time periods for placing and retaining such fences and measures (as the case may be);
- 3) provision for the on-going maintenance of any such fences and other measures;
- 4) the control and removal of spoil and wastes;
- 5) wheel washing;

and

The Code of Practice shall indicate:-

- a. the proposed hours of operation of construction activities and deliveries;
- b. the frequency, duration and means of operation involving demolitions, excavations, drilling, piling, and any concrete production;
- c. sound attenuation measures incorporated to reduce noise at source;
- d. details of measures to be taken to reduce the generation of dust;
- e. the routes of construction traffic to and from the site including any off site routes for the disposal of excavated material.

The Code of Practice shall be strictly adhered to during all stages of the construction of the proposed development.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity and future occupiers are protected. (LDP policy EN13)

17. The development shall be carried out in accordance with the mitigation methods in Section 5 (paragraphs 5.1.1 to 5.3.5) of the Wardell Armstrong Noise Assessment report.  
Reason To reduce the level of noise within the properties in the interests of the amenities of future occupants (LDP Policy EN13).
18. Prior to the commencement of development, except for demolition, details of a lighting schemes for the development shall be submitted to and approved by the local planning authority. The approved lighting scheme shall be implemented as approved prior to any part of the development being brought into beneficial.  
Reason: In the interests of crime reduction (LDP Policy C3).
19. Prior to the commencement of any development the developer shall adopt the principles stipulated in IAQM "Guidance on the assessment of dust from demolition and construction" and submit a dust assessment for approval to the local planning authority and then implement the contents of the dust assessment as approved.  
Reason: To ensure that the amenities of occupiers of other premises in the vicinity and future occupiers are protected. (LDP policy EN13).

20. Prior to the commencement of any development the developer shall submit an Air Quality Assessment, if calculated AADT flows increase from the baseline traffic levels by more than the set figures outlined in Table 6.2 of the EPUK and IAQM guidance “Land- Use Planning and Development Control: Planning for Air Quality, January 2017”, identifying any mitigation measures which shall be submitted for approval to the local planning authority and then implemented as approved prior to the beneficial occupation of the apartments.  
Reason: To ensure that the amenities of occupiers of other premises in the vicinity and future occupiers are protected. (LDP policy EN13).
21. Prior to the commencement of development, except for demolition, details of the means of enclosure to the front boundary of the ground floor apartments shall be submitted to and approved by the local planning authority and shall be implemented as approved prior to any part of the development being brought into beneficial.  
Reason: In the interests of the appearance of the area (LDP Policy KP5).
22. The hedge to be planted to the south of the approved MUGA shall be maintained at a height not exceeding 1m above ground level.  
Reason: In the interests of crime reduction (LDP Policy C3).
23. Prior to the commencement of development, except for demolition, details of the means of enclosure of the residents’ communal garden area shall be submitted to and approved by the local planning authority and shall be implemented as approved prior to any part of the development being brought into beneficial.  
Reason: In the interests of the appearance of the area and security (LDP Policies KP5 and C3).
24. Elevational details of the external community centre bin/cycle store shall be submitted for approval to the local planning authority and then implemented as approved prior to the beneficial occupation of any part of the development.  
Reason: In the interests of visual amenities (LDP Policy KP5).
25. The development shall be carried out in accordance with the revised Arboricultural Method Statement (AMS) received on 19/10/2021.  
Reason: To maintain and improve the appearance of the area in the interests of visual amenity (LDP Policy KP5).
26. The development shall be carried out in accordance with the revised Tree Protection Plan (TPP) and no dig construction section received on 19/10/2021.  
Reason: To maintain and improve the appearance of the area in the interests of visual amenity (LDP Policy KP5).
27. Notwithstanding the submitted landscaping details revised details of the Root Available Soil Volumes and site specific tree pit details for all the

different tree planting scenarios and the landscape scheme shall be submitted for the approval of the local planning authority prior to any work commencing on site, other than for demolition. The development shall then be carried out in accordance with the approved details

Reason: To maintain and improve the appearance of the area in the interests of visual amenity (LDP Policy KP5).

28. All planting, seeding, turfing or paved areas comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, or are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity (LDP Policy KP5).

29. All trees within the site shown for retention on the plan submitted with the application shall be preserved and maintained and in the event of any tree dying, being removed or becoming seriously damaged or diseased within a period of 5 years from the completion of the development a replacement tree of a similar species shall be planted and maintained.

Reason: The trees are of value in the local environment and should be protected and maintained in the interests of visual amenity. (LDP Policy KP5).

30. Prior to the commencement of development, except for demolition, details of the benches for the community garden shall be submitted for approval to the local planning authority and then implemented as approved prior to the beneficial occupation of any part of the development.

Reason: In the interests of visual amenities and to promote the use of the community gardens (LDP Policies KP5 and C5).

31. Prior to development commencing details of the proposed transport works and measures shall be submitted to and approved in writing by the Local Planning Authority, to include details of footway/cycleways, carriageway resurfacing, parking spaces/signage/restrictions/electric vehicle charging, traffic orders, bollards/street furniture, materials/demarcations. The approved details shall be implemented prior to beneficial occupation.

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

32. Prior to development commencing details showing the provision of cycle parking spaces, and appropriate access to them, shall be submitted to

and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development being put into beneficial use. Thereafter the cycle parking spaces shall be maintained and shall not be used for any other purpose.

Reason: To ensure that adequate provision is made for the secure parking of cycles (LDP Policy T1).

33. Prior to development commencing details of the car parking strategy for the site shall be submitted to and approved in writing by the Local Planning Authority, to include information on designation, management and enforcement of proposed vehicle parking spaces. The approved details shall remain in operation whilst the site is in beneficial occupation.  
Reason: To ensure that vehicle parking is suitably controlled and managed (LDP Policy T5).
34. Prior to occupation an adopted highway plan shall be submitted to and approved in writing by the Local Planning Authority, illustrating areas of adopted highway to be stopped up and areas of land to be additionally dedicated as public highway, and proposed amendments to the Cycle Track. Following Local Authority approval a stopping up order shall be made to Welsh Government.  
Reason: To ensure an appropriate area of public highway is attained following development (LDP Policy T5).
35. Prior to development commencing details of an improvement scheme for the existing lay-by on Leckwith Road shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented prior to beneficial occupation.  
Reason: To ensure that pedestrian accessibility is maximised (LDP Policy T5).
36. Prior to any work commencing on site a detailed demolition management plan shall be submitted to and approved by the Local Planning Authority. The approved demolition management plan shall be implemented for the period of the demolition process.  
Reason: In the interests of safety and the amenities of nearby residents (LDP Policy EN13).
37. Prior to any work commencing on site a detailed demolition waste management plan shall be submitted to and approved by the Local Planning Authority. The approved demolition waste management plan shall be implemented for the period of the demolition process.  
Reason: In the interests of waste management and minimising carbon emissions (LDP Policies EN12 and W2).

**RECOMMENDATION 2:** To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential

property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays. The applicant is also advised to seek approval for any proposed piling operations.

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

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

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

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

**RECOMMENDATION 4:** The applicant is advised that section 3.25 of Planning Policy Wales states that the land use planning system should take account of the conditions which are essential to the Welsh language and in so doing contribute to its use and the Thriving Welsh Language well-being goal. In this context and with regard to the Welsh Language (Wales) Measure 2011, it is recommended that: (1) developments adopt a Welsh name that is consistent with the local heritage and history of the area, (2) during the construction phase, on site marketing information (i.e. text on construction hoardings / flags / banners – as consented) be provided bilingually and (3) for commercial developments, shopfront / premises signage be provided in Welsh or bilingually. Where bilingual signage is provided, Welsh text must not be treated less favourably in terms of size, colour, font, prominence, position or location (it is recognised that Welsh translation does not extend to company / business names).

Cardiff Council's Bilingual Cardiff team

([BilingualCardiff@cardiff.gov.uk](mailto:BilingualCardiff@cardiff.gov.uk)) can provide advice on unique and locally appropriate Welsh names for developments, bilingual marketing / branding and bilingual signage.

**RECOMMENDATION 5** : Since January 7th 2019, all new developments of more than 1 house, or where the construction area is 100 square metres or more, require sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by the Welsh Ministers. These systems must be approved by the local authority acting in its SuDS Approving Body (SAB) role before construction work begins. The SAB will have a duty to adopt compliant systems so long as they are built and function in accordance with the approved proposals, including any SAB conditions of approval. It is recommended that the developer engage in consultation with the Cardiff Council SAB team as the determining SuDS Approval Body (SAB) in relation to their proposals for SuDS features. To arrange discussion regarding this please contact [SAB@cardiff.gov.uk](mailto:SAB@cardiff.gov.uk).

**RECOMMENDATION 6** : The Local Highway Authority are to be contacted with regards to proposed works to the public highway and the proposed Cycle Track amendments, and the works will be subject to a Technical Approval process between the applicant and Local Highway Authority.

## 1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 The proposal involves the demolition of the existing community centre and construction of a three/four/five storey building accommodating 41 apartments, a new community centre, a community garden and the repositioning of an existing MUGA. 39 of the apartments would be one bedroom and 2 would be two bedroom.
- 1.2 The apartments face primarily either west or east. The stair and lift core opposite the main entrance of the apartments accesses the central atrium at upper floors. A second escape stair is located at the northern end of the atrium. Apartment front doors open into the atrium with light-wells allowing light and air-circulation through the interior space. Small seats are located outside each property to allow social interaction between residents. A ground floor lounge with toilet and kitchen is shown for residents with internal access and external doors opening onto the residents' garden. In addition a small lounge area for residents is included on the first floor.
- 1.3 Ground floor apartments face west, with separate front doors and private gardens.
- 1.4 Coloured, glazed bricks are used as detail around entrances and the community centre at ground floor. These highlight the communal doorways and also make reference to the glazed tiles used in many of the local porches. Balconies are recessed with simple vertical steel flat bar balustrades. Vertical recesses in the brickwork run from ground to roof marking the extent of each dwelling on the façade. Walls to be mainly of Grey/beige/light-grey, textured brick with variation in colour. Stretcher bond with colour matched mortar.



Artificial slate/tile roof. The roof would comprise 6 gables on the front elevation. Three of the gables would be above five floors, two gables would be above four floors and one of the gables would be above three floors.

- 1.5 Plant room facilities and laundry have been located in the centre of the ground floor plan with access to the north. Cycle, mobility scooter and refuse/recycling stores are placed on the eastern facade adjacent to the rear communal entrance door that links the building to the east through a semi-private fenced courtyard. Refuse collections will be made from Picton Place. A reception /office and a guest bedroom adjoin the entrance.
- 1.6 The roofs of the gables above the apartments will include photo voltaic panels on their southern sides. Heating will be via ground source heat pumps. There will be a mechanical heat recovery system. A fabric first approach is to be adopted with a target improvement on 2014 Part L of 90%.
- 1.7 The community centre will be in a single storey structure on the eastern side of the apartments, with the main entrance addressing the MUGA which would be repositioned to the eastern side of the community centre. Three multi-purpose spaces are arranged on the north, south and east façades providing active frontage on three sides. The roof of the community centre will be planted in the interests of biodiversity and to enhance the outlook from residents on the eastern side of the apartments.
- 1.8 It is proposed to provide 18 parking spaces in total. The Transport Statement describes the spaces as follows:
  - Seven parking spaces in the northeast corner of the site will be provided for residents of the development. The carriageway leading to the parking spaces will be public highway, but the parking spaces will be private. Four of these spaces will be designed as Blue Badge spaces and three spaces will be designed as general bays. Different surface materials will be used for these parking spaces and private parking signage will be provided to deter non-residents of the development from parking there. This area will be monitored to ensure that parking is not abused by non-residents of the development, and if issues arise, alternatives will be considered.
  - Five spaces along the northern edge of the site will be designed as short stay pay and display spaces and form part of the public highway. These spaces can be used by the users of the community centre, visitors of residents and visitors of Canton during the day. These spaces will be subject to the same restrictions as the current car park (Monday to Saturday 8am-6pm, with up to two hours free). During the night, the spaces will be unrestricted and, therefore, the residents of the development and surrounding area will also be able to park in these spaces.
  - The parking on northern side of Picton Place (south of the site) will be replaced with four parallel spaces, which will become part of the public highway and form part of the residential parking zone.
  - The three parking spaces on the western side of Albert Walk will be replaced with two parking spaces and will be for use by residents of the development or community centre visitors only. The existing three Blue Badge spaces are

currently dedicated for the community centre. As part of the proposals, one space will be designed as a blue badge space and the other space will be designed as a standard bay. There is a potential to provide a pool car for use by residents of the development only, which will be provided with electric vehicle charging facilities. It is considered that provision of a pool car will further reduce the demand for residents to own a vehicle.

1.9 One category B tree (sited behind the existing community centre, 9 category C and 2 category U trees are to be removed. 11 trees are to be retained and 19 new trees are proposed to be planted.

1.10 The applicant says that the new residential building is intended to respond to the Cardiff Older Persons Housing Strategy for additional older persons housing that:

- Helps residents maintain their independence for longer
- Is flexible to meet the needs of more vulnerable users
- Helps tackle social isolation by supporting a sense of belonging and connection with the wider community and;
- Delivers a low-carbon development to minimise environmental impact and reduce ongoing running costs for tenants. A Community Living development is planned that takes an integrated approach to deliver an older persons scheme providing one and two bedroom flats that addresses the site comprehensively to include a replacement ground floor community space, relocated MUGA, and green infrastructure to benefit the wider community. In particular:
  - All flats are to be 'more accessible' meeting the Cardiff design guide for older persons' accommodation and improving accessibility for residents with mobility issues, reducing the need for future adaptations.
  - Combine a range of communal facilities to support independent living.
  - Integrate the principles of the Housing our Ageing Population Panel for Innovation (HAPPI) report
  - Provide a community facility, comprising hall, activity rooms, kitchenette, storage and welfare facilities.
  - A building that achieves WG 2025 Energy Standards.
  - A multi-functional landscape with MUGA and community garden.
  - Public realm improvements that help better knit the scheme with the neighbourhood.

1.11 The applicant states that:

A simple and contextual approach has been explored for the building form, with the community centre expressed as a single storey element projecting to the east at ground floor. Pitched gable roofs Front-to-back pitched roofs and dormers option Street elevation Short elevation Six street facing gables are expressed, giving the building identity while reflecting the character of the three storey housing found at nearby St John's Crescent. A 20m facing distance between the housing on Philip Street and the proposal avoids overlooking, maintains daylighting and ensures a suitable offset distance from the root protection zones of existing mature trees on the southern boundary. Applying

the 25° rule and stepping down towards Philip Street is a sensitive approach to the 2-3 storey existing residential context.

- 1.12 The applicant has submitted a statement of clarification in respect of the loss of a public car park and the resultant parking provision associated with this development which is reproduced as Appendix A to this report.

## 2. **DESCRIPTION OF SITE**

- 2.1 The site comprises the existing Canton Community Centre, the adjoining MUGA community garden and a public car park to the east of Leckwith Road and to the south of Cowbridge Road.
- 2.2 The city centre is approximately 1km east of the site.
- 2.3 Multiple local services, shops and facilities are located nearby on Cowbridge Road high street. There is a small park some 30m south of the application site at the junction of Wellington Street/Leckwith Road.
- 2.4 The site is surrounded by residential development and by a supermarket to the north. The housing in the area ranges between 2-3 storeys high.
- 2.5 St John's Church (Grade 2 Listed Building) is 100m to the west of the site.
- 2.6 There are 25 trees on site, none of which are covered by a TPO. There is an existing community garden on the corner of Leckwith Road and the existing public car park. The garden is overgrown, appears not to be maintained, contains no benches and is overlooked by only two dwellings which are separated by Leckwith Road.
- 2.7 There is a telecommunication mast in front of the site on Leckwith Road.
- 2.8 There is a playground/park south of Phillip Street. The site is 650m walking distance of Jubilee Recreation Ground, 950m from Thompson's Park 1.1km from Llandaff Fields and 1.2km from Bute Park.
- 2.9 The site is relatively level.

## 3. **PLANNING HISTORY**

- 3.1 06/00718W ALTERATION AND EXTENSION OF THE EXISTING CANTON COMMUNITY HALL; RENEWAL OF PUBLIC REALM TO INCLUDE A MULTI-USE GAMES AREA, REPLACEMENT CAR PARK AND LINEAR PUBLIC SPACE; ALTERATION OF REAR SERVICE ARRANGEMENTS TO RETAIL/COMMERCIAL UNITS OF COWBRIDGE ROAD EAST; AND ALTERATION OF VEHICULAR ACCESS ARRANGEMENTS - Approved 09/08/2006
- 3.2 06/02771/W Construction of a new porous hard playing surface multi use games area with associated fencing and 2no. floodlighting columns. Approved

22/01/2007

3.3 14/02778/MNR Prior Approval to swap 11.7m high telecommunications monopole with a same size pole and antennas approved 13/01/2015

3.4 The OS Plans for 1880 and 1900 shows the site containing 2 terraced residential streets.

#### 4. **POLICY FRAMEWORK**

4.1 The following LDP policies are considered relevant

KP1 Level of Growth

KP5 Good Quality and Sustainable Design

KP6 New Infrastructure

KP8 Sustainable Transport

KP12 Waste

KP13 Responding to Evidenced Social Needs

KP14 Healthy Living

KP15 Climate Change

KP16 Green Infrastructure

H3 Affordable Housing

H6 Change of Use or Redevelopment to Residential Use

EN8 Trees, Woodlands and Hedgerows

EN12 Renewable Energy and Low Carbon Technologies

EN13 Air, Noise, Light Pollution and Contaminated Land

EN14 Flood Risk

T1 Walking and Cycling

T5 Managing Transport Impacts

T6 Impact on Transport Networks and Services

C1 Community Facilities

C2 Protection of Community Facilities

C3 Community Safety / Creating Safe Environments

C4 Protection of Open Space

W2 Provision for Waste Management Facilities in Development

4.2 In addition to the above policies, the following SPGs are considered to be relevant:

- Green Infrastructure (November 2017), comprising of: • Ecology and Biodiversity Technical Guidance Note • Trees and Development • Protection and Provision of Open Space in New Development • Soils and Development
- Waste Collection & Storage Facilities (October 2016);
- Tall Buildings Design Guide (January 2017);
- Residential Design Guide (January 2017); and
- Managing Transportation Impacts (Incorporating Parking Standards) (July 2018).

- 4.3 PPW Wales (edition 11)
- 4.4 National Development Plan (Feb 2021)

## 5. **INTERNAL CONSULTEES**

- 5.1 (a) The Tree Officer originally stated:

I have no 'in principle' objections to the amended landscaping details, though I would note that the proposed block plan and landscape plans should align (the block plan is showing some trees retained that have been agreed for removal as per the landscape plans).

Whilst I support the retention of Norway maple T5 I note the close proximity of this tree to the proposed structure. Norway maple is a massive and spreading tree that can attract large numbers of aphids and consequently honeydew problems. I foresee conflict between the future growth of this tree and the proposed structure that will necessitate regular pruning and deny the tree the opportunity to optimise lateral growth.

Trees T14 and T15 are reported to be surrounded by hard surfacing and tree guards/grilles. The submitted Arboricultural Method Statement (AMS) does not address the treatment of the surfacing and creation of new landscaping close to these trees. What is the methodology for the removal of surfacing and installation of soft landscaping for example? In general terms the AMS needs to address the issue of new soft landscaping within RPAs. I note also that the geotechnical report refers to the capping of the site with imported soil. Does this include the existing soft landscape areas? If so it will result in the loss of all the existing trees. There has been some feedback from Deborah Margetson on the geotechnical/geo-environmental strategy that suggests it will be possible to retain in-situ soils within the RPAs of retained trees, but this requires confirmation.

The AMS needs to make provision for arboricultural site monitoring reports to be issued to the LPA. The Tree Protection Plan (TPP) needs to annotate the areas where 'no-dig' construction is proposed. Whilst I have no objections to the generic section showing no-dig construction, a site specific detail is required. Furthermore, the AMS refers to the use of crushed stone to make up levels. It is important that only soft spots and hollows are infilled by granular materials, any build up should be via Cellweb only. Any granular materials to be used to fill hollows should be clearly specified to avoid the use of unsuitable materials such as high fines crushed stone.

Root Available Soil Volumes should be shown in plan-view for new trees. The landscape scheme needs to take account of capping requirements if these will impact existing soft landscape areas as above. Clarification on the soil specification is required in the light of this and in the light of a Soil Resource Survey and Plan. However, if contamination means that in-situ soils cannot be used for landscaping, then all planting soils will need to be imported and specifications amended accordingly. Site specific tree pit details are required for all the different tree planting scenarios and the landscape scheme needs to

clarify the treatment where trees surrounded by existing hard landscape and guards/grilles are incorporated into soft landscaping (as informed by the AMS above).

(b) Following the submission of amended landscaping details the Tree Officer stated:

I have no objections to the amended landscaping details.

The landscape scheme needs to take account of capping requirements if these will impact existing soft landscape areas as above. Clarification on the soil specification is required in the light of this and in the light of a Soil Resource Survey and Plan. However, if contamination means that in-situ soils cannot be used for landscaping, then all planting soils will need to be imported and specifications amended accordingly. Site specific tree pit details are required for all the different tree planting scenarios.

(The Tree Officer's comments have been shared with the applicant).

(c) The applicant submitted further details and the Tree Officer stated:

I have no adverse observations with regard to tree protection details – please condition compliance with the submitted AMS, TPP and 'no-dig' construction section.

Some landscape details are outstanding but could be conditioned – in particular a topsoil and subsoil specification is required that is based on a Soil Resource Survey and Plan if the intention is to re-use site won soil. If the intention is to import all planting soil (except for in-situ soil within retained tree Root Protection Areas) then this needs to be confirmed and an imported topsoil and subsoil specification prepared. Site specific tree pit details are required based on the need to import/re-use/use in situ planting soils.

5.2 Shared Regulatory Services (SRS) Environment Team provides comments below in relation to land quality. The following information was submitted with the application –

Terra Firma (Wales) Ltd, February 2021; Geotechnical and Geoenvironmental Report

Ref: 24022021-16430-1

The above report includes a detailed assessment of potential contamination and associated risks to human health and the environment, based on desk studies and an investigation limited to accessible parts of the occupied site. The consultant has recommended supplementary investigations in the proposed recreational open space area (proposed games area and community garden). This will provide a more robust assessment and amended conditions are recommended in relation to this.

Investigations undertaken to date have identified contaminants of concern

(lead, arsenic and hydrocarbons) at levels in excess of those acceptable for a residential development such as this. The assessment will need to be reviewed following the proposed supplementary works.

A remediation strategy and verification including appropriate proposals to remediate the site and procedures for validating the works undertaken will be required on completion of the contamination assessment. Any remediation will need to be confirmed by the submission for approval of remediation validation report

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

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

### CONDITIONS

#### PC14A. CONTAMINATED LAND MEASURES – ASSESSMENT (amended)

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

- (i) not required
- (ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;
- (iii) an assessment of the potential risks to:
  - human health,
  - groundwaters and surface waters
  - adjoining land,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - ecological systems, - archaeological sites and ancient monuments; and
  - any other receptors identified at (i)
- (iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September

2004) and the WLGA / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2017), unless the Local Planning Authority agrees to any variation.

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

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

#### PC14B. CONTAMINATED LAND MEASURES – REMEDIATION & VERIFICATION PLAN (amended)

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

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

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

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

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



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

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

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

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

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

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

#### PC15A IMPORTED SOIL

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

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

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

#### PC15B IMPORTED AGGREGATES

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

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

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

#### PC15C USE OF SITE WON MATERIALS

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

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

#### ADVISORY/INFORMATIVE

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

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

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

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

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

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

### 5.3 (a) The Waste Officer originally stated:

The bin storage area including the bulky waste area indicated within current site plans has been noted and these are acceptable, however in a mixed development, a strict separation of waste is required to ensure that commercial waste does not enter the domestic waste stream. Two refuse storage areas must be identified on site plans detailing this separation.

#### Residential

The recommended bins for the residential element (41 apartments) for this development is as follows:-

Dry Recyclables:	5 x 1100 litre bins for mixed recycling
Food waste:	2 x 240 litre bin
General waste:	5 x 1100 litre bins for general waste

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

Please be advised that the developers of all new residential units are required to purchase the bin provision required for each unit. The bins have to meet the Council's specifications. Communal 660litre/1100 litre wheeled bins should be ordered via our bin order form located at [www.cardiff.gov.uk/wasteplanning](http://www.cardiff.gov.uk/wasteplanning).

#### Community Centre

Current site plans make no reference to the storage of waste and recycling for the community centre. A separate bin store will need to be identified.

Please remind the agent/applicant that a commercial contract is required for the collection and disposal of all non-domestic waste. By law (Environmental Protection Act, 1990, section 34) all non-domestic premises have a duty of care to ensure that their waste is transferred to and disposed of by a registered waste carrier.

Non-domestic premises can have waste collected by Cardiff Council's Trade Waste Team. To discuss prices and the services offered please contact them at [tradewaste@cardiff.gov.uk](mailto:tradewaste@cardiff.gov.uk).

Please be aware that Welsh Government are currently [reviewing](#) Part IV of the Environment (Wales) Act 2016, and are expected to enforce new regulations by October 2021. The proposed regulations will make it a legal requirement for all businesses and non-domestic waste producers to separate the following waste streams for collection;-

Food waste (from premises producing more than 5kg per week)

Paper/card

Glass

Metal/Plastic

Small Electricals

Textiles

Wood

As a result of this proposed change, recycling and waste storage areas will need to be designed accordingly.

#### Litter Bins

It is recommended that at least one litter bin is provided in the vicinity of the MUGA. This litter bin will need to be supplied, maintained and emptied by the management company. This will help to maintain the environmental quality of the area at a high standard.

#### Demolition

As mentioned in section 3.11 of the Waste Collection and Storage Facilities Supplementary Planning Guidance it is considered best practise to have a Site Waste Management Plan for demolition projects. Materials should be reused and recycled as much as possible.

Please refer the agent/architect to the Waste Collection and Storage Facilities Supplementary Planning Guidance for further relevant information. [www.cardiff.gov.uk/wasteplanning](http://www.cardiff.gov.uk/wasteplanning)

(b) Following the submission of an amended layout plan incorporating a bin storage area for the community centre the Waste Officer stated:

The amended plan submitted showing the proposed storage area for the Community Centre has been noted and is acceptable.

Please remind the agent/applicant that a commercial contract is required for the collection and disposal of all non-domestic waste. By law (Environmental Protection Act, 1990, section 34) all non-domestic premises have a duty of care to ensure that their waste is transferred to and disposed of by a registered waste carrier.

Non-domestic premises can have waste collected by Cardiff Council's Trade Waste Team. To discuss prices and the services offered please contact them at [tradewaste@cardiff.gov.uk](mailto:tradewaste@cardiff.gov.uk).

Please be aware that Welsh Government are currently [reviewing](#) Part IV of the Environment (Wales) Act 2016, and are expected to enforce new regulations by October 2021. The proposed regulations will make it a legal requirement for all businesses and non-domestic waste producers to separate the following waste streams for collection;-

Food waste (from premises producing more than 5kg per week)

Paper/card

Glass

Metal/Plastic

Small Electricals

Textiles

Wood

As a result of this proposed change, recycling and waste storage areas will need to be designed accordingly.

Waste Management has no further observations or objections with respect to the above numbered application.

(The Waste Officer's comments have been forwarded to the applicant)

#### 5.4 The Regeneration Officer states:

The current facility is in much need of investment and modernisation and as a discretionary service, is at risk of not achieving any investment due to other statutory priorities in the Council, which puts the future of the current facility remaining safe to open uncertain. We recognise that the building has been well-used and is a much loved community asset but there has been little in the way of capital investment and the facilities are in great need of updating and modernisation to secure it's long term sustainability for community use. As such the council's redevelopment proposal will achieve two things – firstly, it secures the long-term future of a community Hall, community garden and MUGA serving the Riverside and Canton Wards. Secondly, the proposal will provide much needed homes for older people and a wide range of communal facilities providing a hub of services for older people both living in the new development and within the wider community. This will not only provide additional facilities for the community but will also help tackle social isolation that some older people may be experiencing.

The proposed scheme will deliver a modern, fit for purpose well-designed and sustainable community building incorporating flexible ground floor community spaces which can be utilised by a wide range of groups and activities within the community. It will have a range of spaces for hire and use including a main hall, 2 flexible multi-use spaces, kitchenettes, toilets and baby change facilities and

storage. The council has tried hard to ensure the redesigned community building can remain suitable for the common uses it has had over the years.

The proposal also retains a MUGA and also provides a new community garden which will include spaces for the community growing spaces and helps promote well-being. All of the facilities will be managed and maintained by the council with the existing Hall management team being retained to manage the new building. Community engagement will ensure that local people have the opportunity to decide how the community garden is designed and used.

The Council's proposal shows collaboration between housing and leisure to provide a sustainable multi-use building which will ensure community facilities are improved and retained for the long-term and that increased services can be provided for local communities.

#### 5.5 Education state:

This development is below the threshold for a S106 contribution

#### 5.6 The Transport Officer states:

(a) I can provide the income data for this car park which is relatively low approx £12k per year and we have accepted this loss of income.

However, although the income figures are low due to the first 2 hours parking being free of charge, people tended to use this car park for approx 1hr to do their shopping in Tesco. The spaces in this car park were well used and there was a high turnover of vehicles and high usage.

However, to counter this loss of parking spaces Canton is well served with other car parks compared to other district shopping centres on the city.

And

(b) There is support for the scheme ..... As part of the process we wanted to have input to the highway infrastructure improvement to ensure the asset is good and maintenance is limited in terms of adopted highway – this can be done following planning. We also asked that the other car parks were upgraded with white lining and deep cleansing to show we have considered the loss of car parking.

The car park access is not suitable for large volumes of cars at peak times due to the queuing of traffic back from the traffic lights. Therefore, a reduction in movements will ease vehicle movements in the area helping the network and making some minor improvements to air pollution.

(c) The applicant submitted revisions to the original Transport Statement and the Transport Officer has provided the following detailed comments:

Transport Statement:

- Whilst some text has been added in Section 2 referring to the existing cycle track (2.2.11), the final sentence is incomplete.
- Table 3.1 now shows the change arising from the various car parking areas (net loss of 65 spaces).
- 3.4.1 – as per previous comments, we are seeking the loading bay to be removed as it is not required for the development (amount of deliveries will not be significant), and there is an opportunity for an improvement to the pedestrian desire line. This can be addressed via the below condition.
- 3.5.1 – the parking proposals have changed following the original submission, and have been discussed with Transport. The parallel bays to the north of the site (adjacent to Leckwith Road) will be public pay and display spaces. There will be 7 private spaces for residents to the north-east of the site, which will have appropriate signing/management. The Picton Place spaces will turn into public adopted spaces (although a Residential Parking Zone for this area is proposed by Cardiff Council, and thus their eventual status will link with that). The southern spaces will remain private and one of these will accommodate a pool car with electric charging facilities. It is considered that in principle this is an acceptable parking strategy, although would seek the below condition to deal with parking matters in further detail.
- Table 3.2 – no reduction to the amount of cycle parking for the MUGA has been made (it seems Table 3.2 is wrongly indicating a small increase), but noting the comment in 3.6.8 about the stands being available for general Canton users. Further cycle park matters can be managed by condition.
- 4.2.27 – it is not the case that there is a ‘requirement’ for residential parking in our SPG. There is a maximum amount allowable.
- 4.5 – it is welcomed that daytime parking surveys have now been undertaken, to help fully capture the implications of the existing car park being removed. Table 4.2 provides a summary of the results, although it would have been helpful if a comparison table had been produced showing the changes arising from the proposed scheme. Nevertheless, analysis of the table indicates that in the weekday (daytime – which showed the highest of the time periods surveyed) there were 34 cars parked in the Leckwith Rd car park and another 14 in ‘Leckwith Road access road’ (the perpendicular parking spaces), and these cars would theoretically need to park elsewhere in future. There will be 5 re-provided spaces with the new development and thus 43 current Leckwith car park users would in theory need to be accommodated elsewhere. Table 4.2 shows there would be 77 parking spaces available in the other local car parks, and thus it would seem there is sufficient supply available without the car parks getting very close to their maximum percentage figures. Whilst the analysis provided indicates there should be sufficient remaining capacity, it is to be noted that in transport policy terms there is no requirement for a specific (minimum) level of car parking associated with a development.
- 4.6 – is more focused on summarising the night-time situation, but 4.6.5 (which seems to refer to the daytime situation) calculates the amount of

parking demand will increase to 87%, still indicating there is some spare capacity. If, as a result of the proposals, some users of the car parks do find it more difficult to access remaining car parks at peak times it may be they seek to alter their shopping times or travel modes.

- 4.7.7 – it is not made explicit here that the ‘new residents parking zone’ is something that is being considered by Cardiff Council (Parking), and completely separate from this development.

### Site Layout

- The cycle parking should be covered. I still have some concerns that the parking for the community hall is a little distant from entrances. It could be that some fixing bars could be placed on the eastern side of the path (next to the MUGA) to assist with this? One secure cycle stand is being proposed within the communal area. There does still appear to be two cycle spaces on the Leckwith Road side which are not referenced in the documents? Given the alignment of them independent access to the inner space may be awkward. Notwithstanding the above comments, an appropriate number of spaces is being shown overall, and it is considered that further cycle parking details can be covered by condition.
- It is welcomed that the trees on the north-south pedestrian route have been moved closer to the MUGA thus allowing a clearer route for pedestrians.
- Whilst the Cycle Track or adopted highway are not shown on the plans these items can be conditioned.
- It may be some additional bollards are needed to prevent vehicles driving through between the west and east parts of the site (northern end). The north-eastern landscaped area could be slightly cut back to improve the layout for cyclists.

### Objector comments

- Whilst Table 4.2 is technically showing that the parking demand to be displaced could be accommodated at Gray St, this would result in it being at-capacity, and effective capacity would be reached before then. However, the Table indicates there are other nearby car parks that can accommodate demand. Whilst there may be demand peaks greater than that surveyed (e.g. when Cardiff City FC are home), there is no transport reason that additional car parking should be provided to cover those peaks, as we are seeking to reduce car demand.
- Table 4.1 of the TS is showing low numbers of vehicles parked overnight in the car park/access road (7 vehicles combined).

Notwithstanding the various points raised above, and noting that the application is due to be presented to Planning Committee shortly, it is not considered that there are any transport grounds to object to the application. However, we would be looking for the below conditions to be placed.



## CONDITIONS

### Transport works

Prior to development commencing details of the proposed transport works and measures shall be submitted to and approved in writing by the Local Planning Authority, to include details of footway/cycleways, carriageway resurfacing, parking spaces/signage/restrictions/electric vehicle charging, traffic orders, bollards/street furniture, materials/demarcations. Those details shall be implemented prior to beneficial occupation.

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

### Cycle Parking

Prior to development commencing details showing the provision of cycle parking spaces, and appropriate access to them, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development being put into beneficial use. Thereafter the cycle parking spaces shall be maintained and shall not be used for any other purpose.

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

### Car Parking Strategy

Prior to development commencing details of the car parking strategy for the site shall be submitted to and approved in writing by the Local Planning Authority, to include information on designation, management and enforcement of proposed vehicle parking spaces. Those agreed details shall remain in operation whilst the site is in beneficial occupation.

Reason: To ensure that vehicle parking is suitably controlled and managed.

### Off-site Car Parking Improvements

Prior to development commencing details of off-site car park improvements shall be submitted to and approved in writing by the Local Planning Authority, to include information on lining, signing and road marking improvements. Those agreed details shall be implemented prior to beneficial occupation.

Reason: To ensure that the parking layouts in adjacent car parks are appropriately improved in respect of the additional parking demand.

### Adopted Highway – Stopping Up and Dedication

Prior to occupation an adopted highway plan shall be submitted to and approved in writing by the Local Planning Authority, illustrating areas of adopted highway to be stopped up and areas of land to be additionally dedicated as public highway, and proposed amendments to the Cycle Track. Following Local Authority approval a stopping up order shall be made to Welsh Government.

Reason: To ensure an appropriate area of public highway is attained following development.

## Leckwith Road lay-by

Prior to development commencing details of an improvement scheme for the existing lay-by on Leckwith Road shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented prior to beneficial occupation.

Reason: To ensure that pedestrian accessibility is maximised.

## CEMP

### Highway Agreement Recommendation

The Local Highway Authority are to be contacted with regards to proposed works to the public highway and the proposed Cycle Track amendments, and the works will be subject to a Technical Approval process between the applicant and Local Highway Authority.

#### 5.7 The Noise Officer states:

##### Construction hours

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.

##### Noise mitigation

Having looked at the noise assessment it is recommended that the applicant follows the mitigation methods in the report to reduce the level of noise within the properties, 5 through to 5.3.5. as noted in the mitigation methods

#### 5.8 (a) The Technical Officer – Environment (Enterprise and Specialist Services) states:

Unfortunately we don't carry out Nitrogen Dioxide (NO<sub>2</sub>) monitoring in this particular location. The closest NO<sub>2</sub> monitoring point is located at Llandaff Road... Although it is within air quality objective limits for NO<sub>2</sub> (annual average 40µg/m<sup>3</sup>), there are slightly elevated concentrations at this location. I think we would see similar levels at the existing area of proposed redevelopment. As such, I believe an air quality assessment should be carried out by the applicant.

The comments below should be forwarded to the applicant.

Comments in accordance with the subject title planning application

(21/01806/MJR).

Due to the nature of the development, in terms of its purpose and its location, via the submission of an appropriate air quality assessment (AQA) the applicant must give consideration to the potential impacts on ambient air quality and the magnitude/ risk of these potential air quality impacts on nearby local sensitive receptors and future occupants of the development. Consideration of air quality impacts should be examined through the development stage and when the development is complete, focusing on dust emissions during the construction phase of the development and potential exposure of existing nearby sensitive receptors/ future occupants to traffic derived Nitrogen Dioxide (NO<sub>2</sub>) & Particulate Matter (PM<sub>10</sub> & PM<sub>2.5</sub>) following completion of the development.

### Construction Phase

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

### Operational

In addition to examining potential impacts derived by construction phase activities the applicant needs to quantify whether the Air Quality Assessment should also encapsulate potential impacts to air quality derived by vehicle emissions generated by the proposal; nitrogen dioxide (NO<sub>2</sub>) & particulate matter (PM<sub>2.5</sub> & PM<sub>10</sub>). Following these investigations appropriate actions should be applied such as complete Air Quality Assessment submission and mitigation schemes designed.

The applicant must look to examine current AADT (Annual Average Daily Traffic) flows and projected AADT following the completion of the development. Referring to Table 6.2 of the EPUK and IAQM guidance "Land- Use Planning and Development Control: Planning for Air Quality, January 2017" if calculated AADT flows increase from the baseline traffic levels by more than the set figures

outlined in Table 6.2, the applicant is required to submit an Air Quality Assessment (AQA) which would examine the potential air quality impacts associated with traffic derived emissions (nitrogen dioxide & particulate matter) at locations of relevant exposure.

If the operational phase is considered to be significant and therefore to be included as part of the AQA, the applicant is required to use detailed dispersion modelling to examine projected air quality levels for traffic derived nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>2.5</sub> & PM<sub>10</sub>) at the necessary locations. To note it is not a mandatory requirement to monitor PM<sub>2.5</sub> as part of Wales' local air quality management regime, however it is beneficial to scope this parameter into any assessment considered for robustness. The assessment shall consider a baseline year understanding, as well as the potential exposure of current and future residents for the proposed year of opening. Should the assessment indicate that current nearby and future residents will be made vulnerable to poor air quality then appropriate mitigation measures must be proposed and approved by the Local Planning Authority. The applicant will be expected to provide evidence that any implemented mitigation measures would alleviate any poor air quality levels expected. These mitigation measures shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation.

As outlined in Local Air Quality Management (LAQM) Technical Guidance TG16, April 2021, examples of where the air quality objectives should apply are detailed in Box 1.1. Based on the detailed criteria, projected levels of traffic derived emissions (NO<sub>2</sub> & PM<sub>10</sub>) must be quantified, considering both the short term and long term air quality objectives. The Air Quality Assessment should look to focus on the national annual mean (40µg/m<sup>3</sup>) & 1- hour mean objective for NO<sub>2</sub> (200µg/m<sup>3</sup> not to be exceeded more than 18 times a year) and annual mean (40µg/m<sup>3</sup>) & 24- hour mean objective for PM<sub>10</sub> (50µg/m<sup>3</sup> not to be exceeded more than 35 times a year).

(b) Following discussion with the applicant the Air Quality Officer says that as the key points have been addressed, I have agreed that preparing a qualitative air quality technical note will be acceptable rather than a full AQA. This will hopefully alleviate any concerns from local residents.

(c) Following the submission of an air quality screening document the Technical Officer states:

I have reviewed the air quality screening document and I am happy with the information Wardell Armstrong have provided.

5.9 The Parks Officer states:

Design Comments on relocated MUGA

The proposed redevelopment involves the retention and relocation (slightly eastward) of the existing MUGA.

While acknowledging the constraints of the site and being pleased to see that the MUGA is retained and replaced with new, the concern is that the new position along with the proposed new residential block will mean that it is surrounded on all sides by residential properties (existing properties on the northern, eastern and southern sides and the new residential block on the western side) and all about 20 metres away which is less than the recommended minimum of 30 metres.

It is recognised that the existing MUGA is less than the recommended distance to properties on Leckwith Road and those on Albert Street but the new layout will mean it has much greater contact with residential properties which could result in complaints and therefore concerns about its long term use. As indicated in the Design and Access Statement, trees and planting can be used as a screen and buffer but this needs to be balanced against the need for good sightlines into and around the space to avoid anti-social behaviour.

Otherwise the MUGA remains in a good location easily accessible to the surrounding community and with careful planting will benefit from good natural surveillance.

#### 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 54.3. This generates an open space requirement of 0.07 ha of on-site open space based on the criteria set for Sheltered Housing/Residential Homes, which vary from standard housing, or an off-site contribution of £29,676. I enclose a copy of the calculation.

Although the scheme includes for some amenity space for residents on site, no public open space is being provided, and therefore the developers will be required to make a financial contribution towards the provision of new open space, or the design, improvement and/or maintenance of existing open space in the locality. The new MUGA replaces the existing on site therefore would not be included. The Community Garden adjacent to the MUGA indicates that it could be used for informal/imaginative play. Parks would consider a deduction in the POS contribution for this area if it can be shown that it is truly suitable for play without conflict with other users of the Garden.

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

## Notes relating to provision of sheltered housing/residential homes

The calculation for sheltered housing / residential homes applies a lower rate compared to the full amount required for general purpose housing. This takes into account omission of the play provision element which is not applicable, the reduced use of formal sporting facilities.

Although sheltered housing/residential homes usually provide some garden space available to residents, it is reasonable to assume that nearby parks such as Thompson's Park, Victoria Park and Bute Park will be used by residents, so improvements to these will be of benefit. Parks actively try to provide facilities for the older population to encourage use of parks, with the enjoyment and health benefits they can provide.

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 Kitchener Gardens, Spencer Gardens and Clare Gardens.

## 6. **EXTERNAL CONSULTEES**

### 6.1 Welsh Water states:

#### SEWERAGE

We can confirm capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development site.

#### Surface Water Drainage

The proposed development may be subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore may require approval of Sustainable Drainage Systems (SuDS) features, in accordance with national standards, and is strongly recommended that the developer engage in pre-application consultation with the Local Authority, as the relevant SuDS Approval Body (SAB).

We would request that if you are minded to grant Planning Consent for the above development that the Advisory Notes provided below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

#### Advisory Notes

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If

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

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

## SEWAGE TREATMENT

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

## WATER SUPPLY

The proposed development is in an area where there are water supply problems for which there are no improvements planned within our current Capital Investment Programme AMP period (years 2020 to 2025). In order to establish what would be required to serve the site with an adequate water supply, it will be necessary for the developer to fund the undertaking of a hydraulic modelling assessment on the water supply network. For you to obtain a quotation for the hydraulic modelling assessment, we will require a deposit of £250. This fee is non refundable, however, if the developer wishes to proceed with the assessment the £250 will be deducted from the final modelling costs.

The proposed development is crossed by a trunk/distribution watermain, the approximate position being shown on the attached plan. Dwr Cymru Welsh Water as Statutory Undertaker has statutory powers to access our apparatus at all times. I enclose our Conditions for Development near Watermain(s). It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer. The developer must consult Dwr Cymru Welsh Water before any development commences on site.

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.

(Welsh Water's comments have been forwarded to the applicant)

## 6.2 South Wales Police state:

Having reviewed the drawings, I would have the following observations to make in respect of the above development, with a view to the development achieving the Secured by Design (SBD) Gold Award:-

### (i) Perimeter security.

The rear and sides of the apartment block and communal areas must be protected by walls/fencing/railings at least 1.8 metres high. They must be robust and designed so they are difficult to climb over. Gates giving access to the side and rear of the apartment blocks must be sited on or as near to the front building line of the building as possible, be lockable both sides with a key, should have access control fitted, e.g. digilocks, and be the same height as the adjacent walls/fencing.

### (ii) Lighting.

The site, especially the vehicle parking bays, cycle stores and bin stores must be lit, during the hours of darkness. The corridors and entrances into the building must also be lit during the hours of darkness, when in use.

Lighting must be controlled by photo electric cells or time switches.

### (iii) Landscaping.

Trees and other landscaping features must not be positioned where they could obscure lighting or provide a potential climbing aid into residential block.

All planting must ideally be of the low-level type. Shrubs should have a mature growth height of 1 metre and trees should be bare stemmed to a height of 2 metres from the ground.

Trees must not be positioned to act as climbing aids and trees and planting must not obscure doors and windows.

### (iv) Vehicle parking areas.

All the vehicle parking bays must be overlooked by the rooms in the residential block.

The bays must be illuminated at night and they must enjoy good natural surveillance with unobstructed views from the apartment block.

### (v) Bicycle stores.

The bicycle store, with individual stands for securing bicycles, must be secure. The store must be lit during the hours of darkness (please visit website



[www.securedbydesign.com](http://www.securedbydesign.com) for more information).

(vi) Bin storage.

The bin stores must be secure and ideally located away from the apartment block.

(vii) Drainpipes.

Drainpipes must be located within the fabric of the building or be flush fitting and of a design that is difficult to scale.

(viii) Utilities.

If smart meters are not installed the utility meters must be located to the outside and front of the apartment block.

(ix) Door security.

The entrance doors into the apartment blocks must meet SBD standards i.e. PAS 24 2016, or equivalent and must be third party tested and certificated. The individual apartment external doors must also meet the same standards as must the doors of the community centre..

Doors that are described as fire doors, or where fire performance is declared or implied, are required to have third-party certification for both security and fire performance. Fire doors must have no external furniture fitted.

Glass fitted in or adjacent to door panels must be laminated and doors in recesses of more than 600 mm deep must be avoided.

(x) Window security.

All vulnerable windows must meet the SBD standard PAS24 2016 or equivalent and be third party tested and certificated. Vulnerable windows must have window locks fitted, preferably ones that are key operated.

(xi) Security shutters.

If there is valuable property stored in the community centre consideration must be given for the doors and windows to be protected by shutters that meet SBD standards and specifications.

(xii) Access control.

Access into the residential block must be controlled by access control with audio and visual verification fitted. Access into rooms where valuable property is stored must also be controlled.

(xiii) Intruder Alarm.

Consideration must be given to alarming the community centre. The alarm ideally should be linked to a central monitoring station with any alarm wires protected.

(xiv) Dwelling identification.

The apartment blocks must be clearly identifiable and the individual apartments must be clearly numbered.

Further more detailed information can be found on the Secured by Design website [www.securedbydesign.com](http://www.securedbydesign.com) .

(South Wales Police's comments have been forwarded to the applicant)

- 6.3 The Fire Service say that the developer should consider the need for adequate water supplies on site for firefighting purposes and access for emergency firefighting appliances.

(The Fire Service comments have been forwarded to the applicant)

- 6.4 NRW states:

The submitted Pre-Applicant Consultation (PAC) Report prepared by LRM Planning Limited, dated July 2021, identifies that we were consulted on the proposal during statutory pre-application consultation. We provided comments in our letter reference CAS-146560-D7P7, dated 11/05/2021. The PAC Report acknowledge our comments. We note amended information has been submitted for this application.

We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome if the document identified below is included in the approved plans and documents condition on the decision notice:

- Section 2.4 Development Proposal and Section 7 Conclusions of the document entitled, 'Riverside Community Living Flood Consequences Assessment', prepared by JBA Consulting, dated July 2021.

Please note, without the inclusion of this document we would object to this planning application. Further details are provided below.

Flood Risk The planning application proposes highly vulnerable development (residential). Our Flood Risk Map confirms the application site to be entirely within Zone C1 of the Development Advice Map (DAM) as contained in TAN15. Our records also show that this site has previously flooded during the December 1960 and December 1979 flood events.

Section 6 of TAN15 requires the Local Planning Authority (LPA) 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 the LPA 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 prepared by JBA Consulting, dated July 2021, shows that the risks and consequences of flooding could be managed to an acceptable level, provided the proposed measures are implemented and the following document is included in the condition identifying approved plans and documents on the decision notice:

- Section 2.4 Development Proposal and Section 7 Conclusions of the document entitled, 'Riverside Community Living Flood Consequences Assessment', prepared by JBA Consulting, dated July 2021.

The FCA identifies the proposed finished floor level (FFL) is 7.29m AOD. Based on this FFL, the FCA shows:

- The proposed development site is predicted to be flood free during the 1% (1 in 100 year) plus climate change annual probability fluvial flood event. This meets the requirements of A1.14 of TAN15;
- The proposed building is predicted to flood to a maximum depth of 590mm, at a maximum velocity of 0.15m/s, during a 0.1% (1 in 1000 year) annual probability fluvial flood event. This is within the tolerable limits of A1.15 of TAN15;
- The proposed residential car parking spaces, located towards the north of the development boundary, are predicted to flood to depths of less than 600mm, at a maximum velocity of 0.15m/s, during a 0.1% (1 in 1000 year) annual probability fluvial flood event. This is within the tolerable limits of A1.15 of TAN15.
- The proposed games area is predicted to flood to depths of less than 300mm, at a maximum velocity of 0.15m/s, during a 0.1% (1 in 1000 year) annual probability fluvial flood event. This is within the tolerable limits of A1.15 of TAN15;
- The proposed finished floor levels are similar to those of the existing building, the building footprint not significantly larger than the existing building, and the proposed ground levels surrounding the building will be kept as close to existing as possible. As such, the potential to increase the flood risk elsewhere as a result of the proposed development has been minimised in the design. This meets the requirements of A1.12 of TAN15.

The FCA has proposed the management of any residual flood risk by recommending: the owners and occupiers sign up to receive Flood Warnings; the production of a flood emergency/action plan; flood resistance and resilience measures be incorporated into the design of the development; and, flood refuge areas.

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. Therefore, we have no further comment regarding tidal flood risk in this instance.

Further Advice 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.

European Protected Species The Ecological Assessment prepared by Pure Ecology, dated September 2020, has identified that bats were not using the application site. We would therefore have no adverse comments to make in relation to EPS on the application as submitted.

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.

## 7. **REPRESENTATIONS**

7.1 The application has been advertised on site, in the press and neighbours have been notified.

7.2 Councillor Iona Gordon Councillor Kanaya Singh state:

*(a) We object to the application because there are not enough parking spaces. We think the plans need to be adjusted to create at least ten more spaces. If no extra parking is provided the community facilities proposed are unlikely to be used*

Overall we support the proposals, which will provide much needed social housing for older people in Riverside. We also commend the spaces for community use on the ground floor. The main issue that we, and many residents are concerned about is the lack of parking for visitors accessing the new building. The existing car park will be lost. In pre-application discussions with the Council we were persuaded that the other car parks nearby at Gray Street and Severn Road are under used and would provide enough parking for people shopping on Cowbridge Road.

However there is no parking provision in the plan for staff or users of the community facilities. This will deter people using the community spaces as

there is nowhere to unload goods, sports equipment, event goods, resources for classes to be unloaded.

The loss of the car park will also put too much pressure on the surrounding streets especially Picton Place etc. The car parking spaces in these streets should all be made resident only as it is already very difficult for residents to park here. They often have to park in the public car park that will be lost under this plan.

And

b) When this is comes to the Planning Committee for debate, Cllrs Singh, Elsmore, Patel, Cunnah and myself would like to request a site visit as the computer generated images of the proposed development do not give a reasonable picture of the site context with the two storey houses on Leckwith Road and Earle Place.

### 7.3 Councillor Cunnah states

We write as councillors of the Canton ward in relation to the proposal to redevelop Canton Community Centre, ref. 21/01806/MJR. Although the site lies in the Riverside ward, the impact of the proposed development would be felt by residents in our ward. We have been contacted by many residents and have also attended a public meeting where many concerns were raised.

In particular, we believe concerns raised with us about the scale of the proposed development need to be thoroughly considered. We think this will be best understood by viewing the site in person, and we support the call by the Riverside councillors Gordon and Singh for planning committee members to hold a site visit.

We believe that due to its length, height, width and scale in close proximity to terraced residential housing in our ward, especially on Leckwith Road and Earle Place, the proposed development could have an overbearing and unneighbourly impact upon neighbours, contrary to Policy KP5 (x) of the Cardiff Local Development Plan. Its height would be unprecedented in this part of the city, which could also be contrary to Policy KP5 (xii) which indicates new tall buildings are required to be located within existing clusters of tall buildings.

Please can you register this comment from the three Canton Councillors and ensure these issues are considered in the planning process

### 7.4 A petition with 90 signatures has been received stating:

We the undersigned do not object in principle to the redevelopment of the Canton Community Centre site but we do object to the scale of the redevelopment. We want:

The building to be no higher than 3 storeys

Sufficient on-site car parking for the residents/carers and community centre users

The MUGA to be left where it currently is

7.5 Letters of objections have been received from 1 resident of Leckwith Road, 4 of St John's Crescent, 5 from Earle Place, 6 from Denton Road and 4 where the address was not specified. The objections received are precised as follows:

- i) 5 storey development is out of scale and out of character contrary to LDP Policy KP5
- ii) Overshadows nearby dwellings and take away light
- iii) Adversely affect privacy
- iv) Demolition of existing building is not sustainable
- v) Loss of car park will be to detriment of residents (who use overnight), community centre users, shoppers and shops, future occupants and visitors.
- vi) Reduced size of community centre is detrimental to the community
- vii) Immediate environment is magnet for anti-social activity.
- viii) Building on the garden area contrary to environmental policies
- ix) Construction, Traffic, dust, noise and fumes during building works
- x) Additional traffic on Leckwith Road
- xi) PPW 11 Place Making Charter says places should have a mix of uses providing an opportunity for community development
- xii) Adverse impact on air quality
- xiii) Repositioning of MUGA closer to housing will be a noise nuisance
- xiv) Lack of green space for residents and on busy road
- xv) Proposal does not create cohesive community
- xvi) Poor consultation – rushed through
- xvii) Lack of Equality Impact Assessment – no indication that future residents want to live here.
- xviii) Drawings misleading
- xix) DCfW had concerns re materials and quality of build
- xx) Because double yellow lines extended in local area local members secured right for residents cars to be parked overnight in the car park.
- xxi) Proposal contrary to LDP Policies KP5, KP6, C1 and C2 and H6 are referred to
- xxii) Flooding on corner Leckwith Rd/Earle Place development will make it worse
- xxiii) Loss of view
- (xxiii) More people, more congestion, more pollution, more accidents.

## 8. **ANALYSIS**

Policy

8.1 The site is located in the settlement boundary as defined by the LDP proposals map and has no specific allocation or designation.

8.2 The context of the surrounding area is characterised by the commercial/retail

uses of Cowbridge Road East District Centre to the north and residential uses to the south and east.

- 8.3 Policy H6: Change of Use of Redevelopment to Residential Use; Policy C2: Protection of Existing Community Facilities and Policy C4: Protection of Open Space provide the relevant policy framework.
- 8.4 Policy H6 permits the change of use of redundant premises for residential use where:
- There is no overriding need to retain the existing use of the land or 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.
- 8.5 Policy C2 only permits proposals involving the loss or change of use of buildings currently or last use for community facilities 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.
- 8.6 Policy C4 does not permit development 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.
- 8.7 Assessed against Policies C2 and C4, the proposal would re-provide an improved community facility that meets the needs of the community and provide a relocated MUGA and improved green infrastructure and therefore not cause and or exacerbate a deficiency of open space.
- 8.8 Assessed against Policy H6, the site is located in the settlement boundary, in a highly sustainable location, within a 5 minute walk to Cowbridge Road East District Centre that provides the necessary retail, community facilities and services to serve the new residents and easily accessible to the city centre by sustainable forms of transport, being close to a number of public transport links within a 5 minute walk and is considered a compatible use with the character and context of the surrounding area.

8.9 The application raises no land use policy concerns.

#### Heritage

8.10 It is considered that this five-storey development is sufficiently distant from the St John's church that any minor setting impact will be restricted to long views to and from the Grade II Listed asset. The development is some 130m from the grade II listed buildings at 271-275 Cowbridge Road and has no impact on the setting of those buildings.

#### Urban Design

8.11 This is an ambitious project. It sits on the site of the existing community centre, MUGA and car park which in combination currently create a poor impression.

8.12 The scheme is essentially one building in two parts: a new community hall, accessed from the east, and the residential accommodation for elderly people accessed from the west and east. Whilst most of the residential units are accessed from the internal atrium, 4 fronting Leckwith Rd are accessed directly from the front garden. The pattern of access to the building is fine, creating active frontage on each side. The entrance from Leckwith Rd is elegantly aligned to the church vista from Earle Place and the doorway is double height to create some interest in the view, which is a nice feature, without distracting from the church.

8.13 Overall the mass is out of character with the general scale of development in Canton which typically is 2-3 storeys. However, this is an attractive scheme which sits within a good, set back garden setting, and that its combination of community and social uses will create interest and really enhance a slightly neglected corner of the area. The scheme is very carefully considered in detail with elegant facades, great fenestration, a rich and interesting roofline, and great brick detailing. This combination of rich features helps to moderate the overall mass and allows a domestic scale to prevail. The scheme will make a positive contribution to the standard of build in this part of Canton.

8.14 The scheme includes some good ideas for garden areas, managing to maintain the key frontage trees. The boundaries shown in plan are all fine and sensible for their context. A condition 21 regarding the walls/railings, to the front boundaries is proposed in view of their prominence.

8.15 The scheme includes a good plan for a communal garden and then the relocation of the MUGA. This is done whilst retaining the two north south pedestrian routes which are a feature of the Radburn layout of the wider area. It is beneficial for both these routes to be maintained open for local area permeability, whilst the building boundaries are clear and secure.

8.16 The position of the benches and the suggested form of the community garden is good. The community garden is contained by railings for security but inter-visibility, which is sensible. To enable surveillance of the community garden



from surrounding homes where hedges are proposed condition 22 is recommended, which is also relevant for the surveillance of the MUGA.

- 8.17 The atrium is well articulated in the form and elevation. Whilst it is not an urban design issue, it is a feature of the design of a Council building that may be of interest to Committee.
- 8.18 Overall, it is considered that the proposed development is a striking design, a great combination of uses and a form of development that significantly enhances its context.

#### Trees

- 8.19 Following the submission of revised landscaping and tree protection details the Tree Officer has no objections in principle
- 8.20 The Tree Officer's comments are considered covered by proposed conditions 25 – 29 and identifying relevant plans and documents in condition 2
- 8.21 The Shared Regulatory Officer says she has been contacted by the geoenvironmental consultants. They have undertaken a contamination assessment (submitted with the application) which identifies contaminants and will require remediation. She requested the relevant contamination remediation conditions (referred to at section 5.2 of this report). However, the consultant has advised her that the 'usual' remediation strategy – a 600mm soils cover system for soft landscaped areas - will not be practical in some parts of the development site, because of the potential damage to retained trees.
- 8.22 For the St Pauls Church, Llanmaes Street development (planning ref: 16/03065/MJR) there was a similar conflict between the remediation requirements for soils and the root protection areas of retained trees. It was resolved by the remediation strategy being modified to exclude these root protection areas, on the proviso that an appropriate health and safety record is maintained at the development by the property management/owner recording the ground conditions in the root areas of the retained trees, associated risks and appropriate mitigation for workers (PPE etc).
- 8.23 The Tree Officer says that an approach as per the St Pauls Church Development would be expedient, if it is deemed acceptable from a human health perspective. This would avoid losing all the trees at the site as a consequence of capping. In this case the applicant has submitted details of a No Dig Construction Method that the Tree Officer finds acceptable.

#### **Comments on Petition and Representations**

(i) Height out of character

- 8.24 Paragraph 1.14 of the Council's Tall Buildings SPG states:

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.

- 8.25 In this case the two storey houses to the south are 9.5m high and the nearest part of the proposed building is 12.2m high and three storeys. The end house in Phillip Street is 2.5 storeys high and the remainder of the terrace are 2 storey units. The nearest dwellings to the north-east are 11m high and 3 storeys high. The Tesco store to the north is a big building with a maximum height of 13m. To the top of the fifth floor of the proposed apartments is 16.3m high and the top of the highest roof would be 19.7m high.
- 8.26 In terms of the SPG the proposed building is not defined as tall as it is neither double the actual height and number of floors of surrounding buildings. The end dwellings in Earle Place are two storeys and some 10m high but separated from the proposed building by some 26m, Leckwith Road and some mature trees. St Johns Church by comparison is 34m high to the tip of the spire.
- 8.27 The proposed building is taller than the nearest dwellings and needs to justify its location whether it is considered a Tall Building within the terms of the SPG or not. Paragraph 2.2 of the SPG states that:

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.

Detailed proposals will:

Exhibit exceptional architectural standards: elegance in form, silhouette and quality of materials.

Maximise activity through ground floors uses and fenestration.

Provide the highest standards of building performance, safety, inclusivity and adaptability.

Include exemplary cycle storage, low car parking levels and integrated servicing, recycling and waste storage.

Prove that the development will not create adverse microclimatic effects.

Deliver significant enhancements to the public realm

- 8.28 Should Committee regard this development as a tall building, as defined by the SPG, it is considered that this proposal meets the aforementioned criteria.

(ii) Overshadows/Takes away light

- 8.29 The three storey element north of Philip Street is set some 17-19.5m away from

those dwellings and neither overshadows nor takes away light from them.

- 8.30 The four storey element does not infringe the 25 degree guideline contained in the Residential Design Guide.
- 8.31 The five storey element will marginally infringes the 25 degree guideline (28 degrees) part way up the upper floor at a distance of some 26m in respect of only the side windows in the ground floor of 19 Earle Place. In view of the separation distance the impact isn't immediate and enough light will get past the proposed building at that distance, as the taller element is reasonably narrow.
- 8.32 It also helps that the plans indicate a reasonably characterful but light brick which will also reflect a little more light around. Proposed condition 15 is recommended to ensure that a reasonably light brick is chosen to allow adequate light to reflect off what is a reasonably large building in its context, in order to reduce its perceived mass and enhance reflected light.

(iii) Privacy

- 8.33 The development does not contravene the Council's privacy standards contained in the Residential Design Guide SPG other than for the southern elevation of the three storey element of the development facing the rear of the properties in Phillip Street. This can be addressed by proposed conditions 3 and 4 in respect of secondary side facing windows, that can be fitted with obscure glazing, and the side section of the balconies, which can be fitted with privacy screens that must be retained in perpetuity.

(iv) Parking

- 8.34 Paragraph 4.1.9 of Planning Policy Wales states:

The Welsh Government is committed to reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport. Delivering this objective will make an important contribution to decarbonisation, improving air quality, increasing physical activity, improving the health of the nation and realising the goals of the Well-being of Future Generations Act.

- 8.35 The scheme includes stands for 36 cycle parking spaces for users of the community building and 2 for community building staff. These spaces are well located at the edges of the public space and close to the communal building entrance and stands for 12 cycle parking spaces within the building.
- 8.36 The scheme involves the loss of parking spaces. 82 parking spaces, replaced by 18 (5 of which are disabled spaces).
- 8.37 The site lies within the Central Area for the application of car parking standards contained in Managing Transportation Impacts (incorporating Parking Standards) SPG. For elderly person residential development in central areas the Council's Parking Standards state that no minimum number of car parking

spaces are required. The Council's Parking Standards for non-residential institutions states that there is no minimum number of car parking spaces that are required. The proposal provides more car parking than the minimum required by the Council's standards.

- 8.38 Committee will no doubt recall a decision earlier this year at Pentwyn when 20 two bedroom and 8 one bedroom apartments was granted with 4 car parking spaces (ref 21/00321/MJR). The current application is in a more sustainable location than that approved this year in Pentwyn.
- 8.39 The plan for parking is very clear and nicely resolved, with parallel and perpendicular parking bays and a scheme for landscape and tree planting. The parking spaces for the development are block paved.
- 8.40 The proposed access and parking arrangements accord with LDP policy KP8 and the Managing Transportation Impacts SPG, which seek to reduce travel demand on the car; enable and maximise use of sustainable methods of travel; and provide people with access/mobility requirements. Further, dependence on the private car will be reduced due to the proximity of the site to the District Centre of Cowbridge Road East and various local bus stops.
- 8.41 The applicant has sought to clarify the parking arrangements and states:

As you will be aware the design development stages have involved regular meetings with our Transport and Highways colleagues to help us better understand any transport matters and to develop a joined-up proposal reflective of the Council's One Planet Cardiff Strategy for greater sustainable development, the site's locational characteristics and the Council's aspiration for a comprehensive scheme that addresses a number of local needs through a high quality mixed use development.

With this in mind we have agreed with Transport and Highways colleagues the following approach to parking management:

- 5 short term pay'n stay parking spaces located north-west and accessed from Leckwith Road. These will be managed and enforced by the Highways Network Operations Team.
- 7 private residential parking bays (including 4 disabled bays) located in a separate court to the north-east of the site. To help discourage non-resident users, only resident parking permit holders will be permitted to park here. These will be allocated by our Housing team and managed/enforced by the Highways Network Operations Team. To help further reinforce the difference between parking bays in this location we have decided to move the residents bays to the east (as a separate court) and will ensure signage is used to explain that they are for private residents only. Changes to the hard landscaping in this court will also be used to further reinforce this distinction.
- 1 private resident parking bay south-west that will be dedicated for an eclectic charging pool car and managed by Housing and enforced by the Highways Network Operations Team.

- 1 disabled bay south-west enforced by the Highways Network Operations Team.
- 4 adopted parking bays on Picton Place that will become part of the emerging and proposed Resident Parking Area for Picton Place.

8.42 The Transport Officer has no objection to the revised parking arrangements subject to proposed conditions (31-35) and the second part of a recommended Unilateral Agreement. The Unilateral Undertaking is designed to provide improvements to nearby public car parks which would in part mitigate the loss of the car park on this site.

(iv) Demolition of Existing Building is not sustainable

8.43 The Regeneration Officer has stated that the building is “in great need of updating and modernisation to secure it’s long term sustainability for community use”. It is considered that the redevelopment of this site will enable a more efficient use of land where future residents will be conveniently sited to access a range of facilities on this brownfield site, reducing the need to use private motor vehicles.

8.44 Furthermore, the new building would incorporate photovoltaics on the southern roof slopes, shared ground source bore-hole array linked to individual heat pumps for each flat and other energy efficient measures.

(v) Community Centre Size reduced

8.45 The Regeneration Officer at paragraph 5.4 of this report has clearly detailed her position and supports this proposal.

8.46 The Community Centre would have one squarish room that could accommodate a 100 or more persons for a meeting and a similar sized rectangular shaped room that could be subdivided to provide flexible space. There would also be toilets, kitchen, storage and buggy storage area (for 4 mobility scooters for users of the centre).

(vi) Reducing garden area.

8.47 The community garden is to the north-west of the existing building. A redesigned garden to the south and south west of the re-sited MUGA is proposed for residents of the development along with a community garden area to the east (for a larger and more useable community garden). Tree planting to the front of the proposed building would be retained with small private gardens to the ground floor apartments. The re-provided community garden would be over 70m from Leckwith Road as compared to the existing community garden that adjoins Leckwith Road.

(vii) Existing Anti-Social Behaviour

8.48 The Police have raised no objection to this proposal and proposed condition 15, which requires cctv coverage of the site. Passive surveillance by residents

from the new apartments and repositioning the MUGA and community garden will be overlooked by more existing dwellings which will further increase surveillance and should help improve the current situation.

(ix) Disturbance during Demolition and from construction

- 8.49 Any noise or disturbance from demolition and/or rebuilding will be for a temporary period only. There will be a requirement for a CEMP and other mitigating conditions (proposed conditions 16, 19, 20 and 37), to address dust and deliveries, and the developer has to comply with Pollution Control legislation. Future vehicle movements and associated emissions will be reduced to a certain degree as the car parking area is redeveloped and then replaced by the proposed development.

(x) Additional traffic on Leckwith Road

- 8.50 The reduction in public car parking spaces will reduce the overall number of vehicles attracted to this part of Leckwith Road.

(xi) Lacks opportunity for community development

- 8.51 The co-location of residential accommodation, a community centre, community garden and MUGA provides a great opportunity for community development. The accommodation is not in an isolated location but in the heart of an existing community.

(xii) Air Quality

- 8.52 An Air Quality expert for Wardell Armstrong states:

We have been advised through the comments forwarded to the applicant that Shared Regulatory Services require an air quality assessment for the proposed development and I am looking to clarify the required scope of works. At this stage we consider that a detailed (i.e. modelled) air quality assessment would not be required in this instance for the following reasons:

- The development is not located within, or near to, an existing Air Quality Management Area (AQMA) and is therefore not considered to be in an area of poor air quality.
- Recent local air quality monitoring and current mapped background concentrations for the site illustrate that annual mean pollutant concentrations within the vicinity of the site are below the respective annual mean objectives and considerably below the level at which breaches of the short-term objectives for NO<sub>2</sub> and PM<sub>10</sub> would become likely.
- The proposed development site is relatively small. It is therefore considered that the impact associated with dust from the construction phase, in accordance with the IAQM 'Guidance on the Assessment of Dust from Demolition and Construction (February 2014)', will not be significant with appropriate site mitigation in place. It is anticipated that

mitigation measures will be detailed in a Construction and Environmental Management Plan or Dust Management Plan.

- From a review of the trip generation data presented in the Transport Statement for the site, it is clear that development-generated traffic numbers will be well below 500 AADT, which is the IAQM threshold for a detailed assessment.

Taking these points into consideration we propose preparing a qualitative air quality technical note, summarising the above points. It would be most helpful if you could confirm whether this approach is acceptable.

8.53 The Technical Officer – Environment (Enterprise and Specialist Services) states

As the key points have been addressed, I have agreed that preparing a qualitative air quality technical note will be acceptable rather than a full AQA. This will hopefully alleviate any concerns from local residents. (The Technical Officer was provided with a technical report by Wardell Armstrong that concluded that any effects should not be significant).

8.54 Proposed conditions 19 and 20 and part 16 and 37 are recommended to address air quality issues in line with the advice of the Council's Technical Officer – Environment (Enterprise and Specialist Services) and one of the Transport Officer's recommended condition.

(xiii) Repositioned MUGA will cause nuisance

8.55 The MUGA is currently located approximately 25m from the nearest existing dwellings which are on the western side of Leckwith Road. The 2006 and 2007 consent for a MUGA included floodlights. The MUGA will be relocated to the east of its current position and will be 20m from existing dwellings. No floodlighting is proposed and proposed condition 13 is designed to prevent late night noise. There will be good surveillance from surrounding properties, assisted by proposed condition 22. No objection has been received from the Noise Officer.

(xiv) Lack of green space for future residents and on busy road

8.56 This has in part been addressed by the response to (vi) above. Future residents will be able to use their garden and the community garden which are located further away from and part screened from Leckwith Road by the proposed building. The community garden will be overlooked by surrounding dwellings providing improved passive surveillance. There will be an internal atrium and balconies for future occupants. The development will meet the SPG Residential Design Guide requirement for amenity space.

8.57 The issue of air quality and noise that can be associated with road traffic is addressed elsewhere in this report and by proposed conditions 16, 17, 19, 20 and 37.

(xv) Proposal does not create cohesive community

- 8.58 The co-location of residential accommodation, a community centre, community garden and MUGA provides an opportunity for community development. The accommodation is not located in an isolated location but in the heart of an existing community.
- 8.59 It is not considered that this type of elderly person accommodation prevents residents being active in their local community. Local facilities are in walking distance and storage will be provided on site for the garaging of mobility scooters for those residents who need to use them.

(xvi) Poor consultation – Rushed Through

- 8.60 The criticism received appears to primarily relate to the PAC consultation process but that had to be undertaken in accordance with revised arrangements approved by the Welsh Government because of Covid. The PAC process was conducted prior to the submission of this application.
- 8.61 In response to the criticism of the PAC the applicant says that there is no requirement to consult in other languages. The description of the proposal was in broad terms and the supporting documents made it clear what the proposal involved. It is not the fault of the PAC undertaken that anyone was held back from commenting. Parking provision is covered by the Transport Statement. The Housing Team also conducted an informal consultation prior to the PAC.
- 8.62 In conclusion the agent states:

My overall statement on all of the above is that PAC is a process that seeks to engage interested parties and not a fait accompli process, in that documents and drawings are presented in draft form, and changes often can and will be made between PAC and application submission. The key consideration, as I've discussed with officers in various Authorities since the introduction of PAC, is whether the applicant and its team have prejudiced any interested parties in the process of carrying out PAC, to which I would answer that we categorically haven't.

- 8.63 It is considered that the description of the planning application is reasonably comprehensive. The planning application has been publicised by site notices, press notice, neighbour notification letters and on the Council website. The objections received provide a reasonable indication of the success of this publicity exercise.
- 8.64 The application was received on 21/07/2021, registered on 27/7/2021 and reported to the Planning Committee on 3/11/2021. Applications should normally be determined within an 8 week period. This application has taken over 3 months before presentation to Committee and as such is not considered to be rushed nor is the decision of the Local Planning Authority pre-determined.



(xvii) Lack of EIA

8.65 The Housing Department will have carried out their own assessment of housing need to determine the type of housing and the design requirements for future residents. Officers in the Housing Department working in conjunction with the architects will have used their expert knowledge in formulating a scheme and identifying a location that would provide good quality living accommodation for future residents.

8.66 Five disabled parking spaces are proposed and the garden area is at level.

(xviii) Drawings misleading

8.67 Some objectors found a drawing within the 78 page DAS misleading. It is considered that the drawings attached to this report and available on-line give an accurate representation of what is proposed.

8.68 The agent states:

The images in question are sketched perspective/aerial/isometric images used for indicative purposes and are therefore not scalable. The elevations and floor plans are the only drawings that should be used for scale. Notwithstanding this, I would contest that closer inspection would demonstrate quite clearly that floor-to-ceiling vertical measurements of our building are clearly greater than Tesco. Perhaps the objector is confused by the single storey green-roofed element? Again, not a contestable point.

(xix) DCfW

8.69 The Design Commission for Wales highlighted a number of issues:

**Community Engagement** The proposals have been based on initial engagement with the local community and therefore should reflect what is needed in the area. Reshaping this space, re-provision of community facilities and the introduction of new residents to the area are all welcomed but will require an ongoing commitment for community involvement to ensure that the process is positive and meaningful for new and existing residents. As well as the proposed next phase of consultation, consideration should be given to creative ways in which the community can be involved in the design and delivery of the facilities. This could include engaging an artist to work with the local community (within the COVID restrictions of the time) and potentially contribute something physically to the development which would help to embed identity, meaning and sense of ownership within the scheme.

**Public/Private Spaces.** Further clarity is needed on the distribution and management of public and private spaces to aid legibility and to avoid ambiguity in use. The potential to explore a cruciform arrangement to the residential accommodation which would include an east-west route through the building and make a connection into the public space should be further explored. This could help to make better sense and use of the space to the southeast of the

building which currently lacks a clear purpose.

**Building Form.** The evolution of the proposals has generally been positive, however there are still some issues to resolve. Building back in the clarity that was evident in earlier iterations, including the cruciform arrangement would benefit the proposals. The step down from four to three storeys with the atrium and gable arrangement is not currently working and requires a further look at the overall distribution of mass and storey heights. The termination of the vista along Earle Place should be considered as part of this development of this element of the scheme

**MUGA and Public Realm.** Lighting will have a big impact on the quality of the proposed space. While floodlighting of the MUGA is not proposed, lower-level lighting which provides a sense of security will be important to the area surrounding the MUGA. Similarly, the fencing around the MUGA and boundary treatment to the green space will be critical to the sense of openness verses security within the space. A management plan for the MUGA and other public realm areas will be essential for the long-term success of this development. The north-south route to the east of the site is an important connection into the wider community and should be reflected in the proposals. We welcome the retention of existing trees.

**Delivery.** Retention of design quality throughout the development process will be critical to ensure that those aspects that contribute to the quality of life for residents and placemaking for the neighbourhood are not lost. Part of this will be ensuring sufficient design expertise is retained/appointed throughout delivery but also ensuring the available budget is realistic and focused on the most important aspects of the team.

**Next Steps** We would welcome a further review of the proposals when further design development has taken place but well in advance of a planning application.

- 8.70 The developer has undertaken a pre-application consultation process and engaged with local members. There is no direct link between the community centre and the apartments for security purposes. The current iteration is considered to improve on an earlier version viewed by DCfW and the entrance door and brick detailing as well as retained trees improves the vista along Earle Place. The Council will manage the MUGA and public realm areas. The quality of the scheme is self-evident. The applicant's position is to have regard to DCfW in preparation of their final scheme and not to repeat the process.

(xx) Residents right to park in public car park at night.

- 8.71 Any agreement to use parking spaces otherwise used by the Community centre or visitors to the apartments by local residents is a matter for the Council, Housing Department and residents. The Housing Officer has confirmed that 5 of the parking bays will be available for residents' over-night use. The introduction of an electrical charging point will be to the future benefit of residents.

(xxi) Contrary to Policies

8.72 (a) Policy KP5 GOOD QUALITY AND SUSTAINABLE DESIGN states:

To help support the development of Cardiff as a world-class European Capital City, all new development will be required to be of a high quality, sustainable design and make a positive contribution to the creation of distinctive communities, places and spaces by:

- i. Responding to the local character and context of the built and landscape setting so that layout, scale, form, massing, height, density, colour, materials, detailing and impact on the built and natural heritage are all addressed within development proposals;
- ii. Providing legible development which is easy to get around and which ensures a sense of continuity and enclosure;
- iii. Providing a diversity of land uses to create balanced communities and add vibrancy throughout the day;
- iv. Creating interconnected streets, squares and spaces as distinctive places, which are safe, accessible, vibrant and secure and incorporate public art where appropriate;
- v. Providing a healthy and convenient environment for all users that supports the principles of community safety, encourages walking and cycling, enables employment, essential services and community facilities to be accessible by sustainable transport and maximises the contribution of networks of multi-functional and connected open spaces to encourage healthier lifestyles;
- vi. Maximising renewable energy solutions;
- vii. Achieve a resource efficient and climate responsive design that provides sustainable water and waste management solutions and minimise emissions from transport, homes and industry;
- viii. Achieving an adaptable design that can respond to future social, economic, technological and environmental requirements;
- ix. Promoting the efficient use of land, developing at highest practicable densities and where appropriate achieving the remediation of land contamination;
- x. Ensuring no undue effect on the amenity of neighbouring occupiers and connecting positively to surrounding communities;
- xi. Fostering inclusive design, ensuring buildings, streets and spaces are accessible to all users and is adaptable to future changes in lifestyle; and
- xii. Locating Tall buildings in locations which are highly accessible through walking and public transport and within an existing or proposed cluster of tall buildings.

8.73 The proposal is generally in line with the elements defined in Policy KP5 other than part of criteria (xii) as it is not within a cluster of tall buildings and part of criteria (x) as it has an impact on the ground floor windows of one dwelling but otherwise makes a positive contribution to the appearance of the area.

8.74 (b) Policy KP6 NEW INFRASTRUCTURE states:

New development will make appropriate provision for, or contribute towards, all essential, enabling and necessary infrastructure required as a consequence of the development in accordance with Planning Policy Guidance. Such infrastructure will be delivered in a timely manner to meet the needs of existing and planned communities and includes the following aspects which may be required having regard to the nature, scale and location of the proposed development:

Essential / Enabling Infrastructure:

Transportation and highways including access, circulation, parking, public transport provision, walking and cycling;

Utility services;

Flood mitigation / defences; Necessary Infrastructure:

Affordable Housing;

Schools and education;

Health and social care;

Community buildings and facilities including District and Local Centre improvements;

Local employment and training including replacement employment opportunities where relevant;

Community safety initiatives;

Open space, recreational facilities, playgrounds, allotments;

Protection, management, enhancement and mitigation measures relating to the natural and built environment;

Public realm improvements and public art;

Waste management facilities including recycling and services;

District heating and sustainable energy infrastructure.

8.75 It is considered that the provision of safe affordable housing for older purposes and new replacement community centre, community gardens and MUGA is in accordance with this policy.

8.76 (c) Policy C1 COMMUNITY FACILITIES states:

Proposals for new and improved community facilities, health and religious facilities will be encouraged, subject to the following criteria being satisfied:

- i. The facility would be readily accessible to the local community it is intended to serve by public transport, walking and cycling;
- ii. The facility would not unduly prejudice the amenities of neighbouring and nearby residential occupiers;
- iii. The facility would not detract from the character and appearance of a property or the locality;
- iv. The facility will not lead to unacceptable parking or traffic problems;
- v. The facility is designed with the greatest possible flexibility and adaptability to accommodate additional community uses without compromising its primary intended use.

8.77 The community facility would comply with criteria i, ii and iii. The Transportation

Officer has raised no objection subject to conditions in respect of iv and an element of the proposed Unilateral Undertaking will further assist. The Regeneration Officer has raised no objections in respect of v and specifically refers in her comments that the community centre incorporates flexible ground floor community spaces.

8.78 LDP Policies C2 and H6 are addressed earlier in this Section of this report.

(xxii) Flooding

8.79 The Flooding Map indicates that on Leckwith Road at its junction with Earle street that it is most susceptible to surface flooding. Some residents have made reference to flood events at the junction of Leckwith Road/Earle Street. The proposed building falls outside that area.

8.80 Much of Canton and Riverside including the application site lie within Flooding Area Zone C1. NRW had no objection on grounds of flooding providing Flood Consequences Assessment JBA Consulting July 2021 was included as an approved document, which it has been in proposed condition 2.

8.81 Tan 15 at point 6.2 identifies justification tests for sites in Zone C:

- 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 (PPW fig 2.1);

8.82 The proposal is a regeneration initiative, the proposal will provide facilities that sustain a community, maintain employment on this site, and it would be on previously developed land. It is considered that this proposal meets the justification tests.

8.83 The Flood Consequences assessment concludes that:

This FCA has demonstrated that all aspects of the Justification Tests set out in TAN-15 have been satisfied. Consequently, we conclude that on the grounds of flood risk, the proposed development meets the requirement set out in TAN-15 and the aims of Planning Policy Wales.

8.84 A new Tan 15 comes into effect on 1/12/2021 which would be applied to non-determined and new applications.

(xxiii) Loss of view

8.85 There is no private right to a view in planning law. In this case views from public positions are not considered to be materially affected

(xxiii) More people, more congestion, more pollution, more accidents.

- 8.86 Reducing the size of the existing pay and display car park will reduce the volume of vehicular traffic attracted to this particular location which would have the opposite effect to that feared by a local resident.

#### Crime and Disorder

- 8.87 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. South Wales Police were consulted and have no objections. Improved passive surveillance and proposed conditions 14, 22 and 25 will all assist.

#### Equalities Act

- 8.88 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. The Housing Department has assessed the housing need and type of accommodation required.

#### Wellbeing

- 8.89 Section 3 of the Well-Being of Future Generations Act 2016 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision. Providing more affordable quality dwellings, retaining a community centre provision, community garden and MUGA at the heart of the local community all positively contribute to wellbeing objectives.

## 9. **CONCLUSION**

- 9.1 The proposal is considered to be high quality design that accords with local and national policies, generally complying with the Residential Design Guide SPG, on a brownfield site to provide much-needed affordable homes in a sustainable location. The development will assist in promoting sustainable residential development to enable people to live independently and safely in their own homes for longer through the provision of apartments that meet the Welsh Government Design Quality Requirements (DQR).

- 9.2 The community centre and Multi-Use Games Area will be re-provided to enable the existing type of activities to be retained and continue to the benefit of the wider community.
- 9.3 The design of the development has been carefully considered and enhances the surrounding area through the provision of a contemporary development. High-quality design and materials are used to reflect the development's prominence within the streetscene. The retention of key trees and proposed landscaping contribute towards providing a high-quality scheme befitting the site's location. Given the constrained nature of the site, the provision of amenity space along the boundaries of the site are a positive impact in terms of amenity provision for future residents.
- 9.4 There are no objections from technical consultees.
- 9.5 A Unilateral Undertaking is required to secure a financial contribution towards open space in the locality and improve local car parks. The applicant has confirmed agreement to enter such an Undertaking.

## **APPENDIX A**

### **Report into use of Canton Community centre car park to enable redevelopment**

#### **Background:**

Following discussions in the Asset Management Board about the future of the Canton/Riverside community centre it was agreed that Housing consider the site for redevelopment.

The long-term future of the existing community hall had been in question for some time and had previously been considered for closure as part of council cost saving measures. In this scenario the site would have been advertised for sale on the open market.

The Housing Development team proposed a redevelopment of the site to include a replacement ground floor community space with residential (Older Person) flats above. If this proved to be a viable option it would deliver two objectives – 1. Provide much needed older person accommodation in Canton/Riverside and 2. Secure a sustainable and long-term future for a much valued community resource.

In discussing the site constraints meetings were held with Highways & Transport to consider a wider redevelopment of the site including the existing car park. Highways had identified this as an option as although the car-park was well used there was surplus parking available in the other car parks in the local area. This was backed up by reports presented by Highways and both Housing & Highways agreed to consult on this option.

#### **Issues:**

Options were developed and a preferred option identified. The preferred option proposed the loss of the carpark with a small number of public parking space retained. It also proposed the relocation of the existing MUGA into the current car parking area and the creation of a large community garden.

Meetings were held with both Canton and Riverside Ward councillors to consult on the proposal to lose most of the car park, relocate the MUGA and create a community garden. This was supported (emails and reports from Rebecca Hooper previously circulated, and resident consultation on this option was undertaken).

Public engagement was positive regarding this option and therefore the scheme progressed to PAC.

In supporting this option the Councillors asked that improvements be made to the retained carparks in the local area as a mitigation measure to losing the community centre car park. This includes better signage and space marking. It was recognised that there is capacity in the remaining carparks to mitigate the loss of the community centre car park.



## **Planning issues:**

### **1. *Loss of parking generally within the local centre***

Parking surveys have been carried out during a Saturday and weekday (at four times each day) on the local pay and display car parks at Harvey Street (east and west); Gray Street; Severn Road; Leckwith Road; and, Wellington Street. These surveys show that there is significant spare capacity overall at even the busiest time, as follows:

- Saturday (busiest time 2pm) – 245 cars parked
- Weekday (busiest time 2pm) – 300 cars parked

There is currently capacity for 420 cars in the main car parks in the local centre and even with the reduction in spaces associated with the development to 350 spaces, this still provides significant spare capacity even at the busiest times.

### **2. *Parking for users/staff of the community centre***

It is anticipated that staff will travel to work by sustainable modes given how well connected the site is to public transport. Alternatively staff can use one of the car parks within the local centre that are up to a three to eight minute walk away and, as the surveys show, have spare capacity.

It is anticipated that a large proportion of visitors to the community centre will visit from the surrounding residential area. Five short-stay spaces are provided to the north of the community centre for users or the other town centre car parks a short walk away. For unloading/loading for classes, the loading bay off Leckwith Road at the front of the site can be used by class instructors before moving their car to another space.

### **3. *Surrounding residential streets***

It is proposed that the parking in the residential area south of the site will be subject to a new residents parking zone, including the four parallel spaces on Picton Place which are currently within Cardiff Council land but not highway land. These spaces will be adopted and become part of the residents zone. It should be noted that parking stress is highest in Picton Place overnight, and it is likely that this is associated with the residents. The surveys carried on overnight on two weekday nights showed that a small number of vehicles were parked in the car park overnight. Given it is proposed that five spaces will be able for public use, these can be used as overspill parking for residents of Picton Place. This level of parking stress in Picton Place and surrounding streets will be unchanged with the proposals.

### **4. *Number of new parking bays***

Following comments by residents and at Cllr Gordon's request, the design team have re-examined the masterplan to understand whether any additional parking spaces could be accommodated as part of our scheme. The findings of this work confirmed that the current layout reflects the maximum number of new bays that could be delivered ensuring the scheme also delivers other key elements of the

development such as SuDs (a legal requirement), the MUGA and community garden. Parking to the north is at its most efficient and could not accommodate additional bays without losing some of these elements. The team also examined whether more parking could be accommodated on Picton Place but the necessary turning spaces required were not achievable. The loading bay was also examined but it is needed for deliveries and access by an emergency vehicle. Therefore unfortunately we are unable to introduce more parking provision without the loss of some of the MUGA & community garden.

## **5. *Parking management***

We recognise the local parking pressures and the concerns of local residents and through our scheme proposals we have agreed with Transport and Highways colleagues the following approach to parking management:

- 5 short term pay and stay parking spaces located north-west and accessed from Leckwith Road. These will be managed and enforced by the Highways Network Operations Team.
- 7 private residential parking bays (including 4 disabled bays) located in a separate court to the north-east of the site. These will be for the residents of the new older person scheme. To help discourage non-resident users, only resident parking permit holders will be permitted to park here. These will be allocated by our Housing team and managed/enforced by the Highways Network Operations Team. To help further reinforce the difference between parking bays in this location we have decided to move the residents bays to the east (as a separate court) and will ensure signage is used to explain that they are for private residents only. Changes to the hard landscaping in this court will also be used to further reinforce this distinction.
- 1 private resident parking bay south-west that will be dedicated for an eclectic charging pool car and managed by Housing and enforced by the Highways Network Operations Team.
- 1 disabled bay south-west enforced by the Highways Network Operations Team.
- 4 adopted parking bays on Picton Place that will become part of the emerging and proposed Resident Parking Area for Picton Place.

## **6. *Additional benefit***

We also currently working closely with the Transport, Highways & Planning teams to identify our development schemes that could deliver a number of publicly assessable fast Electric Vehicle charging points to increase the number of public vehicle charging points across the city. The proposal scheme for redevelopment of the Canton/Riverside community centre has been identified as a suitable project and as such we will work with the Highways team to introduce a public EV point to the development.

**Decision:**

Approval to proceed with the preferred option and therefore the loss of the car park was received from Andrew Greogory, Dircetor and Matt Wakelham, Assistant Director.



**KEY**

- Application Site
- ① Church of St John
- ② Kitchener Gardens
- ③ Tesco Supermarket

# PLANNING ISSUE

P10 15/07/21 Issued for planning

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Site title: RIVERSIDE COMMUNITY LIVING & COMMUNITY BUILDING ON THE FORMER CANTON/ RIVERSIDE COMMUNITY HALL  
 drawing title: location  
 EXISTING LOCATION PLAN

drawn by LC	checked IW	scale 1:1250@A4	status FOR PLANNING
project 20017	zone C	source A	drawing no. (00)_001
			revision P10

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KEY

EXISTING TREE

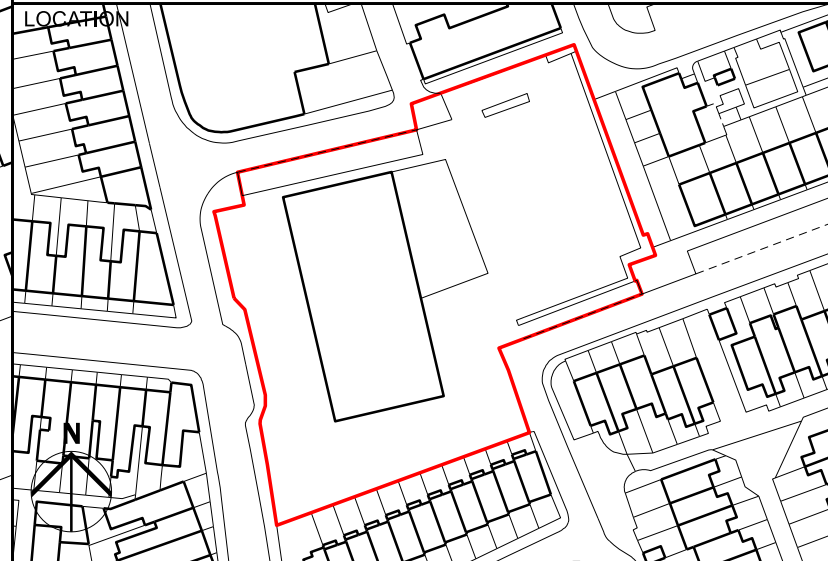
PROPOSED TREE

# PLANNING ISSUE

Revision: P13 | 06.10.21 | PLANNING ISSUE  
 Revision: P12 | 15.07.21 | PLANNING ISSUE  
 Revision: P11 | 12.07.21 | PLANNING ISSUE  
 Revision: P10 | 08.07.21 | PLANNING ISSUE

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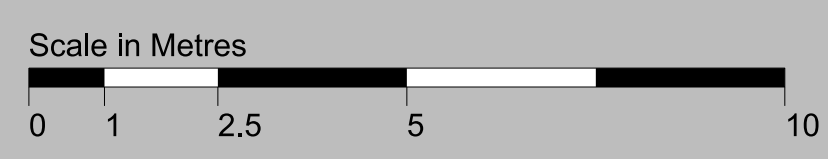
job title  
 RIVERSIDE COMMUNITY LIVING & COMMUNITY BUILDING  
 ON THE FORMER CANTON/ RIVERSIDE COMMUNITY HALL  
 drawing title / location  
 PROPOSED BLOCK PLAN

drawn by	checked	scale	status
LC	IW	1:250@A1; 1:500@A3	FOR PLANNING
project	zone	source	classification
20017	C	A	(00)_002 P13





TESCO HENRY STREET CANTON SITE



**KEY**

- ① STRETCHER BOND BRICKWORK WITH FLUSH, COLOUR MATCHED MORTAR (2 VARIETIES OF BRICK - A/B)
- ② VERTICAL STACK BOND BRICK WITH FLUSH, COLOUR MATCHED MORTAR (2 VARIETIES OF BRICK - A/B)
- ③ PRE-CAST RECONSTITUTED STONE HORIZONTAL STRINGER/COPING - MID-TONE COLOUR AS BRICK TYPE B
- ④ DARK VERTICAL TEXTURED METAL PANELS (PPC WARM GREY BESPOKE RAL COLOUR TBC)
- ⑤ 60MM FLAT BAR METAL BALUSTRADE: PPC BESPOKE RAL COLOUR TBC, 100MM MAX. VERTICAL CENTRES
- ⑥ HIGH LEVEL VENTS (GLAZING/LOUVRES)
- ⑦ COMPOSITE WINDOW/DOOR SYSTEM, OUTER FRAME COLOUR WARM MID-GREY, BESPOKE RAL COLOUR TBC
- ⑧ COLOURED GLAZED BRICK TO MAIN ENTRANCES, COLOUR, BOND AND MORTAR COLOUR TBC
- ⑨ METAL RAINWATER GOODS, SQUARE SECTION; PPC FINISH; BESPOKE RAL COLOUR TBC
- ⑩ BRICK RECESS, VERTICAL STACK BOND WITH COLOUR MATCHED MORTAR
- ⑪ GLAZED CURTAIN WALLING ASSEMBLY, INCLUDING POWERED GLAZED ENTRANCE DOOR, OUTER FRAME COLOUR WARM MID-GREY, BESPOKE RAL COLOUR TBC
- ⑫ 60MM FLAT BAR METAL ROOF PROTECTION RAIL (SETBACK 1m); PPC FINISH; BESPOKE RAL COLOUR TBC.

① BRICK TYPE A - grey-beige-anthrax, textured brick; variation in colour colour matched mortar  
 ② BRICK TYPE B - brown-grey-beige, textured brick; variation in colour, colour matched mortar

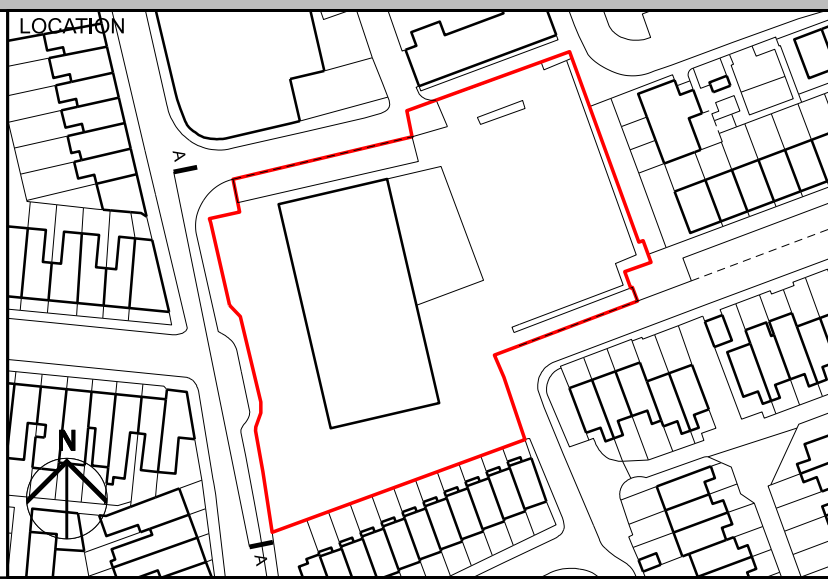
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Revision: P11 | 06.10.21 | PLANNING ISSUE  
 Revision: P10 | 09.07.21 | PLANNING ISSUE

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job title  
 CARDIFF COMMUNITY LIVING  
 CANTON COMMUNITY CENTRE  
 drawing title / location  
 PROPOSED ELEVATION 1

drawn by	checked	scale	status
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project	zone	source classification	drawing no. revision
20017	C	A (00)_210	P11

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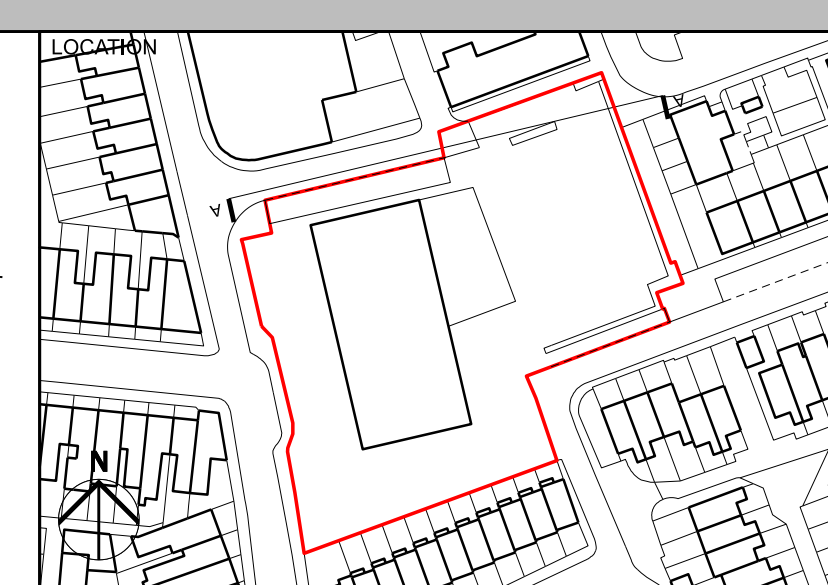
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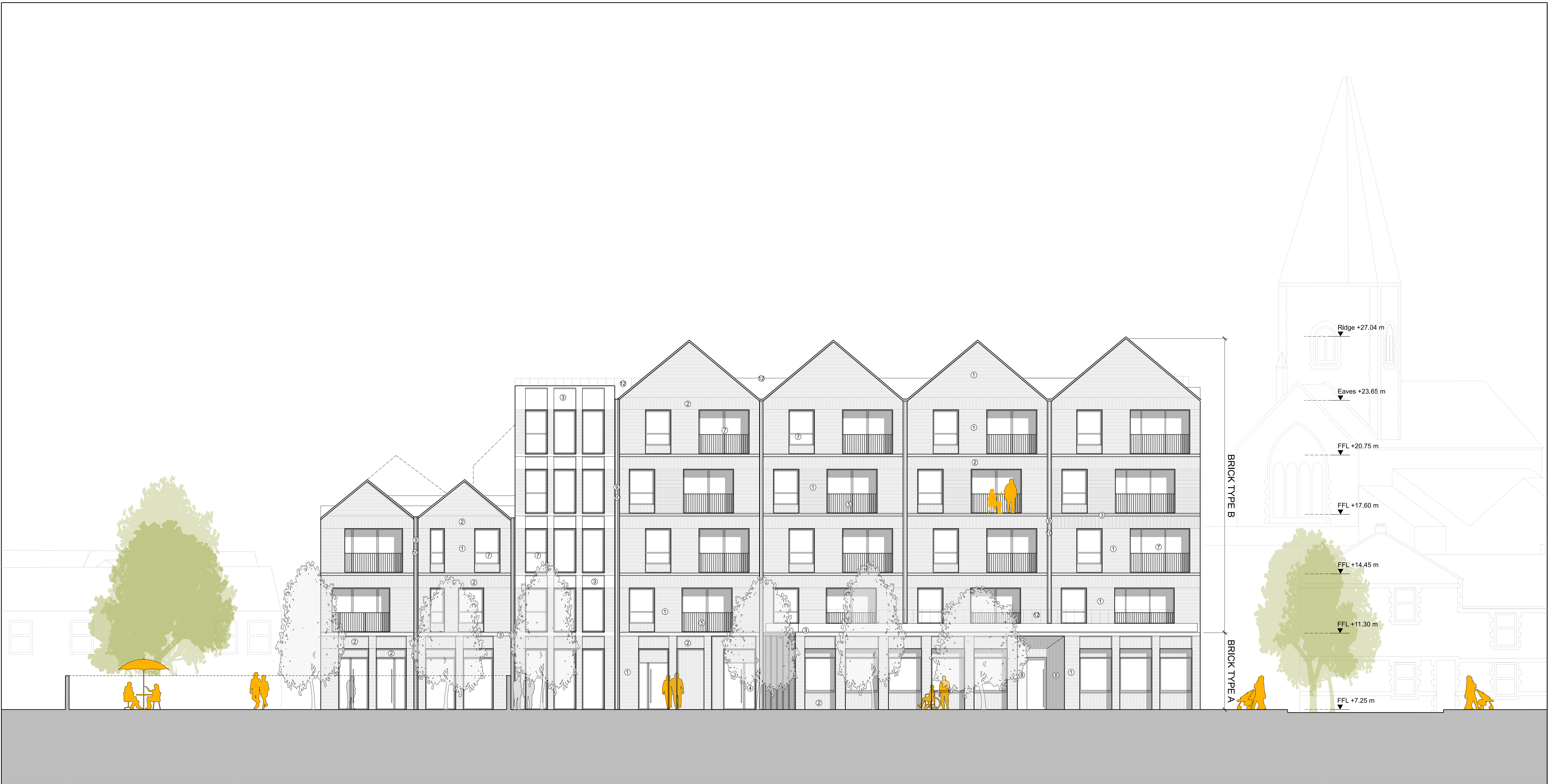
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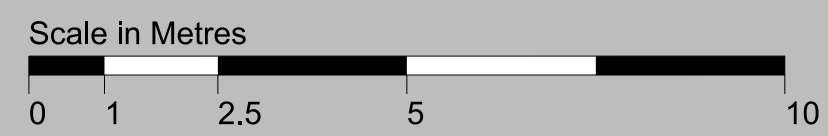
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project	zone	source	classification	drawing no.	revision
20017	C	A	(00)_211	P11	

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1-11 PHILIP ST CANTON SITE HENRY STREET



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  - ⑥ HIGH LEVEL VENTS (GLAZING/ LOUVRES)
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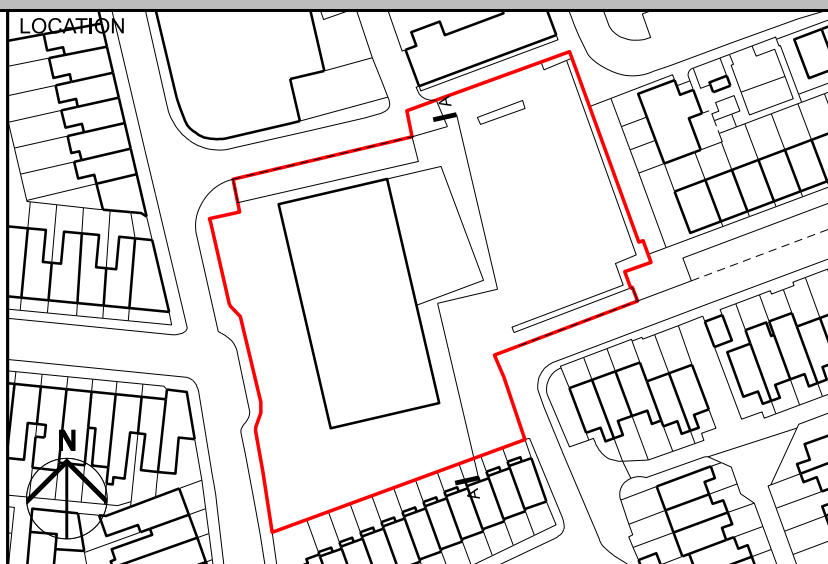
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 Revision: P10 | 09.07.21 | PLANNING ISSUE

**NOTE**

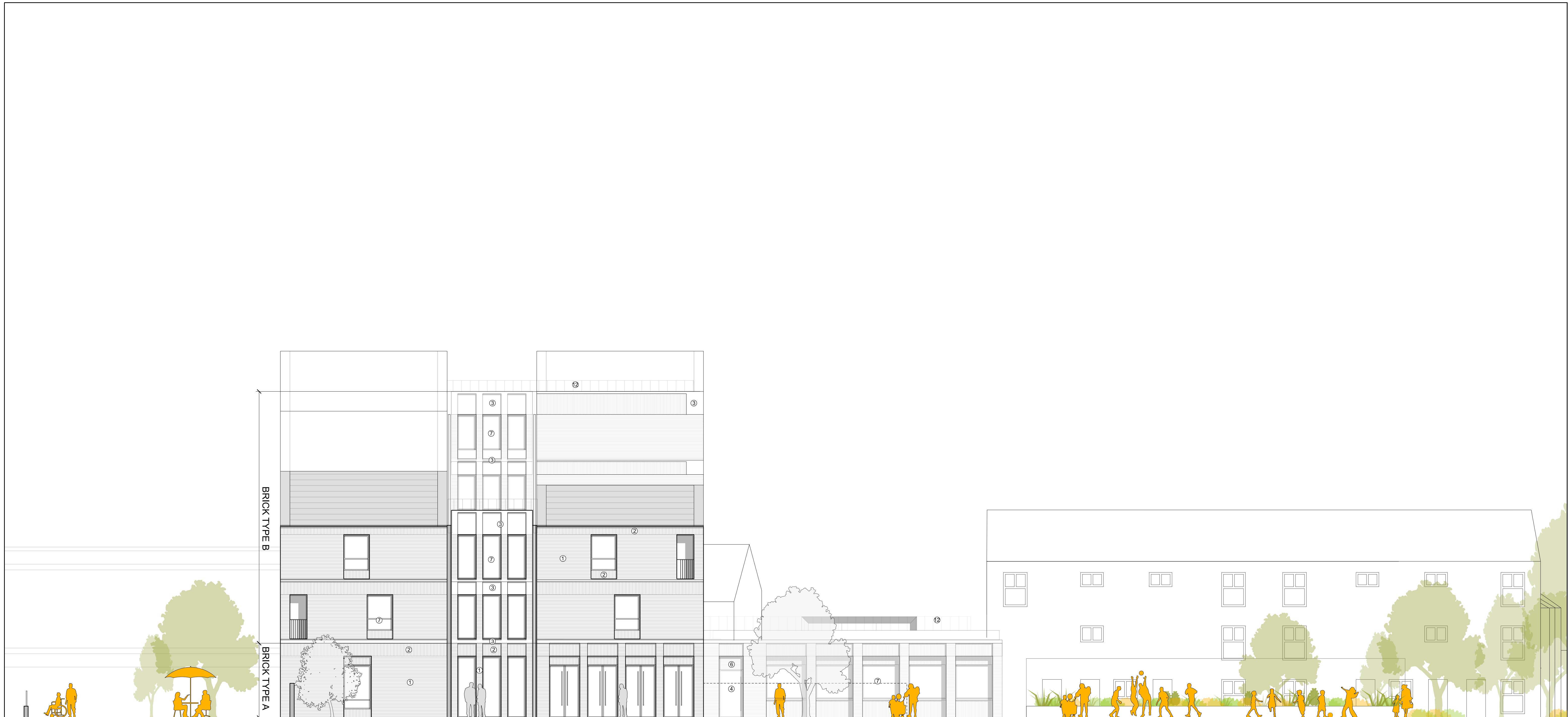
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drawing title / location PROPOSED ELEVATION 3			
drawn by LL	checked IW	scale 1:100@A1; 1:200@A3	status FOR PLANNING
project 20017	zone C	source classification A	drawing no. revision (00)_212 P11





BRICK TYPE B

BRICK TYPE A

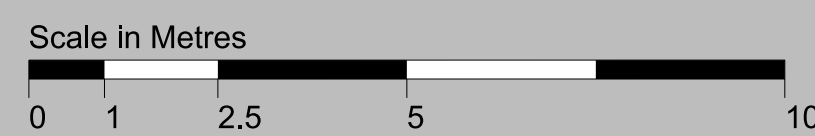
PROPOSED LANDSCAPING

RESIDENTIAL BUILDING

COMMUNITY CENTRE

MULTI USE GAMES AREA AND PROPOSED LANDSCAPING

CANTON SITE



- KEY**
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  - ③ PRE-CAST RECONSTITUTED STONE HORIZONTAL STRINGER/COPING - MID-TONE COLOUR AS BRICK TYPE B
  - ④ DARK VERTICAL TEXTURED METAL PANELS (PPC WARM GREY BESPOKE RAL COLOUR TBC)
  - ⑤ 60MM FLAT BAR METAL BALUSTRADE; PPC BESPOKE RAL COLOUR TBC. 100MM MAX. VERTICAL CENTRES
  - ⑥ HIGH LEVEL VENTS (GLAZING/LOUVRES)
  - ⑦ COMPOSITE WINDOW/DOOR SYSTEM. OUTER FRAME COLOUR WARM MID-GREY. BESPOKE RAL COLOUR TBC
  - ⑧ COLOURED GLAZED BRICK TO MAIN ENTRANCES. COLOUR, BOND AND MORTAR COLOUR TBC
  - ⑨ METAL RAINWATER GOODS. SQUARE SECTION; PPC FINISH; BESPOKE RAL COLOUR TBC
  - ⑩ BRICK RECESS. VERTICAL STACK BOND WITH COLOUR MATCHED MORTAR
  - ⑪ GLAZED CURTAIN WALLING ASSEMBLY. INCLUDING POWERED GLAZED ENTRANCE DOOR. OUTER FRAME COLOUR WARM MID-GREY. BESPOKE RAL COLOUR TBC
  - ⑫ 60MM FLAT BAR METAL ROOF PROTECTION RAIL (SETBACK 1m); PPC FINISH; BESPOKE RAL COLOUR TBC.

# PLANNING ISSUE

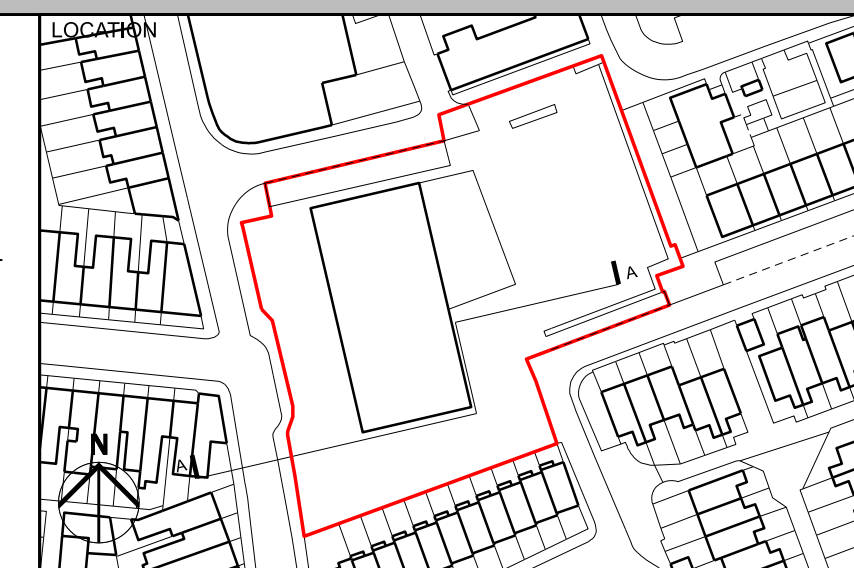
Revision: P11 | 06.10.21 | PLANNING ISSUE  
Revision: P10 | 09.07.21 | PLANNING ISSUE

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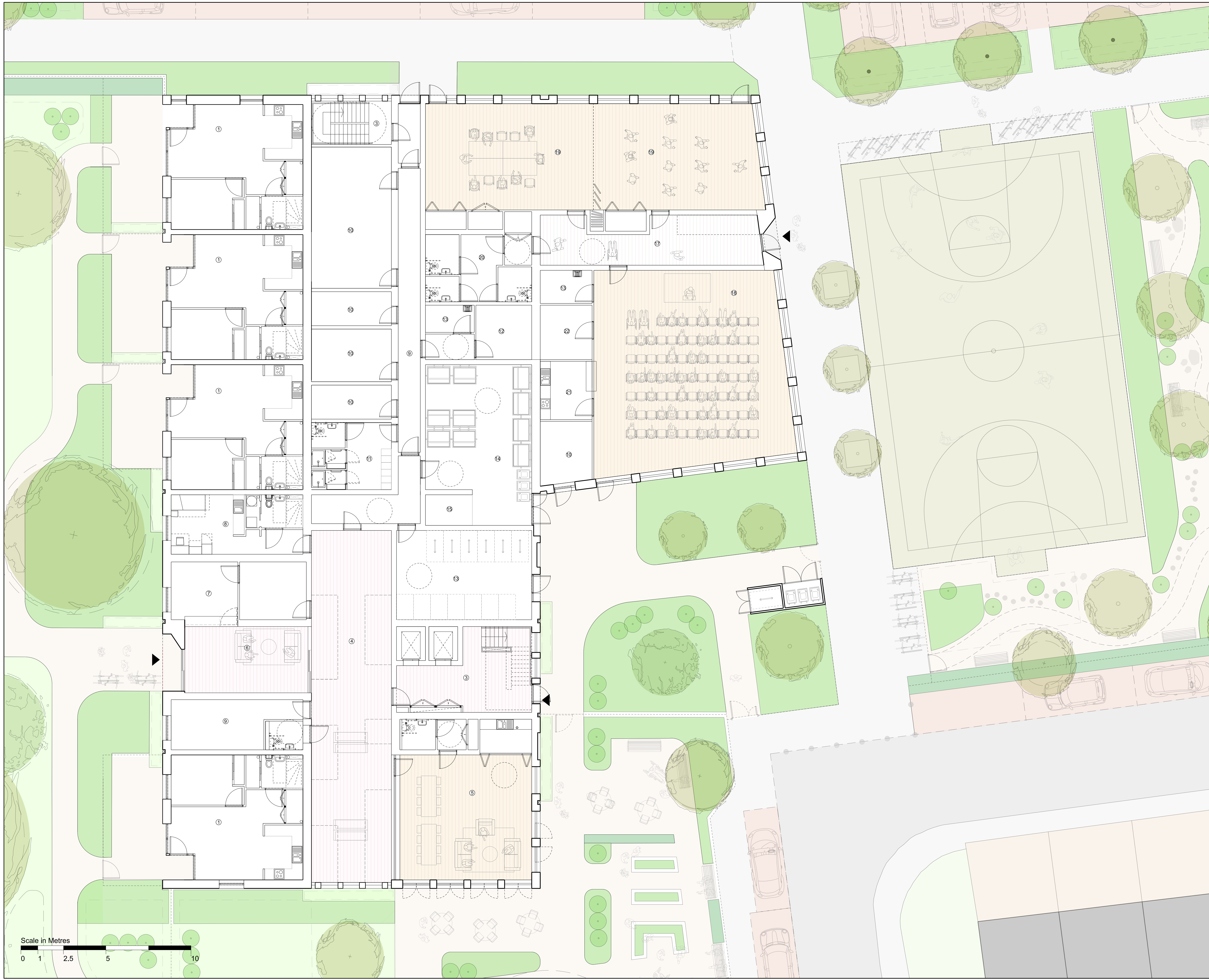
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job title CARDIFF COMMUNITY LIVING CANTON COMMUNITY CENTRE					
drawing title / location PROPOSED ELEVATION 4					
drawn by LL	checked IW	scale 1:100@A1; 1:200@A3	status FOR PLANNING		
project 20017	zone C	source A	classification (00)_213	drawing no. P11	revision





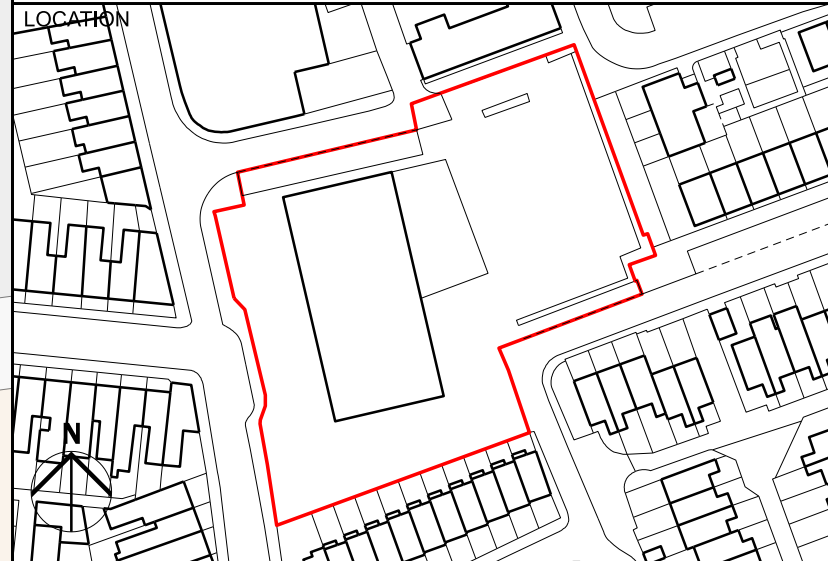
- KEY**
- ① 1B UNIT
  - ② 2B UNIT
  - ③ RESIDENTIAL STAIR/LIFT CORE
  - ④ ATRIUM
  - ⑤ RESIDENT'S LOUNGE
  - ⑥ DOUBLE HEIGHT ENTRANCE LOBBY
  - ⑦ RECEPTION & OFFICE
  - ⑧ GUEST SUITE
  - ⑨ MEDICAL SUITE
  - ⑩ BACK OF HOUSE/PLANT
  - ⑪ STAFF CHANGING
  - ⑫ LAUNDRY
  - ⑬ CLEANER
  - ⑭ CYCLE STORE
  - ⑮ REFUSE & RECYCLING
  - ⑯ BULK WASTE STORE
  - ⑰ COMMUNITY CENTRE LOBBY & BUGGY STORE AREA
  - ⑱ MAIN HALL
  - ⑲ MULTI-PURPOSE SPACE
  - ⑳ ACCESSIBLE WCS
  - ㉑ KITCHEN
  - ㉒ STORE

# PLANNING ISSUE

Revision: P13 | 06.10.21 | PLANNING ISSUE  
 Revision: P12 | 15.07.21 | PLANNING ISSUE  
 Revision: P11 | 14.07.21 | PLANNING ISSUE  
 Revision: P10 | 09.07.21 | PLANNING ISSUE

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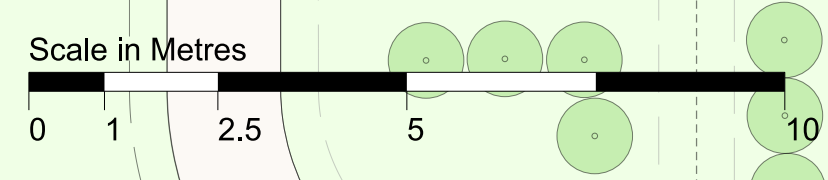
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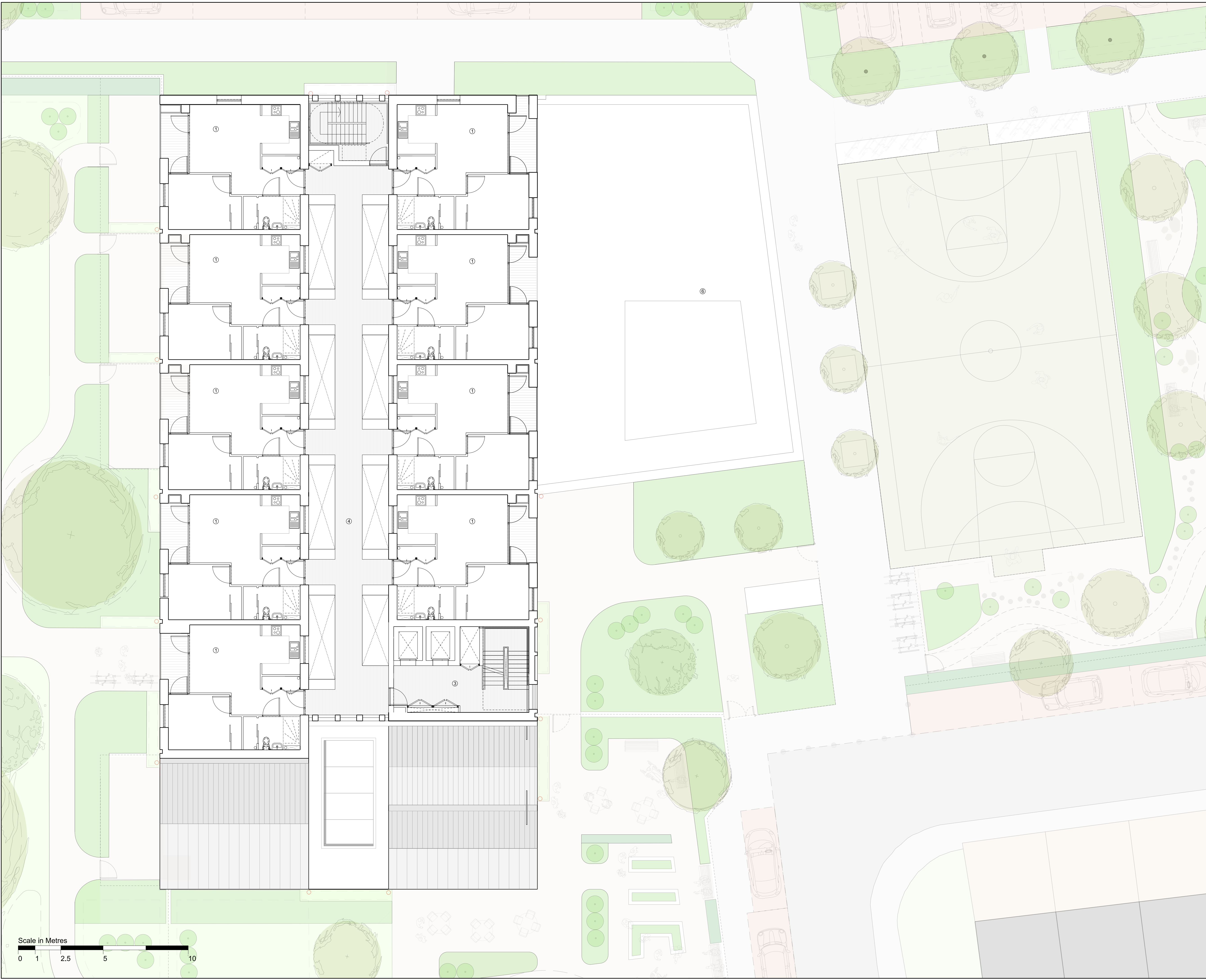
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job title  
**RIVERSIDE COMMUNITY LIVING & COMMUNITY BUILDING  
 ON THE FORMER CANTON/ RIVERSIDE COMMUNITY HALL**  
 drawing title / location  
**PROPOSED GROUND FLOOR PLAN**

drawn by	checked	scale	status		
LL	IW	1:100@A1; 1:200@A3	FOR PLANNING		
project	zone	source	classification	drawing no.	revision
20017	C	A	(00)_110	P13	







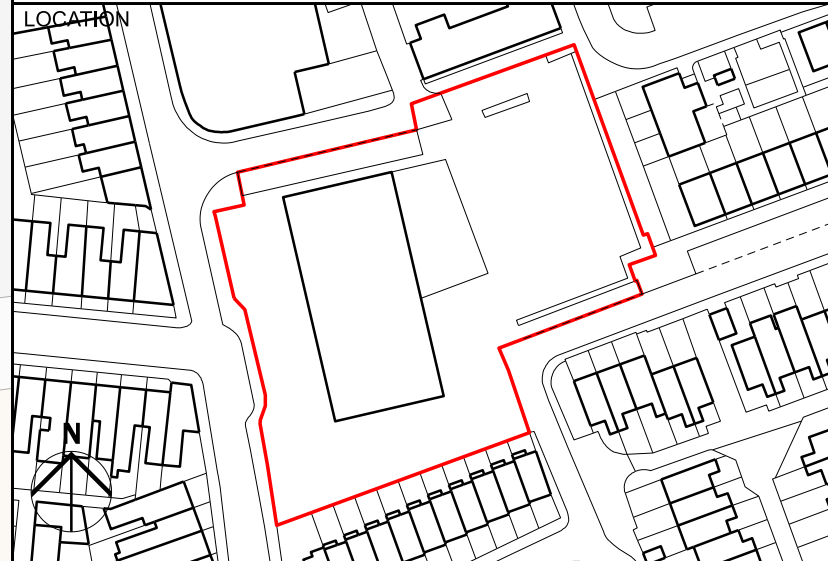
- KEY**
- ① 1B UNIT
  - ② 2B UNIT
  - ③ RESIDENTIAL STAIR / LIFT CORE
  - ④ ATRIUM
  - ⑤ RESIDENT'S MEZZANINE LOUNGE
  - ⑥ BIODIVERSITY ROOF & ROOFLIGHT LANTERN

# PLANNING ISSUE

Revision: P13 | 06.10.21 | PLANNING ISSUE  
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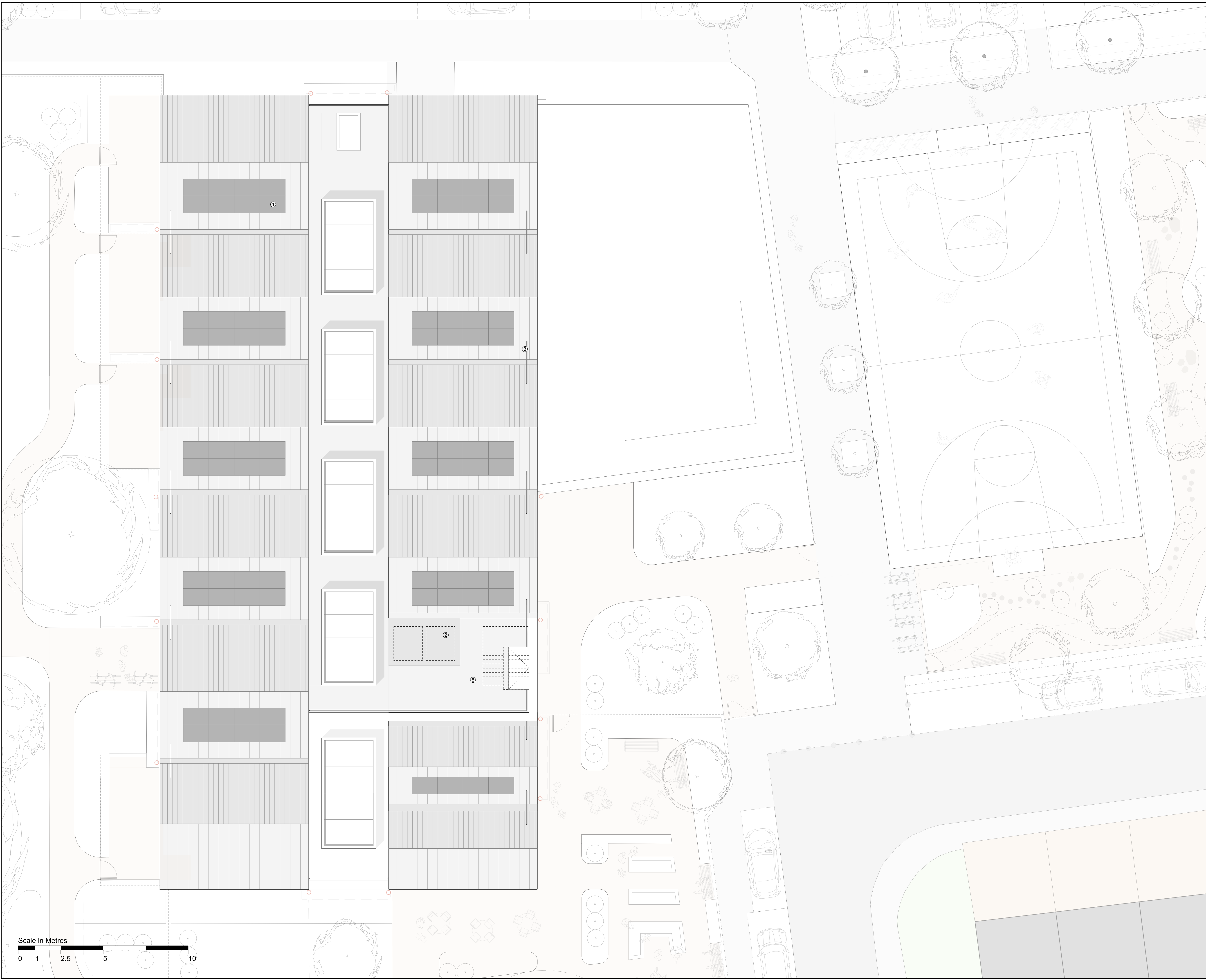


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job title  
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 ON THE FORMER CANTON/ RIVERSIDE COMMUNITY HALL  
 drawing title / location  
**PROPOSED THIRD FLOOR**

drawn by	checked	scale	status		
LL	IW	1:100@A1; 1:200@A3	FOR PLANNING		
project	zone	source	classification	drawing no.	revision
20017	C	A	(00)_113	P13	





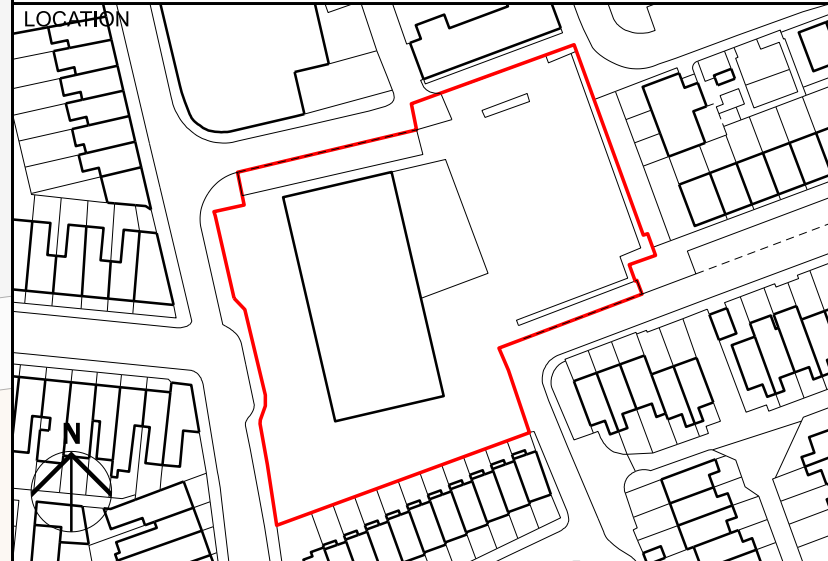
- KEY**
- ① PHOTOVOLTAIC PANELS
  - ② LIFT OVERRUN
  - ③ BALUSTRADE
  - ④ ATRIUM
  - ⑤ STAIR CORE

# PLANNING ISSUE

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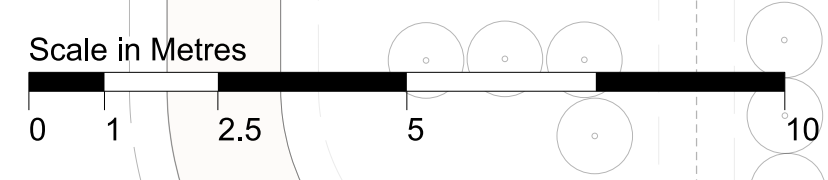
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 ON THE FORMER CANTON/ RIVERSIDE COMMUNITY HALL**  
 drawing title / location  
**PROPOSED ROOF PLAN**

drawn by	checked	scale	status		
LL	IW	1:100@A1; 1:200@A3	FOR PLANNING		
project	zone	source	classification	drawing no.	revision
20017	C	A	(00)_115	P13	



**PETITION**

COMMITTEE DATE: 03/11/2021

APPLICATION No. **21/01785/MNR** APPLICATION DATE: 21/07/2021ED: **ELY**

APP: TYPE: Full Planning Permission

APPLICANT: Cardiff Council; Wates Residential  
 LOCATION: LAND OFF CHERRYDALE ROAD, ELY, CARDIFF  
 PROPOSAL: DEVELOPMENT OF 7 DWELLINGS (USE CLASS C3),  
 SUSTAINABLE URBAN DRAINAGE, LANDSCAPING AND  
 ASSOCIATED INFRASTRUCTURE AND ENGINEERING  
 WORK

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

1. C01 Statutory Time Limit
2. This approval shall be carried out in accordance with the following plans and documents:
  - Application Form PP-09920629
  - Site Location Plan 2299(03)100
  - Site Layout 2299(03)101 C
  - Management Plan 2299(03)102 B
  - Bungalow B2 Plot 1,2 2299(03)200
  - Bungalow B1 Plot 3 2299(03)201
  - Bungalow B1 Plot 4 to 7 2299(03)202 A
  - Landscape Strategy A108991 Ch.LA.100 D
  - Arboricultural Implications Assessment
  - Soft Landscape and Details A108991 Ch.LA.101 D
  - Soil Volumes for Proposed Trees A108991 Ch.LA.102 D
  - Specifications A108991 Ch.LA.103 A
  - Topographical Survey ACAD-CHERRYDALE-ROAD-CARDIFF R1 Sept 2019
  - Proposed Drainage Layout 100 P5 08/12/20
  - Vehicle Tracking – Plot Bay & Visitor Bay Tracking 9459-GRY-01-00-DR-C-SK12 P2
  - Proposed Section 278 Plan 9459-GRY-01-00-DR-C-SK11 P5
  - Design & Access Statement 2299
  - Planning Statement 31605/07/GW/HiK 19726365v3 V3
  - Ecological Impact Assessment 001 V2.0
  - Drainage Strategy & Design Statement GRAYS-9459-Drainage Design Statement P0

- Proposed Drainage layout 100 P5
- Tree Survey, Categorisation and Constraints Report - Rev 2
- Tree Constraints Plan 19-037
- Gas Monitoring Letter RH/15695/Gas Geotechnical and Geoenvironmental Report 15695/1
- Reptile Report 002

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

3. 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 neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.

4. The remediation scheme approved by condition 3 above must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land

Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance document 'Land Contamination: A guide for Developers' (2017), unless the Local Planning Authority agrees to any variation.

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

5. 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 Local Planning Authority within 2 weeks of the discovery of any unsuspected contamination.

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

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

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

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

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

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

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

8. 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.

9. Prior to the installation of a gate on the pathway behind to the rear of 4-12 (evens) Cherrydale Road details of the locking arrangement for the gate shall be submitted for approval to the Local Planning Authority and then be implemented as approved prior to any of the approved bungalows being brought into beneficial use.  
Reason: In the interests of safety (LDP Policy C3).

10. Prior to the commencement of this phase of the development a detailed Construction Environment Management Plan for the construction phase of the development and a Construction Code of Practice shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environment Management Plan shall provide details of measures proposed for the storage of all plant, machinery and materials to be used in connection with the construction of the development and for controlling any escape of noise and/or fumes during the works. The development shall be carried out in accordance with the Construction Environment Management Plan.

The scheme shall in particular include:-

- 1) locations for the storage of all plant and machinery to be used in connection with the construction of the development.
- 2) details of all bunds, fences and other physical protective measures to be placed on the site in connection with such storage including the time periods for placing and retaining such bunds, fences and



- measures (as the case may be).
- 3) provision for the on-going maintenance of any such bunds, fences and other measures.
  - 4) the control and removal of spoil and wastes.
  - 5) wheel washing.

and

The Code of Practice shall indicate:-

- a. the proposed hours of operation of construction activities and deliveries.
- b. the frequency, duration and means of operation involving demolitions, excavations, drilling, piling, and any concrete production.
- c. sound attenuation measures incorporated to reduce noise at source.
- d. details of measures to be taken to reduce the generation of dust.
- e. the routes of construction traffic to and from the site including any off-site routes for the disposal of excavated material.

The Code of Practice shall be strictly adhered to during all stages of the construction of the proposed development.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity and future occupiers are protected. (LDP policy EN13)

11. Prior to any above ground works commencing on site samples of the external walling materials shall be submitted for the approval of the local planning authority and shall be implemented as approved.

Reason: In the interests of visual amenities (LDP Policy KP5)

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

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

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

- A Tree Protection Plan (TPP) in the form of a scale drawing showing the finalised layout and the tree and landscaping protection methods detailed in the AMS that can be shown graphically.

Unless written consent is obtained from the LPA, the development shall be carried out in full conformity with the approved AMS and TPP (LDP Policy EN8).

Reason: To enable the Local Planning Authority to assess the effects of the proposals on existing trees and landscape; the measures for their protection; to monitor compliance and to make good losses (LDP Policy EN8).

13. Any pruning necessary to implement the planning permission shall be undertaken in accordance with British Standard 3998: 2010 'Tree Work' or any Standard that replaces it.

Reason: The trees are of value in the local environment and should be protected and maintained in good condition (LDP Policy EN8).

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

- A soft landscaping implementation programme.
- Finalised, scaled planting plans prepared by a qualified landscape architect.
- Evidence to demonstrate that existing and proposed services, lighting, CCTV, drainage and visibility splays will not conflict with proposed planting.
- Finalised schedules of plant species, sizes, numbers and densities prepared by a qualified landscape architect.
- Details concerning the long term management and infill planting of Hedgerow H1 on the western boundary.
- Scaled tree pit sectional and plan drawings prepared by a qualified landscape architect that show the Root Available Soil Volume (RASV) for each tree.
- Topsoil and subsoil specification for all planting types, including full details of soil assessment in accordance with the Cardiff Council Soils and Development Technical Guidance Note (Soil Resource Survey and Plan), soil protection, soil stripping, soil storage, soil handling, soil amelioration, soil remediation and soil placement to ensure it is fit for purpose. Where imported planting soils are proposed, full specification details shall be provided including the parameters for all imported planting soils, a soil scientists interpretive report demonstrating that the planting soil not only meets British Standards, but is suitable for the specific landscape type(s) proposed. The specification shall be supported by a methodology for storage, handling, amelioration and placement.
- Planting methodology and post-planting aftercare methodology prepared by a qualified landscape architect, including full details of how the landscape architect will oversee landscaping implementation and report to the LPA to confirm compliance with the approved plans and specifications.

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

Reason: To enable the Local Planning Authority to determine that the proposals will maintain and improve the amenity and environmental value of the area, and to monitor compliance (LDP Policy EN8).

15. Any newly planted trees, plants or hedgerows, which within a period of 5 years from the completion of the development die, are removed, become seriously damaged or diseased, or in the opinion of the Local Planning Authority (LPA) otherwise defective, shall be replaced. Replacement planting shall take place during the first available planting season, to the same specification approved in discharge of condition 14.  
Reason: To maintain and improve the amenity and environmental value of the area (LDP Policy EN8).
16. Install a scheme of lighting with an average 5 lux to comply with BS 5489-1:2013 as per 'Lighting against crime' 2011.  
Reason: To deter theft, and anti-social behaviour (LDP Policy C3).
17. No dwelling shall be occupied until the car parking space and cycle storage shed that serves it has been provided.  
Reason: To ensure sufficient off-street parking has been provided to serve each dwelling (LDP policies T1 and T5).
18. Any damage to the highway (kerbs, surface material, drainage, lighting, etc) that may be caused during the construction process shall be reconstructed prior to any part of the development being brought into beneficial use.  
Reason: In the interests of highway safety (LDP Policy T6).

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

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

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

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

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

**RECOMMENDATION 3** : 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.

**RECOMMENDATION 4** : The developer will need to address alterations to the highway under the Section 278 and Section 38 process.

## 1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 Full planning permission is sought for the development of 7 bungalows, as well as sustainable urban drainage, landscaping and associated infrastructure and engineering works.
- 1.2 Five of the bungalows are one-bedroom homes and two are two-bedroom homes. All bungalows benefit from a private rear garden and a small front garden. All bungalows are fully accessible for older people including those with mobility issues that need to use wheelchairs and mobility scooters.
- 1.3 The proposed development will be 100% affordable. The applicant says that it is envisaged that the bungalows are to be for older people via Cardiff Council's housing list.

- 1.4 Pedestrian, cycling and vehicular access will be via Cherrydale Road. Pedestrian and cyclist access is also available via an alley/gulley which connects through to Heol y Felin.
- 1.5 Once into the site a shared surface area is proposed that caters for pedestrians and vehicle users. The street has been designed as a shared surface, where people and vehicles will share the road space on equal terms, to slow vehicles to a walking pace and give quality of life precedence over ease of vehicular traffic movement. The street will also have landscaping, trees and Sustainable Urban Drainage Systems.
- 1.6 All dwellings will benefit from a single designated parking space, along with the ability to store bicycles in the shed spaces located within the curtilage of each of the dwellings. One visitor parking space is proposed to serve the development.
- 1.7 Facing materials of the dwellings will be a combination of red clay brick and grey cladding. Windows will be grey UPVC with reconstituted stone sill. Photovoltaic (PV) panels are proposed on the roofs and grey tiles. The shared surface will comprise block paving.
- 1.8 The landscape strategy comprises the retention, enhancement and management of the hedgerow on the western and northern boundaries as well as the incorporation of rain garden / bio retention areas to the front of the dwellings which will include trees and shrubs. A hedgerow and climbing shrubs are proposed on the eastern boundary.
- 1.9 Two young trees towards the middle of the site would have to be removed and a reduced width hedge along the western boundary would be retained as would the existing hedge along the northern boundary.

## 2. **DESCRIPTION OF SITE**

- 2.1 The site historically formed part of a nursery, however it is now an informal parcel of grassland. There is evidence of flytipping on the edges of the site.
- 2.2 The site measures approximately 0.2 hectares in area, with a generally level topography.
- 2.3 There is currently no vehicular access to the site. Bollards are in place.
- 2.4 Pedestrians are able to walk onto the site from Cherrydale Road to the south and from the gully/alley from Heol Y Felin to the west. There is no pedestrian access from the north or east other than 2 rear pedestrian gates in the eastern fence.
- 2.5 The site does not include nor is in the vicinity of any listed buildings or scheduled ancient monuments, nor is it within a conservation area. The nearest listed building is the Grade II, Ely Methodist Church (reference: 21571) which is approximately 480m to the south.

- 2.6 In terms of flooding the site is in flood zone A (considered to be at little or no risk of fluvial or coastal/tidal flooding). The draft emerging flood map for planning notes the site to be in flood zone 1 (very low risk).
- 2.7 The site does not have any drainage infrastructure in place given its undeveloped nature.
- 2.8 There are very few trees or Arboricultural features located on the site. A total of four trees were assessed as part of the Tree Survey, three of which are Category C trees. There is one Category B tree on the edge of the site (which is to be retained).
- 2.9 The site is in a sustainable location, near several facilities and is easily accessible for sustainable modes of travel. There are ample local facilities within easy reach by sustainable modes of transport, which include community facilities, supermarkets and medical facilities. For example, the site is within close proximity of a Pharmacy and Surgery on Mill Road (approx. 200m to the north), Park View Health Centre (approx. 350m to the south west), Farmfoods and Aldi supermarket (approx. 350m to the south west), a dentist on Cowbridge Road West (approx. 350m to the south east) and Ely & Caerau Hub (approx. 500m to the south west).
- 2.10 Bus stops are located on Heol y Felin, Mill Road and Cowbridge Road East which provide regular services to Cardiff City Centre to the east and Culverhouse Cross to the west.
- 2.11 In terms of open space there are several facilities in the local area including:
- i) Mill Road Park (200m walking distance to the north) is a large park which measures around 1.8 hectares.
  - ii) Mill Road bowling green and pavilion (450m walking distance to the north).
  - iii) Treseder Way Park (650m walking distance to the south) is a large park which includes a children's play area, formal paths and benches.
  - iv) Trelai Park (600m walking distance to the south) is one of Cardiff's largest parks (approx. 33 hectares) and includes formal playing fields, children's play area, a skate park as well as formal paths linking to woodland walks adjacent to the River Ely.
  - v) Ely Trail (550m walking distance to the north).
  - vi) Ely Great Farm Allotments (800m walking distance) to the south east.
  - vii) Local informal amenity open space areas at Windsor Green (120m to the west) and Plymouthwood Close (400m to the west).

### 3. **SITE HISTORY**

- 3.1 There is no record of a planning application on this site for the last 30 years.
- 3.2 In 1990 there was an application for 2 flats on part of the site which was refused for the following reason:

The proposal would result in the loss of a valuable area of open space serving the surrounding residential area, to the detriment of the amenities of local residents.

#### 4. **POLICY FRAMEWORK**

##### 4.1 LDP Policies

KP1: Level of Growth;  
KP3 (B): Settlement Boundaries;  
KP5: Good Quality and Sustainable Design;  
KP8: Sustainable Transport;  
KP13: Responding to Evidenced Social Needs;  
KP15: Climate Change;  
KP16: Green Infrastructure;  
KP18: Natural Resources;  
H3: Affordable Housing;  
EN6: Ecological Networks and Features of Importance for Biodiversity;  
EN7: Priority Habitats and Species;  
EN8: Trees, Woodlands and Hedgerow;  
EN10: Water Sensitive Design;  
EN12: Renewable Energy and Low Carbon Technologies;  
EN13: Air, Noise, Light Pollution and Land Contamination;  
T1: Walking and Cycling;  
T5: Managing Transport Impacts;  
T6: Impact on Transport Networks and Services;  
C3 Community Safety/Creating Safe Environments  
C4: Protection of Open Space.  
W4 Provision of waste Management Facilities in Development

##### 4.2 Future Wales: The National Plan 2040

##### 4.3 Planning Policy Wales Edition 11 (2021)

##### 4.4 SPGs

Managing Transportation Impacts (Incorporating Parking Standards) July 2018;  
Green Infrastructure – November 2017;  
Ecology & Biodiversity Technical Guidance Note;  
Trees and Development Technical Guidance Note;  
Protection and Provision of Open Space in New Developments Technical Advice Note;  
Soils and Development Technical Guidance Note.  
Residential Design Guide – January 2017;  
Waste Collection & Storage Facilities – October 2016.

#### 5. **INTERNAL CONSULTEE RESPONSES**

##### 5.1 The Transport Officer provided initial comments and subsequent comments

following the provision of additional information by the applicant and states:

I have no principled objections to the proposal but have the following comments.

The site will be access from Cherrydale Road. The site has been discussed with the designers in detail. My comments relate to the;

- proposed access and some concern about the proposed construction material. The proposal is to construct the access junction with block paving. Given the potential for turning movements at this point it is considered that block paving might not be an appropriate material. I would be content to leave the final decision to the detailed design S278 process to confirm an approved construction material.

*The Transport Officer then confirmed that it should be dealt with under the S278 process.*

- It is suggested that the proposed hedge (eastern side of site) be stepped back from the junction to allow the proposed footway to link to the site access. The current proposal appears to link only to the rear alleyway to access the existing properties on Cherrydale Road.

*The Transport Officer then confirmed access sorted and agreed*

- It is understood that the refuse vehicles will not need to access the site and the refuse will be collected from the bin collection point, thus negating the need for a HGV turning head to be provided within the site.

*The Transport Officer confirmed that, plan 2299(03)101 Rev C illustrates a bin collection point.*

- However, the site will be accessed by delivery vehicles, can the applicant demonstrate the adequacy of the proposed development to accommodate 7.5T delivery vehicles.

*The Transport Officer confirmed that his concern was if a delivery van overran the SUDs features. The Transport Officer subsequently confirmed that a lorry turning head was totally inappropriate for this driveway.*

- It is noted that vehicle tracking is provided to illustrate the use of the visitor bay. However, could the applicant confirm the status of the blue area illustrated on plan 2299(03) 1 01 Rev A. It appears, in plan 9459-GRY-01-00-DR-C-SK12 Rev P2, that a reversing visitor is expected to over-run this area. No demonstration on file.

*(The blue area on the plan is the SUDs feature)*

- A concern has been highlighted that the site may not be able to accommodate emergency service (fire) access. I am of the opinion that fire vehicles could access the site, but in view of a raised concern can the applicant provide confirmation (vehicle tracking) to confirm that the site can be accessed by the emergency services to attend an incident.

*(Drawing 2299(03)101 C shows the tracking for a fire engine within the site)*



The Transport Officer recommended conditions and a recommendation to be attached to any consent:

#### Conditions

Construction Management Plan.

Reconstruct any damage to the highway (kerbs, surface material, drainage, lighting, etc) caused during the construction process.

Recommendation S278 and S38 process

#### 5.2 The Tree Officer states:

I have no adverse observations subject to conditions as follows. The soft landscaping is fine generally, but it may need to be subject to change following a Soil Resource Survey and Plan and the latter should also inform planting specifications. I have also requested additional details concerning the long-term management and any infill planting of hedgerow H1 on the western boundary:

#### Tree protection

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

- An Arboricultural Method Statement (AMS) detailing the methods to be used to prevent loss of or damage to retained trees within and bounding the site, and existing structural planting or areas designated for new structural planting
- The AMS shall include details of site monitoring of tree protection and tree condition by a qualified arboriculturist, undertaken throughout the development and after its completion, to monitor tree condition. This shall include the preparation of a chronological programme for site monitoring and production of site reports, to be sent to the LPA during the different phases of development and demonstrating how the approved tree protection measures have been complied with.
- A Tree Protection Plan (TPP) in the form of a scale drawing showing the finalised layout and the tree and landscaping protection methods detailed in the AMS that can be shown graphically.

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

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

#### Tree work to British Standard

Any pruning necessary to implement the planning permission shall be undertaken in accordance with British Standard 3998: 2010 'Tree Work' or any

Standard that replaces it.

Reason: The trees are of value in the local environment and should be protected and maintained in good condition.

### Landscaping

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

- A soft landscaping implementation programme.
- Finalised, scaled planting plans prepared by a qualified landscape architect.
- Evidence to demonstrate that existing and proposed services, lighting, CCTV, drainage and visibility splays will not conflict with proposed planting.
- Finalised schedules of plant species, sizes, numbers and densities prepared by a qualified landscape architect.
- Details concerning the long term management and infill planting of Hedgerow H1 on the western boundary.
- Scaled tree pit sectional and plan drawings prepared by a qualified landscape architect that show the Root Available Soil Volume (RASV) for each tree.
- Topsoil and subsoil specification for all planting types, including full details of soil assessment in accordance with the Cardiff Council Soils and Development Technical Guidance Note (Soil Resource Survey and Plan), soil protection, soil stripping, soil storage, soil handling, soil amelioration, soil remediation and soil placement to ensure it is fit for purpose. Where imported planting soils are proposed, full specification details shall be provided including the parameters for all imported planting soils, a soil scientists interpretive report demonstrating that the planting soil not only meets British Standards, but is suitable for the specific landscape type(s) proposed. The specification shall be supported by a methodology for storage, handling, amelioration and placement.
- Planting methodology and post-planting aftercare methodology prepared by a qualified landscape architect, including full details of how the landscape architect will oversee landscaping implementation and report to the LPA to confirm compliance with the approved plans and specifications.

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

Reason: To enable the Local Planning Authority to determine that the proposals will maintain and improve the amenity and environmental value of the area, and to monitor compliance.

## Landscaping Maintenance

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

Replacement planting shall take place during the first available planting season, to the same specification approved in discharge of condition \*\*\*\*\*, unless the Local Planning Authority gives written consent to any variation.

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

- 5.3 Shared Regulatory (SRS) Environment Team provides comments below in relation to land quality. The following information was submitted with the application –

Terra Firma (Wales) Ltd., May 2021; Geotechnical and Geoenvironmental Report Ref 15695/1.

Terra Firma (Wales) Ltd, 10 June 2021; Gas Monitoring Letter RH/15695/Gas

The above geoenvironmental assessment report includes a detailed assessment of potential contamination and associated risks to human health and the environment. Investigations identify fragments of asbestos containing materials in several locations within the made ground, posing a risk to human health.

Remediation works are required in relation to this to ensure the development is suitable for use. A remediation strategy and verification plan, providing proposals to remediate the site and procedures for validating the completed works will need to be submitted for approval. A remediation validation report, in line with the approved remediation works and current guidance will then need to be submitted for approval.

The above gas assessment letter report includes a detailed assessment of ground gas monitoring. It indicates that the site is classified as 'gas characteristic situation 1' with no gas protection measures required.

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

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

## CONDITIONS

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

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

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

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

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

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

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

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

variation.

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

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

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

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

#### PC15A IMPORTED SOIL

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

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

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

## PC15B IMPORTED AGGREGATES

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

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

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

## PC15C USE OF SITE WON MATERIALS

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

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

## ADVISORY/INFORMATIVE

### R4 CONTAMINATION AND UNSTABLE LAND ADVISORY NOTICE

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

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

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

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

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

#### 5.4 The Waste Officer states:

The plans do not show the intended storage site of the bins, however providing the bins are stored within the curtilage of each of the properties this will be suitable.

The collection point for plots 4-7 has been noted and is acceptable.

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

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

Please be advised that the developers of all new residential units are required to purchase the bin provision required for each unit. The bins have to meet the Council's specifications. Individual 140 litre/240 litre wheeled bins can be purchased via waste Connect to Cardiff at (029) 2087 2087. Bulk supply of individual bins, or 660litre/1100 litre wheeled bins should be ordered via our bin order form located at [www.cardiff.gov.uk/wasteplanning](http://www.cardiff.gov.uk/wasteplanning).

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

Please refer the agent/architect to the Waste Collection and Storage Facilities Supplementary Planning Guidance for further relevant information. [www.cardiff.gov.uk/wasteplanning](http://www.cardiff.gov.uk/wasteplanning)

(The Waste Officer's comments have been shared with the applicant)

5.5 PROW Officer states:

The application has no recorded Public Rights of Way affecting the site. The area is open and accessible for the public to use and is considered publicly maintained highway as it is Housing Land (see attached plan showing the Housing land shaded yellow). If the application is granted, the area will require a Section 247 Town and Country Planning Act (TCPA) 1990 stopping up order to be confirmed by Welsh Government prior to any construction being undertaken.

A Section 247 TCPA Order will authorise the removal (“stopping-up”) of any highway (in this case, the Housing Land), in order to enable development to be carried out in accordance with a valid and relevant planning permission. The Order can also provide for the provision of new/improved highways as long as these also form part of the planning permission. There is currently no costs for this Legal Order and estimated timescales are approximately 3 months; for further information visit

<https://www.gov.uk/government/publications/stopping-up-and-diversion-of-highways>

It should be noted that any application to process a Legal Order is subject to statutory public consultation and may be liable to objections. Also, please find attached a helpful guide of what is required if any adopted highway is affected and requirements for licenses.

(The PROW Officer’s comments have been shared with the applicant)

5.6 The Parks Officer states:

The application site is classed as open space in the latest open space survey, so reference is made to Policy C4 Protection of Open Space of the adopted Local Development Plan (LDP) and the supporting Technical Guidance Note (TGN) Protection and Provision of Open Space in New Developments (November 2017).

Policy C4 states that “*Development will not be permitted on areas of open space unless:*

- i. They 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.”*

The Technical Guidance Note (TGN) provides guidance on the factors in which development proposals affecting open space are assessed:

- i. Existing local provision of open space*
- ii. The functional or amenity value of the open space*



- iii. *The quality of the open space*
- iv. *Any significant nature or historic conservation importance of open space which may be lost*
- v. *Any compensatory provision for loss of open space*

The site is classed as informal open space and contributes to the Ely Ward's provision of recreational open space against the adopted standard of 2.43 hectares per 1000 population. The ward has a deficit of 21.45 hectares so the proposal would exacerbate the deficiency and therefore be contrary to Policy C4. However, in assessing local provision, there are alternative open spaces close by (Mill Road Park and Mill Road Sports Ground) which can provide the same opportunities as that which might be offered by the application site.

Those opportunities might be for informal play and recreation for young children but given the site's secluded location at the rear and side of properties on Cherrydale Road and the lack of a buffer, it is not considered to have significant value. Furthermore, the site is not of significant quality and while it is possible for this to be improved through better maintenance, it will not be a target for investment because of its location and lack of a buffer.

In terms of visual amenity, as mentioned the development is to the rear and side of properties on Cherrydale Road. The new homes will be single storey and set back within the site away from Nos 2-12 and to the side of Nos 14 and 16. The existing hedgerow on the western and northern boundaries will be retained so there will be little or no impact on properties on those sides.

No compensatory provision is detailed but as mentioned there are other open spaces nearby serving the needs of this area so in summary, from a Parks Services point of view, the development does not raise significant concerns. With regard to the remaining factor listed, whether the site has any significant nature or historic conservation importance, I am not able to comment.

### **Open Space Provision**

The Council's LDP requires provision of a satisfactory level and standard of open space or an off-site contribution towards existing open space on all new housing/student developments over 8 units. The development comprises 7 units and therefore this policy is not applicable.

## **6. EXTERNAL CONSULTEES**

- 6.1 South Wales Police have considered this application, and do not object to it, but would ask that the following recommendations are taken into consideration.

The crime figures for the immediate area have been examined on Police.uk and for the six months January 2021 – June 2021 and for the immediate area of Cherrydale Road are as follows:

Violence and Sexual offences 3

Other theft 1

Anti-social behaviour 3

Public Order 1

Burglary 1

Criminal Damage 1

Vehicle Crime 1

We would ask that the following comments and recommendations are taken into consideration:

Lighting: There does not appear to be a scheme of lighting for this development with this application.

Recommendation:

Install a scheme of lighting with an average 5 lux to comply with BS 5489-1:2013 as per 'Lighting against crime' 2011.

Reason: To prevent theft, and anti-social behaviour

Path adjacent to plot 1:

'Secured by design new homes 2019' states that paths should not run to the rear of and provide access to gardens, rear yards or dwellings as they have been proven to generate crime. This development has a path adjacent to plot 1 which runs alongside the plot and garden.

Recommendation:

Ensure the path is well lit.

Install a rear garden boundary that is 2.1m high to plot 1 adjacent to the path. The gate to the garden should be built flush to the front building line and be of the same height and capable of being locked.

Reason: To prevent burglary/ theft

Windows:

All ground floor and easily accessible windows should meet the SBD standard PAS24 2016 or equivalent.

Reason: To reduce the risk of burglary.

Doors

All external doors should meet SBD standard PAS24 2016 or equivalent.

Reason: to prevent burglary.

Policy Support

The Crime & Disorder Act 1998 created a statutory partnership between local authorities, the police and other key partners to work together in reducing crime

and disorder in all aspects of their work.

Section 17 of the Act states:

“It is the duty of the authority to exercise its various functions with due regard to the likely effect on crime and disorder in its area and the need to do all that it reasonably can to prevent crime and disorder.”

TAN 12 Design. Para 5.17.1 “Local authorities are required to have due regard to crime and disorder prevention in the exercise of their functions under Section 17 of the Crime and Disorder Act 1998. Consideration should be given to practical ways in which the design of development can reduce opportunities for crime, disorder and anti-social behaviour.”

- Planning Policy Wales
- 4.10.12 Local Authorities under Legal Obligation to consider the need to prevent and reduce crime and disorder.
- 8.2.1. – Transport – Provision of safe, convenient and well signed routes
- 9.1.1. –Housing – Objective to provide homes that are in good condition, in safe neighbourhoods and sustainable communities
- 9.1.2. Housing – Greater emphasis on quality, good design, and the creation of places to live that are safe and attractive

## 6.2 Welsh Water states:

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

### SEWERAGE

We can confirm capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development site.

### Surface Water Drainage

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with the Local Authority, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

### Advisory Notes

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a

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

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

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

## 7. **REPRESENTATIONS**

7.1 Local members and neighbours have been notified.

7.2 The application has also been advertised on site.

7.3 Councillor McEvoy of the adjoining Fairwater Ward states:

*I object to the proposed development on the grounds that it constitutes an over development. It will adversely impact the local environment, destroying trees and depriving wildlife of habitats. The local community will lose a leisure space. Parking pressures will also be exacerbated, with new traffic being generated.*

*I also object on the grounds of health and safety. Asbestos is beneath the surface and should not be disturbed, I note that development workers will have to wear PPE whilst working. Neighbours to the site will not be able to wear PPE 24 hours a day and that will constitute a danger.*

7.4 A petition signed by 54 residents' states:

*We the undersigned object to the loss of the greenfield at Cherrydale Road, Ely for house building. The proposal is an overdevelopment and will deprive the local community of a valued open leisure space. We object to the destruction of trees and the habitats of wildlife in an otherwise urban setting. We object to the parking and traffic difficulties the development will cause. Finally we object on the grounds of health and safety, with asbestos lurking under the surface of the land, which at present is safely covered. Disturbance will pose a danger to*

*neighbours to the land. We call on councillors to reject application 21/01785/MNR.*

7.5 Five Residents of Cherrydale Road have submitted letters of objection. Their objections are précised as follows:

- i) Loss of a children's play area/exercise area. Ball games are prohibited on street with signage, grass area is the only area that children are able to play on.*
- ii) The site is a little nature reserve too, with magpies, hedgehogs, bat's, squirrels and wildflowers. Loss of trees. Not following Green Infrastructure Plan.*
- iii) The area is already very built up with blocks of flats and very limited parking, there are traffic and parking problems now to enter and exit street especially during nursing home visiting times. Junction is not wide enough for increased traffic. Situation is dangerous.*
- iv) Access will be next to a junction on a corner where a CIW childcare business adversely affecting childcare business. Insufficient parking for development.*
- v) Total Disruption to the whole of the Estate and surrounding areas.*
- vi) Existing problems with HGV vehicles driving in and out unloading in this quiet residential area*
- vii) They want to rip the roads up to add on drainage, we have enough problems with water and backed up drainage due to a nursing home on the estate with residents of up to 187.*
- viii) Planning was turned down in 2011 for 4 flats due to environmental reasons.*
- ix) There is a high level of crime and dumping of rubbish on path way and behind homes and other homes of gated areas, on the new development plans it will be more gated areas and the path way will be extended longer and made higher (2.1 m boundary wall) this will cause more problems to the already existing ones we have here.*
- x) Publicity/community engagement inadequate, unable to discuss with officers and misled by the Council.*
- xi) Can a fire engine get into such a small area*
- xii) There is a need to maintain rear fence.*
- xiii) The rear path and gate proposed will restrict access in the event of a fire.*

- xiv) *Wheelie bins would be stored too close to dwelling and would smell.*
- xv) *Overdevelopment.*
- xvi) *Removal of asbestos will be a danger to residents*

## 8. **ANALYSIS**

### Policy

- 8.1 The site is identified as open space in the latest open space survey. In view of this Policy C4 of the adopted Local Development Plan (LDP) and approved Supplementary Planning Guidance (SPG) set out the Green Infrastructure SPG Technical Guidance Note (TGN) relating to Protection and Provision of Open Space in New Developments (November 2017) are relevant.
- 8.2 Policy C4 seeks to protect open space that has significant functional (including land that can accommodate formal/or informal recreational uses), 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.
- 8.3 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).
- 8.4 The survey classifies the site as informal recreational open space. Therefore, in order to accord fully with Policy C4 the application needs to be assessed against the following issues:
  - The level of existing provision of recreational open space assessed against the standard and the acceptability of compensatory facilities.
  - The quality of the open space
  - The functional and amenity value of the open space
  - The nature or historic conservation value of the open space.
- 8.5 The overall figures for recreational open space set out in the open space survey show that the Ely ward overall has a deficit of 21.56 hectares of recreational open space (based on the 2.43 ha per 1,000 population standard). Therefore, the loss of this open space (0.16 ha) will exacerbate a local and city-wide deficiency of recreational open space. In order to address this matter paragraph 4.61 of the TAN states that satisfactory compensatory provision will be required.

- 8.6 However, in this respect it is noted that the planning statement prepared by the applicant states that the site has no facilities such as paths, benches and play facilities and is not maintained for recreational purposes. In addition, it is noted that the site has been declared surplus to requirements and the applicant has demonstrated there is good alternative provision of recreational open space in the local area, within easy walking distance of the site.
- 8.7 In relation to the impact on visual amenity it is noted that the Landscape Strategy proposed by the applicant includes the retention, enhancement and management of the existing hedgerow on the western and northern boundary as well as new tree and shrub planting in front of the dwellings and along the eastern boundary. Given this there is considered no unacceptable impact on visual amenity. In terms of impact on leisure amenity, as noted above the applicant has demonstrated there is good alternative provision in the local area, which will continue to be available as an informal resource for local people for activities such as walking and dog exercise.
- 8.8 The site is within the settlement boundary as defined by the adopted Cardiff Local Development Plan (LDP). Policy KB3 (B) states that development will normally be permitted within the settlement boundary, subject to material planning considerations.
- 8.9 The site is not the subject of any formal LDP designations, and is considered a windfall site, within settlement boundaries.
- 8.10 Cardiff Council's Technical Guidance for the Protection and Provision of Open Space (November 2017) is also applicable and provides guidance as to how to consider Policy C4.
- 8.11 The applicant states that "this site has been 'appropriated for planning purposes to allow development of the land' by Cardiff Council since November 2015. This was advertised via site notice and 2 newspaper notices on 20 October 2015 and 27 October 2015. Whilst the site is not allocated for residential development in the LDP it is clear that, for a number of years, the Council's intention has been to utilise this site for housing, to assist with the need for affordable housing in the area."
- 8.12 Policy C4 of the LDP seeks to protect open spaces unless a number of criteria can be met. The applicant and landowner consider that the site is a surplus piece of informal grassland rather than public open space. Notwithstanding this, we have still considered Policy C4 of the LDP and consider that the proposal meets the criteria that is set out within C4. Whilst the site is covered in grass and is used for intermittent dog walking it is not maintained as open space and has limited functional or amenity value or quality. The site is often the subject of flytipping and anti-social behaviour.
- 8.13 The development of this site for bungalows will not cause or exacerbate a deficiency of open space in the local area. It doesn't accommodate formal sporting use or children's play equipment and is not maintained to allow a

functional use. The site may have some limited local amenity value as an informal unmaintained open area but it is considered that it falls short of being 'significant value' as the policy requires. There is no significant public access

- 8.14 Policy H3 states that the Council will seek 20% affordable housing on Brownfield sites and 30% affordable housing on Greenfield sites in all residential proposals that contain more than 5 dwellings.
- 8.15 This planning application proposes 100% affordable housing for rent in the form of accessible bungalows. It is therefore clear that scheme is in line with Policy H3.
- 8.16 The development of this site would represent efficient use of a vacant/underused parcel of land within the settlement boundary, clearly aligning with the policy aims of PPW (para 5.4.13) and KP5 of the LDP.
- 8.17 The development will effectively use the site and will deliver 7 affordable dwellings, assisting the Council in meeting the housing requirement figure, affordable housing need figure and the windfall allowance set out in the LDP. The development will provide an alternative form of development by providing accessible, affordable bungalows suitable for older people including those with mobility issues.
- 8.18 Given this the proposal does not raise any land use planning policy concerns.

#### Design

- 8.19 The dwellings meet with the privacy and amenity standards specified in the Residential Design Guide SPG.
- 8.20 The layout of the development provides a pleasant living environment for future residents.

#### Energy Efficiency

- 8.21 Solar Panels are proposed on the south and west facing roofs. The Design and Access Statement discusses environmental sustainability in detail including discussion on electric vehicle charging points. The location of the site in close proximity to facilities and services means that people living in the dwellings will be able to reach these facilities and services without the need to utilise a private vehicle. This benefits the environment as less carbon emissions will be generated.
- 8.22 All phase 1 Cardiff Living sites achieved 17% above Part L of Building regulations 2015 by ensuring that the airtightness, ventilation, thermal bridging, lighting and insulation qualities of the walls, floor, roof, windows & external doors exceeded the minimum standards.



Response to objections and petition.

(i) Loss of amenity space

8.23 Policy KP 16 Green Infrastructure of the LDP states:

Cardiff's distinctive natural heritage provides a network of green infrastructure which will be protected, enhanced and managed to ensure the integrity and connectivity of this multi-functional green resource is maintained.

Protection and conservation of natural heritage network needs to be reconciled with the benefits of development. Proposed development should therefore demonstrate how green infrastructure has been considered and integrated into the proposals. If development results in overall loss of green infrastructure, appropriate compensation will be required.

Natural heritage assets are key to Cardiff's character, value, distinctiveness and sense of place. They include the City's:

- i. Undeveloped countryside and coastline (EN1 and EN2);
- ii. Landscape, geological and heritage features which contribute to the City's setting (EN3);
- iii. Strategically important river valleys of the Ely, Taff, Nant Fawr and Rhymney (EN4);
- iv. Biodiversity interests including designated sites and the connectivity of priority habitats and species (EN5, EN6 and EN7);
- v. Trees (including street trees), woodlands and hedgerows (EN8);
- vi. Strategic recreational routes, cycleways and the public rights of way network (T5, T6 and T8);
- vii. Parks, playing fields, green play areas and open spaces (C4 and C5); and
- viii. Growing spaces including allotments, community orchards and larger gardens; and
- ix. Holistic integrated surface water management systems (EN10).

8.24 The loss of amenity space is addressed earlier in this section of this report. The Tree Officer has raised no objections. The Parks Officer has no objections. It is not considered that the development of this small parcel of land would prejudice the above mentioned natural heritage assets.

(ii) Ecology/Tree loss

8.25 An Ecological Impact Assessment has been undertaken by Wardell Armstrong, which included an Extended (Phase 1) Habitat Survey of the site along with a Preliminary Ground Level Roost Assessment (PGLRA). Additionally, a desk study was undertaken by reviewing existing information available within a 2km search radius from the site boundary.

8.26 Wardell Armstrong states that the site is not covered or located adjacent to any statutory or nonstatutory sites of importance for nature conservation. The nearest is the River Ely SINC which is around 0.2km to the north east. This is

a local designation and is considered to be of County value for nature conservation.

8.27 The majority of the site is covered by improved grassland which is mown infrequently. A species poor intact hedgerow (PH1) (2.5m high and 1m wide) is located along the northern boundary which is managed yearly. A defunct species poor hedgerow (PH-1) (5m wide and high) is located on the western boundary, on a bund. The Reptile Report confirms that, following seven survey visits, that the four common reptile species are absent from the site

- The habitats on site are considered to be of low suitability for overall use by bats.
- The hedgerows and improved grassland are suitable for use by badger but no signs of badger were recorded.
- The habitats on site, notably the edges of the site including improved grassland and hedgerows are potentially suitable for common reptiles. A population survey is ongoing.
- The habitats on site have the potential to support great crested newts. However, it is highly unlikely that they would be present at the site due to the surrounding road network, significant breaks in the surrounding habitats and the fact that the identified waterbody within 500m is a river. The same can be said for other amphibians such as common frog, common toad and palmate newts.
- The hedgerows are suitable for nesting birds. However, the site is unlikely to support schedule 1 species.
- All habitats could support moths which are those principally listed. The habitats on-site provide low suitability for a range of more specialist invertebrate species as the habitats are of poor quality and common in the landscape.

8.28 The preliminary ground level roost assessment did not identify any large diameter hedgerow stems or tree that have potential to support roosting bats.

8.29 The Tree Officer has no objection subject to conditions. Whilst 2 young trees towards the middle of the site will be removed 6 new trees will be planted. The western and northern hedgerows will be retained.

(iii, iv, vi and xi) Highway Safety

8.30 The Transport Officer has no in principle objections to the access arrangements subject to conditions.

8.31 In respect of 7.5 ton delivery vehicles identified by the Transport Officer the agent states:

We do not consider it necessary to demonstrate that it is possible for a 7.5T delivery vehicle to access a private drive. To allow a 7.5T to turn within this area would require a hammerhead and this is not appropriate in placemaking terms for a small private drive such as the one proposed. In practice the vehicle would not enter the private drive and the driver would walk to the property. Delivery

drivers often benefit from a trolley to assist them with delivering goods where the vehicle is restricted from entering a private drive

- 8.32 And in respect of the visitor bay identified by the Transport Officer the agent states:

The blue area is a landscaped area which also has a SUDS function. The vehicle's body does overhang the landscaped area slightly when manoeuvring.

- 8.33 The agent has confirmed that the access is wide enough to accommodate a fire engine. Alternatively, the fire engine could remain at the site entrance as the furthest property is within the 60M permitted distance allowed by the Building Regulations where fire suppression is installed within the dwellings.

- 8.34 Each of the 7 bungalows will have a car parking space and there will be a visitor's car parking space. It is not considered that the vehicles that would be associated with this development would have a significant impact on car parking or vehicle movements in the locality. The Council's car parking standards do not require minimum car parking provision for a development of this nature.

- 8.35 Vehicular movements associated with the bungalows along the private drive will be relatively low.

(v) Disturbance/Disruption

- 8.36 Any disturbance during the construction period will be for a temporary period only. Proposed condition 10 will help mitigate the impact of the development on nearby residents.

(vii) Drainage

- 8.37 Welsh Water has no objections on drainage grounds. A separate SAB approval is required.

(viii) Planning History

- 8.38 There has been a previous refusal on part of this site 30 years ago but that was before this site had been 'appropriated for planning purposes to allow development of the land' by Cardiff Council since November 2015.

(ix) Crime and Disorder

- 8.39 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. The Police have no objections to this development.

Proposed condition 16 addresses the Police comments on lighting. The layout plan shows plot 1 to have a 2.1m high wall along its side/rear boundary with the existing path as required by the Police. There is an existing street light on the path next to plot 1

(x) Publicity

8.40 Given the size of the development (less than 10 dwellings) there was no requirement to undertake a statutory pre application consultation in accordance with the Regulations. However, in the interest of good planning the applicant has undertaken consultation with the local community by:

- Writing to neighbours to inform them of the proposal;
- Publishing key plans and images online at <https://cardiffliving.wales/>. A period of 4 weeks was provided for comments. The information is still online.
- Door knocking of properties in the local area to get feedback.

8.41 The application has also been publicised separately by the Planning Department through the display of a site notices, 27 neighbour notification letters and publicising application details on line. The response to the publicity undertaken is an indication of the success of that process in this case.

(xii and xiii) Fence

8.42 Maintenance of a neighbour's fence is a matter arranged between both parties as it can be in their respective interests. The Access to Neighbouring Land Act 1992 allows for access onto a neighbour's land to repair/maintain your property.

8.43 The rear path behind 5 of the dwellings in Cherrydale Road (4-12 evens) will be some 35 m long, 1.2m wide and secured by a gate, which will provide additional safety for residents. Proposed condition 9 requires details of the lock on the gate.

(xiv) Bin Store

8.44 A bin collection area is proposed in front of proposed unit 7 and some 17m from the nearest existing house. The Waste Officer has no objection to this arrangement, which is not unusual.

(xv) Overdevelopment

8.45 The site is 0.21 ha in size and 7 small bungalows are proposed at a density of 35 Units per Ha. The proposal is not a high density development. There is sufficient space for gardens, drying areas, parking, road, SUDs features and retained and additional planting. The development complies with the SPG Residential Design Guide.

8.46 The proximity of other areas of open space is identified in paragraph 2.11 of this Report and would serve the development and the surrounding area.

(xvi) Asbestos

- 8.47 The Geotechnical and Geoenvironmental Report says in respect of asbestos that:

The risk is low due to a low occurrence of ACMs. No loose fibres were detected.

During site works any activity on or within these soils the risks should be managed by dust suppression. Site workers may also require protection from appropriate PPE.

With regards to future site users, soils containing ACMs may not be present in garden or soft landscaped areas.

The affected made ground will almost certainly be stripped at the locations of proposed housing and the new access road/parking areas. If any made ground remains in these areas, it will effectively be capped and present no risk to future site residents. However, it is recommended that this made ground is entirely removed along any service runs and be replaced with suitable clean materials.

- 8.48 The Pollution Control Officer has no objections subject to several conditions (all of which are included in the recommendation).

Equalities Act

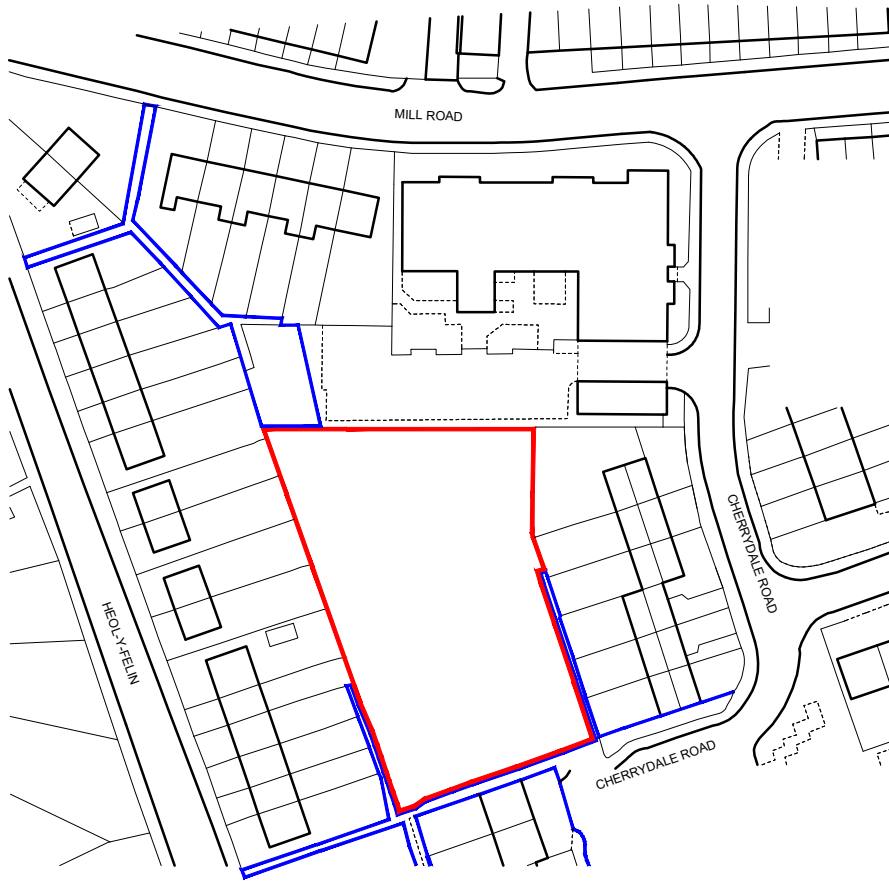
- 8.49 The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council's duty under the above Act has been given due consideration 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. The Housing Department has assessed the type of affordable accommodation required on this particular site and its accessibility for disabled persons.

Wellbeing

- 8.50 Section 3 of the Well-Being of Future Generations Act 2016 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision. The proposed affordable accommodation will help promote wellbeing by the provision of good quality homes for future occupants in need of such accommodation. The site is in a sustainable location and efficient use of land. Other matters concerning the wellbeing of existing residents have been addressed earlier in this Section.

9. **CONCLUSION**

- 9.1 The proposal is considered to be a good quality scheme that accords with local and national policies and Supplementary Planning Guidance, to provide much-needed affordable homes in a sustainable location. The development will assist in promoting sustainable residential development to enable people to live independently and safely in their own homes.
- 9.2 The retention of peripheral landscaping contributes towards providing a good-quality scheme.
- 9.3 The design of the development has been carefully considered and any adverse impacts can be mitigated by conditions. It is considered that the petitioners' objections and those of other objectors are addressed in Section 8 of this report.
- 9.4 There are no objections from technical consultees to the safe development of this site subject to conditions.



KEY:



Site Boundary



Other land in the ownership of the applicant

Drawn: WWM

Client: Wates Residential

Checked: -

Project: Cherrydale Road, Ely

Date: July'21

Title: Site Location Plan

Scale: 1:1250@ A4

Ref: 2299(03)100

Rev: -



Unit 3 Chapel Barns | Merthyr Mawr  
Bridgend | CF32 0LS | 01656 656267  
mail@spring-consultancy.co.uk



**Site key**

- 1.8 m high close boarded timber fence and matching pedestrian gate
- 2.1m high colour coated chain link fence with galvanised steel posts.
- 2.1m high brick boundary wall
- 2.1m high boundary wall comprising of 600mm high dwarf brick wall with 1500mm high metal railings on top. Matching metal railing pedestrian gate where indicated.
- 450mm high timber kneel rail to demarcate private front garden area to public landscape area
- Extent of Site boundary
- Areas of concrete paving slabs to footpaths and patios
- Areas of Tobermore Tegula 'Bracken' block paving to shared drives
- Proposed SuDs features (Rain garden/ Bio Retention) with plantings by landscape architects design.
- Areas available for soft landscaping. See Landscape consultant's plan for planting proposal details
- Denotes robust treated timber framed shed
- Clothes drying rotary lines
- Signage for private car parking space

**Schedule of Accommodation**

Bungalow 'B1'	3P2B	2No.
Bungalow 'B2'	2P1B	5 No.
<b>Total</b>		<b>7 No.</b>

Area of adoptable pedestrian crossover at site entrance, in Tarmac. Colour to match adjacent existing adopted footpath. Details to be referred to Engineers drawings.

Indicative position of lighting columns - type and final location to be advised by specialist

Existing Lamp Post

**Tree Key**

- Existing Trees to be retained
- Existing Trees to be trimmed / removed.

Please refer to Tree Survey and report by Steve Ambler & Sons Tree Specialists Ltd. and their dwg: 19-037.

**Status: PLANNING**

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rev	date	description	by
A	12.07.21	Site entrance notes added	WWM
B	23.08.21	Site entrance revised and indicated 45m distance	WWM
C	14.09.21	Pedestrian crossover at the site entrance indicated + site entrance area revised + indicative street lights proposed + existing L.P marked	WWM

Drawn:	WWM	Client:	Wates Residential
Checked:	-	Project:	Cherrydale Road, Ely
Date:	08/07/2021	Title:	Proposed Site Layout
Scale:	1:500 @ A3	Ref:	2299(03)101

Rev: C



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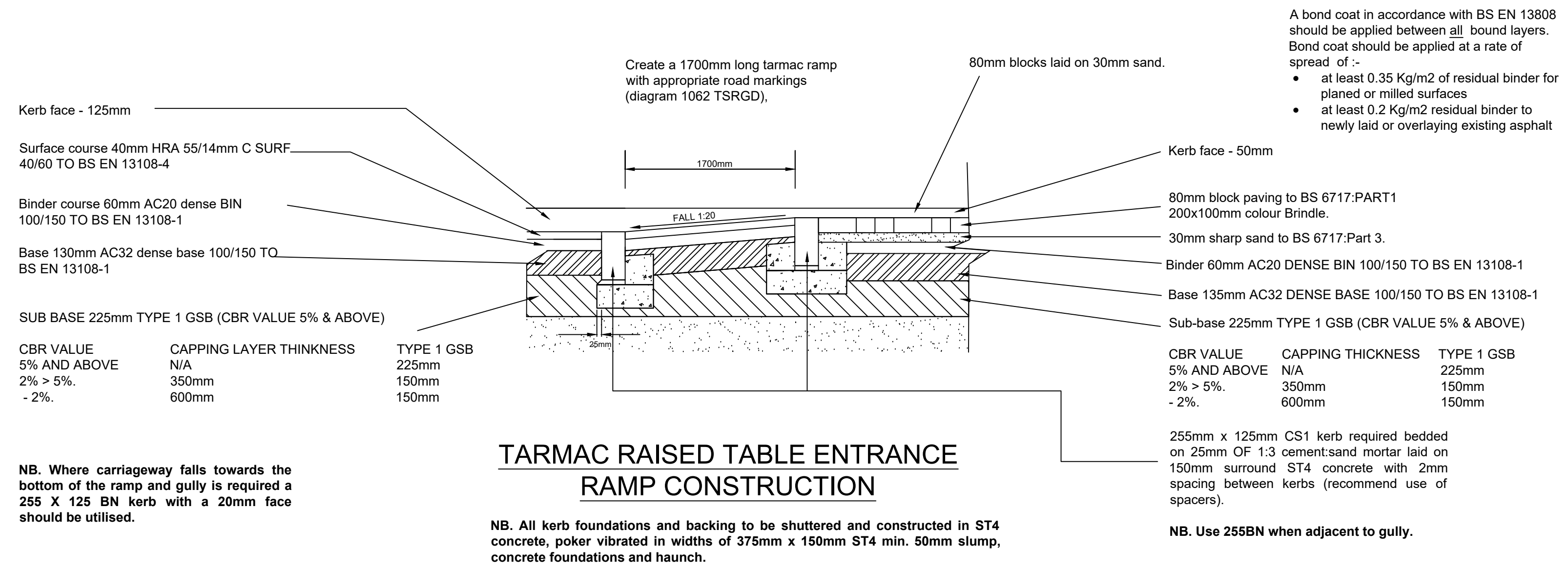
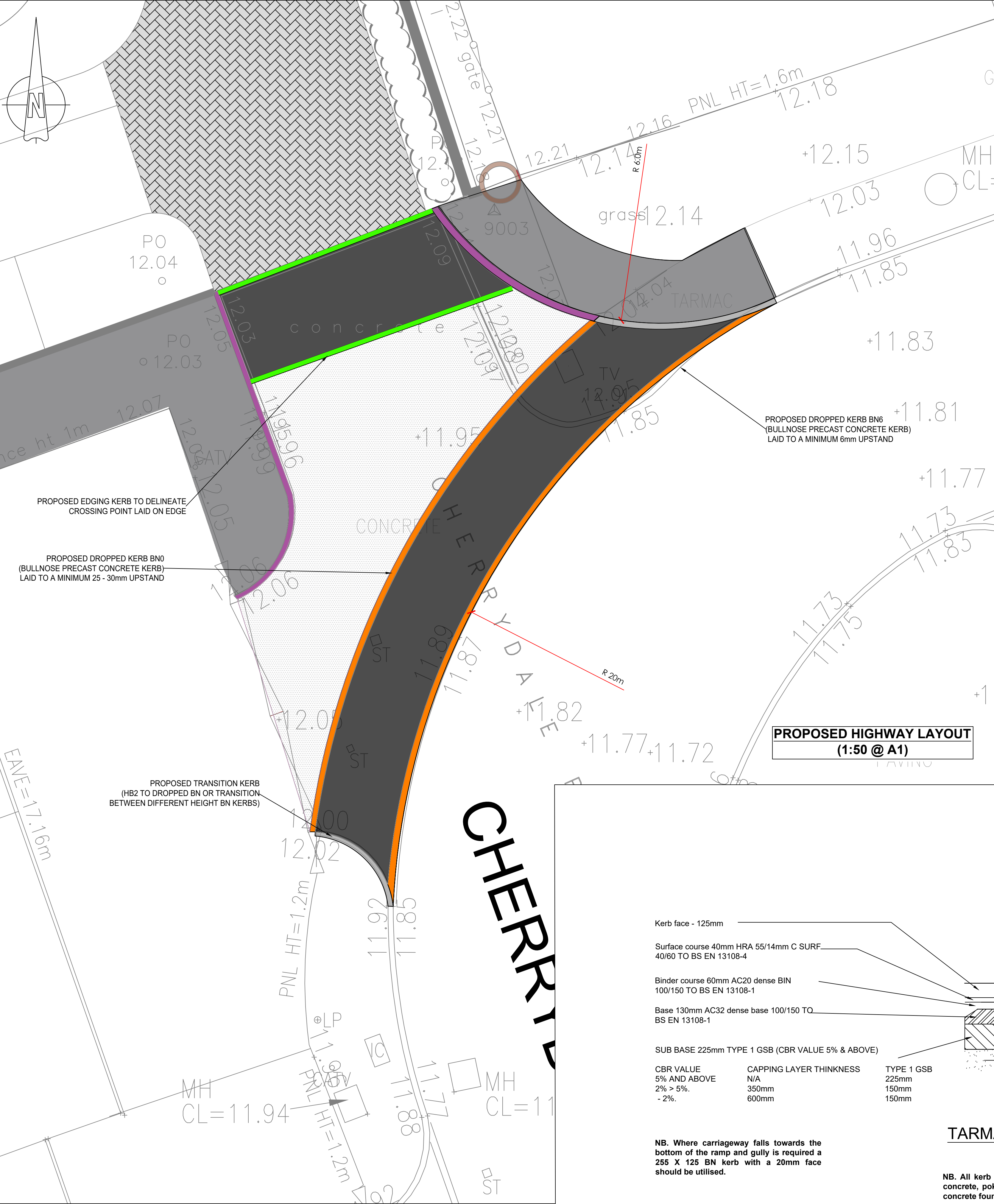
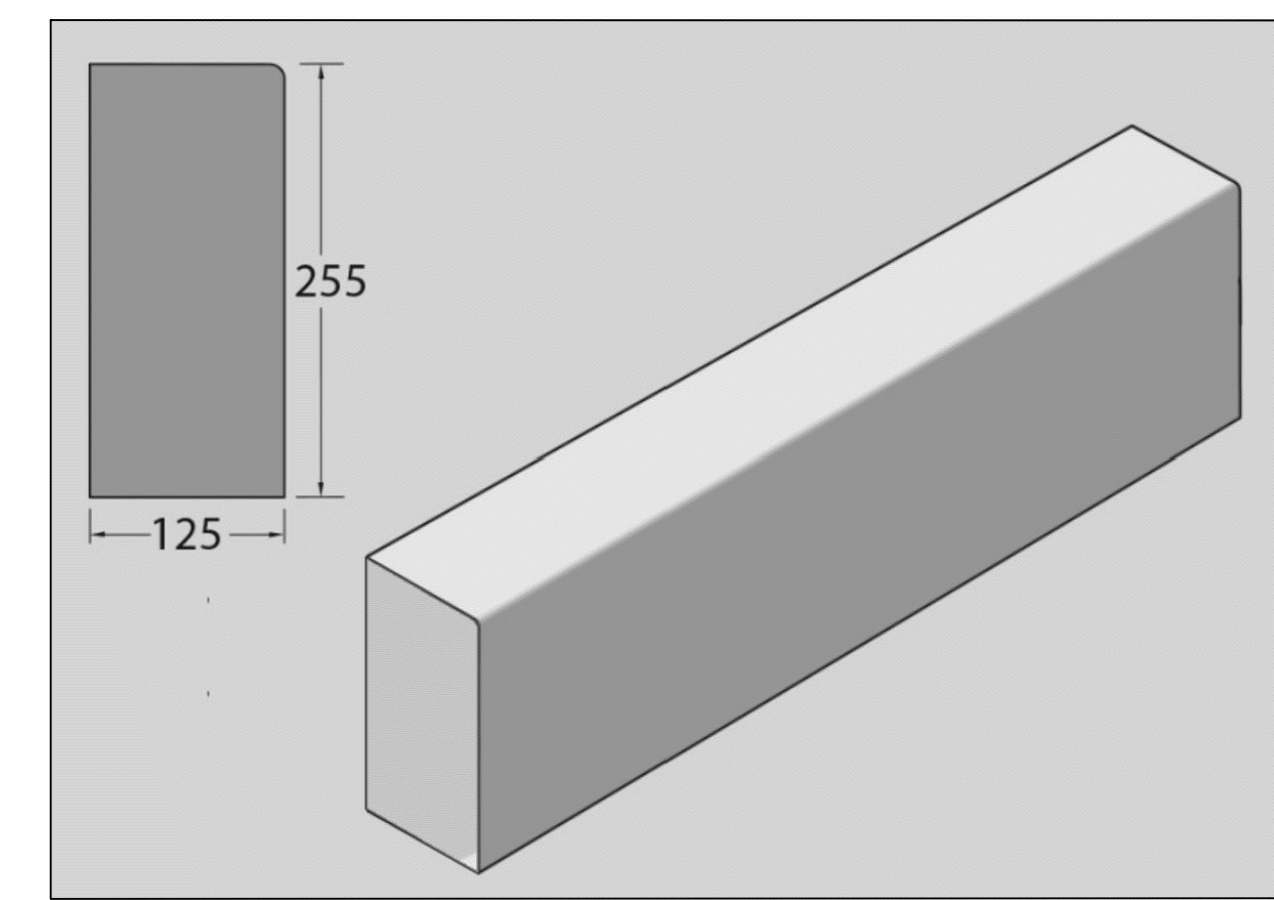
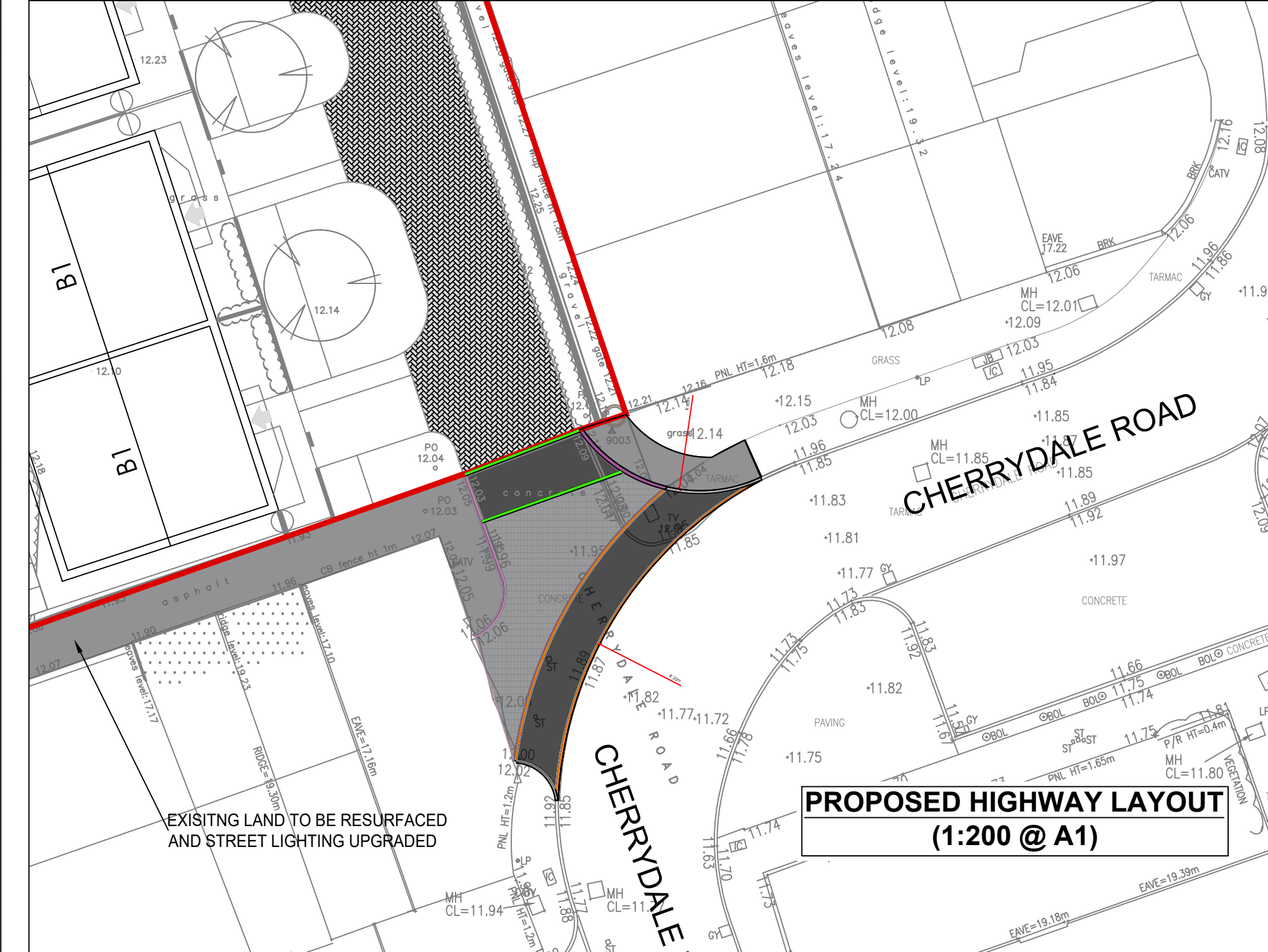
**NOTES**

**SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION**

ALL WORK TO BE CARRIED OUT IN ACCORDANCE WITH CURRENT CDMA REGULATIONS 2015 AND HSE150. IN ADDITION TO THE HAZARDS/RISKS NORMALLY ASSOCIATED WITH THE TYPES OF WORK DETAILED ON THIS DRAWING, PLEASE NOTE THE FOLLOWING:

- KEY**
- PROPOSED S278 WORKS TO ADOPTABLE CARRIAGEWAY CONSTRUCTION
  - PROPOSED S278 WORKS TO ADOPTABLE CARRIAGEWAY RESURFACING COLOUR TO BE CONFIRMED
  - PROPOSED S278 WORKS TO ADOPTABLE FOOTPATH - ASPHALT SURFACE COURSE & CONSTRUCTION
  - PROPOSED HB2 TRANSITION KERB (125mm to 25mm UPSTAND)
  - PROPOSED BULLNOSE (125 X 255) PRECAST CONCRETE KERB LAID WITH M25 TO 30mm UPSTAND
  - PROPOSED DROPPED KERB BN0 (BULLNOSE PRECAST CONCRETE KERB) LAID TO A MINIMUM 6mm UPSTAND
  - PROPOSED CS1 KERB ON EDGE TO DELINEATE CROSSING POINT
  - SITE BOUNDARY - LAND REGISTRY INFORMATION TBC
  - PRIVATE BLOCK PAVING

- NOTES**
1. ALL DIMENSIONS ARE IN MILLIMETRES. ALL LEVELS ARE IN METRES.
  2. DO NOTE SCALE FROM THIS DRAWING. USE FIGURED DIMENSIONS ONLY.
  3. THIS DRAWING TO BE READ IN CONJUNCTION WITH THE LATEST ENGINEERS, ARCHITECT'S DRAWINGS & SPECIFICATIONS.
  4. REFER TO ARCHITECTS FINISHES DRAWINGS FOR PAVING TYPES.
  5. ALL PIPES BENEATH VEHICULAR CIRCULATION AREAS, WHERE COVER TO PIPE IS LESS THAN 1200mm RECEIVE A FULL CONCRETE SURROUND (TYPE Z).
  6. ALL INDICATED ROAD MARKINGS ARE TO BE IN ACCORDANCE WITH THE TRAFFIC SIGNS REGULATIONS & GENERAL DIRECTIONS (TSRGD).
  7. FOR DETAILS OF TACTILE PAVIOURS PLEASE SEE DRAWING CDGA-9459-103.
  8. FULL EXTENT OF EXISTING HIGHWAYS RESURFACING TO BE AGREED WITH CARDIFF COUNCIL HIGHWAYS DEPARTMENT AS PART OF FULL SECTION 278 SUBMISSION.
  9. FULL EXTENTS OF TRO (ROAD MARKINGS) TO BE AGREED WITH CARDIFF COUNCIL HIGHWAYS DEPARTMENT.



NB. Where carriageway falls towards the bottom of the ramp and gully is required a 255 X 125 BN kerb with a 20mm face should be utilised.

NB. All kerb foundations and backing to be shuttered and constructed in ST4 concrete, poker vibrated in widths of 375mm x 150mm ST4 min. 50mm slump, concrete foundations and haunch.

A bond coat in accordance with BS EN 13808 should be applied between all bound layers. Bond coat should be applied at a rate of spread of :-

- at least 0.35 Kg/m<sup>2</sup> of residual binder for planned or milled surfaces
- at least 0.2 Kg/m<sup>2</sup> residual binder to newly laid or overlaying existing asphalt

REV	DESCRIPTION	BY	CHK	DATE
P5	RAMP & KERB REVISION	GJ	RM	17.09.21
P4	REVISED SURFACING	GJ	RM	01.09.21
P3	NOTES UPDATED	GJ	RM	15.07.21
P2	RAISED PLATEAU AREA EXTENDED	GJ	RM	18.05.21
P1	EXISTING FOOTPATH ADDED	GJ	RM	MAY'21

**GRAYS CONSULTING ENGINEERS**

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Wharfedale Road,  
Penywn Cardiff CF23 7HA  
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CLIENT  
**WATES CARDIFF LIVING**

PROJECT TITLE  
**CHERRYDALE ROAD**

DRAWING TITLE  
**PROPOSED SECTION 278 PLAN**

DRAWN	CHECKED	APPROVED	DATE	SHEET SIZE/SCALE	GRAYS JOB No.
BCC	RM	RM	30.04.21	1:100@A1	9459

SUITABILITY	REVISION
S1	P5

DRAWING NUMBER  
**9459-GRY-01-00-DR-C-SK11**

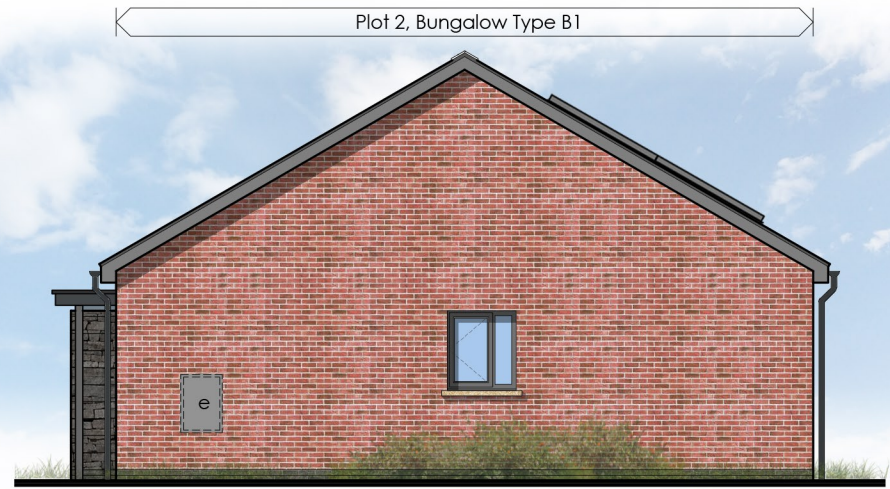




GROUND FLOOR PLAN  
(G.I.A = 65.00 m<sup>2</sup>)

**Materials Schedule**

- Roof : slate grey "Marley Duo or Russell Highland" concrete tile or equivalent
- Wall: red clay multi-facing brick, with blue engineering brick at dpc level, and "Marley Cedral Click" cladding (see block elevation for colours)
- Windows: grey UPVC window, with reconstituted stone sill
- Porch wall: cast stone facing masonry



SIDE ELEVATION



SIDE ELEVATION



FRONT ELEVATION



REAR ELEVATION

Status: **PLANNING**

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rev date description

by

Drawn: WWM Client: Wates Residential  
 Checked: - Project: Cherrydale Road, Ely  
 Date: July'21 Title: Bungalow B1 Semi - Plot 01,02  
 Scale: 1:100 @ A3 Ref: 2299(03)200

Rev:



Unit 2 Chapel Barns | Merthyr Mawr  
 Bridgend | CF32 0LS | 01656 656267  
 mail@spring-consultancy.co.uk





GROUND FLOOR PLAN  
(G.I.A = 53.00 m<sup>2</sup>)



FRONT ELEVATION

SIDE ELEVATION

**Materials Schedule**

- Roof : slate grey "Marley Duo or Russell Highland" concrete tile or equivalent
- Wall: red clay multi-facing brick ,with blue engineering brick at dpc level, and "Marley Cedral Click" cladding (see block elevation for colours)
- Windows: grey UPVC window, with reconstituted stone sill
- Porch wall: cast stone facing masonry



REAR ELEVATION

SIDE ELEVATION

Status: **PLANNING**

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rev	date	description

by

Drawn:	WMM	Client:	Wates Residential
Checked:	-	Project:	Cherrydale Road, Ely
Date:	July'21	Title:	Bungalow B1 Detached - Plot 03
Scale:	1:100 @ A3	Ref:	2299(03)201

Rev:



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Bridgend | CF32 0LS | 01656 656267  
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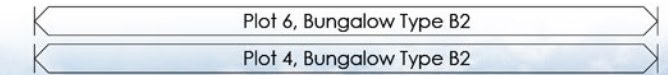
GROUND FLOOR PLAN  
(G.I.A = 53.00 m<sup>2</sup>)

**Materials Schedule**

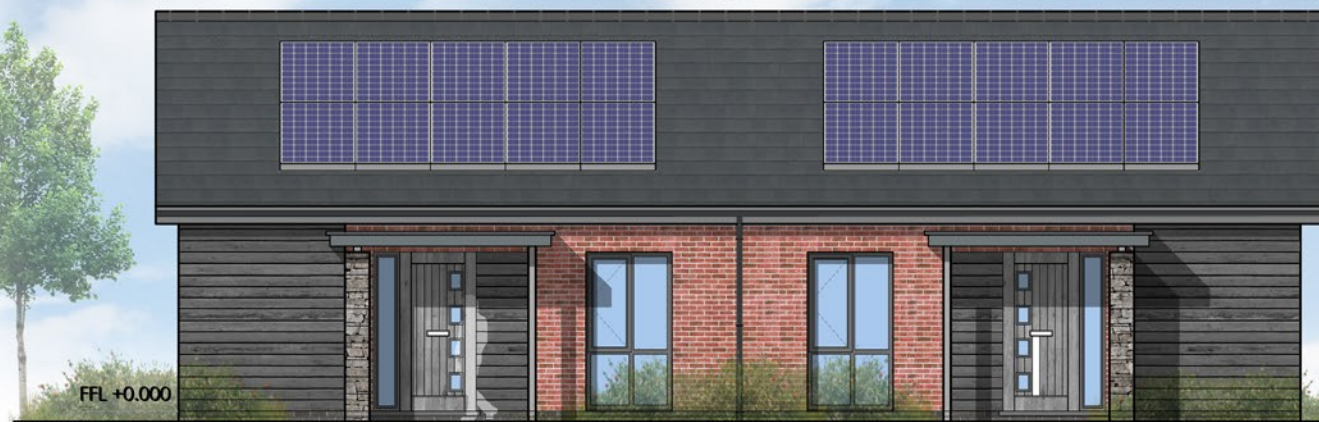
- Roof : slate grey "Marley Duo or Russell Highland" concrete tile or equivalent
- Wall: red clay multi-facing brick ,with blue engineering brick at dpc level, and "Marley Cedral Click" cladding (see block elevation for colours)
- Windows: grey UPVC window, with reconstituted stone sill
- Porch wall: cast stone facing masonry



SIDE ELEVATION



SIDE ELEVATION



FRONT ELEVATION



REAR ELEVATION

**Status: PLANNING**

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rev	date	description
A	12.07.21	Plot name tags added on Elevations

by WWM	Drawn: WWM	Client: Wates Residential
	Checked: -	Project: Cherrydale Road, Ely
	Date: July'21	Title: Bungalow B2 Semi - Plot 04,05 and 06,07
	Scale: 1:100 @ A3	Ref: 2299(03)202
		Rev: A



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mail@spring-consultancy.co.uk



**PETITION & LOCAL MEMBER OBJECTION**

COMMITTEE DATE: 03/11/2021

APPLICATION No. **21/01813/MJR** APPLICATION DATE: 28/07/2021ED: **GRANGETOWN**

APP: TYPE: Variation of conditions

APPLICANT: TEG Venues UK Limited

LOCATION: TRAMSHED, PENDYRIS STREET, GRANGETOWN, CARDIFF,  
CF11 6QPPROPOSAL: VARIATION OF CONDITION 1 OF 19/03210/MJR TO EXTEND  
HOURS OF OPERATION FOR A FURTHER 12 MONTH PERIOD

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

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

Reason: To enable the Local Planning Authority to assess the effects of the variation at the end of the temporary period, in accordance with para. 5.27 of the Welsh Government Circular 016/2014 'The Use of Planning Conditions for Development Management'.

2. No site works shall be undertaken until the implementation of an appropriate programme of building recording and analysis has been agreed with the local planning authority and undertaken by a specialist acceptable to the local planning authority and in accordance with an agreed written specification; Thereafter two copies of the building record shall be submitted to and approved in writing by the local planning authority prior to the commencement of works.

Reason: To adequately record the buildings which are of architectural and cultural significance at a point in time before their further modification in the interests of preserving the historic and cultural environment by record.

**Discharge App No: 18/01867/MJR**

**Decision Date: 04/08/2015**

3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and/or town and country planning General Permitted Development Order 1995 the buildings and land shall only be used for the purposes specified in the application [community store (A1); café/bar (A3); business incubator units (B1); multi-purpose studios (D1/D2); residential live-work units (C3/B1(a); gallery (D1); and performance hall (D2) potentially used also for conferences and exhibitions of a maximum of 1000 person capacity] ; and for no other purpose (including any other purpose in any

provision equivalent to those Classes in any statutory instrument amending, revoking or reenacting those Orders or as might otherwise be a permitted change of use in or between relevant classes).

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

**Discharge App No: 15/02022/MJR**

**Decision Date: 22/10/2015**

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

A1 328m<sup>2</sup>

A3 433m<sup>2</sup>

B1 324m<sup>2</sup>

D1 172m<sup>2</sup>

D2 996m<sup>2</sup>

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

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

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

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

**Discharge App No: 15/02142/MJR**

**Decision Date: 30/12/2015**

6. Prior to their implementation, full details of the means of proposed boundary enclosure, including all gates, fences, walls, new doors, and windows, louvres, roller shutters and additional external; access stairs and platforms, and access controls shall be submitted to and approved by the local planning authority in writing, and thereafter shall be implemented in full accordance with the approved details prior to the beneficial use of the premises for the purposes hereby approved..

Reason: To ensure that new features are appropriate to the character of the

building as a listed building, in the interests of visual amenity, and to provide for acceptable levels of safety and security.

**Discharge App No: 16/01415/MJR**  
**Decision Date: 21/06/2016**

7. The repairs and infilling of external brickwork ; new roof covering and any new drainage goods shall accord with a specification of materials, finishes and samples which shall first have been a submitted to and approved by the Local Planning Authority in writing.
- R eason: To ensure that the finished appearance of the development is in keeping with the Listed Building.

**Discharge App No: 15/02028/MJR**  
**Decision Date: 22/10/2015**

8. No member of the public shall be admitted to or allowed to remain in the Café/ bar/Gallery, outside of the hours of 07.00 to 23.00 Monday to Saturday and 07.00 - 22.30 on Sundays.  
Reason: To ensure that the use of the premises does not prejudice the amenities of local residents.
9. **No member of the public shall be admitted to or be allowed to remain in the principal performance venue or ancillary food and drink areas hereby approved outside of the hours of 08.00 - 23.00 Mon – Thurs; 08.00 - 00.30 Fri and Sat, and 10.00 - 22.30 on Sundays, apart from the exception of 31 no. late night events which shall operate between the hours of 08.00 - 03.00 (only occurring a maximum of two days per week and during Fridays, Saturdays, Fresher’s Week, Halloween and New Years’ Eve). The 31no. late night events referred to above shall be undertaken in strict accordance with the Queue Management Plan, discharged under Condition 42.**  
**Reason: To ensure that the use of the premises does not prejudice the amenities of local residents.**
10. Prior to the beneficial use of the premises for the purposes hereby approved, the development shall be provided with a system of CCTV capable of evidential quality recording in accordance with a scheme of detail which shall first have been submitted to and approved by the Local Planning Authority in writing. No part of the building shall be put to beneficial use until such time as the CCTV system is operational.  
Reason: To discourage criminal or anti-social behaviour and to assist in any prosecutions as may be brought against persons involved in such activities.

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

11. The retail facility hereby approved shall not be open to the public after 23.00 Monday to Saturday or after 22.30 on Sundays.

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

12. The storage areas for refuse and recycling shall be provided prior to the beneficial use of the buildings for the purposes hereby approved and shall thereafter be retained and maintained for such purposes only.

Reason: To ensure that there are adequate facilities for the storage of commercial and domestic wastes clear of the highway.

13. Notwithstanding the submitted details, the 't' in circle logotype proposed to the western elevations of the principal building and ancillary building facing Clare Road shall not be implemented as a painted finish on the existing brickwork but shall be in the form of a separate panel advertisement attached to the façade of the buildings in accordance with a scheme of detail which shall first have been submitted to and approved by the local planning authority in writing.

Reason: In the interests of the protection of the brickwork and to allow for future change with minimal damage to the building fabric.

**Discharge App No: 16/02004/MJR**

**Decision Date: 07/09/2016**

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

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

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

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

Reason: To ensure that the safety of future occupiers and users.



**Discharge App No: 15/01382/MJR**

**Decision Date: 09/11/2015**

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

The report of the findings shall include:

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

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document ' Land Contamination: A guide for Developers' (2012), unless the Local Planning Authority agrees to any variation.

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

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

**Discharge App No: 15/01382/MJR**

**Decision Date: 09/11/2015**

16. Prior to the commencement of the development a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document 'Land Contamination: A guide for Developers' (July 2006), unless the Local Planning Authority agrees to any variation.
- Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

**Discharge App No: 15/01382/MJR**

**Decision Date: 09/11/2015**

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

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

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document 'Land Contamination: A guide for Developers' (July 2006), unless the Local Planning Authority agrees to any variation.

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

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

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

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

19. Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes. Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason: To ensure that the safety of future occupiers and users are not prejudiced.

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

## Guidance Notes.

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

Reason: To ensure that the safety of future occupiers and users are not prejudiced.

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

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy.

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

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

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

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

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

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

Reason: In the interests of visual amenity.

**Discharge App No: 21/00809/MJR**  
**Decision Date: 14/04/2021**

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

consequence of the scheme. The agreed scheme to be implemented to the satisfaction of the Local Planning Authority prior to beneficial use/occupation of the site.

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

**Discharge App No: 15/01887/MJR**

**Decision Date: 08/09/2015**

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

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

**Discharge App No: 15/02244/MJR**

**Decision Date: 20/10/2015**

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

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

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

field].

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

**Discharge App No: 15/02142/MJR**

**Decision Date: 30/12/2015**

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

**Discharge App No: 15/02142/MJR**

**Decision Date: 30/12/2015**

29. Prior to commencement of works to provide the residential live/work units, a detailed noise assessment and a robust scheme shall be submitted to and approved in writing by the Local Planning Authority to provide that all habitable rooms exposed to external railway noise in excess of 66 dBA Leq 16 hour (free field) during the day (07.00 to 23.00 hours) or 59 dBA Leq 8 hour (free field) at night (23.00 to 07.00 hours) shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 40 dBA Leq 16 hour during the day and 35 dBA Leq 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be provided with acoustically treated active ventilation units. Each ventilation unit (with air filter in position), by itself or with an integral air supply duct and cowl (or grille), shall be capable of giving variable ventilation rates ranging from:
- 1) an upper rate of not less than 37 litres per second against a back pressure of 10 newtons per square metre and not less than 31 litres per second against a back pressure of 30 newtons per square metre, to
  - 2) a lower rate of between 10 and 17 litres per second against zero back pressure.

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

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

**Discharge App No: 15/02142/MJR**

**Decision Date: 30/12/2015**

30. Prior to commencement of works to provide the residential live/work units, a detailed vibration assessment and scheme shall be submitted to and

approved in writing by the Local Planning Authority to provide that the dwellings are designed and constructed so as to ensure that vibration dose values do not exceed 0.4m/s<sup>1.75</sup> between 07.00 and 23.00 hours, and 0.26m/s<sup>1.75</sup> between 23.00 and 07.00 hours, as calculated in accordance with BS 6472:1992, entitled "Guide to Evaluation of Human Exposure to Vibration in Buildings", [1Hz to 80Hz]. The dwellings shall be constructed in accordance with the approved scheme.

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

**Discharge App No: 15/02142/MJR**

**Decision Date: 30/12/2015**

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

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

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

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

**Discharge App No: 15/02142/MJR**

**Decision Date: 30/12/2015**

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

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

**Discharge App No: 15/02142/MJR**

**Decision Date: 30/12/2015**

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

Reason: To ensure that the amenities of occupiers of other premises in the

vicinity are protected.

35. The extraction of all fumes from the food preparation areas shall be mechanically extracted to a point to be agreed in writing by the Local Planning Authority, and the extraction system shall be provided with a deodorising 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.

**Discharge App No: 21/00809/MJR**  
**Decision Date: 14/04/2021**

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

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

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

37. No part of the development hereby permitted shall be operated until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals and targets together with a timetable to limit or reduce the number of single occupancy car journeys to/from the site, and to promote travel by sustainable modes that are acceptable to the Local Planning Authority. The Travel Plan shall include the name and contact details of the person who will operate and coordinate the implementation of the plan on behalf of the Owner, and the plan shall be implemented in accordance with the timetable set out therein. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually to the Chief Transportation Officer.

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

**Discharge App No: 15/01838/MJR**  
**Decision Date: 08/09/2015**



38. The performance venue shall be operated in accordance with an Operational Management Plan, which shall first have been submitted to and approved in writing by the local planning authority. The plan shall thereafter be re-submitted to the Local Planning Authority for review, once every three months within the first year of operation and once every six months for two years thereafter and the venue shall operate in accordance with the most currently approved plan.  
Reason: To retain an effective control over the development in the interests of the amenities of residents living near to the site.

**Discharge App No: 15/01857/MJR**  
**Decision Date: 09/11/2015**

39. In situations where doors and ground floor windows are located adjacent to the public footway, such features shall be constructed/installed in such a way that they can only open inwards to the building, not outwards over the adjacent public footway.  
Reason: In the interests of pedestrian safety.
40. Prior to commencement of development a scheme of construction management shall be submitted to and approved by the Local Planning Authority, to include details of construction traffic routes, site hoardings, site access, contractor parking and wheel washing facilities. Construction of the development shall be managed strictly in accordance with the scheme so approved.  
Reason: In the interests of highway safety and public amenity.

**Discharge App No: 15/01165/MJR**  
**Decision Date: 01/06/2015**

41. Prior to the beneficial use of the building for the purposes hereby approved, the applicant shall provide, and be responsible for the future servicing of, a number of strategically placed litterbins within the demise of the complex, which shall thereafter be retained.  
Reason: To mitigate against the potential for any increase in street litter in the interests of public amenity.
42. **Prior to the implementation of condition 9 of application ref. 15/00225/MJR (as amended by application ref. 21/01813/MJR), a Queuing Management Plan shall be submitted to, and approved in writing by the Local Planning Authority. This will include all aspects associated with the queuing of patrons prior to the event commencing; the exit of patrons following the event and their swift dispersal. The scheme will ensure that queuing does not take place on Pendyris Street, but along Clare Road back underneath the railway bridge.**  
**Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.**

## 1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 Permission is sought for the variation of condition 9 of planning permission 15/00225/MJR, in order to allow 31 events per year to operate between the hours of 08:00 and 03:00. Members will be aware that planning permission was granted under App 19/03210/MJR in July 2020, to vary condition 9 of application 15/0225/MJR to allow 31 events per year to operate between the hours of 0800 and 0300 for a temporary period of 12 months.
- 1.2 The hours of operation are presently restricted under Condition 9 of planning permission 15/00225/MJR, which reads:
- 1.3 *No member of the public shall be admitted to or be allowed to remain in the principal performance venue or ancillary food and drink areas hereby approved outside of the hours of 08.00 - 23.00 Mon – Thurs; 08.00 - 00.30 Fri and Sat, and 10.00 - 22.30 on Sundays. Reason: To ensure that the use of the premises does not prejudice the amenities of local residents.*
- 1.4 The application does not seek to alter the operational hours of the existing condition, rather it proposes additional wording to state that 31no. events until 03:00 hours can take place each calendar year (occurring only during Fridays, Saturdays, Fresher's Week, Halloween and New Year's Eve). These events will be DJ-led in the genres of pop music, disco and funk and electronic music.
- 1.5 App 19/03210/MJR for variation of condition 9 to allow 31 events per years was approved on a 12-month temporary period in July 2020 by Planning Committee. However, it is noted that due to the COVID-19 pandemic the venue has only been operating for a short period since the determination of this application, due to COVID legislation brought in by the Welsh Government restricting indoor music events nightclubs and the organisers wish to further extend this period due to restrictions placed upon the venue since March 2020 until Summer 2021.
- 1.6 An updated Management Plan has been provided as part of the submission, which sets out the process that would be required to enable an event to take place for the extended hours of operation. The points have been summarised as follows:
- All tickets shall be available to be purchased in advance online. A limited amount shall be available to be purchased on the door.
  - The event details shall be set out on the Tramshed website at least 30 days in advance and the applicant will have continual dialogue with local residents to update them on their events and answer any queries.
  - The Police shall be notified and provided with an operating schedule 30 days prior to the event, to enable dialogue between the parties and to address any potential concerns.
  - The applicant will keep an up-to-date record of the schedule of the late night events in order to ensure that the number of events can be managed and does not exceed the permitted number during a calendar year.

- The events will be restricted to 18+ only (operate a challenge 25 policy at the door), with alcohol being served until 02:30 and the music turned off at 03:00. Water to be available from open until 3am.
- Beverages to be served in plastic cups no glass or closed cans to be handed over to patrons
- Security will be increased to provide a 1:50 (security/public) ratio and a medical team will be on site throughout the events. This will enable mobile guards and a dedicated cctv operator. Leading up to the end of the event, security staff will be positioned to enable clientele to leave the venue in an efficient and appropriate manner, staying on site until all clientele have left the venue and surrounding area.
- Egress from the building will be via the main entrance only with taxi services managed to pick up clientele only on the corner of Clare Road and Pendyris Street.
- Signage shall be placed around the venue to remind clientele to be respectful of residents when leaving the premises. This will be reinforced by security staff who will remain visible in street until all guests have left the area.

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

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

## 2. **DESCRIPTION OF SITE**

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

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

2.3 Beyond the music and arts venue to the east lies the entrance and foyer to the work/live residential units, followed by the café and business incubator units. The

multi-purpose studio and community store lie further to the east, on the opposite side of the site. Directly above the café and to the east of the venue lies 31x duplex residential live/work units, with the bedrooms lying at mezzanine level. The residential units are separated from the performance hall by a 5.3 metre distance (width of one room), which acts as an acoustic buffer space between the residential units and the performance space. The venue has its own separate acoustic enclosure and a dense concrete enclosure for the main auditorium inside. This was built as part of ref: 15/00225/MJR, to mitigate against potential noise nuisance and disturbance to nearby residences. An Operational Management Plan was conditioned as part of the aforementioned application. This indicates measures which the venue staff should undertake to ensure that issues of potential congregation or loitering on perimeter footways are appropriately managed. It also ensures that operators and patrons have due regard to amenity of residential occupiers in Pendyris Street and the surrounds.

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

### 3. **SITE HISTORY**

- 15/00225/MJR – Planning permission granted on 22<sup>nd</sup> April 2015 for the change of use and conversion of the former tram shed to create a mixed-use scheme

comprising a community store (A1), cafes/bars (A3), business incubator units (B1), multi-purpose studios (D1/D2), residential live/work units (C3), gallery (D1) and performance hall (D2), access and servicing arrangements, substation and associated works. (15/00226/MJR; associated Listed Building Consent, granted on 3<sup>rd</sup> June).

- 15/01857/MJR – Permission granted on 8<sup>th</sup> September 2015, for the discharge of Condition 38 (Operational Management Plan) of planning application 15/00225/MJR.
- 19/3210/MJR – Permission granted on 22/07/2020 for a temporary period of 12 months to Vary condition 9 of 15/00225/MJR to extend hours of operation to allow 31 no. events per year to operate until 03.00

#### 4. **POLICY FRAMEWORK**

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

4.2 Planning Policy Wales (PPW) (Edition 11, Feb 2021)

4.3 Future Wales: the national plan 2040 (2021)

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

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

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

4.6 Cardiff Local Development Plan 2006-2026:

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

4.7 Supplementary Planning Guidance:

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

- Food, Drink and Leisure Uses (2017)

#### 5. **INTERNAL CONSULTEE RESPONSES**

5.1 **Pollution Control (Noise)**: advises that in respect to the above application and in light of the fact the premises has been unable to make use of its extension due to

covid restrictions, I can see no just cause in objecting to this application. This extension will allow them the 12 months to trial the extension and proposed late night management and queue plan, and where necessary consult with this team as necessary. We have further offered the premises to attend and monitor events to assist the premises and for the benefit of planning permission and local residents.

- 5.2 **Transportation**: The Transport Officer has raised no direct transport concerns with the proposed amended wording of the condition and does not consider that the additional 31 events until 03:00 would cause any additional traffic/parking concerns than the earlier finishes. The Officer notes that there have been objections regarding traffic enforcement, but states that the hours of operation do not tie in with the general hours of enforcement. The proposal is to extend the time-limited period for the additional late license events, given that due to Covid it has not been possible for the applicant to run their business normally and does not see any transport concerns with this time.

## 6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 **Police Architectural Liaison**: No objections from SWP, advise that the effect of the Covid-19 pandemic has changed Policing styles and the way that people interact with a change in mentality.

## 7. **REPRESENTATIONS**

- 7.1 Neighbouring properties have been notified with additional publicity undertaken by site notices. The representations are summarised below:

- 7.2 A 84 name petition of OBJECTION has been received.

- 7.3 8 letters/emails of OBJECTION have been received from local residents, summarised as follows:

- Events would have a detrimental effect on the residents of the Tramshed and surrounding streets
- Noise from venue particularly in regard to adjacent live/work units, volume can be loud and base heavy.
- Large volumes of antisocial behaviour from patrons (including fights, noise disturbance, alcohol related behaviours)
- Last 18 months have not been representative due to covid restrictions for council to consider the impact these opening hours have on local residents
- Parking and traffic issues
- Breach of licensing conditions
- Disturbance can be ongoing from early in day during set up of events until early the next morning

- 7.4 Ward councillors have been notified; a joint OBJECTION from Councillor Thorne,

Councillor Lister and Councillor Sattar has been written as follows:

“We would like to register our objection to the application to vary CONDITION 1 OF 19/03210/MJR at the Tramshed on Pendyris St in Grangetown.

The application would allow 31 late night events to take place over a 12-month period, something we believe would have a detrimental impact on the wider area. The original application was granted for a period of 12 months as a “trial” and this application seeks to extend the trial.

Residents in the surrounding areas have approached us with concerns about the continuation of the extended hours at the venue, due to the detrimental impact late night events are having on their quality of life.

They have shared with us stories of customers of the Tramshed urinating in their front gardens, leaving litter and causing a general nuisance, all on a regular basis.

We are aware that the operators of the venue committed to mitigating against these issues, including having security encourage customers to leave the area as quickly and quietly as possible, and ensuring the area is litter picked to avoid mess after events. Sadly this does not appear to be the case in streets neighbouring the venue, as demonstrated by the number of signatures on a petition against the extension of the variation.

Therefore we are unsure what benefit a further 12 month “trial” period would be to the community, as it is already clear that these late night events can have on residents’ lives.

For these reasons we would request that this application is considered by the Planning Committee and not delegated to officers. Based on the experiences of our residents, we would appeal to the Planning Committee to refuse this application, in the interest of protecting their quality of life.

## 8. **ANALYSIS**

- 8.1 The main material considerations in the determination of this application are the impact on:
- a. Previous Planning Decision
  - b. Residential Amenity
  - c. Crime and Disorder
  - d. Traffic and Parking
- 8.2 Application 19/03210/MJR for the variation of condition 9 of App 15/00225/MJR to allow 31 no. events per year to operate until 03.00 was approved at Planning Committee on 22/07/2020 and this allowed the Operator to have events until 24/07/2021 to allow the Local Planning Authority to further assess the impacts of these events upon the local residents amenity. However, the operator has not

been able to undertake any events since the approval of the above planning application due to COVID restrictions brought in by the Welsh Government which did not allow indoor music events from March 2020 until May 2021 whereby reduced limitations on numbers into venues were allowed and then the further opening up of live music/nightclub venues when Wales entered Alert Level 0 in August 2021. The Tramshed venue has reopened since Covid restrictions were reduced and music events have taken place since.

#### b. Residential Amenity

- 8.3 Cardiff Local Development Plan (2006-2026) Policy EN13 states that development will not be permitted where it could cause or result in harm to local amenity. The supporting text to the policy, at paragraph 5.176 notes that the purposes of the policy are *'to ensure that: Developments that would generate unacceptable levels of air, noise or light pollution are appropriately located and controlled'*. Further, paragraph 5.181 states that: *'Noise can have a harmful impact on people's health and quality of life. Developments such as housing, schools and hospitals can be particularly sensitive to noise'*.
- 8.4 Paragraph 5.3 of the Food, Drink and Leisure Uses Supplementary Planning Guidance (2017), notes that *'D2 Uses have the potential to harm the amenity of the surrounding area, by giving rise to or exacerbating problems relating to litter and refuse, noise and disturbance'*. The paragraph goes on to state that that *'Consideration will be given to whether a proposal, either alone or cumulatively with other existing and proposed similar uses will create an adverse effect on the amenity of local residents'*.
- 8.5 The application has received a number of objections from residents and the ward members, with regard to the existing impact that the late night events (that operate until 03:00 hours) have had on residential amenity. The objections consider that these DJ led events are not appropriate within a residential and mainly family occupied area. Residents from within the Tramshed development have stated that they can hear the music from their apartments. There have been further objections regarding the noise, disturbance and anti-social behaviour from patrons accessing and leaving the site and cars and taxis outside of the venue.
- 8.6 The agent has responded to these objections by noting that the majority of the objections appear to be from Tramshed residents, who would have been aware of the nature of performance venue (which can already lawfully operate until 12.30am on Fridays and Saturday) when buying the apartments. They also note that the Council's Pollution Control team have only received six complaints from residents since 2018 (refer to para. 5.2) and that the applicant has worked proactively to seek to resolve these issues. An example being the movement of the queue from Pendyris Street to Clare Road, to avoid the close proximity to residential amenity. Finally, the agent states that the late night events are essential to ensure that the applicant can continue to operate a viable business, in an industry that currently finds itself in ever challenging times, which was hit hard due to Covid restrictions



which shut the premises for long period of time (effectively from March 2020 until August 2021).

- 8.7 Notwithstanding the objections, Pollution Control raised no objection to the application, subject to the implementation of two planning conditions; the first being a temporary 12 month permission and the second being a Queue Management Plan along Clare Road.
- 8.8 Officers note that the site is located on the fringe of the city centre in an area that is primarily residential in character. Whilst the objections are noted, there is no technical objection to the proposal that supports the concerns raised. Given this conflicting information, it is considered that a temporary planning permission is reasonable to allow the Local Planning Authority to consider the matters raised on objective evidence of harm. This will essentially work as a trial period, before considering a permanent application after the 12-month period. Where there is doubt whether a proposal would conflict with policy, paragraph 5.27 of the Welsh Government Circular 016/2014 '*The Use of Planning Conditions for Development Management*' states; '*Where an application is made for permanent permission for a use which may be 'potentially detrimental' to existing uses nearby, but there is insufficient evidence to enable the authority to be sure of its character or effect, it might be appropriate to grant a temporary permission in order to give the development a trial run, provided that such a permission would be reasonable having regard to the capital expenditure necessary to carry out the development*'.
- 8.9 Officers have concerns regarding the potential for 31 events to take place within a clustered period, i.e during Fresher's Week, which could potentially mean that an event could take place for 14 consecutive days. As such, Condition 9 has been amended to limit the number of late night events to a maximum of two events per week.

c. crime and Disorder

- 8.10 Paragraph 3.11 of Planning Policy Wales Local (Edition 10, December 2018), states that '*Local authorities are under a legal obligation to consider the need to prevent and reduce crime and disorder in all decisions that they take. Crime prevention and fear of crime are social considerations to which regard should be given in the preparation of development plans and taking planning decisions. The aim should be to produce safe environments that do not compromise on design quality in accordance with the cohesive communities well-being goal*'.
- 8.11 A number of objections have been raised regarding the anti-social behaviour linked with the existing events that operate until 03:00 hours. The objections note that drunken behaviour has caused a general nuisance before, during and after the events. It begins whilst attendees gain access to the venue, whilst queuing along Pendyris Street. Objections have also been raised regarding attendees dispersing and gathering outside of the venue, which has resulted in anti-social behaviour in the form of shouting, violence, urinating/vomiting on street, littering etc.

- 8.12 The agent disputes these claims and notes that sufficient safeguards are already in place. They state that the applicant already runs a Queuing Management Plan, which includes a suitably designed queuing system along Clare Road, which was switched from Pendyris Street, in consultation with the police, residents and councillors. This includes security, and medical staff available on site to quickly resolve any incidents, including egress from the premises. The agent also notes that the events team go above and beyond in regard to keeping Pendyris Street clean and litter free during and after the events have finished. Following the outbreak of the Coronavirus, the venue has temporarily closed down and the agent states that the number of criminal incidents recorded within the immediate surrounding area has not materially changed during these times.
- 8.13 It should be noted that the Planning and Licensing departments consider differing matters and thresholds, e.g. planning considers theoretical harm to amenity whilst, licensing consider evidential harm under key areas. Nevertheless the agent notes that when the applicant first applied for the premises licence to be extended to enable 21 late opening events, no objections were raised by individual members of the public, despite that process involving a public consultation process.
- 8.14 South Wales Police have not raised any concerns with the proposal regarding a 12 month permission, which will allow the Tramshed to demonstrate that they are able to manage their patrons appropriately.

#### d. Traffic and Parking

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

### **9. CONCLUSION**

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

*permission would be reasonable having regard to the capital expenditure necessary to carry out the development'. For the reasons detailed above, the application is recommended for approval on a temporary basis, subject to conditions.*

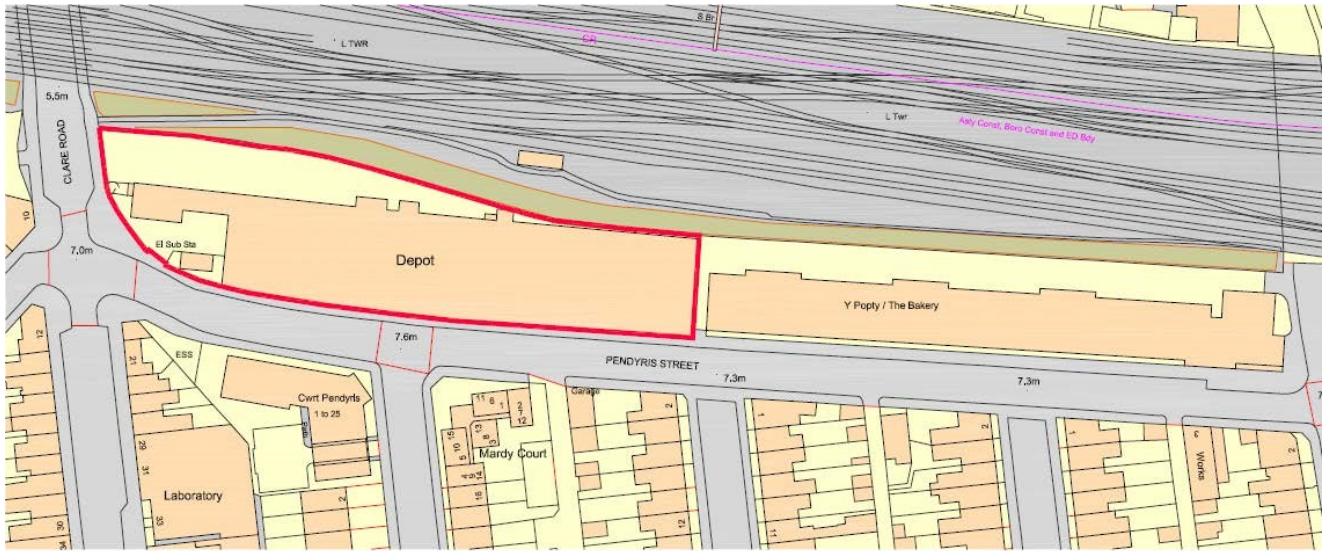
9.2 The amended Condition 9 will read as follows:

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

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

## 10. **LEGAL CONSIDERATIONS**

- 10.1 *Crime and Disorder Act 1998*: Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that a temporary permission would allow the Local Planning Authority to consider, based on evidence if there would be any significant or unacceptable increase in crime and disorder and harm to residential amenity as a result of the proposed decision.
- 10.2 *The Equality Act 2010* identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council's duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.
- 10.3 *Wellbeing of Future Generations (Wales) Act 2016*: Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.



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Figure 1: Site location plan.

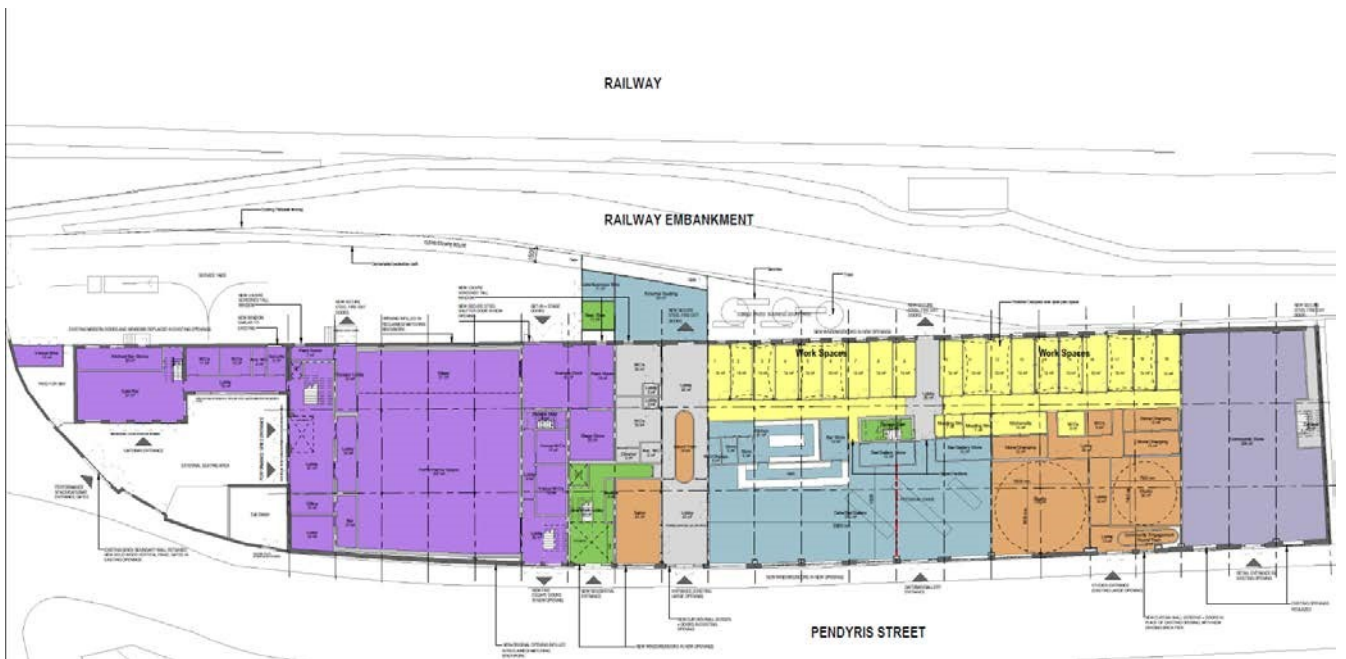


Figure 2: Ground floor plan.

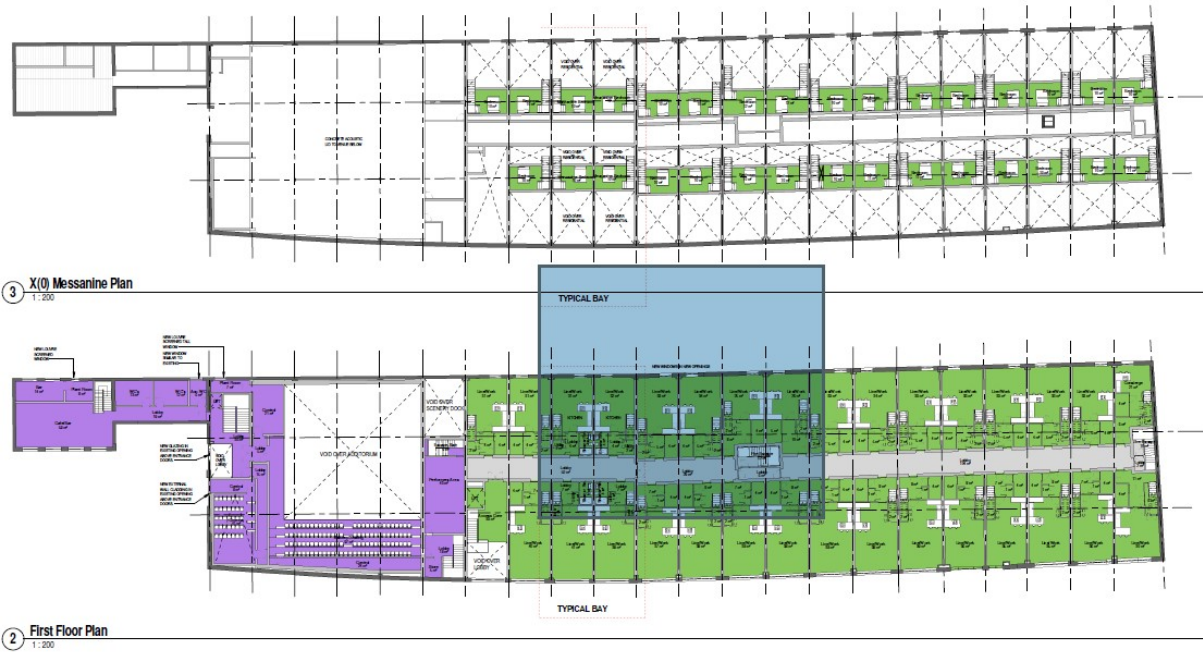


Figure 3: The first floor and mezzanine floor plans demonstrate the proximity of the live/work residential units to the performance and arts hall.

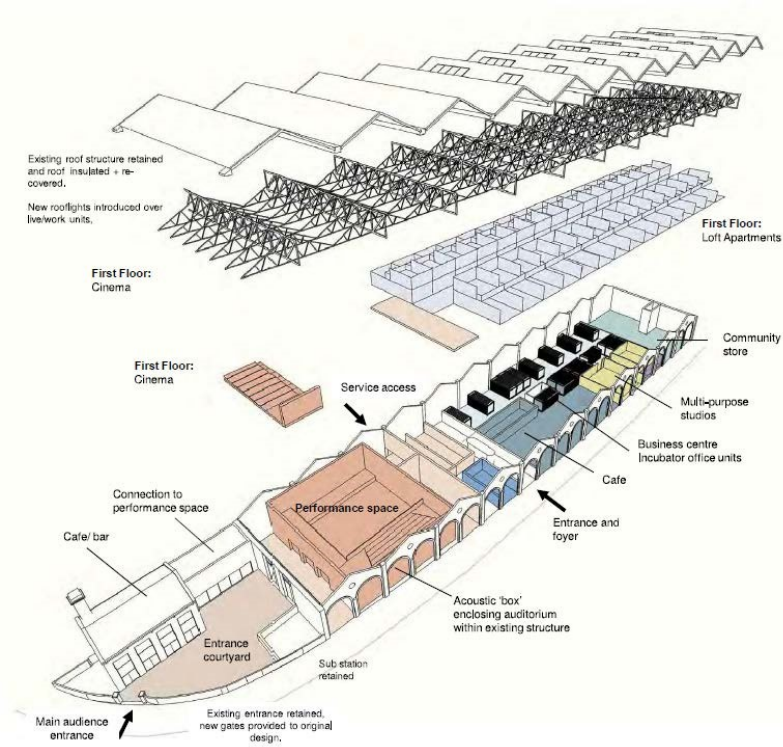
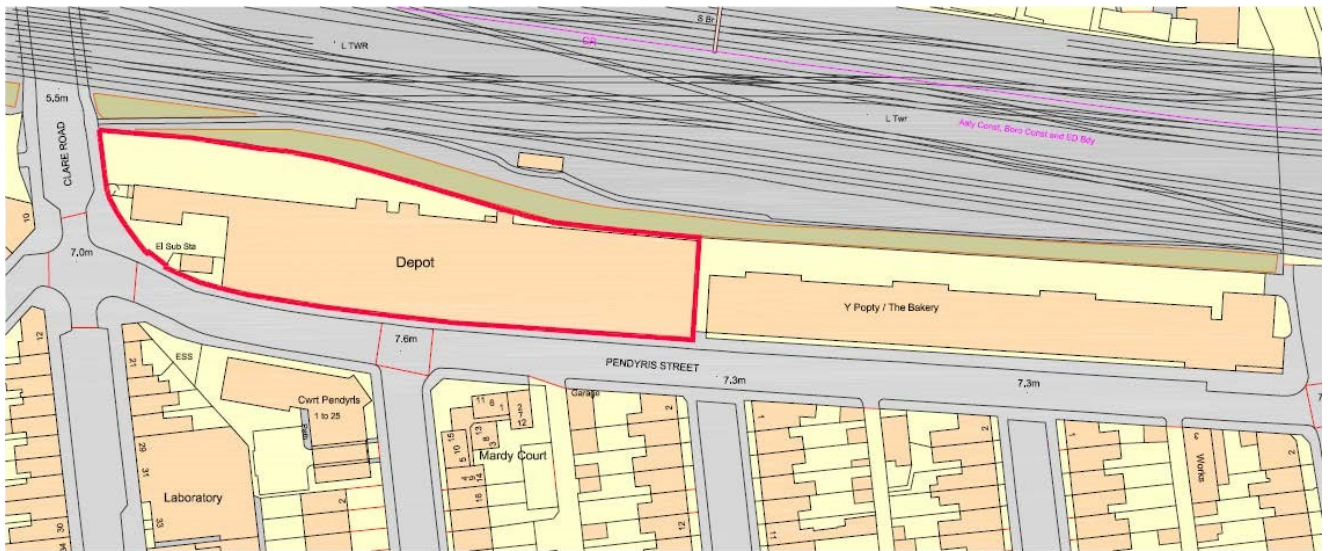


Figure 4: An exploded axonometric drawing shows the layout of the Tramshed mixed-use development.





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Figure 1: Site location plan.

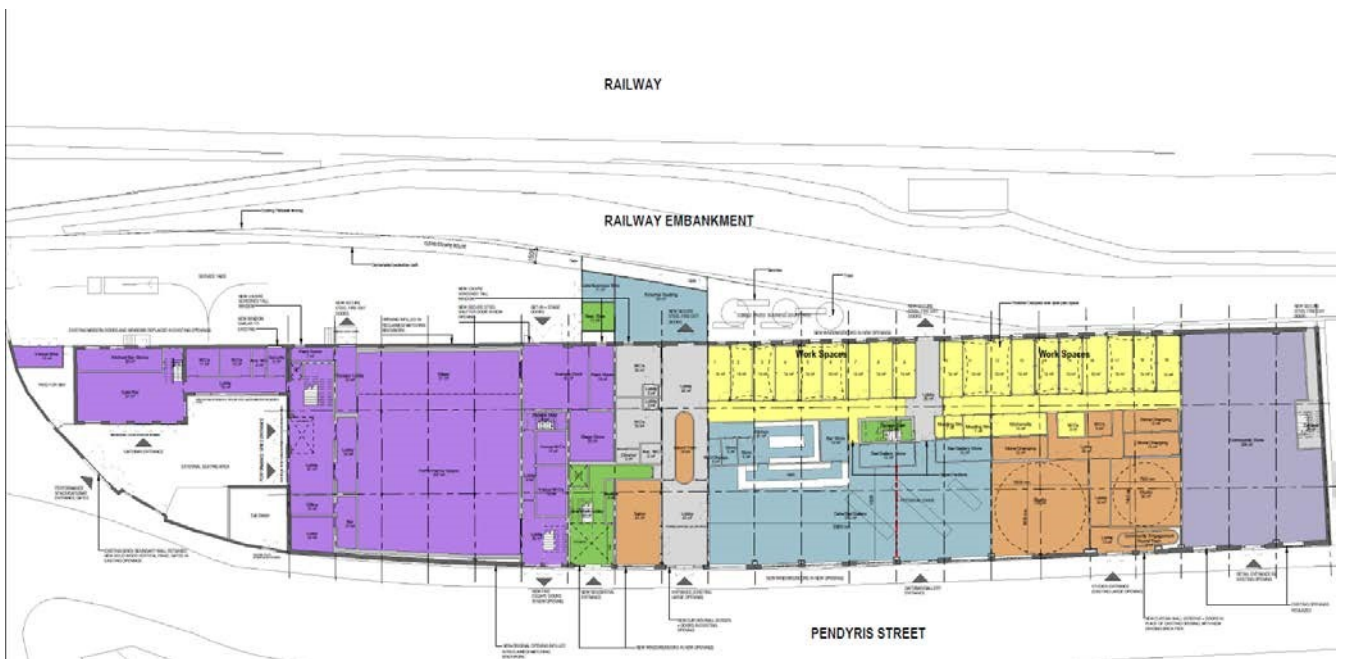


Figure 2: Ground floor plan.

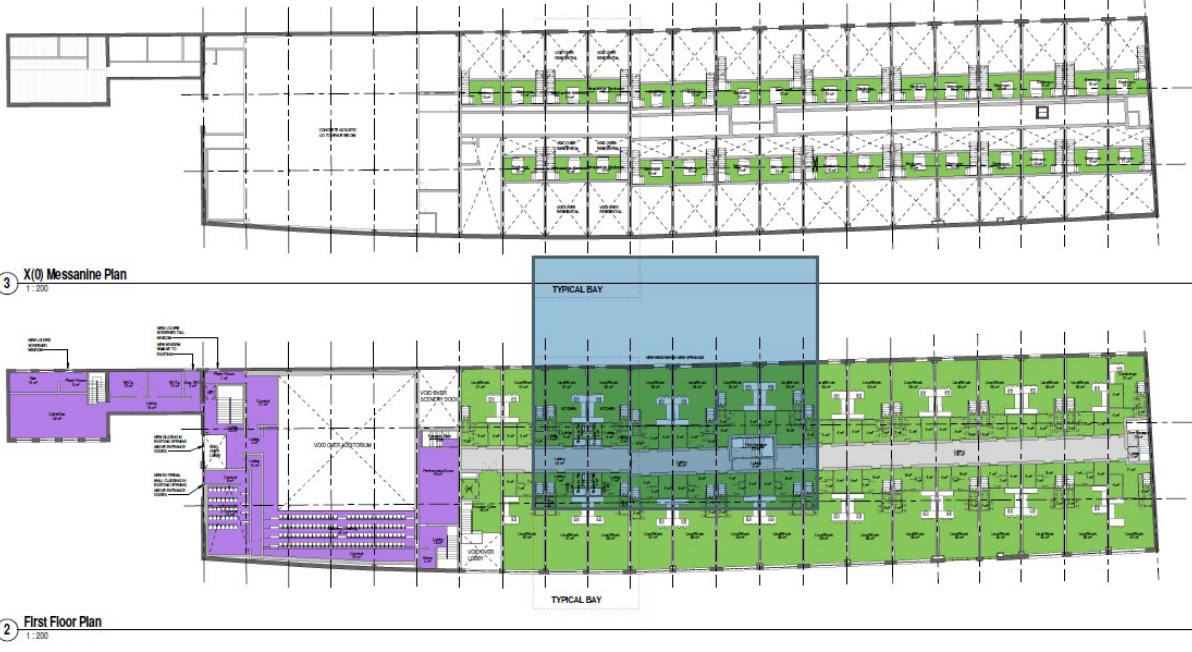


Figure 3: The first floor and mezzanine floor plans demonstrate the proximity of the live/work residential units to the performance and arts hall.

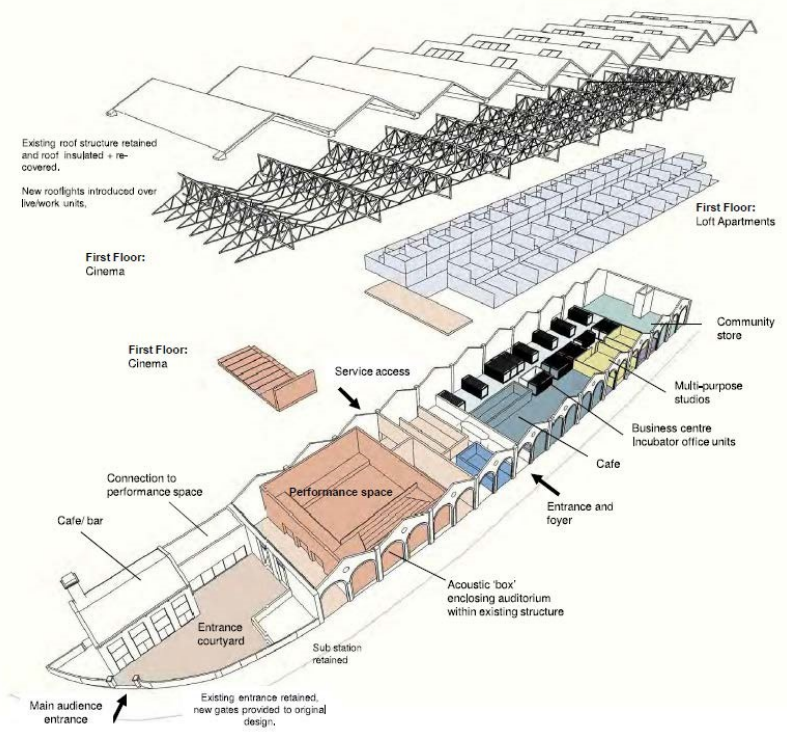


Figure 4: An exploded axonometric drawing shows the layout of the Tramshed mixed-use development.

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**LOCAL MEMBER CONCERNS**

COMMITTEE DATE: 03/11/2021

APPLICATION No. **19/02864/MNR** APPLICATION DATE: 07/11/2019ED: **RADYR**

APP: TYPE: Full Planning Permission

APPLICANT: Mr May

LOCATION: REAR OF 17 AEL-Y-BRYN, RADYR, CARDIFF, CF15 8AZ

PROPOSAL: ERECTION OF DWELLING (AMENDMENTS TO DESIGN OF DWELLING GRANTED PERMISSION UNDER REF 12/02142/DCO) AND GARAGE

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

1. The development shall be carried out in accordance with the following approved plans and documents:
  - 05 – Location plan
  - DOC.G.001A – Proposed garage floor plan, garage elevations and garage location plan (except in respect of the details given on drawing DOC.R.G.001 Rev C).
  - DOC.R.002B – Proposed floor plans.
  - DOC.R.003B – Proposed elevations.
  - DOC.R.G.001 Rev C – Partial Site Plan, Patio/Garden.
  - DOC.R.001 Rev B – Proposed Site Plan (except in respect of the details given on drawing DOC.R.G.001 Rev C).

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

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking or re-enacting that Order) no structure or extension shall be placed within the curtilage of the dwelling hereby approved, no windows or other openings shall be made in the external walls of the building, and no extensions shall be added to the roof of the building, other than those shown on the approved plans.

Reason: To ensure that the privacy and amenity of adjoining occupiers is protected, in accordance with policy KP5 of the Cardiff Local Development Plan.

3. Details of the appearance of the additional screening to be added to the existing boundary structures and the planters to be added to the patio,

as noted on drawing DOC.R.G.001 Rev C, along with a timetable for installation of the screening and planters, shall be submitted to and approved in writing by the local planning authority within one month of the date of this notice, and the screening material and planters shall be installed in accordance with the approved details and timetable and shall thereafter be retained in perpetuity.

Reason: To ensure that the privacy of adjoining occupiers is protected, and in the interests of visual amenity, in accordance with policy KP5 of the Cardiff Local Development Plan.

4. No part of the patio that is within 10.5 metres of the boundary with the garden at the rear of no. 17 Ael Y Bryn (when measured in a horizontal plane) shall be used as a balcony or as a sitting out area or for any recreational purpose whatsoever at any time.

To ensure that the privacy of adjoining occupiers is protected, in accordance with policy KP5 of the Cardiff Local Development Plan.

5. Details of an opaque screening material which shall replace, or be added to, the railings of the balcony on the rear of the dwellinghouse, along with a timetable for installation of the material, shall be submitted to and approved in writing by the local planning authority within one month of the date of this notice, and the screening material shall be installed in accordance with the approved details and timetable and shall thereafter be retained in perpetuity.

Reason: To ensure that the privacy and amenity of adjoining occupiers is protected, in accordance with policy KP5 of the Cardiff Local Development Plan.

6. Facilities for the secure storage of cycles at a rate of at least one cycle space per bedroom shall be provided in accordance with details and a timetable for compliance which shall have been submitted to and approved in writing by the local planning authority within one month of the date of this notice, and the approved facilities shall be thereafter retained in perpetuity.

Reason: To ensure that adequate provision is made for the parking / storage of cycles in accordance with policies KP5 and T5 of the Cardiff Local Development Plan.

7. The existing vehicular access and hardstand at the front of the dwellinghouse, as depicted on drawings DOC.G.001A and DOC.R.001 Rev B, shall be permanently removed and replaced with a boundary structure and soft landscaping in accordance with details and a timetable for compliance which shall have been submitted to and approved in writing by the local planning authority within one month of the date of this notice.

Reason: Use of this area for the parking of vehicles is not possible without illegally crossing the footway and the parking space and access should therefore be replaced with an appropriate boundary structure and soft landscaping, in the interests of visual amenity and biodiversity enhancement, to mitigate against the effects of climate change and

adapt to its impacts, to enhance biodiversity, and to ensure that the use of the proposed development does not interfere with the safety and free flow of traffic passing along the highway abutting the site, in accordance with policies KP5, KP15, KP16 and T5 of the Cardiff Local Development Plan.

8. Within one month of the date of this notice, a landscaping scheme comprising:
- Scaled planting plan.
  - Plant schedule.
  - Topsoil and subsoil specification.
  - Planting methodology.
  - Aftercare methodology
  - Implementation programme.

shall be submitted to and approved in writing by the Local Planning Authority and upon approval shall be carried out in accordance with the approved implementation programme.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity and to mitigate against/adapt to the effects of climate change, in accordance with policies KP5 and KP15 of the Cardiff Local Development Plan.

9. Any trees, plants, or hedgerows included in the landscaping scheme required by condition 8 which, within a period of five years from the completion of the approved landscaping works, die, are removed, become seriously damaged or diseased, or become (in the opinion of the Local Planning Authority) otherwise defective, shall be replaced in the current planting season or the first two months of the next planting season, whichever is the sooner, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity, in accordance with policies KP5 and EN8 of the Cardiff Local Development Plan.

**RECOMMENDATION 2:** The applicant is advised that since January 7th 2019, all new developments of more than 1 house, or where the construction area is 100 square metres or more, require sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by the Welsh Ministers. These systems must be approved by the local authority acting in its SuDS Approving Body (SAB) role.

This development requires SAB approval. It is therefore recommended that the applicant engage with the SAB in discussions with regard to this matter. To arrange discussion regarding this please contact [SAB@cardiff.gov.uk](mailto:SAB@cardiff.gov.uk)

Further information is available on the Council's website:

<https://www.cardiff.gov.uk/ENG/resident/planning-and-suds/suds-approval-body/>

The legislation set by Welsh Government can be reviewed at:

<https://gweddill.gov.wales/topics/environmentcountryside/epq/flooding/drainage/>

**RECOMMENDATION 3:** The applicant is advised that no more than one vehicular crossover per property is permitted by the Local Highway Authority and that the existing crossover approved at this site cannot be widened, as 4.8m is the maximum vehicular crossover width permitted by the council.

**RECOMMENDATION 4:** The applicant is advised that no work should take place on or over the neighbours' land without the neighbours' express consent and this planning approval gives no such rights to undertake works on land outside the applicant's ownership.

**RECOMMENDATION 5:** The applicant is advised that light emitted from the building must not cause nuisance to the occupiers of other premises in the vicinity, and that, where nuisance occurs, the Council has powers to take action to improve the situation, including serving an abatement notice on the person responsible.

## 1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 Retrospective planning permission is sought for the retention of a dwellinghouse and detached garage as built. The house is a split-level, 4 bedroom house of a contemporary design. It is single storey to the front (on Cae'r Graig) and two storey at the rear, where the building is split into two "wings" with monopitch roofs extending from the main body of the house on either side of a central courtyard garden and rear balcony. The building is finished in white coloured render with black brickwork and dark grey profile sheet roofing. Windows and doors are grey powder coated aluminium. The windows, other than those which face inwards towards the courtyard, have very narrow profiles and those on the rear elevation at first floor level are orientated horizontally.
- 1.2 Planning permission was granted for a split level 3 bedroom detached dwelling on this site in January 2013 (12/02142/DCO). However, the development was not carried out in accordance with the approved plans and this application seeks permission to retain it as built. The differences between the approved and built development are –
  - a detached garage measuring 2.2m x 5.45m with a pitched roof to a height of 3m has been built on land adjacent to the house that was not included in the original planning permission. The garage has been constructed on top of a retaining wall and a level patio area has been formed between the garage and the side of the house, which is approximately 7.5m away. A 1.7m to 2m high wall/fence has been erected on the boundary with the highway in front of this patio;

- the internal layout of the house has been reconfigured to provide an additional (fourth) bedroom and, by additional excavation, space has been added to the lower ground floor at the front of the property, providing a utility room and ensuite bathroom;
- the footprint of the house has been altered: the approved house would have been 10.3m wide x 9.2m deep on the west side and 11.6m deep on the east side, with a 2.5m wide central recess in the rear elevation containing a 1.3m deep balcony at upper floor level. The house that has been built is 9.2m wide x 9.4m deep on the west side and 11m deep on the east side. The central recess is 1.9m wide and the balcony is 1.6m deep. The eastern 'wing' has been reduced in depth so that it projects only 1.8m from the central rear elevation of the house at ground floor / basement level (3.5m at upper floor level as the building is stepped back to accommodate the balcony) whereas the approved plans show this wing to project 2.9m and 4.2m respectively.
- the house has been set further back from the highway than approved and, although around 1m narrower than the approved dwelling, with the eastern 'wing' stepped back, it is positioned, at its closest point, around 2m closer to the rear boundary than approved (i.e. the house is around 11m from the rear boundary).
- a patio door has been added to the north west elevation leading from the kitchen/dining room onto the raised patio adjacent to the garage;
- Steps have been added leading down from the side patio to the rear of the house where a patio has been built which extends the full width of the plot and approximately 5m from the rear elevation of the house. The approved plans did not show steps here – access to the rear garden would have been via the house – and there was no raised patio, rather there would be a landscaped rear garden sloping down for around 6.5m with a 1.5m drop to a level garden area below, which would be approximately 8m long and would be bordered by tall shrubs. The raised patio that has been built has steps leading to a lower level that is around 5.5m long and has been landscaped with turf.
- Following the receipt of amended plans, the layout now shows that the majority of the rear patio would be covered with planters and would not be used as outdoor amenity space, and screening panels would be added to the steps leading down from the upper patio area.

## 2. **DESCRIPTION OF SITE**

- 2.1 The site was formerly part of the rear garden of a house which lies to the north east (17 Ael Y Bryn) and is located between that property and a highway, Cae'r Graig. The land slopes steeply up from the rear of the existing houses on Ael Y Bryn towards the highway to the south west. Two dwellings have recently been built on the land to the south east which also fronts onto Cae'r Graig. The rear gardens and rear elevations of houses on Graig Lwyd face towards the front of the site. These are at a higher level than the application site and are set above

a retaining wall. There are houses at a lower level on Ael Y Bryn to the north and east with rear habitable room windows facing towards the application site.

### 3. **SITE HISTORY**

- 3.1 07/00235M/- New dwelling (outline). Granted 06/02/08.
- 3.2 12/00137/DCO- Split-level 3 bedroom detached dwelling. Refused (un-neighbourly and overbearing effect upon the property at 19 Ael-y- Bryn, loss of privacy due to balcony and windows overlooking gardens of properties to the north, and alien and incongruous form of development).
- 3.3 12/01630/DCO - Variation of condition 1 of planning permission 07/00235M/ to extend the time period for submission of reserved matters application.
- 3.4 12/02142/DCO – Proposed split level 3 bedroom detached dwelling on a vacant plot. Granted 16/01/13.
- 3.5 19/01627/MNR - Minor amendment to re-configure the internal layout of the property - previously approved under 12/02142/DCO. Refused 09/07/2019.

### 4. **POLICY FRAMEWORK**

- 4.1 *Cardiff Local Development Plan 2006-2021:*  
KP5 (Good Quality and Sustainable Design);  
KP15 (Climate Change);  
KP16 (Green Infrastructure);  
EN10 (Water Sensitive Design);  
T5 (Managing Transport Impacts);  
C3 (Community Safety/Creating Safe Environments);  
W2 (Provision for Waste Management Facilities in Development).
- 4.2 Supplementary Planning Guidance:  
Waste Collection and Storage Facilities (October 2016); Cardiff Infill Sites (November 2017); Cardiff Residential Extensions and Alterations (November 2017); Green Infrastructure (November 2017); Managing Transportation Impacts (Incorporating Parking Standards) (2018).
- 4.3 *Planning Policy Wales (Edition 11 – February 2021):*
  - 2.2 All development decisions, either through development plans policy choices or individual development management decisions should seek to contribute towards the making of sustainable places and improved well-being.
  - 3.4 Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales.
  - 3.6 Development proposals must address the issues of inclusivity and accessibility for all.
  - 3.7 Developments should seek to maximise energy efficiency and the efficient use of other resources (including land), maximise sustainable movement, minimise the use of non-renewable resources, encourage decarbonisation and

prevent the generation of waste and pollution.

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

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

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

4.1.34 In determining planning applications, planning authorities must ensure development proposals, through their design and supporting infrastructure, prioritise provision for access and movement by walking and cycling and, in doing so, maximise their contribution to the objectives of the Active Travel Act.

4.1.35 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.

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

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.

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

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

6.7.14 Proposed development should be designed wherever possible to prevent adverse effects to amenity, health and the environment but as a minimum to limit or constrain any effects that do occur.

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

4.5 *Future Wales- the National Plan 2040.*

4.6 *Technical Advice Note 12 - Design (March 2016).*

4.7 *Development Management Manual (May 2017).*

## 5. **INTERNAL CONSULTEE RESPONSES**

5.1 *Transportation:*

There is planning approval for a single parking space. However, there is an approved crossover at the garage location (approved in 2019) which has been installed. The applicant has installed the garage without permission. We are

therefore obliged to accept the location of the installed vehicle crossover, the issue being whether they can build a garage. Highways do not have a comment on the planning merits of the garage structure.

- 5.2 It appears the site has also introduced a significant driveway (without a crossover) near/at the location of the single approved off-street car parking location. Also, the plan indicates a 4.8m width crossover leading to a garage set back from the footway, which might allow access (should the resident's boundary wall be amended) to another parking space adjacent to the garage.
- 5.3 I must assume that the applicant is now effectively applying for a second vehicle crossover to access for the same property. Crossover No 1 (the only access in the 2012 application) has effectively been overtaken by crossover No 2, which has approval to be installed. It should be noted that the Council clearly states within the stated terms & conditions (which can be viewed on the Council website) that a second vehicle crossover to serve the same residence would not be permitted.
- 5.4 In this instance I would recommend that the applicant remove crossover No 1 from the application, as the crossover assessment team would refuse permission. It should also be noted that 4.8m is the maximum permissible width of a residential crossover, therefore, should any additional off-street car parking be required, the applicant should review the proposed plans/actuality at crossover No 2.
- 5.5 We confirm we are happy with the garage and approved crossover, but need the other access to be removed to prevent access, which appears to be illegally achieved at the moment across the footway without an approved vehicle crossover. A crossover in this location has been refused due to insufficient depth.
- 5.6 I also confirm that if the applicant wants to locate a parking place adjacent to the garage then the existing vehicle crossover cannot be widened. 4.8m is the maximum vehicular crossover permitted by the council. I would again refer the applicant to the council's T&Cs on crossovers.

5.7 *Waste Strategy & Minimisation Officer:*

The plans do not show the intended storage site for waste and recycling, however providing the bins are stored within the curtilage of the property this will be acceptable.

- 5.8 *Drainage:* I can confirm the development requires SAB approval. There is insufficient information within the application to determine whether SAB approval will be granted or whether the application satisfies policy EN14 of the LDP.

6. **EXTERNAL CONSULTEES RESPONSES**

- 6.1 *Welsh Water:* No objection.



6.2 *Radyr and Morganstown Community Council*: No comments received.

## 7. **REPRESENTATIONS**

7.1 The application, including the amended plan received in August 2021, has been advertised by neighbour notification. 4 written representations and a video from 3 properties, plus a letter from a planning consultant representing the same objectors (the occupiers of Nos 15, 17 and 19 Ael-y-Bryn) were received following notification of the initial application. The following is a summary of the initial grounds for objection:

- 1) **Overbearing impact.**  
The house, additional raised balcony/patio area, rear wall, stepped platform at the front and the garage have an overbearing impact on 13-19 Ael y Bryn.
- 2) **Loss of daylight/sunlight.**  
The height of the garage and rear wall (more than 6.5m) has led to loss of daylight/sunlight to the adjacent property.
- 3) **Loss of privacy.**  
The developer has, in breach of previous Conditions, removed the trees/shrubs and failed to re-plant them. People have unobstructed views from the patio into the adjoining gardens, living rooms and upstairs bedrooms (less than 15m away). The boundary fence built between the neighbour's property and the development is not tall enough to offer any privacy from the new development. There should have been opaque glass around the small balcony outside the rear window but this has been changed to metal railings and there is now a view into the bedroom of the house below. The balcony and steps could be used for socialising, subjecting the neighbours to intrusive overlooking.
- 4) **Previous refusals.**  
A balcony in this position was previously found unacceptable (application 12/00137/DCO) on the grounds of loss of privacy. The application for a non-material amendment was refused therefore this indicates that it has already been agreed by CCC that the current development is overbearing and has resulted in an unacceptable loss of privacy.
- 5) **Light pollution.**  
The large rear window will cause light pollution, affecting the properties below. Also the garden steps will need to be lit.
- 6) **Security.**  
The steps and rear balcony/patio will provide an easy climbing aid to gain access to the neighbouring property.
- 7) **Inaccurate drawings.**  
The garage is not positioned correctly on any of the plans. The presence of a bus stop and street lamp have not been considered. The North West 'Wing' has been built even larger than specified on the drawings, the roofline has been raised, and it is nearer to the adjacent property. The Proposed Rear Elevation is misleading as it does not show the new set of steps against the neighbours' fence. Drawing no. AL(9)04 does not show the large balcony. The drawings do not accurately depict the

difference in levels between the application site and the neighbours' gardens.

- 8) The development may have encroached onto land owned by the neighbour at 15 Ael Y Bryn.
- 9) Noise pollution.  
People can clearly be heard talking when on the raised area. If the occupiers of the house include children, then this area will be very noisy.
- 10) Overdevelopment of the plot.  
The original drawings show a sloping area of natural garden. The developer has increased the original footprint by building on almost every part of the natural landscape within the plot. The raised balcony area surrounded by metal railings appears integral to the house and clearly extends the footprint of the building.
- 11) Inadequate car parking facilities.  
A car cannot be parked on the front as this area is too small and restricted by a wall, steps etc. and the garage is not up to standard as no turning area is provided so that cars can enter and leave in a forward gear. The garage should be repositioned for manoeuvrability for vehicles, and away from the boundary line that makes the wall over 6m high, or replaced with a more modest cycle store.
- 12) Inadequate drainage.  
The neighbouring garden has turned into a quagmire, with damp patches on the retaining wall. The original plan shows a lawn area at the front of the property which would allow surface water to be directed into this area, however this too has been replaced with pavers. The lack of vegetation is increasing natural drainage problems for the land around the properties below.
- 13) Precedent.  
Allowing this development will send out a message to all developers that planning permission is only a formality that can be ignored, and that they can build what they choose.
- 14) Negative impact on visual amenity.  
The developer has removed more than 200 perfectly functioning and reusable paving slabs and replaced them with tarmac, conveniently incorporating a dropped kerb to the unpermitted garage. The pavement should be restored to its original specification.
- 15) A site visit should be made to the neighbours' property.  
The planning department has not safeguarded the interests of the neighbours. Decisions around this retrospective planning permission should not be made at officer level, or between the head of planning and the chair of the planning committee alone, but be heard in full session of the planning committee.

7.2 The following is a summary of the objections relating to the amended plan submitted in August 2021.

1. A window in the dwelling overlooks the rear garden of 32 Min-y-Coed from an elevated position, affecting residential amenity.
2. Nothing in the new proposal alters the overbearing nature of the property.
3. The current application has again used drawings which suggest that

boundary tree lines have been retained.

4. The new plan is misleading as it makes it appear that the property to the rear of 17 Ael-y-Bryn is responsible for the 'screen of trees' when in fact any trees acting as a 'screen' are planted on the neighbour's property.
5. The inclusion of a 450mm screening panel will not change the dimensions of the property nor will it prevent an elevated line of sight from the property directly into 15, 17 and 19 Ael Y Bryn.
6. Raising the height of the already elevated fence would increase the overbearing nature of the property.
7. The terrace should be lowered and a proper screen of trees should be planted on the property, in addition to the raising of the fence height.
8. People sitting on the balcony will still be able to see directly into the neighbours' bedrooms.
9. There are very bright lights in the balcony area of the new house which are occasionally on until 2.00 am.

### 7.3 Councillor Rod McKerlich has submitted the following observations:

'I believe that this application should be refused on the following grounds:

- The height of the ridge is significantly higher than that of the 2 other new builds which are adjacent. The 2 other new builds were obliged to reduce ridge height to obtain planning approval ; therefore this ridge height is above the approved level.
- The balcony , patio and rear window with clear glass all overlook existing properties in Ael y Bryn; the gardens, bedrooms and sitting areas are overlooked and privacy is breached to an alarming extent. This was not as in the approved plans
- The retaining wall is made of wood and water is oozing through it into the gardens of Ael y Bryn. The wall does not appear to be robust enough to properly retain the land and buildings above.
- The garage was built without permission as was the drop kerb giving access to it.

I submit that a site visit is required and this should not be determined under delegated powers.'

## 8. **ANALYSIS**

8.1 The main consideration with regard to this proposal is the effect of the changes to the approved development on the amenities of neighbouring occupiers. This can be assessed by considering the objections that have been submitted (which are summarised in section 7 of this report):

8.2 1) Overbearing impact on 13-19 Ael y Bryn.  
The house itself, as built, has more or less the same dimensions as the approved building. However, it has been constructed closer to the rear boundary and the additional raised patio area and steps at the rear of the house have also brought development closer to the properties at the rear. The raised patio and steps do not in themselves add to the 'bulk' of the development when viewed from the neighbouring land and can be screened by appropriate

boundary treatment, and it is not considered, on balance, that the reduction in the distance between the house and the rear boundary has led to the development becoming unacceptably overbearing. The garage and retaining wall are around 13.5m from the neighbouring dwelling to the rear and, although they have an impact on the rear garden of that property, they are relatively well screened by vegetation and are not considered to be unduly overbearing.

8.3 2) Loss of daylight/sunlight.

There has been a reduction in the amount of sunlight reaching the adjacent property over and above what would have occurred had the originally approved scheme been implemented due to the small difference in the positioning of the house and the construction of the garage and retaining wall, but this additional impact is limited and is not considered severe enough to warrant the refusal of planning permission. Adequate sunlight and daylight will still reach the adjoining properties.

8.4 3) Loss of privacy.

There was no condition on the previous approval which prevented the removal of trees and shrubs. There was a landscaping condition, which was discharged, but since the current application relates to a different development, this condition is not relevant. The raised patio that has been constructed does enable overlooking of adjoining properties, being only around 7.5m from the rear boundary. As it is in an elevated position, the guidance relating to overlooking of adjoining properties from upper floor windows of new dwellings can be used to assess whether this is acceptable. The Supplementary Planning Guidance 'Infill Sites' (2017) states at paragraph 4.9 that '*The minimum overlooking distance from a habitable room window to a garden area of a separate dwelling should be 10.5m.*' Therefore, provided the distance between the gardens of the properties on Ael Y Bryn and the useable area of the patio can be increased to at least 10.5m, there can be no reasonable grounds for refusing the application for reasons of loss of privacy. The amended plan submitted by the applicant in August 2021 demonstrates that planters will be added to the end of the patio and the railings moved back, and states that this will be to a distance of 10.5m from the boundary with the gardens on Ael Y Bryn. The amended plan shows that the rear boundary fence will also be increased in height to 2.35m and screening panels added to the top of the fence alongside the steps leading down to the patio which, along with the setting back of the useable area of the patio, will prevent unacceptably close overlooking from the steps and patio area.

8.5 The Infill Sites SPG (paragraph 4.9) also requires a minimum of 21m to be maintained between principal windows to habitable rooms and advises that it may also be possible to achieve privacy with a combination of separation distance, appropriate position and aspect of habitable rooms, screening, building orientation, window positioning, size and style of window and placement of gardens.

8.6 Although the patio will be within 21m of the windows in the rear of 17 Ael Y Bryn, it is not a 'habitable room'. The only habitable room window that will face towards the houses to the rear is that of the lounge in the eastern 'wing' and

this will be more than 24m from the facing bedroom window in the rear of no. 17. This distance, including the raising of the height of the rear boundary fence, will ensure that adequate privacy is maintained in respect of facing habitable room windows.

8.7 The small balcony outside the central rear window also featured in the approved plans and would have been 18.5m from the rear boundary, 24m from the conservatory of 17 Ael Y Bryn and 29m from no. 17's rear window. As built, this balcony extends further from the house but is still 15m from the rear boundary, 21.5m from the conservatory and 27m from the rear window, which is considered to be adequate to maintain an acceptable level of privacy in accordance with the adopted SPG. However, despite the SPG standards being met and although in the approved scheme there is no mention of opaque glass being used around the rear balcony rather than the railings, which have been used in the current scheme, it is recommended that a planning condition be imposed on any approval of this application requiring the railings to be changed to an opaque material in order to reduce neighbours' perception of being overlooked from above.

8.8 4) Previous refusals.

The balcony proposed in application 12/00137/DCO was not in this position but was a much larger balcony, open on two sides and overlooking the gardens to the north. The application for a non-material amendment was refused not because it had already been determined that 'the current development is overbearing and has resulted in an unacceptable loss of privacy' but because the differences between the approved building's footprint and what has been built were considered to be 'material' in that the changes have affected local amenity (evinced by the objections that were received) but the amended plan did not show the building in relation to the site boundaries, therefore it did not demonstrate that the changes to the footprint comply with the Council's adopted policies and planning guidance relating to impact on the amenities of neighbours. The amended plan also failed to indicate any cycle parking facilities, whereas these were included in the approved scheme. A garage and raised patio had also been constructed as part of the development but these were not shown on the plans even though they required planning permission.

8.9 5) Light pollution.

There is a large rear window in the approved scheme which could also have emitted light. Interior domestic lights are unlikely to be so bright as to cause nuisance to neighbours. Any lights on the steps will be screened from neighbouring windows by the boundary fence and existing vegetation and are also unlikely to be excessively bright. The applicant can be advised that action can be taken by the Council if light pollution is causing a Statutory Nuisance.

8.10 6) Security.

The steps and rear balcony/patio will be bordered by fences and it will be no easier to gain access to neighbouring properties than from any other rear garden.

8.11 7) Inaccurate drawings.

The drawings appear to be accurate enough to enable proper assessment of the proposals. The bus stop and street lamp are not shown on the plans but officers are aware of their location and no concerns regarding these items have been raised by Highways officers.

- 8.12 The drawing of the proposed rear elevation of the house does not have to show the new set of steps against the neighbours' fence as these are depicted on other plans, and drawing no. AL(9)04 does not have to show the large balcony, for the same reason. The difference in levels between the application site and the house to the rear is depicted on the submitted sectional drawing. The levels of the various gardens surrounding the plot has been noted following site visits by officers and taken into consideration when assessing this application.
- 8.13 8) The development may have encroached onto land owned by the neighbour at 15 Ael Y Bryn.  
This is a legal matter and not a material planning consideration, and no evidence of this has been provided. The granting of planning permission does not, in any case, confer the right to encroach onto neighbouring property without the owner's consent.
- 8.14 9) Noise pollution.  
The sound of people talking or children playing in a neighbouring garden is to be expected within a residential area and does not constitute noise pollution. Excessive noise causing a statutory nuisance could be controlled under Environmental Health legislation.
- 8.15 10) Overdevelopment of the plot.  
The area of hard surfacing has been increased but since this is used as outdoor amenity space and is partly landscaped using planters, this does not constitute 'overdevelopment'. The raised patio does not constitute part of the house.
- 8.16 11) Inadequate car parking facilities.  
The adopted Supplementary Planning Guidance 'Managing Transportation Impacts (Incorporating Parking Standards)' does not require any car parking facilities to be provided for a development of this nature, therefore it is acceptable if the area to the front of the house is too small to park a car. This area is in fact unsuitable for parking as the Highways Authority has refused to allow a crossover to be constructed in this location. The garage that has been built is of acceptable dimensions to accommodate one vehicle, which accords with the maximum standard set out in the SPG, and its position is acceptable to the Highways Authority in terms of the manoeuvring of vehicles onto and off of the highway. The crossover providing access to the garage has been approved by Highways officers.
- 8.17 12) Inadequate drainage.  
Surface water drainage is now dealt with separately to planning permission. The applicant will have to provide evidence to the local authority acting in its SuDS Approving Body role that the surface water drainage system for this development complies with the mandatory standards for sustainable drainage published by the Welsh Ministers.

8.18 13) Precedent.

Any development that is not built in accordance with the approved plans will be open to enforcement action by the Council whether or not this application is approved. Each application must be determined on its own merits, even if it is retrospective. In this case, consideration must be given as to whether what has been built, including the proposed mitigation measures shown on the amended plan, could reasonably be refused planning permission.

8.19 14) Negative impact on visual amenity (loss of paving slabs).

This is not a material planning consideration as works to the public highway are controlled by the Council in its role as Local Highway Authority. The objector has since stated that they have been informed by a Highways representative that the removal of slabs was accepted, based on the claim that the existing paving had a lot of cracked slabs (although they do not agree with this and their objection still stands).

8.20 15) A site visit should be made to the neighbours' property.

Officers have visited neighbouring properties as well as the application site itself. Concern for the interests of neighbours is the reason that this application was required, rather than treating the changes as 'non-material', and it is for the Chair of Planning Committee to decide whether or not the application is reported to the full planning committee.

8.21 Regarding the objections relating to the amended plan:

1. At its closest point, the garden of 32 Min-y-Coed is more than 50m from the window in question. This is more than twice the minimum distance required for the protection of a reasonable standard of privacy.
2. The development is not considered to be unacceptably overbearing for the reasons set out earlier in this report.
3. and 4. The drawings clearly show that the boundary trees are outside the application site and it is therefore clear that they are not under the applicant's control and may or may not be retained.
5. The 450mm screening panel will prevent a line of sight from the raised patio into the property below. There will be no close overlooking from the house itself, as discussed earlier in this report.
6. The increase in the height of the fence will improve privacy standards and, on balance, it is considered acceptable despite its having other negative consequences.
7. The proposed mitigation measures are considered to achieve the same privacy outcome as lowering the terrace and planting a screen of trees.
8. As discussed above, the balcony is at an acceptable distance from the properties to the rear to prevent undue loss of privacy, in accordance with the adopted 'Infill Sites' SPG. However, given the neighbours' concerns, it is considered appropriate to require screening to be provided so that people seated on this balcony will not be visible from the properties below, thus reducing the neighbours' perception of being overlooked.
9. Domestic lights, either interior or exterior, do not require planning permission. However, if the lights are illuminating another property so as



to cause nuisance or be prejudicial to health, then they may be classed as a statutory nuisance, in which case action could be taken under Environmental Protection legislation.

- 8.22 In response to the objections submitted by Councillor Rod McKerlich:
- According to the submitted drawings, the ridge height of the building at the rear is around 0.8m higher than approved but at the same level towards the front. It is not significantly higher than the adjacent houses.
  - The issue of privacy is discussed earlier in this report.
  - Since this comment was submitted, the neighbour has advised that the problem has been alleviated to a certain extent by the digging of a drainage trench within the application site.
  - The construction details of the retaining wall relating to its ability to properly retain the land are not a material planning consideration but are controlled under other legislation. The wall is not made of wood but is only faced in timber.
  - The garage was built without permission but the crossover giving access to it has been approved by the Highway Authority.
- 8.23 The applicant's agent disputes the Councillor's comments and has submitted the following response:
- "the level of the roof ridge has been measured again and is the same from ground level as that approved in the original plans;
  - the detailing of the rear elevation, including balcony, is virtually identical to the rear elevation in the approved plans;
  - the retaining wall is built of reinforced concrete, albeit that it is clad in timber to make it more aesthetically pleasing than would otherwise be the case. Water oozes out of weep-holes during periods of high rainfall. Weep-holes are a normal part of the design of a retaining wall as any competent structural engineer would testify. The water is taken to a land drain built along the base of the wall, which is laid to a design agreed with the vendor.
  - It is true that the garage was erected without permission, on the mistaken basis that it was permitted development. However, the dropped kerb has been consented by the Council under the Highway Acts."
- 8.24 In conclusion, although the development as built is not in accordance with what was originally approved for this site and has had an impact on the amenities of neighbouring occupiers, consideration has to be given as to whether it is possible to remedy the effects of the development without requiring demolition of the unauthorised structures. In this case, the amendments proposed to the development, in the form of additional screening and the reduction in the useable area of the raised patio, are considered to adequately address the objections that have been raised with regard to loss of privacy, and conditions can be used to control other aspects of concern such as lighting, drainage and landscaping. On balance, the proposal is considered acceptable, and it is recommended that the application be approved subject to the conditions set out above.

## 9. **OTHER CONSIDERATIONS**

### 9.1 *Crime and Disorder Act 1998*

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

### 9.2 *Equality Act 2010*

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

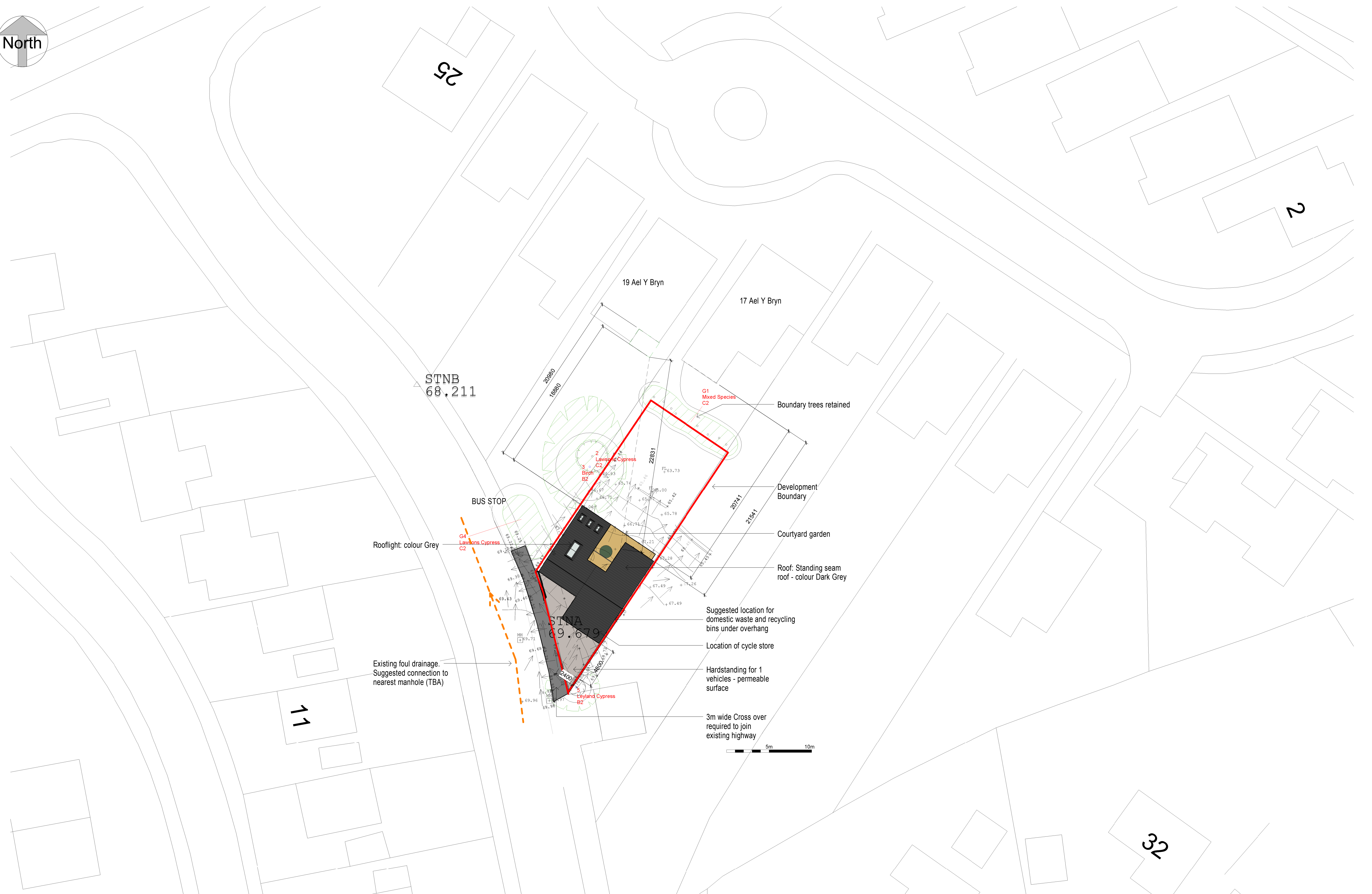
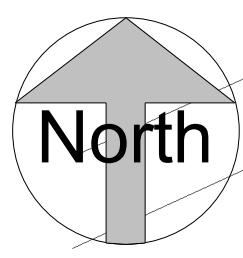
### 9.3 *Well-being of Future Generations (Wales) Act 2015*

The Well-being of Future Generations (Wales) Act 2015 places a duty on the Welsh Ministers (and other public bodies) to produce well-being objectives and take reasonable steps to meet those objectives in the context of the principle of sustainable development. The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act), has been considered and account has been taken of the ways of working set out at section 5 of the WBFG Act in the determination of this application, and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the well-being objectives referred to in section 9 of the WBFG Act.



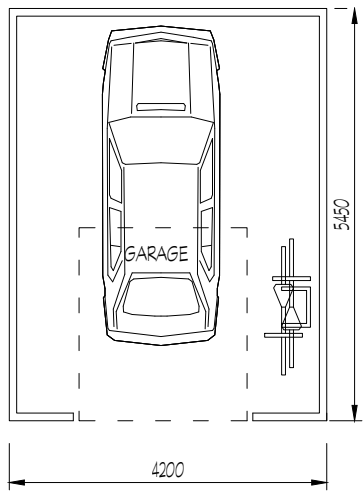




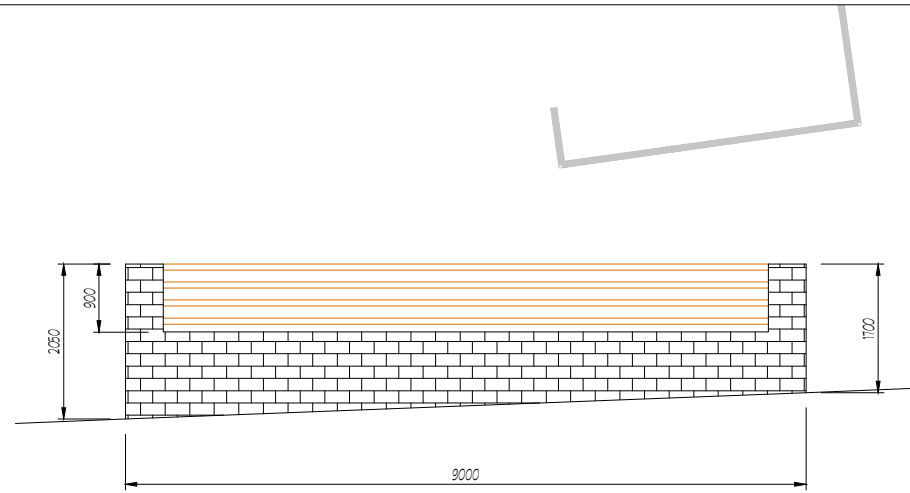


**Proposed Site Plan**  
1 : 200

E J Davies & G M Traylor		Proposed Site Plan	
Project number	RDYR1000	SCHD(A)201	
Date	NOV2012		
Drawn by	GMT		
Checked by	GMT	Scale @A1	1 : 200



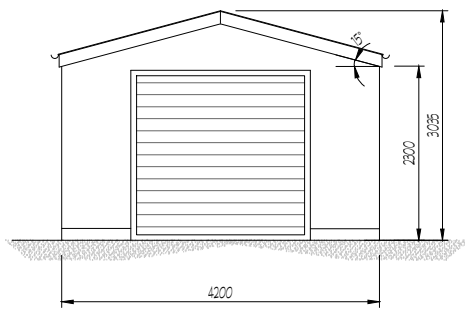
Proposed Garage Plan



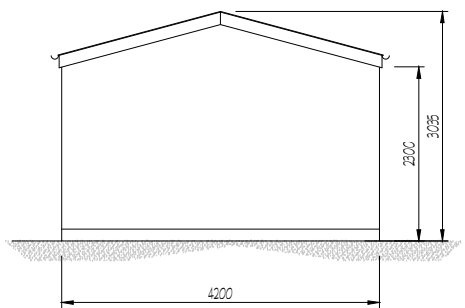
Proposed Wall/Fence Elevation



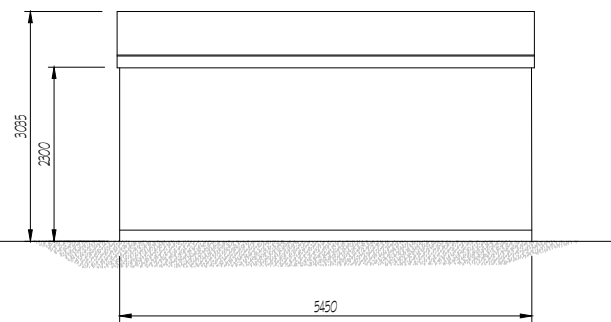
Proposed Garage Location Plan  
sc: 1/125



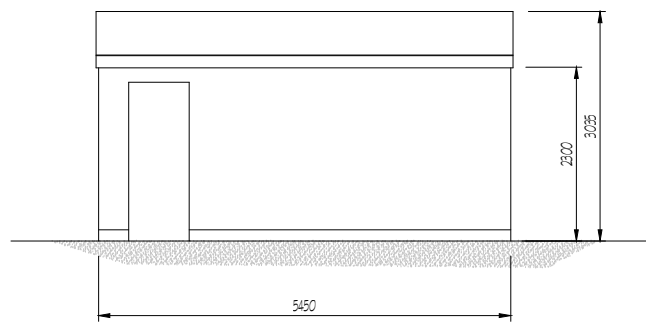
Proposed Garage Front Elevation



Proposed Garage Rear Elevation



Proposed Garage Side Elevation



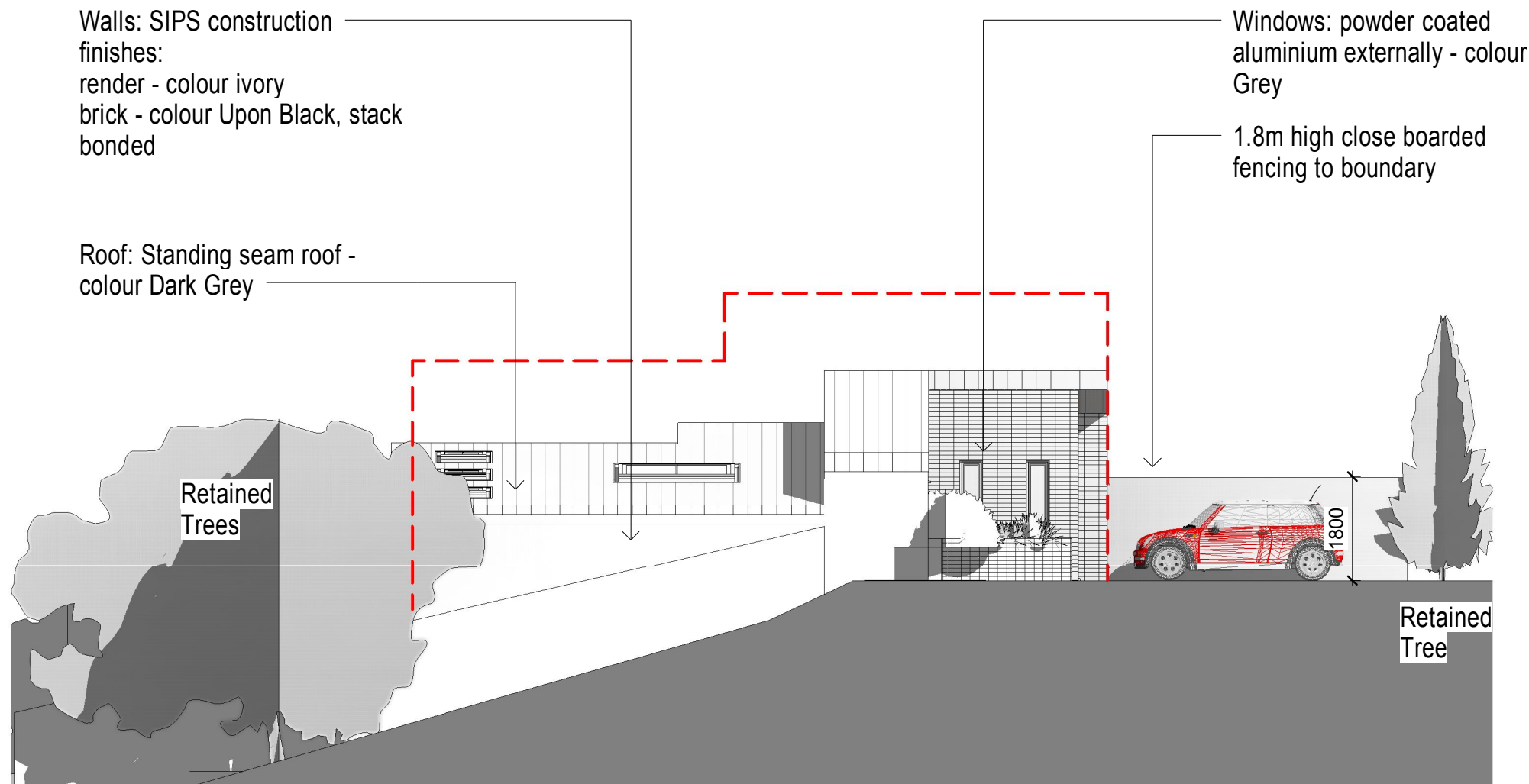
Proposed Garage Side Elevation

No.	Date	By	Ch.	Revisions
<b>PLANNING</b>				
Project: Proposed New Detached House Land to the rear of 17 Ael Y Bryn				
Drawing Title: Proposed Garage Floor Plan, Elevations, Site Plan				
Drawn By: TS	Date: 06-17-19	Scale: 1:100 (or as noted) @ A3		
Checked by:	Date: 06-06-2018	Do not scale this drawing		

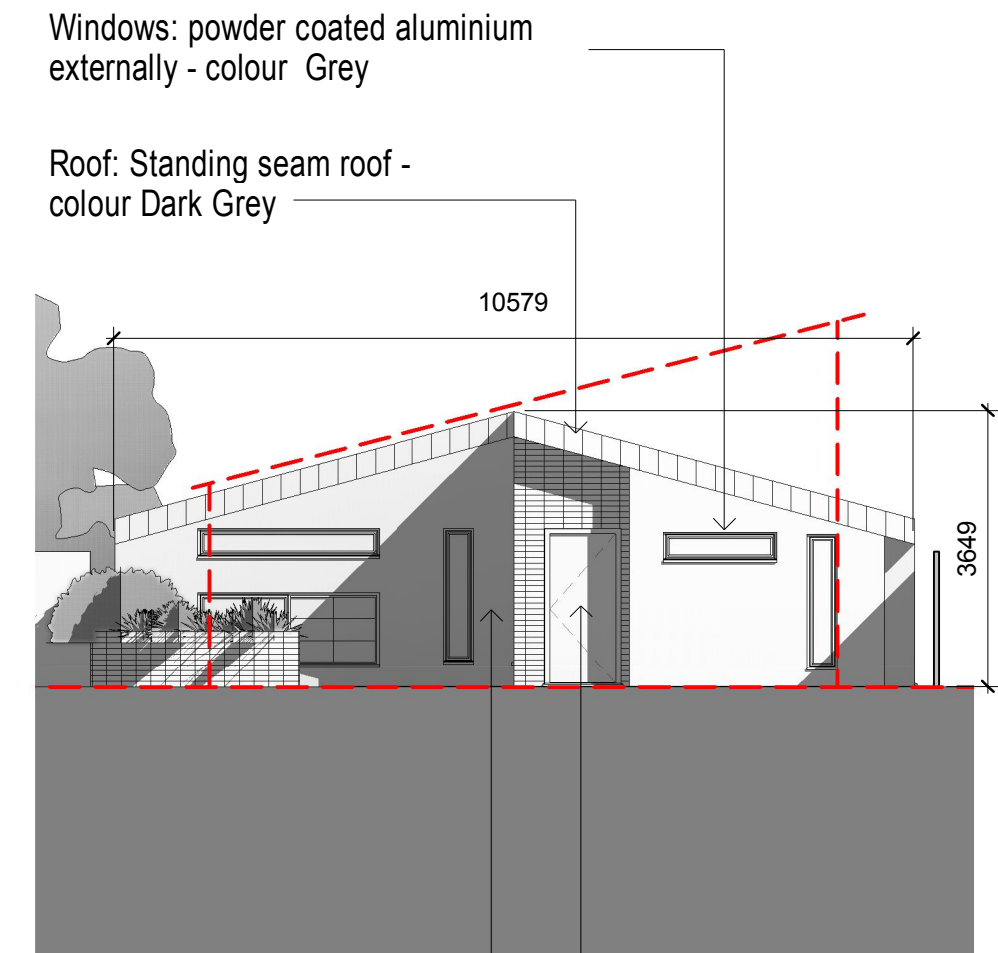
Blue Square

Doc.G.001a

NOTE: Red line indicates the extent of application Ref: **12/00137/DCO**



**North West Facing Elevations**  
1 : 100

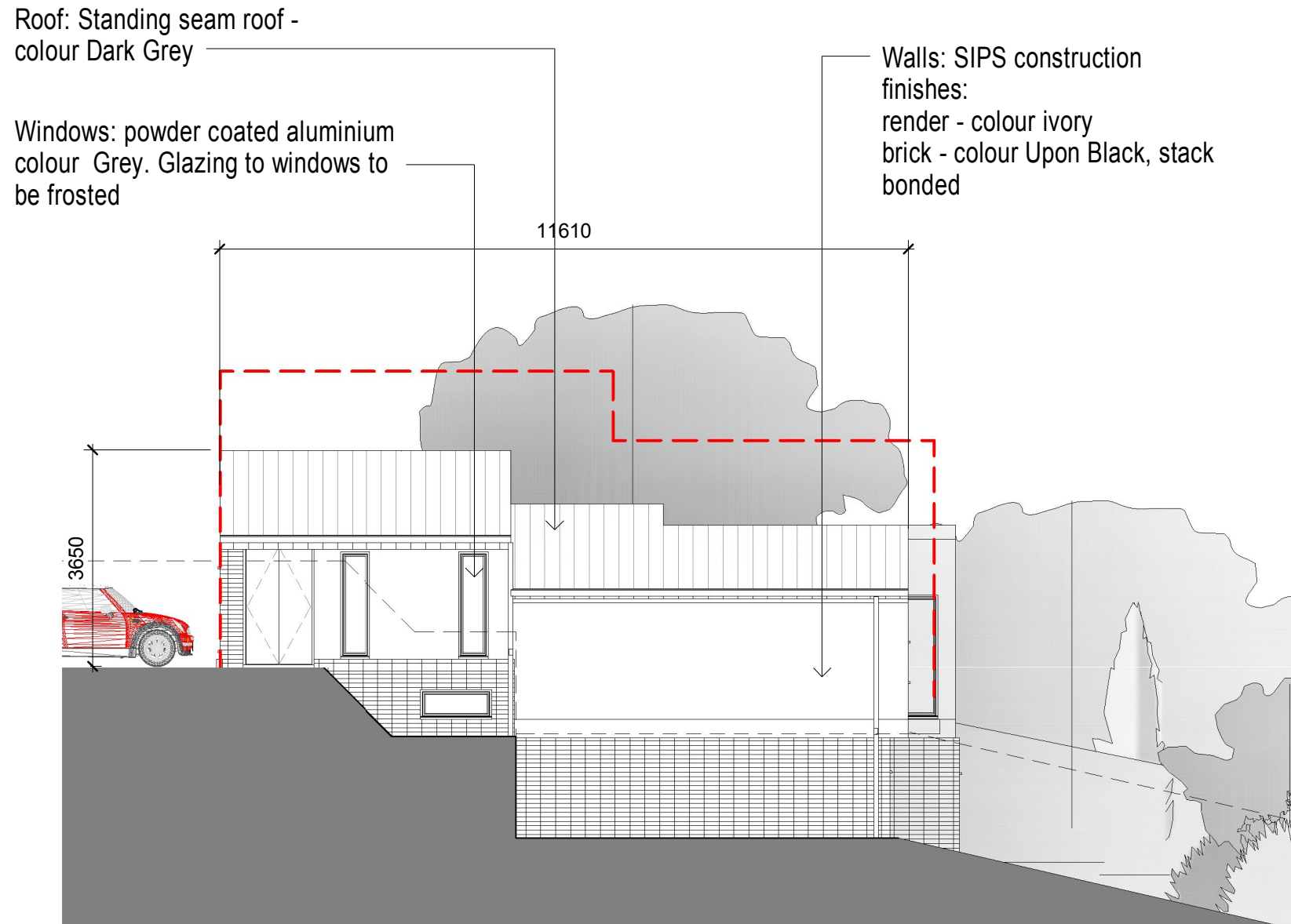


**South West Facing Elevation**  
1 : 100

E J Davies & G M Traylor	Elevations Sheet 1 of 2		
	Project number	RDYR1000	SCHD(A)203
Proposed Split Level Detached House, Land to the rear of 17 Ael Y Bryn	Date	NOV2012	
	Drawn by	GMT	Scale @ A3
	Checked by	GMT	



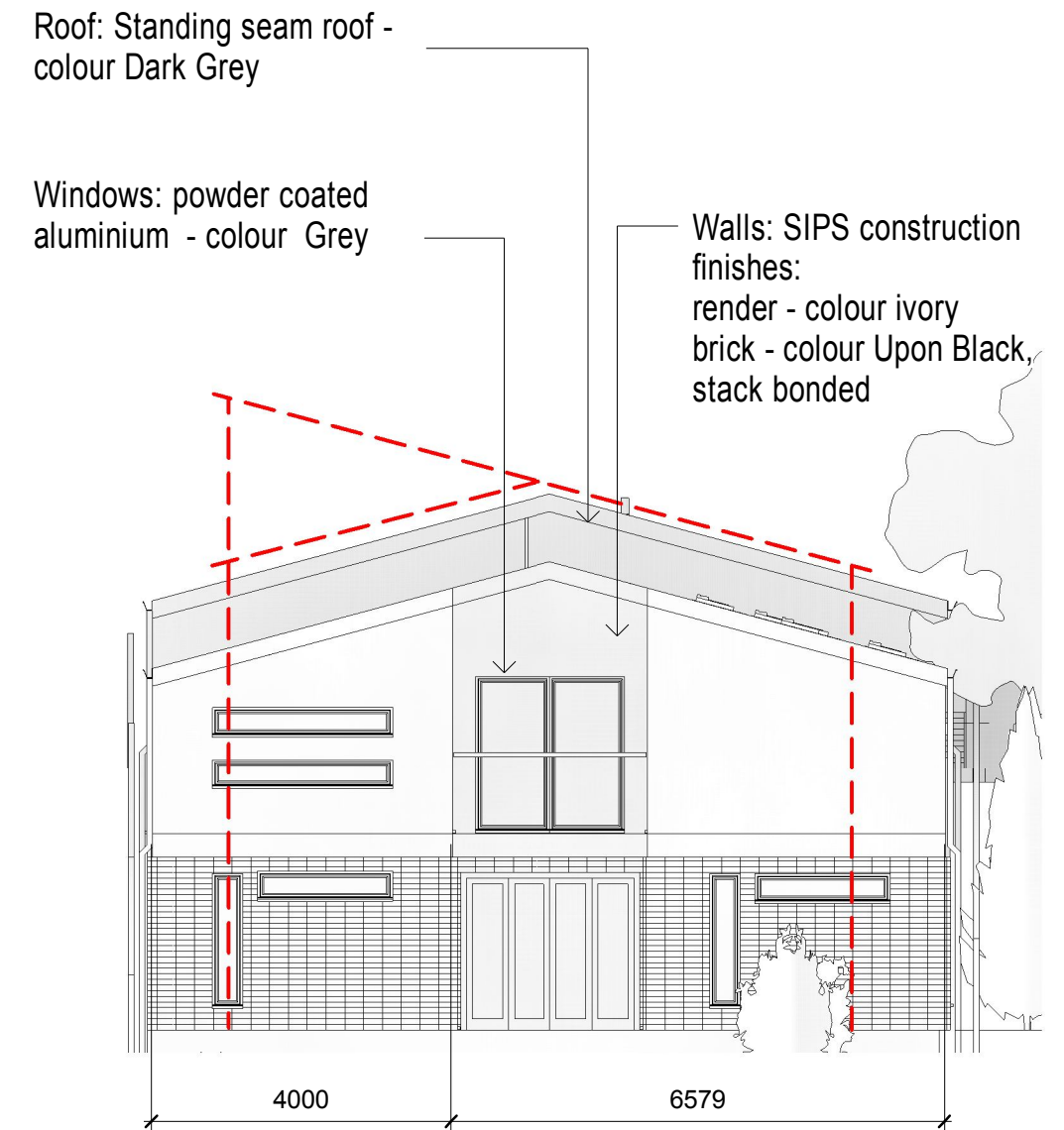
NOTE: Red line indicates the extent of application Ref: **12/00137/DCO**



Retained Trees

## South East Facing Elevation

1 : 100



## North East Facing Elevation

1 : 100

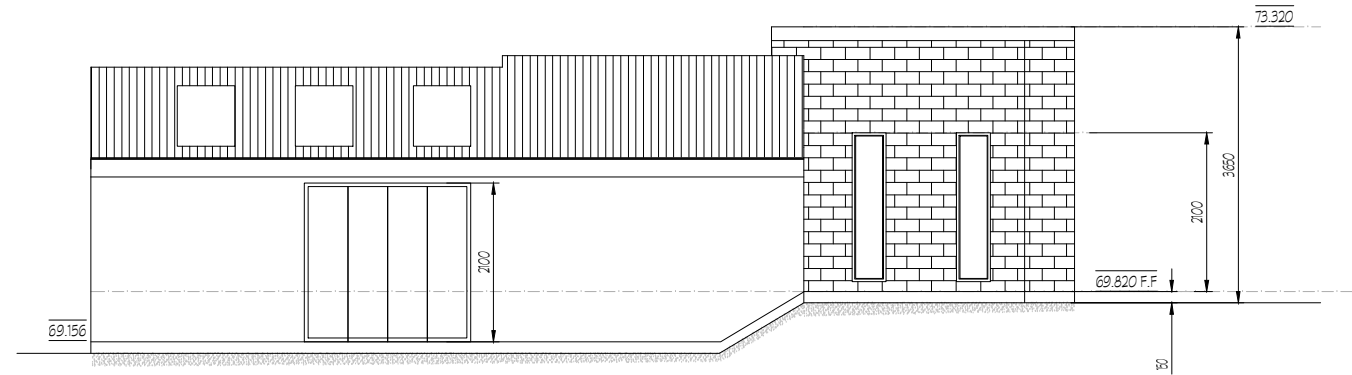
A - Revised to reflect construction details GMT 14.04.13

E J Davies & G M Traylor	Elevations Sheet 2 of 2	
	Project number	RDYR1000
Proposed Split Level Detached House, Land to the rear of 17 Ael Y Bryn	Date	FEB2013
	Drawn by	GMT
	Checked by	GMT
		SCHD(A)204A
		Scale @ A3
		1 : 100

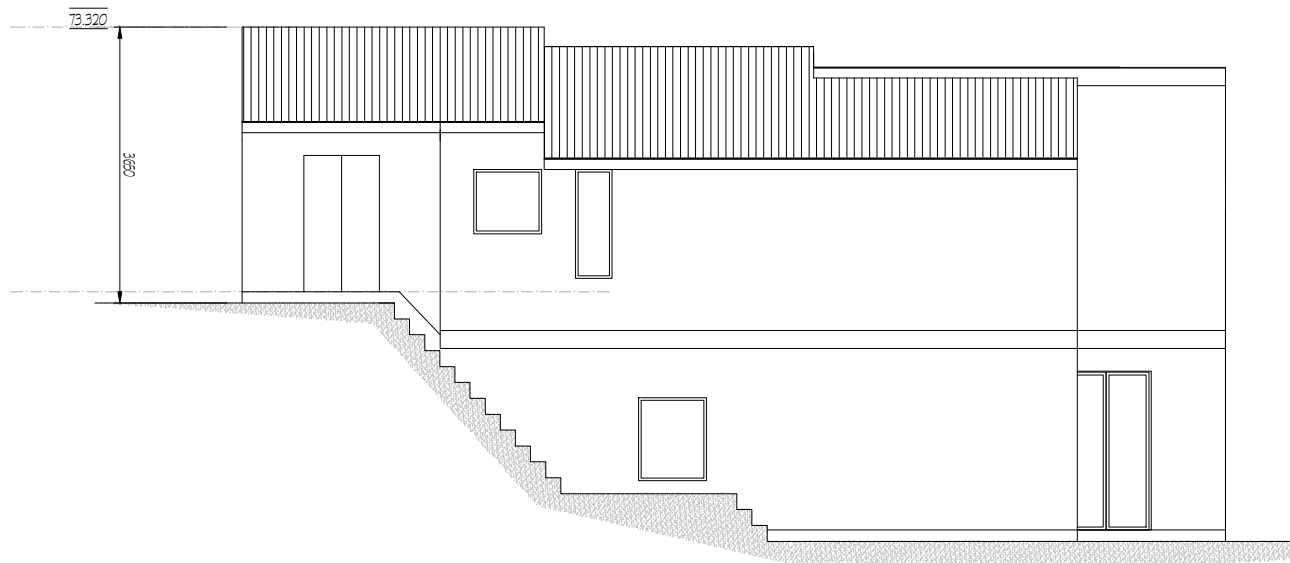
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Planing - 12/02142/DCO



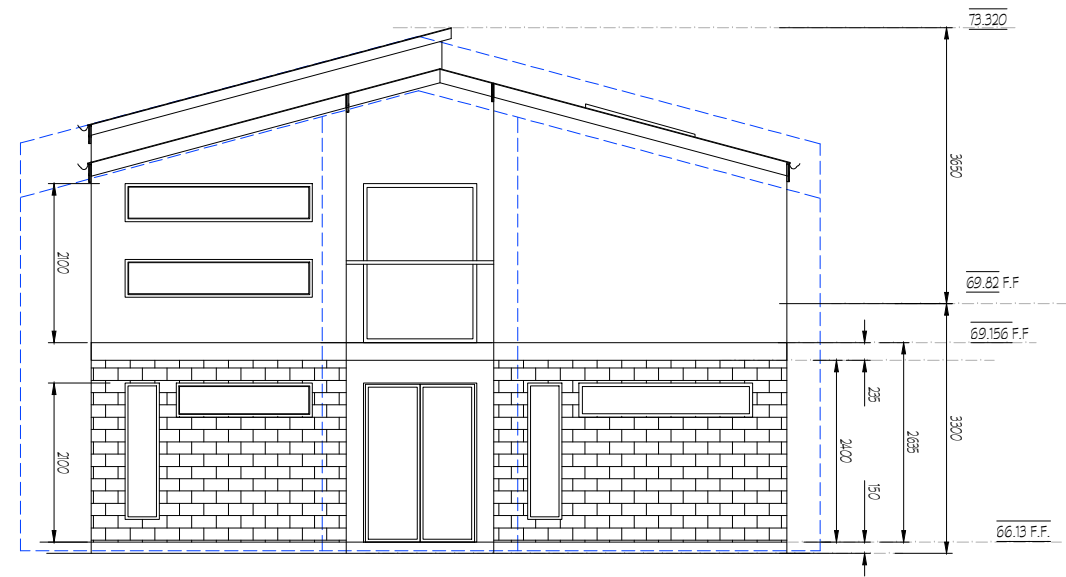
Proposed Front Elevation



Proposed Side Elevation



Proposed Side Elevation



Proposed Rear Elevation

No.	Date	By	Ch.	Revisions
<b>PLANNING</b>				
Project				
Proposed New Detached House Land to the rear of 17 Ael Y Bryn				
Drawing Title				
Proposed Elevations				
Drawn By	Date	Scale		
TS	06-06-18	1:100 @ A3		
Checked by	Date	Do not scale this drawing		
	06-06-2018			

Blue Square

DOC.R.003b

Job No	Drawing No	Rev
	03	0



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**LOCAL MEMBER OBJECTION**

COMMITTEE DATE: 03/11/2021

APPLICATION No. **20/01882/MJR** APPLICATION DATE: 23/09/2020ED: **LLANDAFF**

APP: TYPE: Full Planning Permission

APPLICANT: Windrush (Llandaff) Ltd  
LOCATION: WINDRUSH, 58 PWLLMELIN ROAD, LLANDAFF, CARDIFF,  
CF5 2NLPROPOSAL: DEMOLITION OF EXISTING DWELLING HOUSE AND  
REPLACEMENT WITH 23 SELF CONTAINED RESIDENTIAL  
APARTMENTS, CONTAINED WITHIN FOUR SEPARATE  
BLOCKS, WITH LANDSCAPING, ACCESS, PARKING AND  
ASSOCIATE INFRASTRUCTURE

**RECOMMENDATION 1** : That, subject to relevant parties entering into a binding legal agreement with the Council under the provisions of **SECTION 106** of the Town and Country Planning Act 1990, within 6 months of the date of this Resolution unless otherwise agreed by the Council in writing, in respect of matters detailed in paragraphs 5.6, 5.10 and 5.14 of this report, planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. The development shall be carried out in accordance with the following approved plans and documents:
  - A002 Rev B – Proposed site plan.
  - A003 Rev A – Proposed site elevations.
  - A004 Rev B – Proposed floor plans: Block A.
  - A005 Rev A – Proposed elevations: Block A.
  - A006 Rev B – Proposed floor plans: Block B.
  - A007 Rev A – Proposed elevations: Block B.
  - A008 Rev B – Proposed floor plans: Block C.
  - A009 Rev A – Proposed elevations: Block C.
  - A010 Rev B – Proposed floor plans: Block D.
  - A011 Rev A – Proposed elevations: Block D.
  - A012 Rev C – Proposed landscape plan.
  - 013 – Demolition plan.

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

3. No development shall commence, including any works of demolition, until a scheme of demolition and construction management has been submitted to, and approved in writing by, the local planning authority. The approved scheme shall be adhered to throughout the demolition and construction periods. The scheme shall provide for:
- i) the mitigation of demolition and construction noise and vibration;
  - ii) a noise management plan;
  - iii) measures to control the emission of dust and dirt during demolition and construction;
  - iv) wheel washing facilities;
  - v) the parking of vehicles of site operatives and visitors;
  - vi) loading and unloading of plant and materials;
  - vii) storage of plant and materials used in constructing the development; and
  - viii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

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

4. 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.

5. 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.

6. 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.

7. 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.

8. All habitable rooms must achieve an internal noise level, in relation to road traffic noise, of 35 dBA 16 hour during the day [07.00 to 23.00 hours], and 30 dBA Leq 8 hour at night [23.00 to 07.00 hours]. In addition, any private open space (excepting terraces or balconies to any apartment) shall be designed to provide an area which is at least 50% of the area for sitting out where the maximum day time noise level does not exceed 55 dBA Leq 16 hour [free field].

Habitable rooms subject to sound insulation measures shall be provided with acoustically treated active ventilation units. Each ventilation unit (with air filter in position), by itself or with an integral air supply duct and cowl (or grille), shall be capable of giving variable ventilation rates ranging from –

- 1) an upper rate of not less than 37 litres per second against a back



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

No habitable room shall be occupied until the appropriate sound insulation and ventilation measures have been installed in that room.

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

9. All habitable rooms exposed to external railway noise in excess of 66 dBA Leq 16 hour (free field) during the day (07.00 to 23.00 hours) or 59 dBA Leq 8 hour (free field) at night (23.00 to 07.00 hours) shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 40 dBA Leq 16 hour during the day and 35 dBA Leq 8 hour at night. Habitable rooms subject to sound insulation measures shall be provided with acoustically treated active ventilation units. Each ventilation unit (with air filter in position), by itself or with an integral air supply duct and cowl (or grille), shall be capable of giving variable ventilation rates ranging from –
- 1) an upper rate of not less than 37 litres per second against a back pressure of 10 newtons per square metre and not less than 31 litres per second against a back pressure of 30 newtons per square metre, to:
  - 2) a lower rate of between 10 and 17 litres per second against zero back pressure.

No habitable room shall be occupied until the appropriate sound insulation and ventilation measures have been installed in that room.

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

10. The buildings shall be designed and constructed so as to ensure that vibration dose values do not exceed 0.4m/s<sup>1.75</sup> between 07.00 and 23.00 hours, and 0.26m/s<sup>1.75</sup> between 23.00 and 07.00 hours, as calculated in accordance with BS 6472:1992, entitled "Guide to Evaluation of Human Exposure to Vibration in Buildings", [1Hz to 80Hz].  
Reason: To ensure that the amenities of future occupiers are protected, in accordance with policy EN13 of the Cardiff Local Development Plan.

11. The noise emitted from fixed plant and equipment on the site shall achieve a rating noise level of background – (minus) 10 dB 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 future occupiers are protected, in accordance with policy EN13 of the Cardiff Local Development Plan.

12. Prior to the commencement of development, a landscaping scheme comprising:

- A soft landscaping implementation programme.
- Scaled planting plans prepared by a qualified landscape architect.
- Evidence to demonstrate that existing and proposed services, lighting, CCTV, drainage and visibility splays will not conflict with proposed planting.
- Schedules of plant species, sizes, numbers and densities prepared by a qualified landscape architect.
- Scaled tree pit sectional and plan drawings prepared by a qualified landscape architect that show the Root Available Soil Volume (RASV) for each tree.
- Topsoil and subsoil specification for all planting types, including full details of soil assessment in accordance with the Cardiff Council Soils and Development Technical Guidance Note (i.e. Soil Resource Survey and Plan), soil protection, soil stripping, soil storage, soil handling, soil amelioration, soil remediation and soil placement to ensure it is fit for purpose. Where imported planting soils are proposed, full specification details shall be provided including the parameters for all imported planting soils, a soil scientists interpretive report demonstrating that the planting soil not only meets British Standards, but is suitable for the specific landscape type(s) proposed. The specification shall be supported by a methodology for storage, handling, amelioration and placement.
- Planting methodology and post-planting aftercare methodology prepared by a qualified landscape architect, including full details of how the landscape architect will oversee landscaping implementation and report to the LPA to confirm compliance with the approved plans and specifications.

shall be submitted to and approved in writing by the Local Planning Authority and upon approval shall be carried out in accordance with the approved implementation programme.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity and to mitigate against/adapt to the effects of climate change, in accordance with policies KP5 and KP15 of the Cardiff Local Development Plan.

13. Any trees, plants, or hedgerows included in the landscaping scheme required by condition 12 which, within a period of five years from the completion of the development, die, are removed, become seriously damaged or diseased, or become (in the opinion of the Local Planning Authority) otherwise defective, shall be replaced in the current planting season or the first two months of the next planting season, whichever is the sooner, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and improve the appearance of the area in the

interests of visual amenity, in accordance with policies KP5 and EN8 of the Cardiff Local Development Plan.

14. Notwithstanding the details of cycle parking shown on the approved plans, the development shall not be occupied until facilities for the secure storage of cycles at a rate of at least one cycle space per bedroom have been provided in accordance with details to be submitted to and approved in writing by the local planning authority and the approved facilities shall be retained in perpetuity.  
Reason: To ensure that adequate provision is made for the secure parking of cycles in accordance with policies KP5 and T5 of the Cardiff Local Development Plan.
15. The proposed car parking and manoeuvring areas shall be laid out in accordance with the approved details before the development is brought into beneficial use and shall be thereafter maintained and retained at all times for those purposes in association with the development, and the car parking and manoeuvring areas shown on the approved plans shall not be increased in size at any time.  
Reason: To make provision for the parking of vehicles clear of the roads so as not to prejudice the safety, convenience and free flow of traffic, and to ensure that excessive car parking provision is not provided at the site, in accordance with policy T5 of the Cardiff Local Development Plan and the requirements of Cardiff Supplementary Planning Guidance "Managing Transportation Impacts (Incorporating Parking Standards)" (April 2018).
16. Development shall not commence until details of suitable street lighting and carriageway surfacing for the adopted highway and details of the design of the junction, including an uncontrolled pedestrian crossing facility, have been 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..  
Reason: In the interests of highway safety, in accordance with policy T5 of the Cardiff Local Development Plan.
17. No removal of trees, shrubs, bushes or hedgerows shall take place between 1<sup>st</sup> February and 15<sup>th</sup> August unless it has been demonstrated to the Local Planning Authority that there are no birds nesting in this vegetation immediately (48 hrs) before works commence.  
Reason: To avoid disturbance to nesting birds, in accordance with policy EN7 of the Cardiff Local Development Plan.
18. Before the development hereby approved is brought into beneficial use, details of provisions to be made for the installation / incorporation of bat roosting and bird nesting boxes in suitable locations on the buildings and in any suitable trees within the site, in accordance with the recommendations in section 6 of the David Clements Ecology Ltd 'Windrush, Llandaff: Ecological Assessment: v.2 : August 2020' shall be

submitted to and approved in writing by the Local Planning Authority and the approved items shall be installed within a timescale agreed by the Local Planning Authority and thereafter retained.

Reason: In the interests of biodiversity enhancement, in accordance with paragraph 6.4.5 of Planning Policy Wales (Edition 11 – February 2021).

19. Prior to the commencement of development a survey shall be carried out to assess the potential impact of the development on reptiles. The survey shall be carried out in accordance with a methodology which shall have been submitted to and approved in writing by the Local Planning Authority. If the results of the survey show that reptiles are present on the site, prior to the commencement of development a Method Statement setting out an exclusion, trapping and translocation exercise to ensure that reptiles on site are not harmed during site clearance shall be submitted to and approved in writing by the Local Planning Authority. This shall be undertaken by suitably qualified consultant ecologists, using recognised best-practice techniques, at an appropriate time of year, such that reasonable effort to avoid harm to these species can be demonstrated. The Method Statement shall specify monitoring and habitat management measures on the receptor site for a minimum of three years after translocation, together with intervention measures if the monitoring reveals that the translocation has not been successful.

Reason: In the interests of biodiversity and the protection of a UK Protected Species, in accordance with policy EN7 of the Cardiff Local Development Plan.

20. Prior to the commencement of demolition of any existing buildings on the site, flight surveys for bats to determine if mitigation is necessary for these species shall be carried out in accordance with a methodology which shall have been submitted to and approved in writing by the Local Planning Authority. If the results of the survey show that bats are present on the site, a strategy for the mitigation of the impact of the development on bats shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place other than in accordance with the approved mitigation strategy.

Reason: To ensure the protection of European Protected Species, in accordance with policies KP16 and EN7 of the Cardiff Local Development Plan.

21. Any retained trees and wildlife habitats shall be protected during demolition and construction works in accordance with the recommendations set out in section 6 of the David Clements Ecology Ltd 'Windrush, Llandaff: Ecological Assessment: v.2 : August 2020'.

Reason: In the interests of biodiversity, in accordance with policy EN7 of the Cardiff Local Development Plan.

22. Before the installation of any lighting associated with the development, including that associated with the construction phase, a scheme of lighting shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed in liaison with an

ecologist and shall follow best practice guidance set out by BCT (2018) to ensure that no additional lighting of the adjacent woodland habitat will occur and that bat mitigation and flight lines are protected from light spill. The approved scheme shall be implemented before the development is occupied and maintained thereafter.

Reason: To avoid disturbance to nocturnal species such as bats, in the interests of biodiversity and the protection of European Protected Species, in accordance with policies KP16, EN6 and EN7 of the Cardiff Local Development Plan.

23. Prior to beneficial occupation of the development hereby approved, a plan indicating the positions, height, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the local planning authority. Any new fencing installed within the new development shall have 13cm by 13cm squares cut out of the base or a continuous 13cm tall gap running along the bottom of the fence to allow the passage of hedgehogs and other small mammals. The boundary treatment shall be completed as approved before the buildings are occupied and retained thereafter,

Reason: In the interests of visual and residential amenity and biodiversity, in accordance with policies KP5 and EN6 of the Cardiff Local Development Plan.

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

**RECOMMENDATION 3:** The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com) The applicant is also advised that some public sewers and lateral drains may not be recorded on 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 in dealing with the proposal the applicant may contact Dwr

Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

**RECOMMENDATION 4:** Since January 7th 2019, all new developments of more than 1 house, or where the construction area is 100 square metres or more, require sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by the Welsh Ministers.

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

It is recommended that the developer engage in consultation with the Cardiff Council SAB team as the determining SuDS Approval Body (SAB) in relation to their proposals for SuDS features. To arrange discussion regarding this please contact [SAB@cardiff.gov.uk](mailto:SAB@cardiff.gov.uk)

Further information is available on the Council's website:

<https://www.cardiff.gov.uk/ENG/resident/planning-and-suds/suds-approval-body/>

The legislation set by Welsh Government can be reviewed at:

<https://gweddi.gov.wales/topics/environmentcountryside/epq/flooding/drainage/>

**RECOMMENDATION 5:** The applicant is advised that the owners/developers of all new residential units are required to purchase the bin provision required for each unit. Each block will require the following for recycling and waste collections:

- 1 x 660 litre bin for general waste
- 1 x 660 litre bin for mixed recycling (equivalent to 140 litres)
- 1 x 240 litre bin for food waste
- 1 x 240 litre bin for garden waste (if needed).

The bins have to meet the Council's specifications. Individual 140 litre/240 litre wheeled bins can be purchased via waste Connect to Cardiff at (029) 2087 2087. Bulk supply of individual bins, or 660litre/1100 litre wheeled bins should be ordered via the bin order form located at [www.cardiff.gov.uk/wasteplanning](http://www.cardiff.gov.uk/wasteplanning).

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. Further information regarding waste/recycling and the types of bins required is available in the Supplementary Planning Guidance "Waste Collection and Storage Facilities", which can be found on the Council's website.

**RECOMMENDATION 6:** The developer is advised that, as mentioned in section 3.11 of the Waste Collection and Storage Facilities Supplementary Planning Guidance, it is considered best practice to have a Site Waste Management Plan for demolition projects. Materials should be reused and recycled as much as possible.

**RECOMMENDATION 7:** In the interests of security it is recommended that:

- a) The entrance doors into the apartment blocks and all vulnerable windows should meet the SBD standard PAS24 2016 or equivalent and preferably be third party tested and certificated. Vulnerable windows should have window locks fitted, preferably ones that are key operated. The individual apartment external doors should also meet the same standards. Glass fitted in or adjacent to door panels should be laminated. Doors in recesses of more than 600 mm deep should be avoided.
- b) Access into apartment blocks should be controlled by access control with audio and visual verification fitted if there are 4 or more apartments using a communal entrance.
- c) Utility meters should be located to the outside and front of the apartment blocks.
- d) The site, especially the vehicle parking bays, cycle stores and bin stores, should be lit during the hours of darkness. Lighting should be controlled by photo electric cells or time switches.
- e) The side and rear of the apartment blocks and communal areas should be protected by walls/fencing at least 1.8 metres high which should be robust and designed to be difficult to climb over.

Please visit the website [www.securedbydesign.com](http://www.securedbydesign.com) for more information.

**RECOMMENDATION 8:** No work should be carried out on the development site that may endanger the safe operation of the railway or stability of the railway structures and adjoining land. In view of the close proximity of these proposed works to the railway boundary, prior to any works beginning on site the applicant will need to engage with AIW Asset Protection so that AIW are able to determine the interface with any assets, buried or otherwise and by entering into a Basis Asset Protection Agreement. The applicant should make contact a minimum of 3 months prior to works starting. Initially the outside party should contact [CVLAssetProtection@tfwrail.wales](mailto:CVLAssetProtection@tfwrail.wales) .

**RECOMMENDATION 9:** To encourage the use of Ultra Low Emission Vehicles (ULEVs), the developer is advised to include ULEV charging points as part of the development.

## 1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 The application is for full planning permission for the demolition of a bungalow and associated outbuildings and the construction of 4 no. blocks of apartments containing a total of 23 one and two bedroom units. Block A will be 2 storeys in height, block B 3 storeys and blocks C and D 4 storeys. All the blocks have a broadly rectangular footprint.
- 1.2 Block A, located at the southern end of the site, around 25m from the access



onto Pwllmelin Road, will contain 2 no. one bedroom and 2 no. two bedroom flats. The building will have a flat, 'green' roof to a height of around 6.5m and will be finished in grey brick with darker brick feature panels, with louvres covering the first floor windows in the east elevation (which serve non-habitable rooms). The area between Pwllmelin Road and Block A will accommodate 4 car parking spaces, a bin store and an a small area of soft landscape.

- 1.3 Block B, further to the north and separated from Block A by a 5-space car park and a bin store, with soft landscaping to the margins, would contain 5 no. two bedroom flats, with the second floor taken up by a single apartment. The third storey will be stepped in from the outer edges of the building, providing the second floor apartment with a roof terrace, and will be finished in contrasting material (zinc cladding), with the lower two storeys finished in grey brick to match Block A. Block B will also have a flat, 'green' roof and, as with Block A, all windows in the east elevation above ground floor level will have external louvres.
- 1.4 Blocks C and D are of the same general design as B but are 4 storeys in height. Both would contain 7 no. two bedroom flats.
- 1.5 Each flat will have access to private outdoor amenity space in the form of a balcony and/or optional conservatory, the latter comprising a fully glazed 'external room'.
- 1.6 The development would be accessed via a spine road running south to north from Pwllmelin Road along the eastern boundary of the site and a total of 24 car parking spaces would be provided in separate areas to the south of each block and alongside the spine road. Cycle storage would be in the form of covered bike racks located adjacent to the car parking areas.

## 2. **DESCRIPTION OF SITE**

- 2.1 The site comprises the overgrown curtilage of a disused dwelling and has a frontage onto Pwllmelin Road of approximately 15m, a maximum width of around 26m and is almost 190m long with a north/south alignment. The land slopes down from south to north, with the northernmost part of the site being around 3m lower than the south. A railway line runs through a cutting along the western boundary and there is a railway station (Fairwater) on the opposite side of Pwllmelin Road. The rear gardens of houses on The Chantry border the site to the east and the north eastern part of the site adjoins the playing fields of the Bishop of Llandaff School. Windrush (a large dormer style bungalow) and its associated outbuildings, are situated at the southern end of the site. The surrounding area is characterised by large detached houses of varying designs.

## 3. **SITE HISTORY**

- 3.1 18/00642/MNR - Proposed demolition of existing dormer bungalow and construction of 5 new detached houses (outline permission granted subject to S106 obligation - £143,318 for affordable housing).

- 3.2 99/00102/W – Demolition of existing dwelling and erection of four dwellings - renewal of planning permission no. 96/182W
- 3.3 96/00182/W - Demolition of existing dwelling and erection of four dwellings.
- 3.4 93/00684/W - Demolition of existing dwelling and erection of four dwellings.
- 3.5 89/02385/W - Demolition of existing dwelling and erection of four dwellings.
- 3.6 89/01439/W – Ten dwellings. Refused (inadequate visibility at junction; loss of trees; over intensive development – poor amenity standards; loss of privacy to adjacent occupiers).

#### 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);  
 KP15 (Climate Change);  
 KP16 (Green Infrastructure);  
 H3 (Affordable Housing);  
 EN6 (Ecological Networks and Features of Importance for Biodiversity);  
 EN7 (Priority Habitats and Species);  
 EN8 (Trees, Woodlands and Hedgerows);  
 EN10 (Water Sensitive Design);  
 EN13 (Air, Noise, Light Pollution and Land Contamination);  
 T5 (Managing Transport Impacts);  
 C3 (Community Safety/Creating Safe Environments);  
 W2 (Provision for Waste Management Facilities in Development).
- 4.2 *Supplementary Planning Guidance:*  
 Waste Collection and Storage Facilities (October 2016).  
 Cardiff Residential Design Guide (January 2017).  
 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 11 – February 2021):*  
 2.2 All development decisions, either through development plans policy choices or individual development management decisions should seek to contribute towards the making of sustainable places and improved well-being  
 3.4 Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales.  
 3.6 Development proposals must address the issues of inclusivity and accessibility for all.  
 3.7 Developments should seek to maximise energy efficiency and the efficient

use of other resources (including land), maximise sustainable movement, minimise the use of non-renewable resources, encourage decarbonisation and prevent the generation of waste and pollution.

3.8 Good design can help to ensure high environmental quality. Landscape and green infrastructure considerations are an integral part of the design process.

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

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

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

3.16 Planning authorities should through a process of negotiation seek to improve poor or average developments which are not well designed, do not take account of their context and consider their place, or do not meet the objectives of good design. Where this cannot be achieved proposals should be rejected. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions. If a decision maker considers that a planning application should not be approved because of design concerns they should ensure that these reasons are clearly articulated in their decision and justified with sufficient evidence.

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.

3.23 Green infrastructure can be an effective means of enhancing health and well-being, through linking dwellings, workplaces and community facilities and providing high quality, accessible green spaces.

4.1.9 The Welsh Government is committed to reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport.

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

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

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

4.1.35 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.

4.1.37 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.

4.1.40 To encourage the use of Ultra Low Emission Vehicles (ULEVs), the planning system should encourage and support the provision of ULEV charging points as part of new development.

4.1.50 A design-led approach to the provision of car parking should be taken, which ensures an appropriate level of car parking is integrated in a way which does not dominate the development. Parking provision should be informed by the local context, including public transport accessibility, urban design principles and the objective of reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport.

4.1.52 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.

4.2.31 Site specific targets are indicative affordable housing targets which should be established for each residential site and for each mixed-use site which includes a residential component. For sites which fall below the site threshold planning authorities may secure commuted sums using a Section 106 agreement. When setting the affordable housing thresholds and/or site-specific targets planning authorities must consider their impact on site viability to ensure residential sites remain deliverable.

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

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

6.4.5 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.

6.7.24 The potential impacts of noise pollution arising from existing development, be this commercial, industrial, transport-related or cultural venues, 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

- 4.4 *Technical Advice Note 2 – Planning and Affordable Housing (2006).*
- 4.5 *Technical Advice Note 11 – Noise (1997).*
- 4.6 *Technical Advice Note 12 - Design (March 2016).*
- 4.7 *Technical Advice Note 18 – Transport (2007).*
- 4.8 *Building Better Places: The Planning System Delivering Resilient and Brighter Futures - Placemaking and the Covid-19 recovery (July 2020).*
- 4.9 *Future Wales- the National Plan 2040.*  
It is considered that the proposed decision is in accordance with the 11 key outcomes to be achieved by the planning system as set out in 'Future Wales – The National Plan 2040'

## 5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 *Transportation:* Clarity in the location of the long-stay / resident cycle parking is required. It is assumed that the cycle facilities illustrated on the landscape plan (012), which do not appear to be covered, offer the visitor cycle parking option.
- 5.2 The site appears to offer access to a variety of vehicles - refuse, fire and private cars are illustrated. The extent of the carriageway access for refuse vehicles needs to be confirmed. Confirmation that the access road, or at least part, is to be adopted under S38, and the extent of the proposed adoption, is required. Within the adopted area the applicant should provide a minimum quality of access as outlined in the Technical Standards (covered by the Managing Transportation Impact SPG). The technical details state the minimum acceptable carriageway width and footway width. The proposed footway width of 1.8m is below the 2m minimum set out in the adopted technical details.
- 5.3 The materials would also need to be amended to remove paving from proposed turning points/heads along the road. The carriageway must be constructed to an adoptable standard.
- 5.4 A pedestrian crossing facility is offered in the TS and required to enable access to the south of Pwllmelin Road. S278 junction design will include the access to the site and the required pedestrian crossing. The junction and adopted area will include 2m pedestrian facilities.
- 5.5 Conditions are requested requiring the approval of the location and design of cycle parking facilities, maximum numbers of car parking spaces not to be exceeded, a construction management plan, details of suitable street lighting and carriageway surfacing for the adopted highway (for S38 highways approval) and details of the design of the junction, including an uncontrolled pedestrian crossing facility (for S278 highways approval).

- 5.6 A S106 financial contribution of up to **£5,000** will also be required, to pay for a Traffic Regulation Order to protect sight lines at the access junction and the pedestrian crossing facility.
- 5.7 *Pollution Control (Noise & Air):* I am of the opinion that an acoustic report is required in order to establish the potential impacts of existing noise sources upon the development site. All habitable rooms must achieve an internal noise level of 35 dBA 16 hour during the day [07.00 to 23.00 hours], and 30 dBA Leq 8 hour at night [23.00 to 07.00 hours]. With regards to the railway vibration, due consideration must be given to the design and construction of the dwellings so as to ensure that vibration dose values do not exceed 0.4m/s<sup>1.75</sup> between 07.00 and 23.00 hours, and 0.26m/s<sup>1.75</sup> between 23.00 and 07.00 hours, as calculated in accordance with BS 6472:1992. In addition, the developer must submit a Demolition and Construction Management Plan.
- 5.8 *Pollution Control (Contaminated Land):* In reviewing available records, the site has been identified as formerly residential. Contamination is not known at this site, however the potential for this cannot be ruled out. I would therefore advise the use of the 'unforeseen contamination' condition. Should there be any importation of soils to develop the garden/landscaped areas of the development, or any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. Standard conditions and recommendations are requested relating to unforeseen contamination, imported and site-won materials and contaminated/unstable land.
- 5.9 *Parks Development:* 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. On-site provision would not be expected for this development particularly with Fairwater Park and Pwllmelin Recreation Ground nearby therefore an off-site contribution is sought.
- 5.10 Based on the information provided on the number and type of units, I have calculated the additional population generated by the development to be 40.4. This generates an open space requirement of 0.098 ha of on-site open space based on the criteria set for Housing accommodation, or an off-site contribution of **£41,917**.
- 5.11 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 within 1km are:
- Llandaff Ward - Insole Court, Cathedral Green, Bridge Road River Walk,

## Mathew Walk Open Space

- Fairwater Ward – Fairwater Park, Pwllmelin Recreation Ground and Fairwater Recreation Ground.

- 5.12 *Waste Strategy & Minimisation Officer:* The tracking details for the refuse vehicle have been noted and this is acceptable. Each block will require the following for recycling and waste collections: 1 x 660 litre bin for general waste; 1 x 660 litre bin for mixed recycling (equivalent to 140 litres); 1 x 240 litre bin for food waste; 1 x 240 litre bin for garden waste (if needed). Refuse storage, once implemented, must be retained for future use. 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. Please be advised that the developers of all new residential units are required to purchase the bin provision required for each unit. The bins have to meet the Council's specifications. As mentioned in section 3.11 of the Waste Collection and Storage Facilities Supplementary Planning Guidance it is considered best practice to have a Site Waste Management Plan for demolition projects. Materials should be reused and recycled as much as possible.
- 5.13 *Housing Strategy:* In line with the adopted LDP (Policy H3), an affordable housing contribution of 20% of the 23 units (5 units) is sought on this brown-field site. Our priority is to deliver on-site affordable housing, in the form of affordable rented accommodation, and this site is suitable for affordable rented accommodation, built to Welsh Government Development Quality Requirements (DQR) for purchase by a nominated Registered Social Landlord (RSL) partner or the Council. For information, any affordable housing scheme should be appraised on a NIL Social Housing Grant (SHG) basis, and all of the units must meet Welsh Government DQR standards. Given the proposed design/configuration of the scheme, we would need to understand how any on-site affordable units can meet DQR standards and how any demarcation between the market and the affordable would work in reality. The scheme has to be able to be managed and easily maintained by the Registered Social Landlord or the Council.
- 5.14 In exceptional cases, if it is not possible to deliver the units on site, then, as an alternative to on-site provision, we would be willing to enter into discussions with the applicant with regard to providing the affordable housing contribution as a financial contribution in lieu. On that basis we would seek a financial contribution of **£413,714** (in lieu of 1 x 1 bf & 4 x 2bf) which is calculated in accordance with the formula in the Affordable Housing – Supplementary Planning Guidance (SPG) (2017). Discussion with the applicant is required.
- 5.15 *Drainage:* No comments received.

## 6. EXTERNAL CONSULTEES RESPONSES

- 6.1 *Welsh Water:* Confirm capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development



site. As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with the Local Authority, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

- 6.2 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. No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.
- 6.3 A water supply can be made available to serve this proposed development. The developer may be required to contribute, under Sections 40 - 41 of the Water Industry Act 1991, towards the provision of new off-site and/or on-site watermains and associated infrastructure.
- 6.4 *Transport For Wales:* Due to the proposal being next to AIW managed infrastructure, prior to any works beginning on site the applicant will need to engage with AIW Asset Protection so that AIW are able to determine the interface with any assets, buried or otherwise and by entering into a Basis Asset Protection Agreement. The applicant should make contact a minimum of 3 months prior to works starting.
- 6.5 *South Wales Police:* Observations are provided on perimeter security, lighting, parking bays, bicycle stores, landscaping, bin storage, drainpipes, utilities, door and window security, access control and dwelling identification.

## 7. **REPRESENTATIONS**

- 7.1 The application and the subsequent amended plans have been advertised by press notice (initial application only), site notice and neighbour notification. Representations from 11 individual households were received in objection to the initial proposals along with objections from the Llandaff society and Councillor Philippa Hill-John. Following the notification of the amended plans, 9 individual households plus the Llandaff Society and Councillor Philippa Hill-John have re-iterated their objections.
- 7.2 The individual objections are summarised as follows:
  - 1. The design, scale and construction materials are not in keeping with the character of the existing area and properties and would ruin a well-established and attractive residential area.
  - 2. The proposal represents overdevelopment of the site in terms of density of development.
  - 3. Conditions previously placed on the development of the site, limiting any construction to two storeys, have been ignored. The height of the buildings

- proposed is not in keeping with current properties in the area.
4. The internal access road and the junction with Pwllmelin Road are unsafe. The site entrance, directly off a busy road, has impaired visibility. The minor changes made to the splay at the junction with Pwllmelin Road in the amended plan fails to alleviate the safety issues for pedestrians and vehicles in the area. The revised plans also fail to address the poor and dangerous vehicle and pedestrian access to the properties themselves and arise from the cramped dimensions and geometry of the roadway.
  5. The internal road is unlikely to be adopted therefore refuse vehicles will not be able to enter the site and a large amount of waste will have to be presented on Pwllmelin Road, creating safety hazards.
  6. The traffic survey doesn't take into account the large number of dwellings being built at Plasdwr.
  7. The parking arrangements are inadequate. Vehicles which are unable to park on-site will seek parking on neighbouring streets. This situation is made worse by vehicles left all day by "Park and Riders" using Fairwater station, visitors to flats in The Retreat and parking in relation to drop-offs and pick-ups at the Bishop of Llandaff High School. The low number of dedicated parking slots in the proposed development will add further pressures on vehicle movement particularly affecting access for refuse collection and emergency vehicles.
  8. Land stability has not been considered. There is no protection against any adverse affects which might be caused to the land on the Chantry side or that of the Bishop of Llandaff School.
  9. Bishop of Llandaff High School playing fields will be overlooked, giving rise to Safeguarding concerns. This is especially pertinent given that the Bishop of Llandaff High School incorporates The Marion Centre, a Specialist Resource Base for students 11 to 19 years with an Autism Disorder (ASD) diagnosis.
  10. The developer has not complied with previous planning requirements – vegetation has been cleared in May, disturbing nesting birds, and trees have been felled without the prior consent of the Local Planning Authority.
  11. The applicants Planning Statement ignores the full history of the site, i.e. a previous refusal and conditions placed on outline planning consents. Previous conditions should still apply, e.g. no building to be more than two storeys in height.
  12. Loss of privacy to properties in The Chantry, Chatsworth Close and Kirton Close.
  13. Windrush (Llandaff) Limited is in Receivership. The application to demolish the bungalow and construct 24 self-contained apartments in 4 blocks was submitted after the appointment of the receivers. This reinforces concerns and objections - this planning application is being led by receivers whose role is to sell the property and repay any debts owed to lenders.
  14. The number of proposed apartments will increase traffic movement in the area. The lockdown restrictions and changes in people's life-style resulting from Covid 19 has generated considerable extra traffic in the area. Also the number of daily vehicle movements into and out of The Chantry resulting from the recent completion of The Retreat has greatly exceeded forecasts and triggered access and parking problems for residents in the

area.

15. There are already too many empty flats in Cardiff. Overprovision of flats in Cardiff has been an issue for 30 years and is a consequence of overdevelopment driven by greed.
16. There is not enough outdoor amenity space for residents.
17. Landscaping proposals are inadequate.
18. The proposed boundary with the rear gardens of the houses of The Chantry is unacceptable. A low-level retaining wall would be highly inadequate because there is in excess of a 3metre drop between the garden levels of The Chantry and the existing site levels at Windrush. Minimal consideration has been given to appropriate boundary landscaping/screening, particularly as the site has recently been cleared of all mature trees.
19. Loss of light to Chatsworth Close. Overshadowing of houses on Chatsworth Close, and loss of light as the skyline will change - the land at Windrush is already one storey higher than the land beyond the railway line.
20. Delivery vehicles, refuse and recycling lorries and emergency vehicles are likely to find loading/unloading/turning very difficult on this narrow strip of land.
21. Loss of trees will be damaging to wildlife, the environment and to the Council's ambitions to increase tree cover both on council and private land. Allowing more buildings to be erected on this land would be contrary to the Council's own strategy. Cardiff Council should play its part in tackling climate change by refusing planning applications which are a threat to our environment.
22. Construction work will compromise the safety of pupils at the nearby school due to the presence of heavy machinery and dust could affect children's health.
23. Insufficient information has been provided - until TfW have decided whether they will make representations, and, if so the nature of those representations, the Council will not have sufficient comprehensive information about the application to enable them to make a decision.
24. The pumping station proposed does not conform with the design parameters as set out in the current drainage standards of Welsh Water. A compound and tanker provision will be required within the scheme. The current planning layout does not therefore accurately depict how the scheme could be built and is not deliverable in its current format.
25. The proposal to locate Swales and soakaways on the legal boundary with the Transport for Wales railway line will not be allowable. Permeation of soils at this location will undermine the structural integrity of the graded embankment and cause detriment to the stability of the ground serving the railway line. Furthermore the current design does not conform with building control regulations with regard to the proximity of soakaways and swales to the proposed buildings.
26. The brick wall will create a climbing aid to scale the neighbour's fence and compromise the security of their site.
27. Flat roofs attract nesting seagulls to the area, which is a blight on developments making it difficult to maintain and sell properties.
28. The developers state that the fact that the site slopes away from

Pwllmelin Road towards the north west of the site by approximately 3 metres enables the introduction of an additional floor. However, the site elevation shows that the site's slope only becomes relevant in respect of Block D.

29. Two substantial developments will have taken place in The Chantry in recent years adding a further 42 dwellings with all the consequent pressures this places on the community.
30. The front of 64 Kirton Close faces the railway line and is in direct view of the proposed development but the residents weren't notified of the application. Properties 54 to 72 Kirton Close are in close proximity to the development and should have been notified by letter and given the opportunity to raise objections. Also, it has not been possible to view the plans online.
31. Views of greenery will be lost.

7.2 The Llandaff Society has submitted a number of objections, which are summarised below:

- (i) Overdevelopment.  
The current single dwelling would be replaced with twenty four units, plus an access road and parking areas. The Council has approved 5 homes on this site (18/00642/MNR), but this is a significantly more intensive development. It would be surrounded by swathes of tarmac and would grossly overdevelop this previously leafy suburban site.
- (ii) Lack of consideration of land stability.  
Earth-moving and engineering works would break down soil cohesion and disrupt drainage in and around the railway embankment. The scale of development proposed would put extra strain on this embankment. This could lead to structural instability and a risk to safety for trains using the rail line below. The Council should consult Transport for Wales on this issue now, before any decision is made on the application.
- (iii) Inappropriate design.  
The proposed flats would appear as four, utilitarian, 4 and 5 storey slab blocks interspersed with car parking areas, with little planting, contrasting with the majority of development in the area which is individual, 2 storey, high quality detached houses in large plots with mature landscaping.
- (iv) Inadequate landscaping for a development of this size.  
The current site used to contain plentiful trees and shrubs before they were cleared in 2020. Views into the proposed development from the main road and neighbouring properties would be dominated by hard surfaces. The majority of the current garden would be covered by impermeable surfaces (buildings and roadways) leaving a minute amount of landscaping.
- (v) Loss of biodiversity,  
The wildlife corridor running along the railway line would be disrupted and much of it would disappear under concrete and tarmac. Tree felling and garden clearance has already reduced wildlife habitats on the site (in breach of a condition on the current planning permission for the site). The "Ecological Assessment" was undertaken after the site clearance and does not represent a true picture of the losses actually incurred. All planning applications in Wales must include proposals for a net benefit in biodiversity. It is impossible for this proposal to deliver any increase on

what existed prior to the destruction of habitats on this site.

(vi) Dangerous junction with Pwllmelin Road.

The proposed junction to be provided with Pwllmelin Road would be unsafe. It would be on a narrow pinch point on a radial route into Cardiff that is a rat run for residents from the 12,000 new dwellings being built in North West Cardiff. The adjoining listed rail overbridge only has a footway on its south side. Little consideration has been given to the safety of schoolchildren particularly when pupils are walking to and from school and crossing Pwllmelin Road in the vicinity of the development. Also, the submitted traffic data are out of date.

(vii) Inadequate internal access road and parking provision.

The proposed dimensions of the turning head make it unlikely that it would be adopted. If this is the case, it would create difficulties for Fire and Emergency vehicles, as well as delivery vehicles. Large vehicles and refuse lorries would have to back up onto Pwllmelin Road, or park on the main road causing congestion and a traffic hazard. Also, 24 parking spaces for 24 residential units is totally inadequate as it would provide no spaces for visitors or multiple car-owning households

(viii) Breach of Condition 4 re approval 18/00642/MNR.

This condition specifically excludes “demolition or vegetation clearance” between 1 March and 15 August. We understand from residents of the adjacent houses that tree felling and site clearance was indeed undertaken at the height of the nesting season this summer.

7.3 With regard to the amended plans, the Llandaff Society confirm that they maintain their objections and comment that:

1. The amendments give a derisory reduction of only 1 in the total number of flats and some minor changes to access and landscaping . These would do nothing to change the major adverse impacts of this proposal.
2. Their major concern is the negative impact on road safety, in particular for school children as the site is close to an entrance to the Bishop of Llandaff School. Pwllmelin Road is an increasingly busy road.
3. It would be a travesty if this proposal was given permission, particularly if it was in order to gain S106 monies which would be at the expense of children’s safety and wellbeing.
4. Revisions to landscaping are minor and cosmetic and would not add significantly to biodiversity compared with its previous uses, or give any significant screening effect for the nearest neighbours.
5. Additional run-off from the roofs, road and parking areas during increasingly frequent periods of heavy rainfall would add to the likelihood of flooding.

7.4 The Llandaff Society considers that allowing this development would be in conflict with the Council’s duties under the Wellbeing of Future Generations Act and its obligations under PPW to improve road safety, enhance biodiversity and mitigate climate change.

7.5 Councillor Philippa Hill-John objects as follows:

“There is considerable interest in this application locally and I would ask that the following points are taken into account in line with the respective planning

guidelines.

- 7.6 Having visited the site I would also like to request a video walk through 'site visit' of the site in order to fully appreciate the proximity to the railway line and the access into the site off a very busy road, a radial route into Cardiff, Pwllmelin Road, the steep banking adjoining the railway line, the proximity to the Bishop of Llandaff school, the proximity to existing properties and the height of the proposed properties in relation to the properties along The Chantry. I would also ask committee members who are not familiar with the area to visit it please as only by doing this will you get a full appreciation of the characteristic of the neighbouring street scene and the scale and impact of the proposed application.
- 7.7 The Council has granted outline planning permission, submitted by previous owners of "Windrush" for the construction of 5 detached houses and the demolition of the existing bungalow. The outline permission was granted on the 8<sup>th</sup> October, ref 18/00642/MNR. The current application is now for 24 flats across 4 separate blocks up to 5 storeys high. A very different proposal.
- 7.8 I would ask whether this proposal has fully taken into account the aims of the SPG that are infill development: under these respective headings –
- *Makes a positive contribution to the creation of distinctive communities, places and spaces.*
  - *Responds to the context and character of the area.*
- 7.9 I would also ask that the committee take into consideration and have taken the text from the document relating to Residential Design guide as it is clear there are a number of areas that contravene this.

#### **Character and context**

*3.7 As an overarching guide for all residential development, the Residential Design Guide SPG sets out the following list of design characteristics that should inform a character analysis:*

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

*3.8 Infill development needs to be sensitive to its context. It is important that in residential areas where there is a clear existing pattern and form of development, that new buildings, landscaping and boundary treatments (e.g.gates, railings, walls and hedges) complement the character of the surroundings. A thorough understanding of detailing in the street scene which contributes to the form and character of the area needs to be gained and responded to..*

*3.11 Proposals must respect the urban grain and consider locally distinct patterns of streets and spaces including:*

- *Elements of the form of the street (organic or regular).*
- *Predominant housing layouts (terraced, semi-detached or detached).*
- *Garden sizes.*

*3.12 Materials (colour, texture and extent) used for roofing, walls, doors and window frames should respond to the dominant construction or facing material in the area; materials should either match exactly or be complimentary.*

*3.13 The fenestration of new developments should complement the size, proportions, design and rhythm of detailing of neighbouring properties. The roofline should include appropriate design and pitch of roofs, ridge height, eaves level, and notice taken of any other relevant details in the street scene.*

There is clearly a disconnect between the character and context of this proposal and the surrounding area.

#### 7.10 **Height, scale and massing**

*3.18 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.*

There are no three storey properties adjacent to this site let alone 4 & 5 storey as proposed. The proposed heights of these buildings alone should be sufficient grounds for refusal.

#### 7.11 **Privacy, overlooking and overshadowing**

*New developments should allow for adequate privacy for the occupiers of the proposed buildings as well as for neighbouring properties. Normally, a minimum of 21m should be maintained between principal windows to habitable rooms.*

This again had been taken from the Residential design guide and has been challenged in objections submitted. I would like to support the statement submitted by Mr and Mrs Bolton where it details that the distance between the existing properties and the proposal is considerably less than the recommended 21 m. Despite the proposal to have opaque glazing, this becomes redundant where a balcony overlooks the neighbouring property.

#### 7.12 **Biodiversity and landscaping**

I would like to draw the committee's attention to the assessment submitted below. This suggests that there is further work to be done. It was also noted by the local residents that trees have already been removed and during the nesting season which contravenes the specification set out below. I question why it is that this is permitted and what recourse the council will take against the contractor?

David Clements Ecology Assessment recommendations

##### **Further surveys**

*6.1.1 The following further survey work is required:*

- *Flight surveys for bats of the on-site buildings*
- *Reptile refugia surveys of the on-site habitats*

*6.1.2 Further recommendations for mitigation will be set out for these species (if required) following the completion of the further surveys.*



## **6.2 Nesting Birds**

*6.2.1 Works affecting either the buildings or the trees and scrub of the site must have regard to the possible presence of nesting birds. The bird nesting season runs approximately between March and August inclusive, and therefore it is recommended that any building work, felling or tree works are undertaken outside of this period. Undertaking works outside the bird nesting season minimises the risk of causing avoidable harm or disturbance to nesting birds, which is a statutory obligation. If this timing is not possible, however, then the works must be preceded by a survey by an appropriately qualified person to ascertain that no nesting birds are present.*

*6.2.2 In the event that nesting birds are found to be present during works, all works in the immediate vicinity must cease immediately and appropriate expert advice sought as a matter of urgency. The 'immediate vicinity' would comprise any nesting bird-occupied void in its entirety, plus an area of at least 5m radius around the find site. Nesting birds must not be harmed or disturbed, and should be left undisturbed until the young have fledged. This is a statutory requirement.*

### **7.13 Adoption and Access road**

The details surrounding this are already outlined in the objection submitted by Mr Bolton. To note there is no turning facility along the private driveway.

### **7.14 Amenities**

No bin collection points or storage have been identified to my knowledge and only 22 parking spaces for 24 apartments. I cannot see cycle storage on the plans, which is not in line with the vision of 50:50 modal split and sustainable transport.

7.15 Please also take into account that Network Rail hold no objection, according to Litchfields statement however this was in relation to the previous application for 5 properties. I would ask that confirmation is given that TFW has been consulted and the response shared.

7.16 In summary there are numerous elements to this proposal that contravene planning guidelines and I would ask that the committee refuse this application on these grounds.”

7.17 Following the submission of the amended plans, Councillor Hill-John has made the following additional observations and objections:

“I would like to re instate my objection to the above proposed development and to request a site visit. Revised objections have been received and I would like to support these and in particular focus on –

1. The proposed development represents an overdevelopment of the site.
2. Conditions previously placed on the development of the site, limiting any construction to two storeys, have been blatantly ignored.
3. The Traffic Survey carefully neglects to consider the impact of the approximately 7,000 dwellings currently being created in the St Fagans, Radyr, Morganstown and Fairwater wards (Plasdwr).
4. The design is inappropriate.- my observations from my previous objection still stand.

5. Road Safety -The junction with Pwllmelin Road is unsafe. Pwllmelin Road is an increasingly busy road, with traffic added to by that generated by new developments at Plasdwr - not only cars but delivery vehicles of varying sizes as well as the 2-way bus service. We support the objection from the School which cites road safety as a key concern.
6. The internal access Road is unsafe.
7. The anticipation that the access road will be adopted is unlikely to be met. This would necessitate the presentation of an unacceptable amount of waste at the kerbside on Pwllmelin Road, presenting a danger to road users and pedestrians alike.
8. Revisions to landscaping are minor and cosmetic and would not add significantly to biodiversity compared with its previous uses - despite the requirement for this in the current edition of Welsh Government's Planning Policy Wales (PPW Edition 11). Nor would they give any significant screening effect for the nearest neighbours.
9. Run-off from the roofs, road and parking areas during increasingly frequent periods of heavy rainfall would add to the likelihood of flooding both in the locality and in lower lying areas of the City.

7.18 In view of the above Llandaff Society considers that allowing this development would be in conflict with the Council's duties under the Wellbeing of Future Generations Act and its obligations under recently updated national planning policy in PPW to improve road safety, enhance biodiversity and mitigate climate change.

7.19 The amended plans published on 4 October 2021 include the following changes:

- 1 The total number of units has been reduced from 24 to 23.
- 2 Block A has been reduced from 4 floors to 2.
- 3 Block B has been reduced from 4 floors to 3.
- 4 Block C has been reduced from 5 floors to 4.
- 5 Block D has been reduced from 5 floors to 4.

In Reference Note A, the developers state that the fact that the site slopes away from Pwllmelin Road towards the north west of the site by approximately 3 metres enables the introduction of an additional floor. However, the site elevation shows that the site's slope only becomes relevant in respect of Block D. There is no significant change in level between Blocks A and B and little change between Blocks B and C (the slope only being of any significance in the northern portion of this building). The argument for introducing an extra floor can, therefore, only apply to Block D. Given the site topography, Block B should also be reduced to 2 floors and Blocks C and D to 3, thereby reducing the total number of units to 20. It should also be noted that conditions previously placed on the development of the site have limited construction to 2 storeys."

## 8. **ANALYSIS**

8.1 The site is within the existing settlement boundary as defined in the Cardiff Local Development Plan, within an existing residential area, and outline planning permission has twice been granted for residential development on this site, therefore there are no objections to the principle of the proposal.

- 8.2 The site is adjacent to the Grade II Listed railway bridge carrying Pwllmelin Road; however it is considered that the development would not adversely affect the setting of the bridge. The main considerations with regard to this application are therefore: biodiversity and nature conservation interests; the character and appearance of the street scene; the amenities of neighbouring occupiers, the living environment of prospective occupiers and access and parking arrangements.
- 8.3 With regard to biodiversity and nature conservation interests, the application is supported by an Ecological Assessment, which concludes that the buildings on the site have potential to support roosting bats and other habitats within the site have potential to support reptiles, and that although the proposed development would likely result in the loss of the majority of existing habitats, the impact would be of no more than local significance. Also, any negative impacts could be mitigated and/or compensated for through the implementation of appropriate mitigation measures to avoid harm to protected species, such as nesting birds, and habitats during construction and operation.
- 8.4 The Ecological Assessment makes the following recommendations –
1. Further survey work should be carried out (flight surveys for bats and reptile refugia surveys) to determine if mitigation is necessary for these species.
  2. Works affecting either the buildings or the trees and scrub of the site must have regard to the possible presence of nesting birds.
  3. Consideration should be given to the incorporation of bird-boxes on the developed site, either on the new buildings or on any suitable trees in the vicinity.
  4. Any retained habitats should be securely fenced off with appropriate temporary fencing at the start of construction work to prevent access and incidental damage.
  5. All retained trees should be treated in accordance with British Standard BS5837 (2012) Guidance for the Treatment of Trees in Relation to Construction.
  6. Building compounds and storage areas should not be sited on areas of habitat which are to be retained or in the off-site habitats and should be suitably fenced and bunded where they stand adjacent to semi-natural habitats. Similarly, no equipment, machinery or materials should be brought into the retained areas, or stored under retained tree canopies, or ground levels altered within these clearly demarcated zones of protection.
  7. Any trees which must be removed as part of the development should be replaced on a like-by-like basis as a minimum with native species which are indigenous to the region.
  8. To provide ecological enhancement following the development, consideration should be given to the erection of bat roosting and bird nesting boxes in suitable trees around the site.
  9. The services of an appropriately qualified and licensed ecologist should be available on an 'on-call' basis throughout the development.
  10. Any new fencing installed within the new development should allow the passage of hedgehogs and other small mammals.

11. Any excavations should be suitably fenced off at night to prevent any wildlife falling and becoming trapped.
  12. Any new lighting scheme within the newly developed site must be designed in liaison with an ecologist and following the advice set out by BCT (2018). No lighting of the adjacent woodland habitats should occur.
- 8.5 The above recommendations can be incorporated into planning conditions to ensure that there is no unacceptable impact on wildlife and that any loss of habitat is compensated for in the new development.
- 8.6 Consideration must also be given to the visual impact of the development and its effect on the street scene. Although the proposed buildings are larger in scale than the houses in the surrounding area, the scheme is visually contained, with a relatively narrow frontage to Pwllmelin Road, and block A, which is only two storeys in height, will be set back more than 30m from the highway and orientated with its narrow side facing the road. The development will not be viewed in context with existing houses, being separated from the dwellings to the west by a deep railway cutting and with those to the east facing away from the site, but as a separate and distinctive new area of development.
- 8.7 The scale and massing of the buildings are considered acceptable – the blocks are prevented from appearing ‘slab-like’ by the use of ‘stepped’ building footprints, contrasting materials (grey brick with darker brick feature panels, timber louvres and zinc cladding) and relatively large areas of glazing with vertical emphasis.
- 8.8 The visual impact of the development will also be minimised by the site’s topography, as the ground level slopes away from Pwllmelin Road towards the rear of the plot. Overall, it is considered that there will be no unacceptable impact on the street scene – the buildings have been designed to minimise their visual impact by using a combination of flat, ‘green’ roofs and a layout that works with the topography and levels of the site, and although the contemporary design contrasts with the 20<sup>th</sup> century detached housing in the immediate vicinity, the site is not within a conservation area (where the development might be expected to replicate, or at least reference, the existing style of housing) and, provided the scheme is acceptable within its context, there can be no objection to the proposals on design grounds. Paragraph 4.9 of Technical Advice Note 12 (Design) advises that *‘a contextual approach should not necessarily prohibit contemporary design’* and, as stated in paragraph 3.16 of PPW, local planning authorities *‘should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions. If a decision maker considers that a planning application should not be approved because of design concerns they should ensure that these reasons are clearly articulated in their decision and justified with sufficient evidence.’*
- 8.9 Regarding the amenities of neighbouring residents, concerns have been expressed that, due to the narrowness of the site, it would not be possible to achieve the normally accepted minimum privacy distance of at least 10.5m between the new apartments and the rear gardens of dwellings on The Chantry.

However, the site layout plans show that Block D is located beyond the end of The Chantry, facing towards playing fields to the north and east and at a distance of more than 23m from any garden boundaries on Chatsworth Close to the west; Block C is mostly beyond the end of The Chantry at a distance of more than 11m from the rear garden boundary of the nearest property and more than 24m from any garden boundaries on Chatsworth Close; Block B is also more than 11m from the rear garden boundaries of The Chantry and more than 30m from those in Chatsworth Close, and only Block A does not achieve the 10.5m minimum distance as it is sited at between around 8.7m and 10.5m from the rear garden boundaries of 9 – 11 The Chantry.

- 8.10 Concern regarding obtrusiveness or loss of privacy caused by the closeness of Block A to the rear garden boundaries has, however, been overcome by reducing the height of this block to 2 storeys, having no habitable room windows in the east-facing elevation, only windows serving bathrooms, internal balconies and the lobby area, and by the use of louvres to screen these windows. Block A also has no external roof terraces.
- 8.11 The distances between habitable room windows in the new development and the windows of the nearest existing dwellings will be adequate to protect privacy. The normally accepted minimum distance of 21m between facing habitable room windows will be achieved in all the blocks: Block A will be more than 40m from facing dwellings on Chatsworth Close; Block B will have no habitable room windows in the east facing elevation (other than secondary bedroom windows) and any windows in this elevation above ground floor level will be screened by louvres, and it will be more than 21m from the rear elevation of the nearest house on The Chantry and 40m from dwellings on Chatsworth Close; Block C will be more than 22m from the nearest house on The Chantry and 26m from those on Chatsworth Close; Block D will be around 50m from houses on The Chantry and more than 23m from the nearest house on Chatsworth Close.
- 8.12 With regard to the amenities of prospective occupiers of the development, the internal living space of each apartment will be generous and all will have acceptable daylight and outlook. There will be lift access to the upper floors in blocks B, C and D, each flat will have private amenity space in the form of at least one balcony, and the top floor apartments in blocks B, C and D will have large roof terraces. Car parking and cycle parking spaces will be provided in accordance with the Council's adopted standards. The development will be subject to railway noise and vibration but this can be mitigated by design features which can be the subject of planning conditions. It is not considered that there are any grounds for refusal of the application based on the standard of accommodation that will be provided.
- 8.13 Highways and Transportation officers have raised no concerns regarding the vehicular access onto Pwllmelin Road and confirm that the site appears to offer access to refuse and emergency vehicles as well as private cars. The Waste officer confirms that the tracking details for a refuse vehicle are acceptable. A contribution will be obtained from the developer for a Traffic Regulation Order relating to sight lines at the access and a pedestrian crossing linking the

application site to the south side of Pwllmelin Road.

8.14 In response to the objections set out in section 7.2 of this report:

1. Design and visual amenity considerations are discussed earlier in this report. It is considered that the scheme is well designed and that there will be no unacceptable impact on the character of the area.
2. The density of development on this site is greater than in the surrounding residential streets but this accords with local and national planning policies which encourage higher densities on sites within settlement boundaries which are in sustainable locations. Paragraph 4.2.22 of PPW, for example, states that '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.' Given that this site is very close to Fairwater railway station and has very good public transport links, it is considered appropriate that it should be developed at the highest density acceptable.
3. The condition restricting development to two storeys appeared in an outline consent dating from 2002. The last outline permission (2018) did not have such a condition and in any case this is a stand-alone application for full planning permission which is not restricted by any conditions which may have been imposed on any previous outline consents. The height of the buildings does not match the height of existing properties in the area but this does not make it automatically unacceptable – it is the impact of the buildings' heights that must be considered.
4. Highways officers have raised no concerns regarding the safety of the access road or the junction, and the dimensions of the internal roadway and parking areas are in accordance with the Council's standards.
5. Only minor changes would be needed to bring the road up to adoptable standard (see the comments of the Transportation officer earlier in this report) and the Waste Management officer has confirmed that refuse vehicles will be able to access the site.
6. Highways officers have not raised this as an issue of concern. Not all traffic generated by the Plasdwr development will travel past this site.
7. The parking arrangements accord with the standards set out in the adopted SPG 'Managing Transportation Impacts (Incorporating Parking Standards)' and are considered adequate. Any vehicles parked illegally in surrounding streets or obstructing the highway would be subject to enforcement action under Highways legislation.
8. Land stability is ultimately the responsibility of the developer and is controlled under other legislation.
9. The playing fields are already overlooked by dwellings. The Marion Centre is more than 100m from the application site, beyond The Chantry and will not be overlooked by the new development. Also, there is a belt of trees within the school grounds which will screen the new development. It would be unreasonable to cite Safeguarding as a reason for the refusal of planning permission in this instance.
10. Previous planning requirements relating to vegetation clearance related to previous planning permissions. There was no Tree Preservation Order

protecting the trees on this site therefore the consent of the Local authority was not required to remove them. If nesting birds were disturbed, an offence may have been committed under the Wildlife and Countryside Act but this is not a planning issue and cannot form grounds for the refusal of this application.

11. Planning officers are aware of the full planning history of the site. Previous refusals and conditions placed on outline planning consents in the past do not apply to this proposal. Each application has to be determined on its own merits.
12. Privacy concerns are discussed earlier in this report. It is not considered that there will be any unacceptable loss of privacy as a result of this development.
13. The motives for submitting the application are irrelevant to the consideration of its planning merits and cannot be taken into consideration.
14. Any increase in traffic movements in the area will be minimal. Highways and Transportation officers have raised no concerns regarding traffic generation.
15. The current demand for flats and the need for the proposed development is not a material planning consideration in this instance.
16. The issue of amenity space is discussed above. Each flat will have at least one private balcony and Parks officers have confirmed that on-site provision of open space is not to be expected for this development, particularly with Fairwater Park and Pwllmelin Recreation Ground nearby. The developer will however be expected to provide a financial contribution towards the improvement of existing open space in the area which would be likely to be used by residents of the flats.
17. The current landscaping proposals are considered to be inadequate in that the planting details and specifications need to be informed by a Soil Resource Survey and Plan (given the existing function as largely vegetated soil, it is assumed there is a valuable, potentially re-usable soil resource) and proposed planting/seeding is largely restricted to a narrow strip of land bounding the railway. Otherwise there are some peripheral verges proposed for shrub planting and sedum roof treatments to dwellings. The absence of designed space for new trees and the monoculture planting with a short-lived species that demands a very free draining soil, and that is not well adapted to the predicted impacts of climate change, runs contrary to the advice on planting in the adopted 'Trees Technical Guidance Note.' Tree planting should focus on high diversity, suitability to context, biodiversity and suitability to climate change. There is also a lack of detail relating to the proposed 'wildflower' areas. However, it is noted that options for tree planting may be restricted by the requirements of Transport for Wales regarding the species of trees which they accept as suitable to be planted close to a railway line. Also, the applicant has advised that the current landscaping proposals are not finalised and they will be drawing up detailed landscaping proposals once there is certainty of the finalised scheme and planning permission (to avoid unnecessary abortive expenditure at the design stage of the development). Appropriate landscaping details can therefore be required to be submitted as a condition of planning permission should this



application be approved.

18. The amended plans indicate that a taller boundary structure would be erected. However, details of all boundary treatments can be controlled via a planning condition to ensure that any new walls or fences provide an appropriate level of privacy without appearing oppressively tall.
19. There will be no unacceptable loss of light to properties on Chatsworth Close – they are to the west of the application site and at a sufficient distance to avoid overshadowing. The new buildings may be visible above the existing trees on the railway embankment but they will not have such a detrimental impact on the skyline as to warrant the refusal of planning permission.
20. Highways officers have raised no concerns regarding the vehicle turning facilities proposed within the development site.
21. Most of the trees have already been removed from the site (see previous comments) and the majority of the tree coverage is now not on the application site but on the railway embankment. These trees should not be affected by the proposed development as they are mostly set far down the side of the embankment. The Council is committed to increasing tree cover and tackling climate change but must balance this with the need to enable new housing to be built, particularly in highly accessible and sustainable locations such as this, where increases in the density of development are to be encouraged so as to avoid the need for development in less sustainable locations. It would not be reasonable to refuse planning permission for new development within the settlement boundary on the grounds that the site previously contained trees. The local planning authority does not have powers to prevent the removal of trees from private land unless those trees are legally protected.
22. A construction management plan can be required to be submitted as a condition of planning permission to ensure that health and safety issues are adequately addressed.
23. Transport for Wales have responded to consultation and have confirmed that they have no objections. The developer will have to enter into an agreement with TfW with regard to asset protection. This is separate to planning permission.
24. Welsh Water have confirmed that they have no objections to the proposals.
25. Surface water drainage is controlled by the SUDS Approval Body, who will determine whether the proposed swales and soakaways are acceptable, and the design will also have to conform to the relevant Building Regulations as well as the asset protection requirements of Transport for Wales. This is separate to planning permission.
26. Details of boundary treatments will be controlled via a planning condition. Security issues will be considered at that stage.
27. It would be unreasonable to refuse planning permission for a development on the grounds that gulls may nest on the roof.
28. Block C will be slightly taller than the other blocks but this is considered acceptable given that it will be at a distance from the highway, behind blocks A and B when viewed from Pwllmelin Road, is not directly opposite the rear of any houses on The Chantry and is separated from houses on Chatsworth Close by the railway cutting and embankment

vegetation.

29. As stated previously, increases in the density of development in sustainable locations such as this are encouraged by planning policies. There is no evidence of severe pressure on the existing community caused by new development.
30. 64 Kirton Close does not directly face the proposed buildings and is more than 45m from the site boundary on the opposite side of a cul-de-sac. It would not be usual to send a consultation letter to a property in such a situation. Letters were sent to 56, 58, 60 and 72 Kirton Close as these properties do either face towards the proposed buildings or, in the case of no. 72, are directly on the far side of the railway cutting. The plans have been made available on the website and it is not known why the objector was not able to view them.
31. There are no rights to a view across someone else's land and the planning system cannot be used to protect such views.

8.15 The majority of the objections raised by Councillor Philippa Hill-John and the Llandaff Society are considered above. In addition, the concerns regarding additional run-off from the roofs, road and parking areas adding to the likelihood of flooding will be addressed by the use of sustainable drainage (which is mandatory).

8.16 In conclusion, the proposals are considered to represent an acceptable scheme for the development of this site. The applicant has indicated that they accept the requirements for Section 106 contributions and it is therefore recommended that the application be approved, subject to the signing of the S106 agreement and subject to the attached conditions.

## **9. OTHER CONSIDERATIONS**

### **9.1 *Crime and Disorder Act 1998***

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

### **9.2 *Equality Act 2010***

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

### **9.3 *Environment (Wales ) Act 2016***

The Environment (Wales ) Act 2016 imposes a duty on the Local Authority to

seek to maintain and enhance biodiversity in the proper exercise of its functions. and in doing so to promote the resilience of ecosystems. It is considered that the proposed development does not have any significant implications for, or effect on, biodiversity.

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

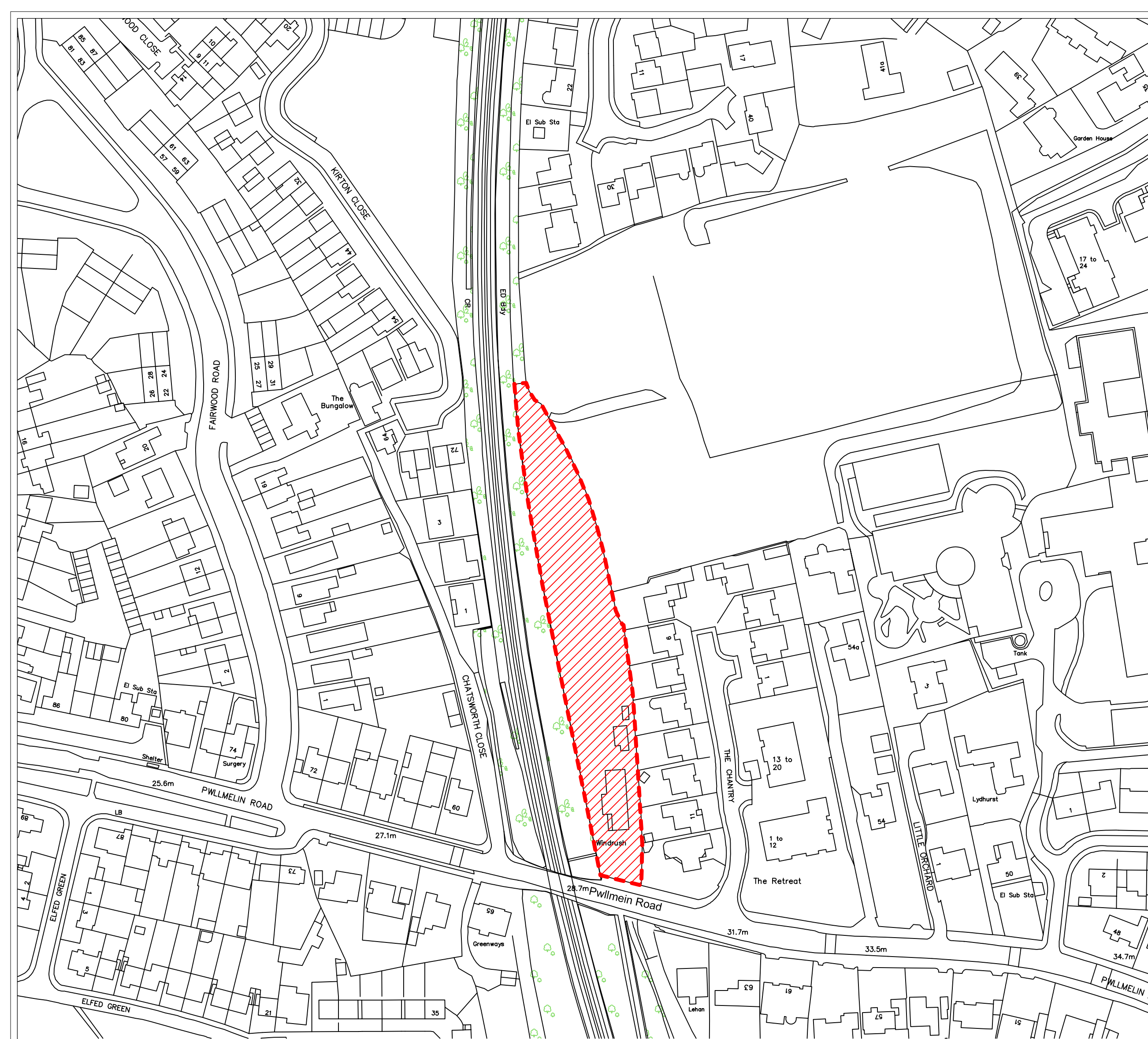
The Well-being of Future Generations (Wales) Act 2015 places a duty on the Welsh Ministers (and other public bodies) to produce well-being objectives and take reasonable steps to meet those objectives in the context of the principle of sustainable development. The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act), has been considered and account has been taken of the ways of working set out at section 5 of the WBFG Act in the determination of this application, and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the well-being objectives referred to in section 9 of the WBFG Act.



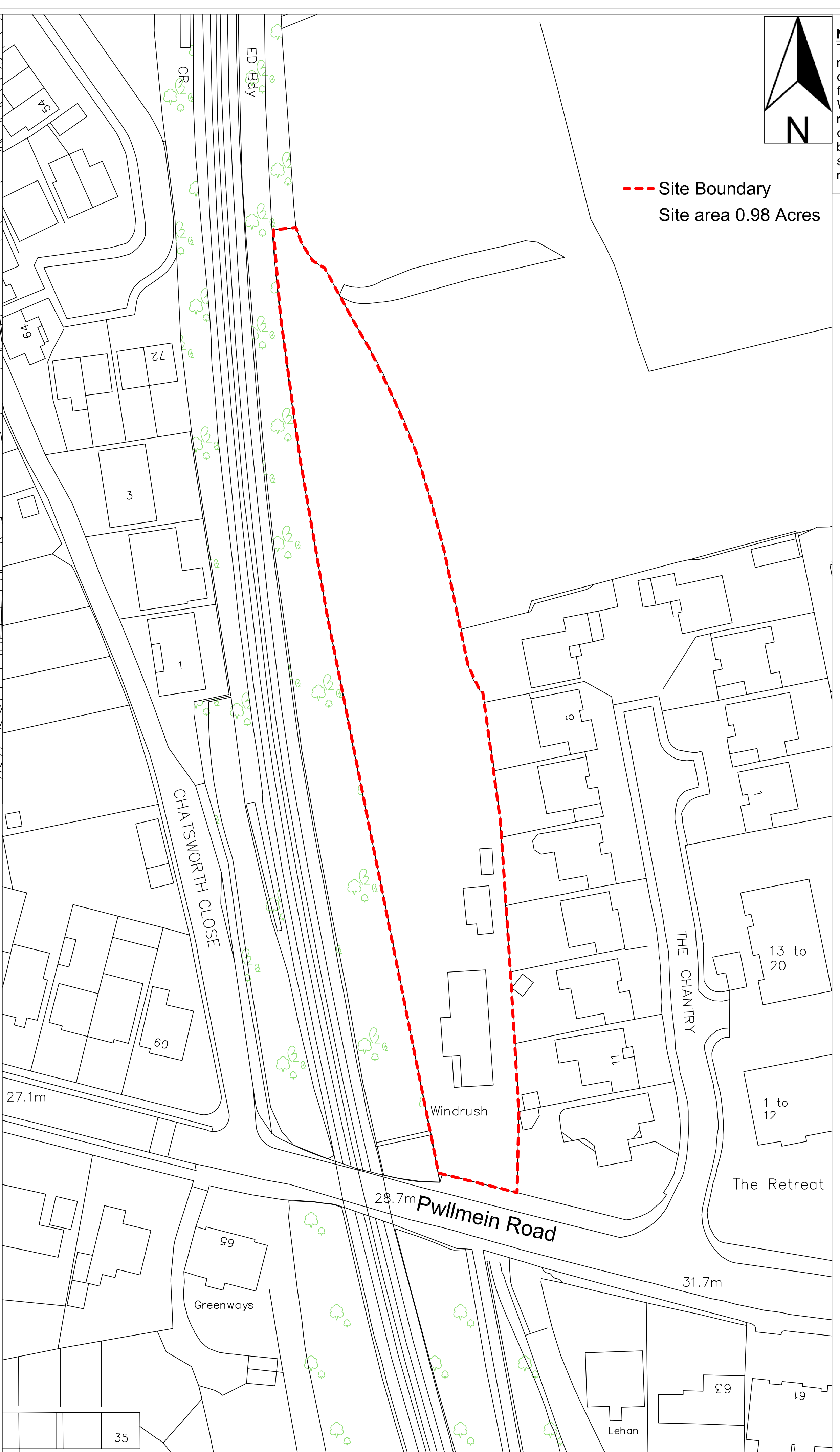


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--- Site Boundary  
 Site area 0.98 Acres



Site Location Plan  
 Scale 1:1250



Existing Site Plan  
 Scale 1:500

Project		
<b>Windrush</b>		
Title		
<b>Site Location Plan</b>		
Drawn by	Checked by	Date
<b>IG</b>	<b>PD</b>	<b>July 20</b>
Scale	Project no.	
<b>Varies @A1</b>	<b>00_02</b>	
Drawing No.	Rev	
<b>001</b>		







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**REFERENCE NOTES**

- The design of block C and D takes advantage of the site topography and surroundings in 2 ways:
- A. the natural slope of the site away from Pwllmelin Road by approximately 3m towards the north west of the site, enables the introduction of an additional floor.
  - B. with consideration of the existing context, block C is set out approximately in line from the northwest garden boundary fence of no. 5 the Chantry – the Chantry Boundary with the School - thereby minimising any impact on the existing dwelling
1. The design of Block A and B responds to the existing Chantry dwellings, where there is a direct design relationship between the 2 storey eaves and roof height of the existing dwellings, and the proposed 2 storey and set back top floor apartment with landscaped terrace.
  2. The setting out for the development at block A, has been purposefully set further back from the original dormer dwelling by an additional 11m, for a total of 31m, in order to address any potential adverse visual impact from the listed bridge.
  3. Careful design consideration has been given to the combination and effect between the existing mature landscaped railway foreground and onsite landscape proposals between buildings to achieve a complimentary and balanced visual setting.
  4. The scheme has been designed to ensure occupant privacy and prevent overlooking of existing neighbouring properties to the Chantry.
  5. One of the main design parameters has been to ensure that the is minimum distance of 21m between existing and proposed buildings/habitable rooms.
  6. Private bedrooms and bathroom accommodation are provided to the to north east elevations facing the Chantry.



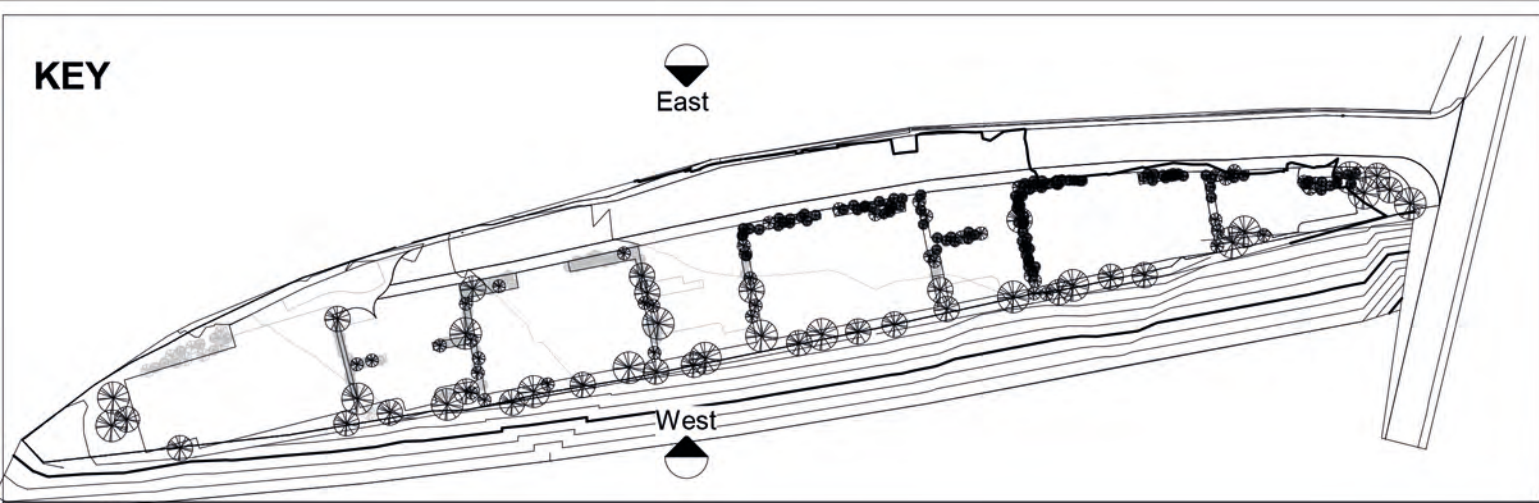
7. All glazing to all habitable and non-habitable rooms above ground and first floor levels to Blocks A and B, to north east facing elevations (to the Chantry) will be designed to avoid direct overlooking to achieve a translucent glazed finish.
8. All glazing to all habitable and non-habitable rooms from second floor level to Blocks C and D, to north east facing elevations to school playing fields, will be designed to avoid direct overlooking or achieve a translucent glazing finish.
9. A variety of boundary treatments, in a variety of sizes have been identified for the site to include, timber, reused natural stone and semi mature and general planting.
10. Boundary materials have been chosen for both their aesthetic and security qualities and heights will vary according to location across the development site.
11. New eastern garden boundary walls to the Chantry residences will be carried through the construction of a low level retaining wall, where required, to support proposed landscaping features and a proposed 1.8m high solid masonry boundary walls/copings – all by agreement with adjoining properties.

Rev A Jan. 2021 IG  
 Proposed site notes added  
 Rev B Sept. 2021 IG  
 All blocks amended to reduce overall height. All roof plans to have green roof

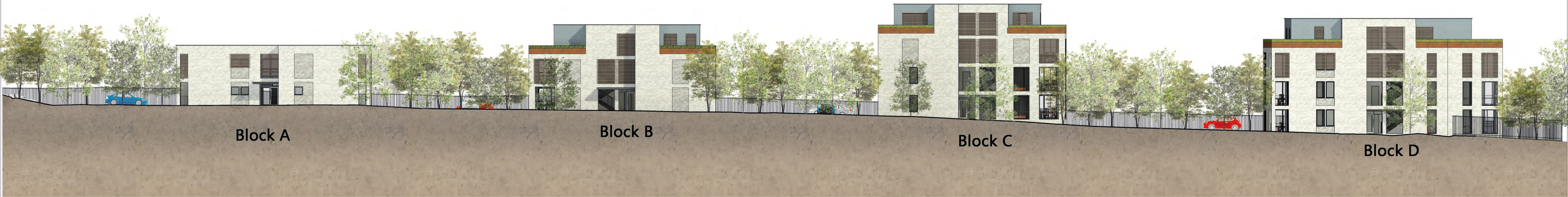
Project		
<b>Windrush</b>		
Title		
<b>Proposed Site Plan</b>		
Drawn by	Checked by	Date
IG	PD	July 20
Scale	Project no.	
Not to scale	00_02	
Drawing No.	Rev	
A002	B	







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**East Elevation**  
 1 : 200



**West Elevation**  
 1 : 200

**KEY**

	Facing Bricks- Grey
	Zinc cladding panels
	Corten Steel Balustrade
	Louvres
	Glass balustrade

Rev A      Sept. 2021      IG  
 Penthouse second floor omitted  
 Block A penthouse omitted  
 External communal balconies omitted in all blocks  
 Elevations amended for privacy  
 Canopy added at the main entrance to all blocks

Project <b>Windrush</b>		
Title <b>Proposed Site Elevations</b>		
Drawn by IG	Checked by PD	Date July 20
Scale 1:200	Project no. 00_02	
Drawing No. A003	Rev A	

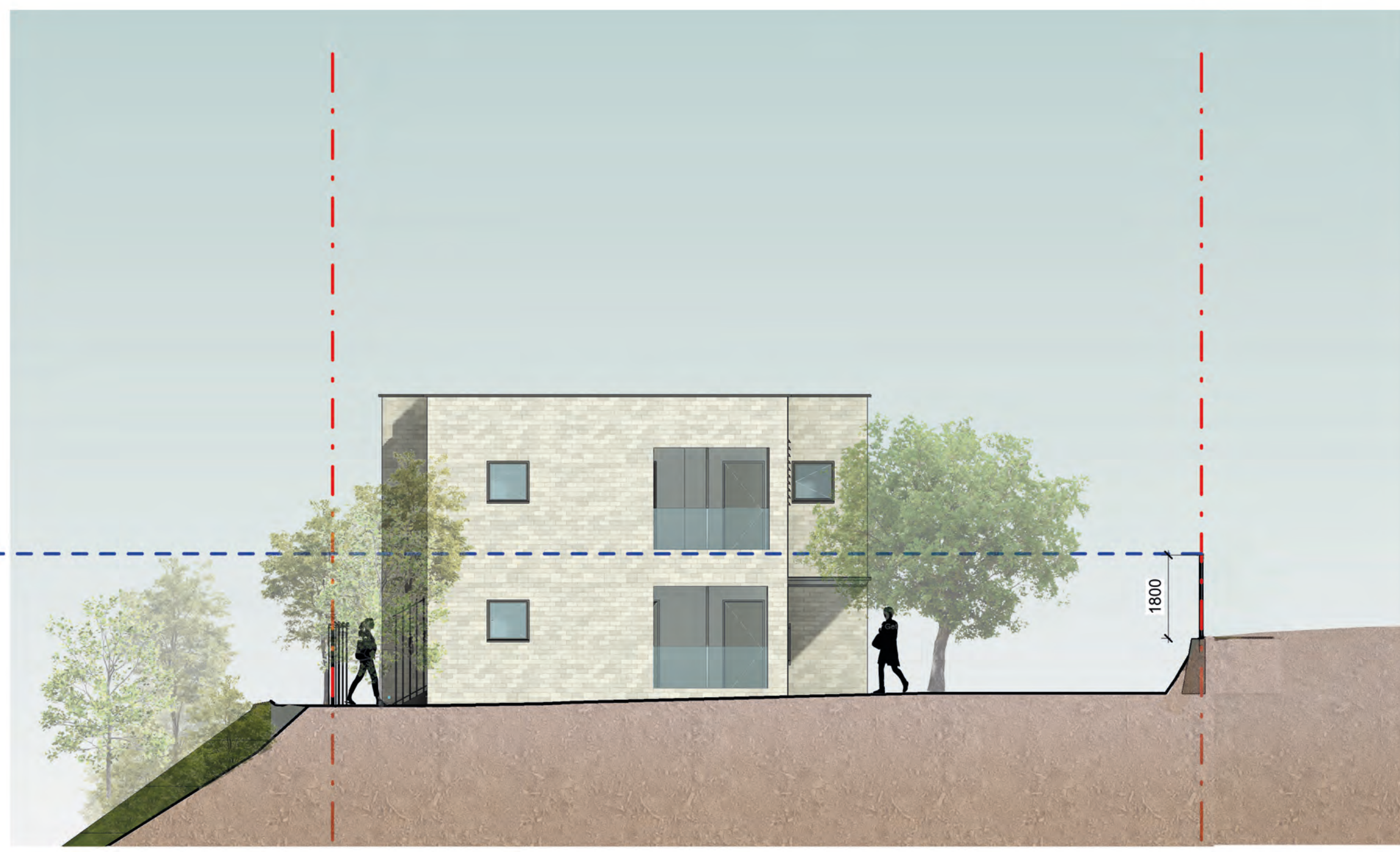




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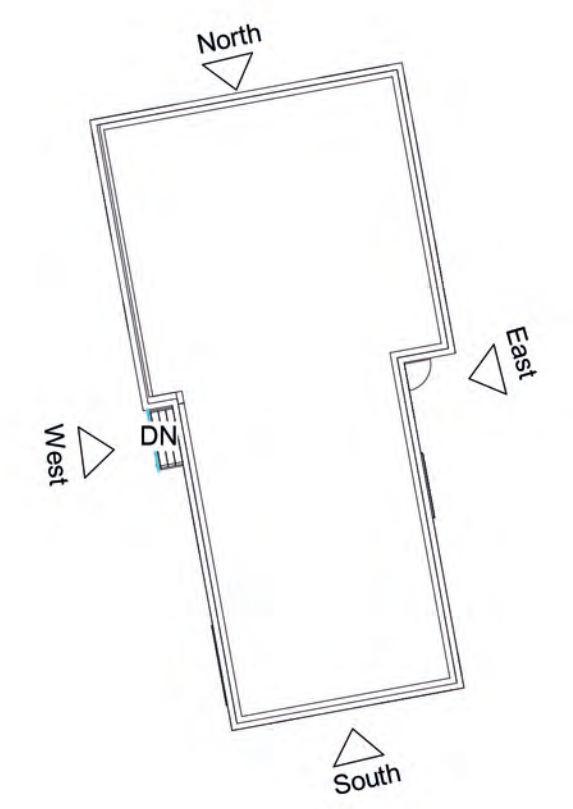


**Block A West Elevation**  
 1 : 100



**Block A South Elevation**  
 1 : 100

**KEY**



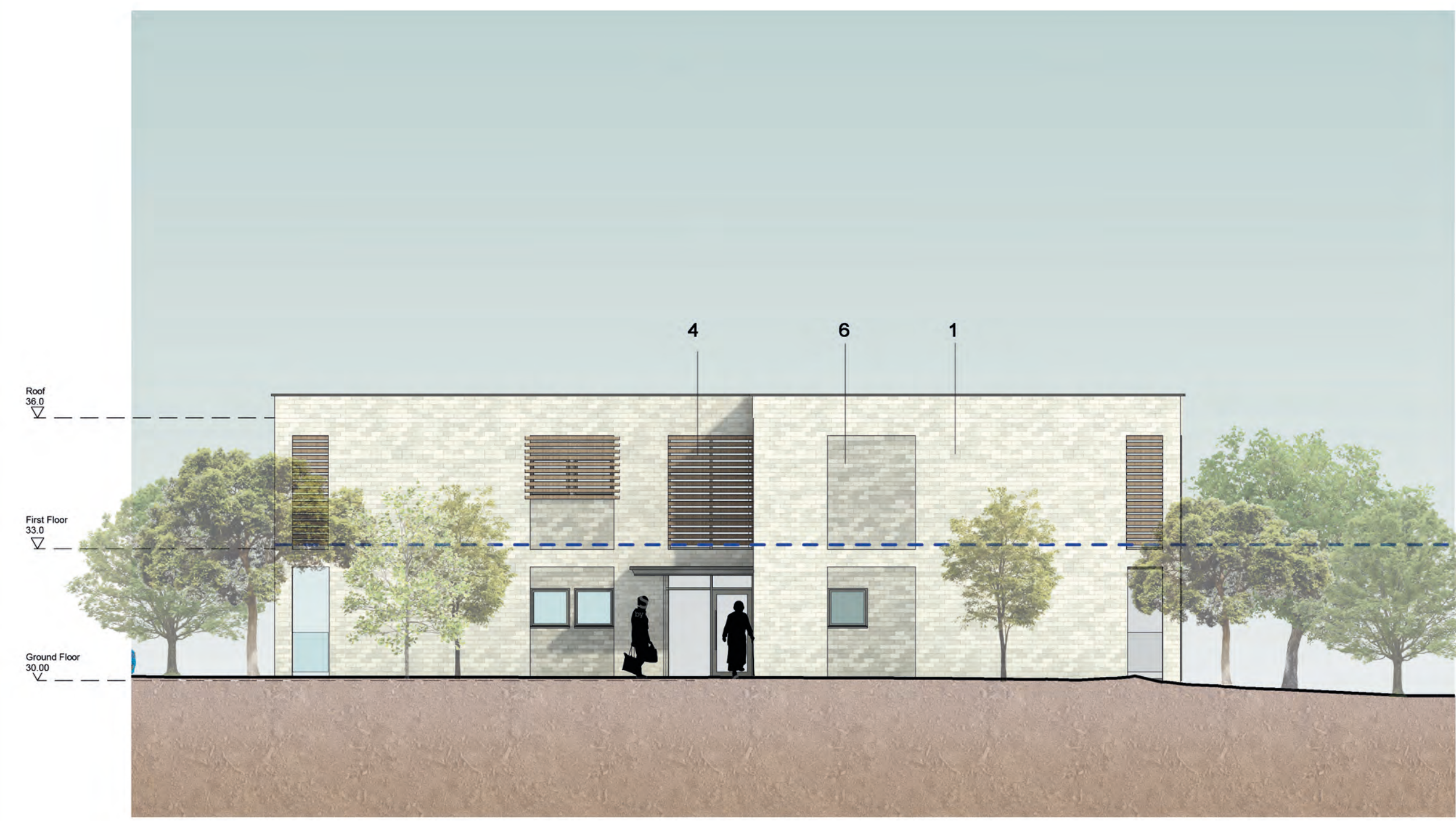
**NOTE**  
 For additional information in regards to Block A and the existing houses in The Chantry, refer to A014- Proposed Site Sections 1 of 2

--- Blue dotted line denotes boundary wall height to "The Chantry" gardens

- - - Red dotted line denotes site boundary

**KEY**

1. Facing Bricks- Grey
2. Zinc cladding panels
3. Corten Steel Balustrade
4. Louvres
5. Glass balustrade
6. Brick feature panel



**Block A East Elevation**  
 1 : 100



**Block A North Elevation**  
 1 : 100

Rev A Sept. 2021 IG  
 Penthouse and external communal balconies removed.  
 Elevations amended for privacy  
 Canopy added at the main entrance

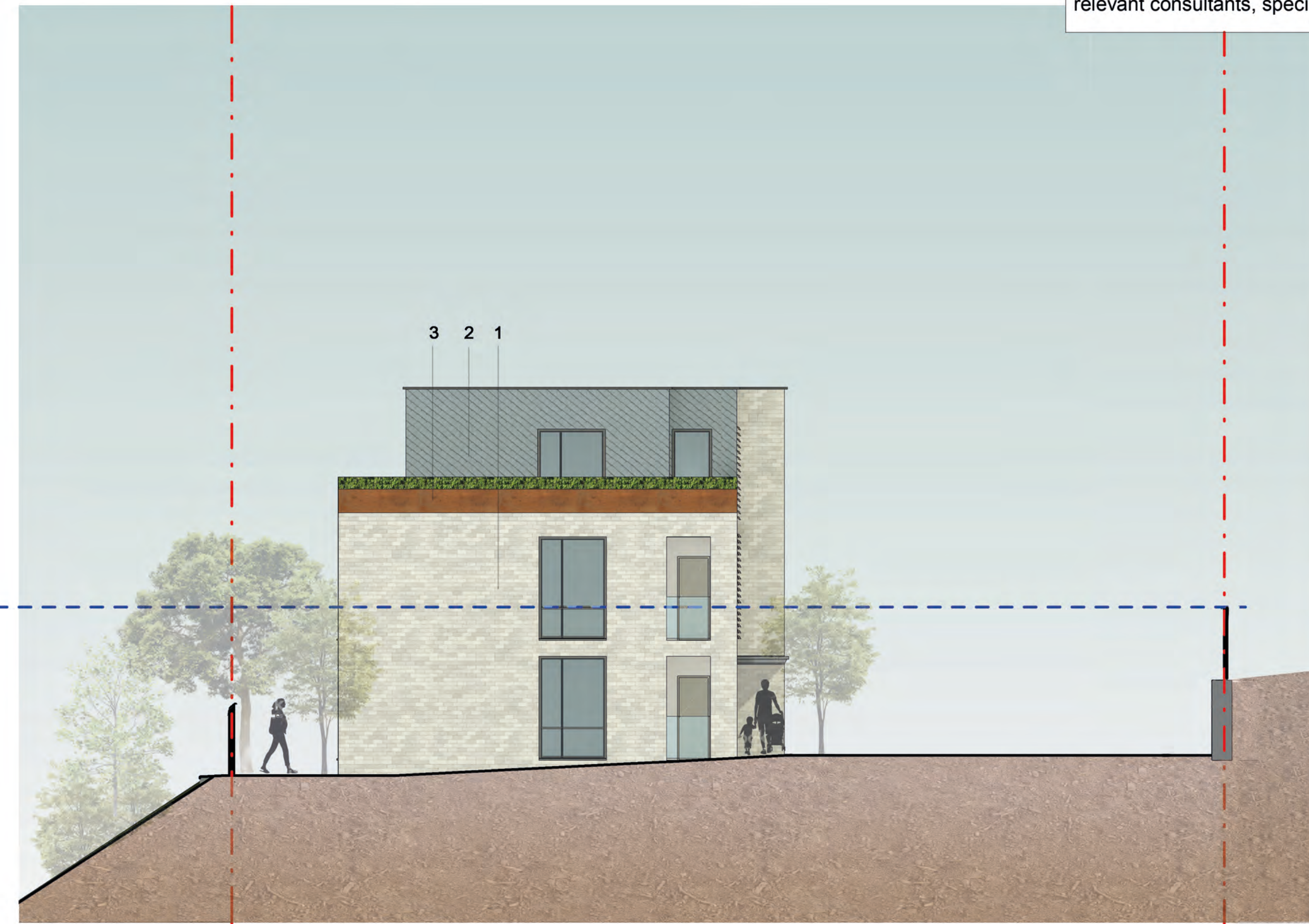
Project <b>Windrush</b>		
Title <b>Block A Elevations</b>		
Drawn by IG	Checked by PD	Date July 20
Scale 1:100	Project no. 00_02	
Drawing No. A005	Rev A	



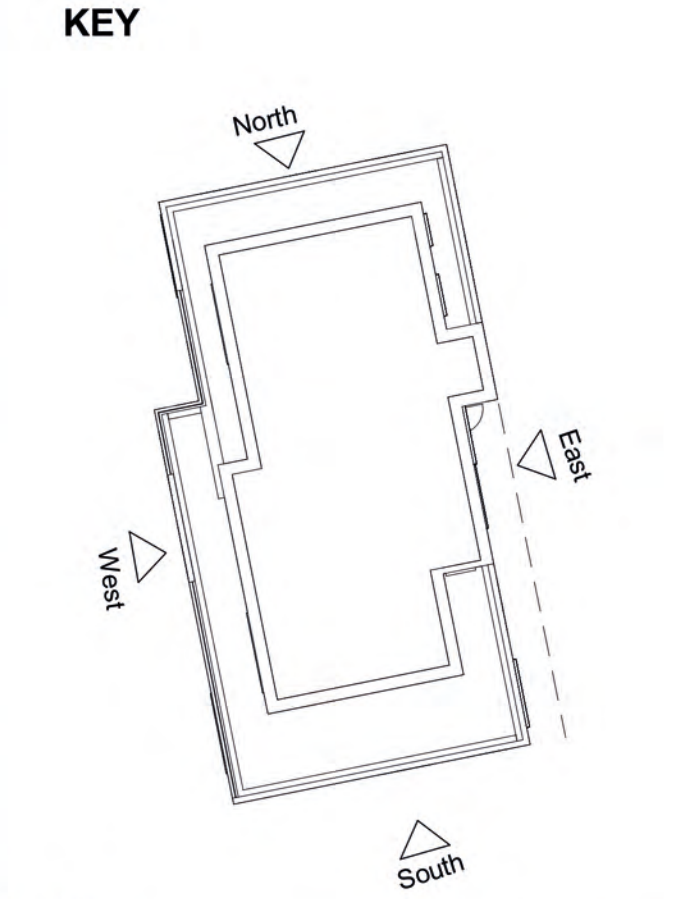
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**Block B East Elevation**  
 1 : 100



**Block B South Elevation**  
 1 : 100



**NOTE**  
 For additional information in regards to Block B and the existing houses in The Chantry, refer to A014- Proposed Site Sections 1 of 2

Blue dotted line denotes boundary wall height to "The Chantry" gardens  
 Red dotted line denotes site boundary

- KEY**
1. Facing Bricks- Grey
  2. Zinc cladding panels
  3. Corten Steel Balustrade
  4. Louvres
  5. Glass balustrade
  6. Brick feature panel



**Block B West Elevation**  
 1 : 100



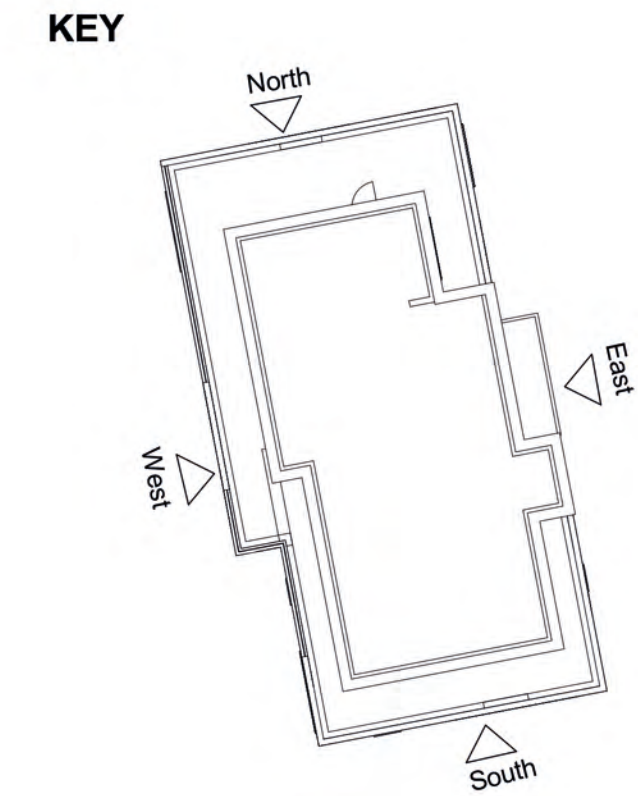
**Block B North Elevation**  
 1 : 100

Rev A Sept. 2021 IG  
 Third floor and external communal balconies removed.  
 Elevations amended for privacy  
 Canopy added at the main entrance

Project		
<b>Windrush</b>		
Title		
<b>Block B Elevations</b>		
Drawn by	Checked by	Date
IG	PD	July 20
Scale	Project no.	
1:100	00_02	
Drawing No.	Rev	
A007	A	



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**NOTE**  
 For additional information in regards to Block C and the existing houses in The Chantry, refer to A015-Proposed Site Sections 2 of 2

Red dotted line denotes site boundary

- KEY**
1. Facing Bricks- Grey
  2. Zinc cladding panels
  3. Corten Steel Balustrade
  4. Louvres
  5. Glass balustrade
  6. Brick feature panel

Rev A Sept. 2021 IG  
 Fourth floor and external communal balconies removed.  
 Elevations amended for privacy  
 Canopy added at the main entrance

Project		
Windrush		
Title		
Block C Elevations		
Drawn by	Checked by	Date
IG	PD	July 20
Scale	Project no.	
1:100	00_02	
Drawing No.	Rev	
A009	A	



**Block C East Elevation**  
 1 : 100



**Block C South Elevation**  
 1 : 100



**Block C West Elevation**  
 1 : 100



**Block C North Elevation**  
 1 : 100



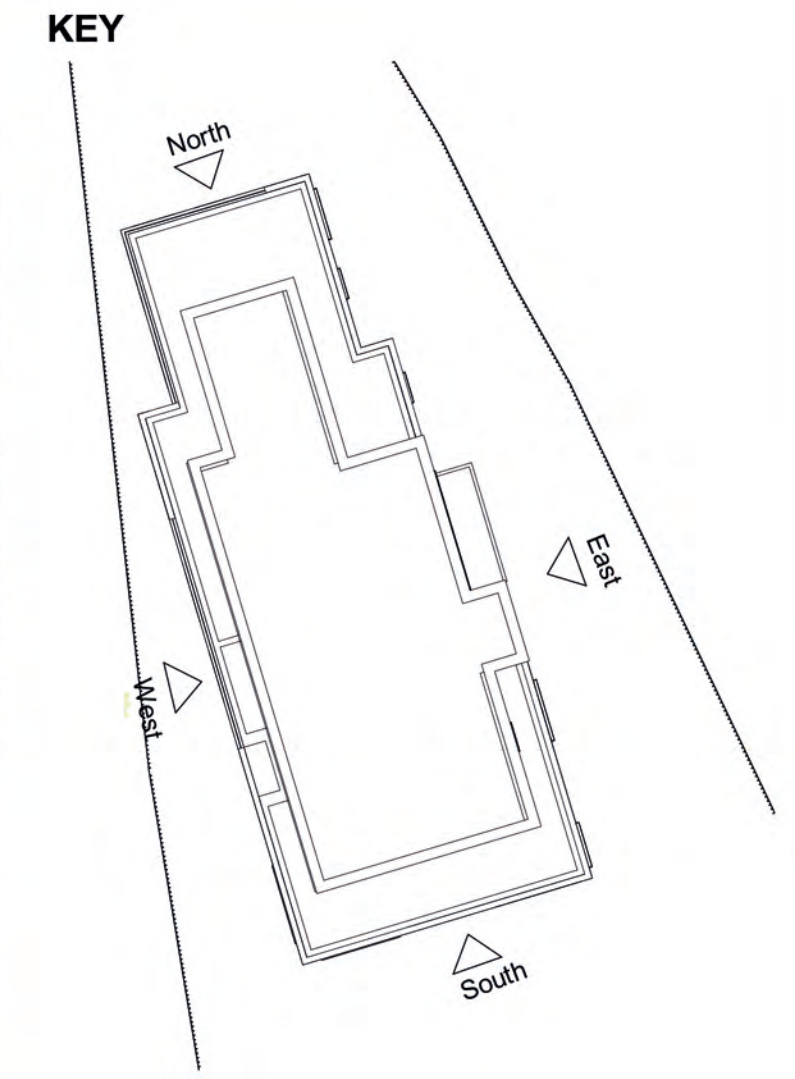
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**Block D East Elevation**  
 1 : 100



**Block D South Elevation**  
 1 : 100



**NOTE**  
 For additional information in regards to Block D and the existing houses in The Chantry, refer to A015- Proposed Site Sections 2 of 2

Red dotted line denotes site boundary



**Block D West Elevation**  
 1 : 100



**Block D North Elevation**  
 1 : 100

- KEY**
1. Facing Bricks- Grey
  2. Zinc cladding panels
  3. Corten Steel Balustrade
  4. Louvres
  5. Glass balustrade
  6. Brick feature panel

Rev A Sept. 2021 IG  
 Fourth floor and external communal balconies removed.  
 Elevations amended for privacy  
 Canopy added at the main entrance

Project		
<b>Windrush</b>		
Title		
<b>Block D Elevations</b>		
Drawn by	Checked by	Date
IG	PD	July 20
Scale	Project no.	
1:100	00_02	
Drawing No.	Rev	
A011	A	



**MP OBJECTION**

COMMITTEE DATE: 03/11/2021

APPLICATION No. **21/01682/MJR** APPLICATION DATE: 09/07/2021ED: **CATHAYS**

APP: TYPE: Full Planning Permission

APPLICANT: GT Guildford Crescent Limited, Rappsons Trust Limited, Edmee Properties Limited,

LOCATION: SITE OF 1-6 GUILDFORD CRESCENT, CITY CENTRE, CARDIFF

PROPOSAL: PROPOSED RESIDENTIAL-LED MIXED USE REDEVELOPMENT COMPRISING RESIDENTIAL APARTMENTS (USE CLASS C3) INCLUDING ANCILLARY INDOOR AND OUTDOOR RESIDENTIAL AMENITY SPACE; FLEXIBLE COMMERCIAL FLOORSPACE ON THE GROUND FLOOR (USE CLASS A1, A2, A3, B1, D1 AND D2); LANDSCAPING; RELATED INFRASTRUCTURE AND ENGINEERING WORKS

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

1. C01 Statutory Time Limit
2. The development shall be carried out in accordance with the following approved plans and documents:
  - C4307-AHR-XX-XX-DR-A-9003 Rev P3 - Site Location Plan
  - C4307-AHR-XX-GF-DR-A-0530 Rev P2 - Proposed GF Plan
  - C4307-AHR-XX-GF-DR-A-9004 Rev P3 - Proposed GF Site Plan
  - C4307-AHR-XX-MZ-DR-A-0531 Rev P2 - Proposed Mezzanine Plan
  - C4307-AHR-XX-01-DR-A-0532 Rev P2 – Proposed Level 1 Floor Plan
  - C4307-AHR-XX-23-DR-A-0534 Rev P2 – Proposed Level 23 Floor Plan
  - C4307-AHR-XX-27-DR-A-0535 Rev P2 - Proposed Level 27 Floor Plan
  - C4307-AHR-XX-28-DR-A-0536 Rev P2 – Proposed Level 28 Floor Plan
  - C4307-AHR-XX-RF-DR-A-0537 Rev P2 - Proposed Roof Plan
  - C4307-AHR-XX-XX-DR-A-9002 Rev P3 - Proposed Roof Site Plan
  - C4307-AHR-XX-ZZ-DR-A-0500 Rev P3 - Proposed Floor Plan Summary
  - C4307-AHR-XX-ZZ-DR-A-0511 Rev P2 - Proposed North, North-

West and South Elevation

- C4307-AHR-XX-ZZ-DR-A-0512 Rev P2 - Proposed East Elevation
- C4307-AHR-XX-ZZ-DR-A-0513 Rev P2 - Proposed West Elevation
- C4307-AHR-XX-ZZ-DR-A-0514 Rev P2 - Proposed West, South-West Elevations
- C4307-AHR-XX-ZZ-DR-A-0516 Rev P2 - Proposed Terrace Elevations
- C4307-AHR-XX-ZZ-DR-A-0520 Rev P3 - Proposed Sections
- C4307-AHR-XX-ZZ-DR-A-0521 Rev P2 - Proposed Sections Zoom
- C4307-AHR-XX-ZZ-DR-A-0522 Rev P2 - Proposed Elevation Detail – West and NE Blocks
- C4307-AHR-XX-ZZ-DR-A-0523 Rev P2 - Proposed Elevation Detail – Central Block
- PRRD-01 – Public Realm Site Plan Boundary

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

3. Material Samples: Notwithstanding condition 2, prior to their application on site, samples of the external finishing materials shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to occupation.  
Reason: To ensure a satisfactory finished appearance to the development, in accordance with Policy KP5 of the adopted City of Cardiff Local Development Plan (2006-2026).
4. Architectural Detailing: Prior to commencement of the building's elevation construction work, drawings showing the architectural detailing of the depths of the reveals shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into beneficial use until the approved drawings are implemented.  
Reason: To ensure a satisfactory finished appearance to the development, in accordance with Policy KP5 of the adopted City of Cardiff Local Development Plan (2006-2026).
5. Public Realm Works Scheme: No above ground works shall be commenced until a scheme of public realm improvement works to the footways and carriageway adjacent to the site on Guildford Crescent, Guildford Street and Churchill Way, as shown outlined in red on drawing no. PRRD-01, has been submitted to and approved in writing by the Local Planning Authority (LPA). The scheme shall include timescales for its implementation and the removal and reinstatement of the enabling Construction Logistics scheme, to include but not be limited to; the provision of a public space at the junction of Churchill Way and Guildford Street; the relocation of the vehicle entrance to the Crescent from Guildford Street to Churchill Way; the widening of the footway along the eastern side of Guildford Crescent to between 4.0m-4.7m; the resurfacing of the footways and carriageway throughout the area to match the materials to be used on wider highway/public realm works in the surrounding area; the provision of cycle lanes through the area; the replacement and provision of street lighting; the provision of tree planting and improvements to the stepped access between Guildford Crescent and

Churchill Way. The works shall include surfacing, kerbs, edging, drainage, lighting, lining, signing, telematics, traffic orders, trees, soft landscaping and street furniture. The agreed scheme is to be implemented to the satisfaction of the LPA in accordance with timescales to be agreed through the Scheme.

Reason: To ensure the reinstatement of the public highway and provide an improved public realm environment to facilitate safe commodious access to and use of the proposed development, in accordance with Policies KP5, T1, T5 and T6 of the adopted City of Cardiff Local Development Plan (2006-2026).

6. Cycle Parking: Notwithstanding the approved plans C4307-AHR-XX-GF-DR-A-0530 Rev P2 - Proposed GF Plan; C4307-AHR-XX-GF-DR-A-9004 Rev P3 - Proposed GF Site Plan; C4307-AHR-XX-MZ-DR-A-0531 Rev P2 - Proposed Mezzanine Plan and C4307-AHR-XX-01-DR-A-0532 Rev P2 - Proposed Level 1 Floor Plan, prior to beneficial occupation of the development, a cycle parking details scheme showing the provision of 272 cycle parking spaces (comprising a minimum of 20% accessible ground based stands, 50% of the two tier racks to have tray centres of 500mm and the remaining to be a minimum of 375mm centres), and appropriate access to them, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development being put into beneficial use. Thereafter the cycle parking spaces shall be maintained and shall not be used for any other purpose.  
Reason: To ensure that adequate provision is made for the sheltered and secure parking of cycles, Policy T5 of the adopted City of Cardiff Local Development Plan (2006-2026).
7. Construction Environmental Management Plan: Prior to commencement of the building's elevation construction work, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to throughout the construction period and should include details of:
  - i. General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain;
  - ii. Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use with particular attention of Safe Storage of Oil regulations;
  - iii. Traffic Management: details of site deliveries, highways/footway closures, plant on site, wheel washing facilities;
  - iv. Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan;
  - v. Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details;



- vi. A dust assessment with measures to monitor and control the emission of dust and dirt during demolition and construction;

Reason: In the interests of highway safety and public amenity, in accordance with Policies KP5, T6, EN6, EN7 and EN13 of the adopted City of Cardiff Local Development Plan (2006-2026).

8. Construction Logistics Plan: Prior to the commencement of development a Construction Logistics general arrangement plan and phasing programme for its delivery, setting out a scheme of works to provide the site construction compound and access/egress arrangements, is to have been submitted to and approved in writing by the Local Planning Authority (LPA). The scheme is to include the construction/reconstruction of the compound area and any additional highway works required or impacted by the scheme, including but not be limited to, surfacing, kerbs, edging, drainage, telematics, lighting, lining and signing required as a consequence of the scheme. The agreed scheme to be implemented to the satisfaction of the LPA.

Reason: In the interest of highway safety and to limit the impact of the works on use of the adjacent highway, in accordance with Policy T6 of the adopted City of Cardiff Local Development Plan (2006-2026).

9. Travel Plan: Prior to beneficial occupation of the development hereby approved, a Travel Plan shall be submitted to, and approved in writing by the Local Planning Authority. The Travel Plan shall include, but not limited to, the promotion of walking, cycling, public transport and other alternatives to the ownership and use of private cars.

Reason: In the interest of sustainability and to limit the impact of the development on use of the adjacent highway, in accordance with Policies T1, T5 and T6 of the adopted City of Cardiff Local Development Plan (2006-2026).

10. Post-Build Noise Survey: 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 the C4307-MACH-ZZ-ZZ-RP-YA-9000 P02, dated 18/03/2021) and 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
- 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 existing and future occupiers are protected, in accordance with Policies EN13 and KP5 of the adopted City of Cardiff Local Development Plan (2006-2026).

11. Sound Insulation: A scheme of sound insulation works to the floor and ceiling structure between the commercial and residential amenity levels shall be submitted to and agreed by the Local Planning Authority in writing and implemented prior to occupation. Reference must be made to the specific use, acoustic qualities, support from a competent person and relevant British Standards.

Reason: To ensure that the amenities of existing and future occupiers are protected, in accordance with Policies EN13 and KP5 of the adopted City of Cardiff Local Development Plan (2006-2026).

12. Operation Hours: No member of the public shall be admitted to or allowed to remain on the premises outside the hours of 08:00 and 12:00 (midnight) on Sunday to Thursdays and 08:00 – 01:00 on Friday and Saturdays.

Reason: To ensure that the amenities of existing and future occupiers are protected, in accordance with Policies EN13 and KP5 of the adopted City of Cardiff Local Development Plan (2006-2026).

13. Delivery Hours: There shall be no arrival, departure, loading or unloading of delivery vehicles outside the hours of 07:00 – 20:00.

Reason: To ensure that the amenities of existing and future occupiers are protected, in accordance with Policies EN13 and KP5 of the adopted City of Cardiff Local Development Plan (2006-2026).

14. Plant Noise: The rating level of the noise emitted from fixed plant and equipment on the site shall not exceed 10db below background noise level at the new and existing noise sensitive premises, when measured and corrected in accordance with BS 4142: 2014 +A1 2019 (or any British Standard amending or superseding that standard).

Reason: To ensure that the amenities of existing and future occupiers are protected, in accordance with Policies EN13 and KP5 of the adopted City of Cardiff Local Development Plan (2006-2026).

15. Plant Extraction Odour: If at any time the use of the premises is to involve the preparation and cooking of hot food the extraction of all fumes from the food preparation areas shall be mechanically extracted to a point to be agreed with the Local Planning Authority, and the extraction system shall be provided with a de-odorising filter. Details of the above equipment shall be submitted to, and approved by, the Local Planning Authority in writing and the equipment installed prior to the commencement of use for the cooking of food. The equipment shall thereafter be maintained in accordance with the manufacturers' guidelines, such guidelines having previously been agreed by the Local Planning Authority in writing.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected, in accordance with Policies EN13 and KP5 of the adopted City of Cardiff Local Development Plan (2006-2026).

16. Ground Gas Protection: Prior to the commencement of any development works the proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing to the LPA.

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

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

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy EN13 of the adopted City of Cardiff Local Development Plan (2006-2026).

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

- (i) not required
- (ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present.
- (iii) an assessment of the potential risks to:
  - human health,
  - groundwaters and surface waters
  - adjoining land,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - ecological systems,
  - archaeological sites and ancient monuments; and
  - any other receptors identified at (i)

- (iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

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

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

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy EN13 of the adopted City of Cardiff Local Development Plan (2006-2026).

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

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

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy EN13 of the adopted City of Cardiff Local Development Plan (2006-2026).

19. Contaminated Land Measures - Remediation & Verification: The remediation scheme approved by condition 18 must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

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

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy EN13 of the adopted City of Cardiff Local Development Plan (2006-2026).

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

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy EN13 of the adopted City of Cardiff Local Development Plan (2006-2026).

21. 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 any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy EN13 of the adopted City of Cardiff Local Development Plan (2006-2026).

22. 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 any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy EN13 of the adopted City of Cardiff Local Development Plan (2006-2026).

23. A3 Use: Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any Order amending or revoking or re-enacting that Order) the premises within the building hereby permitted on approved plan drawing number C4307-AHR-XX-GF-DR-A-0530 Rev P2 shall be used as a restaurant/coffee shop/café (excluding a vertical drinking establishment) and for no other purpose within Class A3.

Reason: Other uses within Class A3 could prejudice the amenities of the area, in accordance with Policies KP5, R8 and EN13 of the adopted City of Cardiff Local Development Plan (2006-2026).

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

Reason: To ensure that the amenities of existing and future occupiers are protected, in accordance with Policies EN13 and KP5 of the adopted City of Cardiff Local Development Plan (2006-2026).

25. Roof Terrace Landscaping: No works to the level 1 communal roof terrace shown on approved plan drawing number C4307-AHR-XX-01-DR-A-0532 Rev P2 shall take place until details of the landscaping measures have been submitted to and approved in writing by the Local Planning Authority.  
Reason: To maintain and improve the appearance of the area in the interests of visual amenity, in accordance with Policy KP5 of the adopted City of Cardiff Local Development Plan (2006-2026).
26. Drainage and Water Supply: No above ground development shall take place until a scheme for the drainage of the site, water supply and any connection to the existing drainage system has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the scheme is carried out and completed as approved.  
Reason: To ensure an orderly form of development and to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, in accordance with Policies EN10 and EN11 of the adopted City of Cardiff Local Development Plan (2006-2026).

**RECOMMENDATION 2:** The Construction Logistics and Public Realm works, along with any other works to the existing public highway, are to be subject to S278 Highways Act 1980 agreements between the developer and Council. All works to be completed in accordance with the approved plans and to the satisfaction of the Council.

The eastern footpath running alongside the Network Rail retaining wall and application site/Masonic Hall is to be stopped-up by way of a S257 T&CPA 1990 Order. The Order to be made prior to closure of the footpath by application to LPA following grant of planning permission. Stopping-up and closure of the footpath to apply to the full width/length, between its junctions with Station Terrace to the north and Guildford Crescent to the south.

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

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



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

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

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

**RECOMMENDATION 4:** The 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.

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

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

**RECOMMENDATION 6:** The applicant is advised to liaise with South Wales Police and contact Jon Brown; 01656 655555 ext: 29238, Jon.Brown@south-wales.pnn.police.uk).

**RECOMMENDATION 7:** The applicant is advised to liaise with TFW/AIW to determine the interface with any assets, buried or otherwise and by entering into a Basic Asset Protection Agreement.

**RECOMMENDATION 8:** The applicant is advised to contact the Glamorgan Gwent Archaeological Trust if archaeological features are found that may be disturbed during the course of the construction work.

**RECOMMENDATION 9:** Given that the size of the bin store and number of bins proposed do not meet the Council's recommendations, any future requests to use the domestic Council collection service will not be possible.

## **1. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 The application seeks full planning permission for the construction of a 30-storey tower comprising 272 'Build to Rent' residential units (Use Class C3). The units will be split into 140x 1-bedroom flats and 132x 2-bedroom flats and will include purpose built internal and external communal spaces, ancillary cycle storage and refuse storage. The ground floor will comprise 380sqm of commercial floorspace (flexible A1, A2, A3, B1, D1 and D2 Use Classes) which could provide up to four individual units. The commercial uses will utilise the retained frontages of the previously demolished buildings and will have a double height internal ceiling height.
- 1.2 The design of the tower will be viewed as three blocks that vary from 30 storeys (the main central block) to 26 storeys (the western block) to 22 storeys (the north-eastern wrap-around block). The front western block will be set-back from the adjoining Masonic Hall by 6 metres and the rear north-eastern block will be set-back by 3.2 metres.
- 1.3 The ground floor level fronting Guildford Crescent will also accommodate the main entrance to the residential apartments, with refuse and secure bike storage areas to the rear and mezzanine level. There will be two entrances to the cycle storage, one from the main entrance and another from the footpath that runs to the rear of the building. Plant rooms and water tank rooms will also be located at ground floor level. A level of residential amenity space at level 1 will separate the commercial and private residential space.
- 1.4 The residential units will be 'Build to Rent' (BTR) which means that all residential apartments will be available for rent on a longer-term basis from a single institutional investor and the units will not be available to purchase individually. The residential element of the development will include the following communal amenity spaces:
  - 235sqm Level 1 indoor communal area comprising a mix of uses, all ancillary to the main residential use (i.e. gym, games area, lounge, dining room)
  - 194sqm Level 1 external communal terrace area, providing a series of 'pocket' spaces similar to individual patios
  - 204sqm Level 27 external communal terrace area
- 1.5 The façade of the building will be constructed of a white acid etched precast concrete façade system with feature profiled and integral aluminium framed

windows. The fenestration will have spandrel and side panels proposed in a copper brown colour on the western and north-eastern blocks and grey on the grey block. The windows will be inward tilting and will measure 2.15 metres high and 1.8 metres wide to living rooms and 1.2 metres wide to bedrooms. At the street level the proposal sees the retention of the majority of the Guildford Crescent façade and the reconstruction of the original pitched roofs. PV panels and a 'blue roof' system will be incorporated to part of Level 27 and on the roof of the tallest 30 storey block.

- 1.6 The development is proposed to be car free and as such does not include any on-site resident or employee car parking. Servicing will generally also be provided from street, in a similar way to the site as previously managed and as currently the case for the hotel to the south. The eastern footpath running along the rear of the Masonic Hall and the application site (up against the rail retaining wall) is proposed to be stopped-up and used for a controlled shared service route to the development and the Masonic Hall. Controlled gated access would be provided at both ends, with the public street lighting removed and replaced with new lighting served by the development.
- 1.7 The proposals were subject to a screening opinion under the Environmental Impact Assessment Regulations 2017 in February 2021 (ref: SC/20/00011/MJR). It was the Council's opinion that an Environmental Statement was not required to enable the Local Planning Authority to understand and consider the likely environmental effect of the proposal.

## **2. DESCRIPTION OF SITE**

- 2.1 The application site comprises a roughly triangular shaped plot of brownfield land fronting Guildford Crescent. The site was formerly occupied by six late-19<sup>th</sup> century terraced buildings arranged in a curve along the street. These were occupied by restaurants and a music venue prior to their demolition in September 2019. The frontage of the properties remains intact and are currently being supported by scaffolding.
- 2.2 Adjoining the site to the north is the Grade II listed Masonic Hall (former United Methodist Free Church) beyond which is an associated small surface car park. This was built around 1863 and converted by the Freemasons approximately 30 years later. Whilst the site is not located within a conservation area, the Churchill Way Conservation Area and the Charles Street Conservation Area lie in close proximity to the north-west. The former Welsh Presbyterian Chapel (The Chapel) is a further Grade II listed building opposite the site on the corner of Churchill Way and Bridge Street. The site does not contain any statutory or non-statutory environmental designations.
- 2.3 Running parallel to the east of the site is a public pedestrian footway, with the Taff Vale railway line that facilitates train services from Cardiff to Pontypridd beyond this. To the south is Guildford Crescent which leads to the Sandon Street to the south-east via a railway bridge. The Ibis Cardiff Hotel lies directly opposite the site to the south. To the west is Churchill Way, with an MCP Rapport Car Park and Ivor House further to the east. The Motorpoint Arena lies

to the south-west and further afield are Cineworld cinema and the nearby St David's 2 Shopping Centre.

- 2.4 There are a number of tall buildings in the area including the 26-storey Bridge Street Exchange student accommodation tower located opposite the site at Bridge Street, Admiral Building (14 storeys) lying further west beyond the car park, Landmark Place (18 storeys) and Belmont House which lies opposite the site to the north which is 18 storeys.
- 2.5 The site is currently accessed by vehicles to the south, adjacent to the pedestrian footway which runs to the rear parallel to the railway line. Guildford Crescent is a one-way road that runs beneath the Taff Vale railway bridge to the south-east, at which point it becomes Sandon Street and provides access to the University of South Wales Atrium car park. A dedicated cycle lane is incorporated into Guildford Crescent and Sandon Street (not segregated), which joins the A470/Adam Street at a T-junction between the University of South Wales and Cardiff Prison.
- 2.6 The site is well served by public transport within an easy level walk of Queen Street rail station (250m to the north-east), bus services on Churchill Way (100m to 200m north and west), car share and Nextbike sites, along with access to all the service, amenities, employment and leisure facilities such a central location affords.
- 2.7 The site is located within the Central Business Area of the adopted Cardiff Local Development Plan. It is also located within Flood Zone A, which is categorised as being at little or no risk of fluvial or coastal/tidal flooding. The site is not located within an Air Quality Management Area (AQMA).

### **3. RELEVANT SITE HISTORY**

- 18/02874/MJR: Prior approval for the demolition of 1-6 Guildford Crescent and the buildings/structures to the rear, whilst retaining the front facades. Permitted: 18/07/2019
- SC/20/00011/MJR: Screening opinion for the subject development. Environmental Statement not required. Response sent: 18/02/2021

### **4. POLICY FRAMEWORK**

- 4.1 The following national planning policy and guidance is considered to be of particular relevance:
- 4.2 National Development Framework: Future Wales 2040 (February 2021)
- 4.3 Policy Wales (PPW) (Edition 11, February 2021)
- 4.4 Building Better Places (July 2020)
- 4.5 The following Technical Advice Notes (TANs) are relevant:

- TAN 12: Design (March 2016)
- TAN 24: The Historic Environment (May 2017)

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

4.7 Cardiff Local Development Plan 2006-2026:

- KP3(B) Settlement Boundaries
- KP5 Good Quality and Sustainable Design
- KP7 Planning Obligations
- KP8 Sustainable Transport
- KP12 Waste
- KP13 Responding to Evidenced Social Needs
- KP14 Healthy Living
- KP15 Climate Change
- KP16 Green Infrastructure
- KP17 Built Heritage
- KP18 Natural Resources
- H3 Affordable Housing
- H6 Change of Use or Redevelopment to Residential Use
- EN6 Ecological Networks and Features of Importance for Biodiversity
- EN7 Priority Habitats and Species
- EN9 Conservation of the Historic Environment
- EN10 Water Sensitive Design
- EN11 Protection of Water Resources
- EN12 Renewable Energy and Low Carbon Technologies
- EN13 Air, Noise, Light Pollution & Land Contamination
- T1 Walking & Cycling
- T5 Managing Transport Impacts
- T6 Impact on Transport Networks and Services
- W2 Provision for Waste Management Facilities in Development
- R6 Retail Development (Out of Centre)
- R8 Food and Drink Uses
- C3 Community Safety/Creating Safe Environments
- C5 Provision for Open Space, Outdoor Recreation, Children's Play and Sport
- W2 Provision for Waste Management Facilities in Development

4.8 Supplementary Planning Guidance:

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

- Green Infrastructure Consultation Draft (2017)
- Managing Transportation Impacts (Incorporating Parking Standards) (July 2018)
- Planning Obligations (2017)
- Waste Collection and Storage Facilities (October 2016)
- Infill Sites (November 2017)
- Tall Buildings (January 2017)



- Planning for Health and Wellbeing (November 2017)

#### 4.9 Other Material Considerations:

- Churchill Way Conservation Area Appraisal (2009)
- Charles Street Conservation Area Appraisal (2009)

### 5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 **Transportation:** The development is proposed to be car free and as such does not include any on-site resident or employee car parking. Servicing will generally also be provided from the street, in a similar way to the site as previously managed and as is currently the case for the hotel to the south. The principle of servicing from the street is well established in the city and it is noted that a service layby already exists immediately south of and adjacent to the site. The zero parking nature of the proposed development is considered to be policy compliant and therefore acceptable, in this respect car parking standards are expressed as a maximum, with no minimum requirement, supporting a move away from reliance on the ownership and use of private cars.
- 5.2 The site is located in a highly sustainable location with excellent access to public transport. Also due to the constrained size of the plot, officers have agreed to accept a provision of 1 cycle space per apartment. To ensure that the spaces are sufficiently accessible and can be used for all types of bicycles, the cycle parking details condition requests that there are a minimum of 20% accessible ground based stands and 50% of any two tier racks having tray centres of 500mm, with the remaining 50% having tray centres of a minimum of 375mm.
- 5.3 Given the sustainable location of the site and otherwise acceptable policy compliant form of development, officers conclude that any objection on Transportation grounds would be unsustainable and any reason for refusal on this basis would not withstand challenge. Officers therefore raise no objection to the application subject to the following conditions; cycle parking details, Construction Management Plan, Construction Logistics Plan, highway public realm works and a Travel Plan.
- 5.4 An advisory note has also been included to remind the applicant that the Construction Logistics and public realm works, along with any other works to the existing public highway, are to be subject to S278 Highways Act 1980 agreements between the developer and Council. Further, the eastern footpath running alongside the Network Rail retaining wall and application site/Masonic Hall is to be stopped-up by way of a S257 T&CPA 1990 Order.
- 5.5 Refer to para's 8.46 – 8.53 for detailed comments on transportation.
- 5.6 **Waste:** The supporting documentation indicates that all refuse will be collected privately with a more frequent collection schedule. The Waste Officer states that the refuse store for the commercial units as shown on the submitted plans is acceptable. As such, no objection has been raised.

- 5.7 An advisory note has been included reminding the applicant that any future requests to use the domestic council collection service would not be possible. This is due to the size of the bin store and number of bins proposed does not meet the Council's recommendations.
- 5.8 **Affordable Housing:** In line with the Local Development Plan (LDP), an affordable housing contribution of 20% of the 272 units (54 units) is sought on this brownfield site or a financial contribution of £4,181,800. This has been calculated in accordance with the formula in the Planning Obligations–Supplementary Planning Guidance (SPG) (2017).
- 5.9 **Regeneration:** Officers note that the Cardiff Planning Obligations SPG (Section 8 – Community Facilities) states that “growth in population arising from new development generates demand for and increases pressure on community facilities”. To meet the needs of future residents, it may be necessary to meet this additional demand through:
- The provision of new facilities,
  - The extension to, or upgrading of existing facilities.
- 5.10 If no onsite provision is proposed, a financial contribution is sought on residential developments containing 25 or more new dwellings where it has been identified that investment in community facilities will be required to meet the needs of the new population.
- 5.11 The formula in the SPG is based on the number of bedrooms and associated occupancy figures per dwelling. In summary, a contribution of £232,559.10 is requested.
- 5.12 **Trees:** The development will not impact existing trees. The Tree Officer provided comments in relation to the public realm works stating that they would welcome increased soft landscaping at this location, including trees. Services are likely to significantly constrain the scope for large volume, below ground tree pits, but it is advised that large volume open planters or large volume below ground tree pits are much preferred to the large ‘plant pot’ style planters. Further comments will be provided at the discharge of condition stage for the public realm works.
- 5.13 **Ecology:** Concerns were raised that the re-created roof of Guildford Crescent will be tied into the Masonic Hall. Officers requested that an Inspection Report is provided to see if there are any gaps or holes which bats could exploit which would subsequently be affected by construction. The applicant provided an Inspection Report, prepared by Soltys Brewster Ecology, dated 17/12/2020. The Ecology Officer confirms that the report demonstrates that the applicant has considered the possibility of bats in the Masonic Hall building being affected by the proposed development, and ruled out any likely significant impact. It is also noted that that the proposed building will be freestanding and not connected to the Masonic Hall and so the impact on potential bats is even more unlikely. As such, no objection is raised.

- 5.14 **Parks:** These comments relate to the current LDP Policy C5 (Provision for Open Space, Outdoor Recreation, Children's Play and Sport; KP16 Green Infrastructure), and the Planning Obligations SPG which set out the Council's approach to open space provision.
- 5.15 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.
- 5.16 Based on the information provided on the number and type of units, officers have calculated the additional population generated by the development to be 419.6. This generates an open space requirement of 1.02 ha of on-site open space based on the criteria set for housing accommodation, or an off-site contribution of £435,356.
- 5.17 As no public open space is being provided on-site, Parks Officers have requested that the developer makes 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, informal recreation 1000m, and formal recreation 1500mm, measured from edge of the site.
- 5.18 Parks Officers welcome the addition of additional planting on the roof terraces on Level 1 to be provided by condition.
- 5.19 **Pollution Control (Noise):** Officers have reviewed the supporting Environmental Noise Report, prepared by Mach Acoustic Ltd (ref: C4307-MACH-ZZ-ZZ-RP-YA-9000 P02, dated 18/03/2021) and the Train Induced Vibration and Assessment Report (ref: 28428/VAR1, dated 01/02/2021).
- 5.20 The Environmental Noise Report assesses the existing day and night noise from traffic, the railway and existing plant noise, and details the differences between two sets of facades. The report recommends the minimum sound reduction required at for each façade, roof construction and windows, so that good internal acoustics can be achieved. Further, in order to achieve this, windows are closed, with core reliance on Mechanical Ventilation Heat Recovery system, but also affording future residents the choice to open windows for ventilation too.
- 5.21 There are also concerns that insufficient consideration to the night-time economy has been assessed, namely the Motorpoint Area (agent of change principle). The Noise Report has not considered any proposed external area and the expected noise levels of control measures. During pre-application discussions it was advised that any external amenity space should not have at least 50% of the space not exceeding 55db LAeq 16 hour. The communal

external amenity spaces are present in the lesser sensitive areas (based on the facades noise levels in the report) so this should have been considered within the report. In the absence of this, the Noise Officer has recommended a pre-occupation validation noise survey via condition, to ensure that the noise levels are properly considered before occupation of the development. (Refer to para's 8.40 – 8.42 for further discussion on the agent of change principle).

- 5.22 In light of the above, the Noise Officer has raised no objection, subject to conditions to ensure that the amenities of future occupiers are protected. These conditions relate to sound insulation measures between the commercial and the residential uses, operation hours/servicing hour restrictions, plant noise and plant extraction odour conditions. Later operation hours were agreed due to the floor immediately above the commercial units being a shared space and not a private residency and also due to the internal noise mitigation measures and plant noise conditions being applied.
- 5.23 No objection is raised from the vibration of the railway line and the report has recommended solid construction to ensure doses are not exceeded.
- 5.24 **Pollution Control (Air Quality)**: Air Quality Officers have assessed the supporting Air Quality Assessment, prepared by 'Redmore Environmental', dated 01/07/2021 (ref: 4174-1P03). This states that the potential air quality impacts during the operational phase have been assessed as 'not significant'. As such, officers are satisfied with this outcome and have no concerns.
- 5.25 For the construction phase, Table 17 of the report states that unmitigated dust soiling risks have been rated as 'medium', with Table 18 outlining mitigation measures in place. The assessment states that "Assuming the relevant mitigation measures outlined in Table 18 are implemented, the residual impacts from all dust generating activities is predicted to be not significant, in accordance with the IAQM guidance". Therefore, a condition has been requested to ensure that the dust mitigation measures outlined are reviewed prior to commencement and incorporated into the Construction Environmental Management Plan (CEMP). Subject to this condition, no objection is raised.
- 5.26 **Pollution Control (Contamination)**: Contamination Officers have assessed the supporting Ground Investigation Report, prepared by 'Johnson Poole & Bloomer', dated 06/04/2021 (ref: UC453-246/TNO). This report includes a detailed assessment of potential ground gas and contamination, and the associated risks to human health and the environment.
- 5.27 In relation to human health, the investigations identify elevated carbon dioxide levels, classifying the site as 'Characteristic Situation 2'. This will require the inclusion of ground gas protection measures in the design of the development and protective measures and site practices in place for construction and maintenance workers. The submission for approval of the proposed ground gas protection measures and verification plan, including the subsequent provision of a validation report is required in relation to this. In addition, asbestos was identified within the made ground which will require the implementation of protective measures and site practices.

- 5.28 In relation to the environment, supplementary investigation works are recommended to robustly assess any potential chemical contaminant impact on the deeper groundwater regime. Remediation/mitigation options are included as part of the report which will need to be reviewed on completion of the proposed supplementary works and should be used to produce a remediation strategy and verification plan submitted for approval. A remediation validation report, meeting the requirements of such a plan will also need to be submitted for approval.
- 5.29 Should there be any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use.
- 5.30 Notwithstanding the above, conditions and advisory notes in accordance with CIEH best practice have been recommended to ensure that the safety of future users is not prejudiced in accordance with Policy EN13 of LDP. The following standard conditions have been recommended; ground gas protection, contamination land measures (assessment, remediation and verification plan, remediation and verification, unforeseen contamination) and imported aggregates, use of site won materials. A contamination and unstable land advisory note has also been included.
- 5.31 **Schools:** This development is below the threshold of where officers would make a claim. If the number of units changes, then re-assessment would be made, but currently there is no claim from Schools brought against this application.

## **6. EXTERNAL CONSULTEE RESPONSES**

- 6.1 **Dwr Cymru Welsh Water (DCWW)** stated that it is necessary for the developer to fund the undertaking of a hydraulic modelling assessment on the water supply network.
- 6.2 In terms of sewerage, DCWW considered the impact of foul flows generated by the proposed development and concluded that flows can be accommodated within the public sewerage system. They advised that the flows should be connected to the on-site foul drainage, serving the existing site which indirectly connects to the combined sewer in Guildford Crescent. No new connection direct to the brick egg sewer would be allowed. A drainage layout or strategy would be required as a condition.
- 6.3 DCWW raised an objection due to a large diameter (900mm) brick egg sewer being located on the road and pavement on Guilford Crescent adjacent to the development site boundary. They advised that this sewer has a protection zone of 5 meters either side the centreline of the sewer in which no development, including the raising or lowering of ground levels can take place. Having



reviewed the proposed site plan, they stated that it is unclear whether the existing buildings located on the development site located adjacent to the sewer are to be re-utilized or demolished in order for a new building to be constructed.

- 6.4 **Officer comments:** The applicant has confirmed that they are in discussions with DCWW and that the development will not extend any closer to the easement of the egg brick sewer than that of the retained facades. They state that it is apparent that the easement issue is not strictly a planning concern but an asset protection/commercial one that will necessitate detailed dialogue and collaborative working with DCWW post-planning. The applicant has made the following comments:

“We understand the ‘fragile’ nature of the historical brick egg sewers across Cardiff. The sewer adjacent to the site had been identified at an early stage of the structural design and the design construction methodology considered to date has been designed such a way as to avoid loading the brick egg sewer or inducing settlement that could damage it.

This is being achieved by a combination of the following which will be further developed as the design of the building continues in detail, post planning

- Ground movement assessments to analyse expected settlement during excavations on site and as the structure loads the ground
- Ground movement isolation techniques such as permanent perimeter piled wall with perimeter movement joint to isolate the heavily loaded ground below the structure from adjacent areas.
- The use of low vibration piling techniques.
- The use of sleeved piling if necessary to lower the ground stress in the construction and permanent condition if deemed necessary by the Ground Movement Analysis.
- Designing foundations with tight settlement tolerances in the permanent condition to eliminate ‘ground drag/ movement’”

- 6.5 Notwithstanding this, officers have recommended a pre-commencement condition related to drainage and water supply to ensure that DCWW’s comments are sufficiently addressed.

- 6.6 **Transport for Wales (TFW) / Amy Infrastructure Wales (AIW):** Given that the site is next to AIW managed infrastructure, AIW have requested that the applicant engages with them to determine the interface with any assets, buried or otherwise and by entering into a Basic Asset Protection Agreement. Whilst AIW and TFW do not object to the development in totality, they have a number of concerns regarding the overhang, windows, the access lane, vibrations, wind effects, drainage boreholes and vegetation that must be addressed in order to ensure the safety and functionality of the operational railway in this area.

- 6.7 The applicant has confirmed that they are fully engaged in discussions and so an advisory note has therefore been included.

- 6.8 **Glamorgan Gwent Archaeological Trust (GGAT):** GGAT have noted the

previous development of the site (now demolished, with the exception of the street frontage) is likely to have had an adverse effect on any potential archaeological remains that may have pre-dated the 19th century construction activities. They also note the partially preserved street frontage of the proposal.

- 6.9 Overall it is considered unlikely that significant archaeological remains will be encountered during the course of the proposed groundworks. As a result there is unlikely to be an archaeological restraint to this proposed development and consequently GGAT have no objections to the positive determination of this application. The record is not definitive, however, and features may be disturbed during the course of the work. An advisory note has therefore been included.
- 6.10 **South Wales Police (SWP)**: SWP have raised no objection but have provided a number of security-related recommendations. An advisory note has been included.
- 6.11 **Cadw** note the designated historic assets located within 3km of the proposed development. A Heritage Impact Assessment has been prepared by Lichfields that has considered the impact of the proposed development on all designated heritage assets that could be affected. This has concluded that there will be no significant impact on the settings any designated heritage assets. Cadw therefore have no objection to the proposed development with regard to any scheduled monuments or registered historic parks and gardens.

## **7. REPRESENTATIONS**

- 7.1 The application was subject to a 21-day consultation period, being advertised by press and site notices as a major application and neighbours and local members were notified.
- 7.2 Jo Stevens MP has objected, as follows:
- 7.3 “On behalf of numerous constituents, I write to object to the above-named planning application. As part of the pre-application consultation process, I presented a petition signed by 509 people against the proposal. The application and proposals that have now been lodged are barely different to those contained within the initial consultation, except for an increase in the number of units proposed.

- 7.4 My primary concerns about the proposals are as follows:

### **Quality of Design**

- 7.5 Cardiff Tall Buildings Supplementary Planning Guidance (SPG) requires that proposals for tall buildings need to demonstrate an exceptional standard of design and that there should be no negative impacts on important views and vistas. This proposal does not, in my view, fulfil these design requirements.
- 7.6 The proposed scheme is not a high-quality design. In terms of massing, it does not adequately address the existing Guildford Crescent buildings and treats them as

a poor attempt at facadism. The scale and massing of the 29-storey tower and the 2-storey crescent is not acceptable and is contrary to LDP policy KP5 Good Quality and Sustainable Design and the Tall Buildings SPG.

- 7.7 The Supplementary Planning Guidance states that any proposal should be a positive feature in the skyline and streetscape, either by complementing a cluster of tall buildings or forming a strategic landmark. I am not convinced that the proposed design is of a quality which forms a landmark feature, nor does it exhibit exceptional architectural standards: elegance in form, silhouette and quality of materials.
- 7.8 I also note that in the consultation response, the developers argue this development is in keeping with surrounding buildings, namely the Motorpoint Arena – but the future of this site is in doubt as a new, larger arena is to be built in Cardiff Bay.

#### Impact on conservation area /listed building

- 7.9 I note that a key policy consideration this application must be assessed against is: Does the proposal preserve and, where appropriate, enhance the setting, significance and special architectural or historic interest of listed buildings?
- 7.10 The character of the Churchill Way conservation area will be impacted by a building of this scale.

#### Clustering of tall buildings

- 7.11 The proposal for this 29-storey block should be considered in terms of the impact on the microclimate in this part of the city centre especially given the location of the 26-storey tower at Bridge Street opposite.

#### Assessment of Housing Need

- 7.12 The proposals are for one and two bed flats that will be 'build to rent'. I note that in the consultation document there were questions as to how this 'specific, identified need' was found? There is no assessment of housing assessment contained within the application".
- 7.13 7 letters of objection have been received from residents. These reiterate the same comments as Jo Stevens MP. For the benefit of members the letters of objection have been summarised below:
- Concerns with quality of design
  - Detrimental impact on the setting of the Grade II listed Masonic Hall and the character of the Churchill Way Conservation Area.
  - Concerns with the microclimate of the area in terms of clustering of buildings
  - Concerns with the specific, identified need of the 'build to rent' units

## 8. **ANALYSIS**

8.1 The main issues to be assessed are:

- a. Proposed Land Use
- b. Building Design and Impact on the Setting of the Listed Building and adjacent Conservation Areas
- c. Amenity for Neighbouring Occupiers
- d. Transport, Servicing and Waste
- e. Drainage
- f. Other Considerations

### **a. Proposed Land Use**

8.2 The application site falls within the settlement boundary as defined by the Cardiff Local Development Plan (LDP) (2006-2026) Proposals Map. The site is currently vacant, having formerly comprised of a two-storey terrace of three Class A3 uses. It is located within the Central Business Area (CBA) of the adopted Cardiff LDP.

#### The acceptability of the residential use:

8.3 LDP Policy KP10 (Central and Bay Business Areas) describes the range of uses appropriate within the Central Business Area, 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.

#### The acceptability of the ground floor commercial use:

8.4 The site is located outside, but on the edge of the Central Shopping Area (CSA) as defined by Policy R2 of the LDP. Taking into consideration the relatively small scale of the ground floor commercial units at up to 380sqm (combined) and that a convenience retail element could serve the residents associated with the proposed development and the wider community in the surrounding area, an element of A1 Use Class (retail) could be considered acceptable at this location.

8.5 Policy R8 (Food and Drink Uses) of the LDP identifies the Central Business Area as an appropriate location for food and drink uses, subject to amenity considerations. Given that the application proposes 272 apartments to the upper floors of the building, the applicant will be expected to demonstrate how their proposal can address concerns over the potential impact of a ground floor A3 use upon the amenity of residential occupiers. Conditions have been applied to prevent the A3 use as a vertical drinking establishment (where the primary purpose is the sale and consumption of alcoholic drinks on the premises), or as a hot food takeaway.

8.6 Classes A2 (financial and professional services), B1 (business), D1 (non-residential institutions) and D2 (assembly and leisure) uses would be



considered acceptable at this location, subject to amenity considerations.

### Strategic Planning (Regeneration) Considerations

- 8.7 This is a large scale proposal, where the introduction of 272 apartments will place increased pressure on the surrounding pedestrian environment. The public realm at Guildford Crescent is of a poor quality and there is a need for it to be upgraded to a standard commensurate with recent developments in the city centre. This would provide an enhanced and more efficient pedestrian environment than that which serves the area at present.
- 8.8 Planning Policy Wales (Ed 11, 2021), paragraph 4.1.19 states that 'Well-designed, people orientated streets are fundamental to creating sustainable places and increasing walking, cycling and use of public transport. New development should improve the quality of place and create safe, social, attractive streets where people want to walk, cycle and enjoy'. Cardiff LDP Policy KP6 (New Infrastructure) seeks that new developments make appropriate provision for, or contribute towards, necessary infrastructure required as a consequence of proposed development, including public realm improvements.
- 8.9 To help integrate the proposed development with the surrounding area and to improve pedestrian movements to, from and around the site, a scheme of public realm and highway improvements are sought as a condition. Drawing no. DRRD-01 shows the extent of the improvement works. The scheme shall tie into the improvement works to be undertaken by the Council on the surrounding streets and shall include:
- Provision of a public space at the junction of Churchill Way and Guildford Street;
  - Relocation of the vehicle entrance to the Crescent from Guildford Street to Churchill Way;
  - Widening of the footway along the eastern side of the street to between 4.0 - 4.7metres;
  - Resurfacing of the footways and carriageway throughout the area to match the materials to be used on wider highway/public realm works in the surrounding area;
  - Provision of cycle lanes through the area;
  - Replacement and provision of street lighting;
  - Provision of tree planting;
  - Improvements to the stepped access between Guildford Crescent and Churchill Way;
  - Other works to include surfacing, kerbs, edging, drainage, lighting, lining, signing, telematics, traffic orders, trees, soft landscaping and street furniture
- 8.10 To help ensure that the proposed works tie in with wider highway/public realm improvements being undertaken in the surrounding area and that they are implemented in a timely manner, it is requested that the scheme of improvements be agreed in writing as part of a condition and then implemented

by the developer prior to the occupation of the proposed development.

**b. Building Design and Impact on the Setting of the Listed Building and adjacent Conservation Areas**

8.11 LDP Policy KP5 (Good Quality and Sustainable Design) contains criteria for assessment of new development proposals to ensure that high quality, sustainable designs occur which positively contribute to the creation of distinctive communities, places and spaces. A criterion includes, for example, the influence of the proposal on the local character and context. Other criteria include creating legible development, providing a diversity of land uses, creating distinctive places and providing a healthy environment.

8.12 The Tall Buildings Supplementary Planning Guidance (SPG) (January 2017) is a material consideration in determining this application. Para. 1.5 states that “well-designed tall buildings in appropriate locations have the potential to add significant value to Cardiff. They can enhance skylines and provide recognisable landmarks that can serve to promote the city on a national and international stage”. Further, para. 1.7 states that “Cardiff seeks to be the most liveable capital city in Europe and to create an inclusive, vibrant, thriving, sustainable and attractive city in which to live and work. Proposals for tall buildings need to demonstrate an exceptional standard of design together with appropriate land uses and public realm through careful planning and design so that they knit well into the existing fabric of the city”. Tall buildings are therefore assessed having regard to locational criteria, specifically that they will only be acceptable where (para. 2.2):

- 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 and 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

8.13 The site is located on a prominent corner site, whereby the Tall Buildings SPG states that urban corner sites are more likely to be appropriate for tall buildings, subject to satisfying the other SPG tests. The above criteria will be considered in detail in the following analysis section.

Skyline and Key Views

8.14 In addition to the Tall Buildings SPG, further national policy guidance is provided in TAN12, which also highlights the importance of identifying distinctive views, key skylines and vistas.

8.15 The visual impact has been tested by means of a series of key views from agreed locations. These comprise facing:

- north from Churchill Way

- south from Churchill Way (and from the junction of Queen Street)
- south-west from Guildford Street
- east from Bridge Street (including the Barrack Lane corner and Charles Street junction)
- north-west from the University of South Wales/HM Cardiff Prison along Sandon Street
- Longer views from Charles Street within the Charles Street Conservation Area have also been considered.

8.16 Views from the north and south along Churchill Way will result in a cluster of tall buildings, with the closest to the site being the 26-storey Bridge Street Exchange student accommodation tower. Also visible are three tall buildings fronting Churchill Way; Belmont House (18 storeys), Landmark Place (18 storeys) and Churchill House (10 storeys). When viewed south from the Churchill Way junction with Queen Street, the proposal will suitably terminate the tall buildings along the street. The Motorpoint Arena can only be viewed from the south but is also a large building with imposing massing. The view from the east along Sandon Street adjacent to the prison shows the site in relation to Belmont House and the Admiral Building (14 storeys). In light of the above, it is considered that the development will sit comfortably within a cluster of other tall buildings in a city centre location. The view from Bridge Street shows the relationship with the listed Masonic Hall and is discussed below (para (XXX)).

#### Impact on the setting of the Grade II Listed Masonic Hall

- 8.17 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, when assessing development which affects a listed building or its setting, special regard shall be paid to the desirability of preserving the building or its setting or any special architectural or historic interest it possesses. This approach is supported by Policy EN9 of the LDP, which makes clear that development relating to a listed building or its curtilage structures will only be permitted where it can be demonstrated that it preserves or enhances that asset's architectural quality, historic and cultural significance, character, integrity and/or setting.
- 8.18 The Masonic Hall is an ensemble of connected structures fronting Guildford Street and Guildford Crescent. The immediate setting in terms of buildings has remained constant since around 1880, and certainly since the Grade II listing in 1975. The Conservation Officer notes that the component buildings have a mostly utilitarian external appearance when viewed from any position other than from the west towards the striking stone façade of the Masonic Hall. The biggest change to the setting has been the recent partial demolition of the terrace (prior approval for which was granted in 2019, ref: 18/02874/MJR), which has left partially demolished terraces, leaving only the facades remaining and the introduction of scaffolding. There have also been later additions to the Masonic Hall to the rear and there is a small car park immediately to the north.
- 8.19 Notwithstanding the immediate setting, the Conservation Officer notes that the wider historic setting of the Masonic Hall has been heavily eroded over time. This is characterised by tall and mid-rise modern development and poor quality

public realm. An MCP car park lies opposite the site, with the low rise 1960s Ivor House and the Motorpoint Arena further to the south-west. Cadw state that a reason for the listing of the Masonic Hall is the “Striking former chapel by one of best of Cardiff's C19 chapel architects; facade closes vista down Bridge Street”. The Conservation Officer also notes that from longer views of the building, the slated roofscape of the hall is visible, which is currently the dominant scale within the crescent block. The domed roof lantern/cupola is also evident from the railway and in glimpsed ground level views from Guildford Crescent near the underpass and the lane connecting to Station Terrace.

8.20 The Conservation Officer considers that the intermediate view down Bridge Street, and those closer views towards the elevation from Guildford Terrace will be changed dramatically by the proposed development, which will reduce the Masonic Hall's prominence. This is noted, however, the supporting Design and Access Statement (DAS) states that the Bridge Street view is contrived, with a key views study being provided. This shows that whilst the Masonic Hall front façade does sit to the end of Bridge Street and forms an important 'end stop', in reality the Masonic Hall orientation is slightly oblique to the street. The true elevation is only available from a non-facing transient viewpoint on the north pavement. Therefore, the key important views of the Masonic Hall are those on the natural approach vista down Bridge Street which are oblique to the facade. Given the 6 metre (front) set-back from the listed building, the proposal reads as a separate building from this view and the northern flank elevation will not always be visible from the southern pavement on Bridge Street (Charles Street Junction). As pedestrians move westward up Bridge Street the visual distance between the proposed building and Masonic Hall increases due to the oblique angle. As such, it is considered that the Masonic Hall will continue to act as a punctuation 'end-stop' to Bridge Street due to the slanting angle and whilst officers have acknowledged the Conservation Officers comments, it is considered that the setting of the listed building will not be significantly affected. Furthermore, Ivor House may be redeveloped in the future as part of the wider Canal Quarter Regeneration, and officers acknowledge historic consents on the site, where the view of the proposed development from Bridge Street is likely to change as further developments are progressed.

8.21 In addition, the Conservation Officer agrees that some positive contribution to the immediate setting is offered by rebuilding the terrace in terms of the closer street level views towards the terrace. They also note that it provides some mitigation to what they consider is a negative impact on the longer views from Bridge Street. Officers also note that the public realm improvements that have been required as a condition will provide an enhancement to the setting of the listed building and terrace of properties and secure public benefits in bringing back into beneficial use buildings that have remained vacant for some time. For the above reasons, it is considered that, on balance, the concerns of the Conservation Officer can be addressed through the proposed development and associated public realm enhancements.

#### Impact on the Settings of the Adjacent Conservation Areas:

8.22 Given the position and presence of the intervening townscape, Conservation



Officers do not consider the impacts to the setting of the Charles Street nor Queen Street Conservation Areas (CA) to be significant. In terms of the nearest Churchill Way CA, this was designated in 1991; “giving recognition to its historical and architectural quality in the face of increasing pressure for redevelopment in the area” (CA Appraisal, 2008 p.47). Therefore, at the time of designation, the historic character and setting of Churchill Way had already been compromised by redevelopment of the eastern and southern areas of the street. This means that the remaining three storey villas and listed chapel have been primarily preserved for their group value, fabric and scale as opposed to their relationship to the wider townscape, which is one of contrast. The site is not easily appreciated within key views towards or from the retained villas and chapel, so does not change the way in which they are experienced. A key view image from the Charles Street Conservation Area has also been provided, which demonstrates that the building will be mainly hidden behind the existing buildings on the street. As such, it is considered that the settings of the adjacent conservation areas will be preserved.

- 8.23 Further, both Conservation Officers and Cadw have raised no objection to the proposed development with regard to any scheduled monuments or registered historic parks and gardens. Likewise, the Glamorgan-Gwent Archaeological Trust and Cadw have not raised an objection on the grounds of conserving archaeological remains.

#### Scale, Massing and Silhouette:

- 8.24 As noted in para. 8.16 above, there are a number of tall buildings in close proximity to the site, including the 26-storey Bridge Street student building lying opposite to the west. Whilst the 30-storey tower will be tall and add to the existing skyline, this is considered acceptable when viewed in the context of the other tall buildings. In terms of the massing, the design contains a combination of three linked blocks, with each block having a four-storey difference in height. This is considered to help break-up the bulk of the building and the juxtaposition of the three blocks means that the building will be viewed differently from a variety of angles. The use of large windows with two different colours to the spandrel and side panels will also ensure that the building’s mass will not appear too bulky. Further, it is considered that the three blocks will provide an interesting building silhouette to the top of the building. The set-back from the Masonic Hall allows the proposal to be read as a separate element to the listed building from most angles.

#### Building Appearance:

- 8.25 Officers welcome the positive retention of the Guildford Crescent terrace, including the reconstruction of the original pitched roof. The tower frontage to the rear will appear lifted by incorporating a two-storey recessed base in a contrasting colour to the retained façade, providing a visible break from the street terrace frontage. The use of materials is on balance acceptable in this location, as they are in general conformity with the surrounding context. The acid etched precast concrete façade system with feature profiled aluminium framed windows are considered high quality materials and will provide a

materiality similar to the Admiral Building to the west. The different colours of the side panels and spandrels is welcomed to add visual interest and again break up the massing. All windows will be within 2.4 metre vertical reveals, formatted in four storey staggers ordered consistently. The 60mm deep/wide side panels will add depth and texture to the façade and will respond subtly to the angled nature of the building. Officers welcome the inward tilting windows, to ensure that the façade doesn't appear visually cluttered.

- 8.26 Notwithstanding the above, conditions have been applied to ensure that the proposed materials and architectural details are agreed by the Local Planning Authority to maintain the highest specification and design of the proposed building.

Street Interface:

- 8.27 The retention of the Guildford Crescent terrace and the reconstruction of the original pitched roof from the eaves to the ridge means that the majority of the proposed new building interfaces at street level via the retained crescent facade. This allows the existing terrace to be brought into a new use and provides an active frontage that will help create vibrancy and activity at street level. The condition to create an improved public realm outside the retained terraces will create an attractive space through appropriate soft landscaping and high quality hard landscaping and will enhance the building's presence at street level, significantly improving the pedestrian experience.

Layout and Amenity of Future Occupiers:

- 8.28 The proposed residential units are considered a reasonable size and will receive sufficient levels of outlook and ventilation. Whilst the apartments will not benefit from private balconies, the scheme includes communal internal and external amenity spaces with a combined footprint of 633sqm.
- 8.29 The supporting Daylight, Sunlight and Overshadowing Assessment, prepared by WSP (dated: 29/06/2021) has provided an internal daylight/ambient light assessment. This concludes that all the proposed bedrooms will achieve the recommended average daylight factor (ADF) levels outlined in the BRE Guide. 79% of living/kitchen spaces will meet the recommended target for living rooms, with 36% falling marginally below the guidance threshold. Whilst the BRE Guide provides numerical guidelines, the guide itself states that it is not an instrument of planning policy, and therefore some level of flexibility should be applied where appropriate. Further, the lower values are not unusual for open-plan apartments where the kitchen is deliberately located to the back of the space, so that the living area benefits from increased light by the window.
- 8.30 In terms of overshadowing of the communal spaces, the 27th level meets the BRE guidelines, however less than 50% of the area of the terrace on the first floor receives at least 2 hours of sunlight on the 21st of March. Whilst this is not ideal, this is not unusual in an urban context. The space will still be useable, and officers will secure details such as low light freestanding planters and associated furniture by virtue of a condition. This will ensure that it is a desirable

space for future occupants. Additional planting will be requested to enhance green infrastructure.

#### Sustainable Building Design:

- 8.31 Future Wales: National Plan 2040 (2021) requires energy consumption to be reduced by 70% by 2030 to combat the climate emergency. LDP Policy EN12 seeks that development proposals maximise the potential for renewable energy and that carbon emissions associated with heating, cooling and power systems are minimised.
- 8.32 The development design takes a fabric-first approach and the tower has been designed to have a very low U value. The thermal mass of the building structure will minimise the energy needs of future residents within the building, thereby minimising energy demand. Further, the Level 31 and 27 roofs will include solar PVs as part of the building's on-site renewable sustainable energy provision.

#### **c. Amenity for Neighbouring Occupiers**

- 8.33 LDP Policy KP5 contains criteria for assessment of new development proposals to ensure that no undue effect on the amenity of neighbouring occupiers occurs. The scheme has been carefully assessed against the Council's SPG guidance on sunlight/daylight, overlooking and privacy.

#### Sunlight, Daylight and Overshadowing:

- 8.34 The applicant has provided a Daylight, Sunlight and Overshadowing Assessment, prepared by WSP (dated: 29/06/2021). This has assessed the impact on the existing adjacent residential properties based on the Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight: a guide to good practice' by P J Littlefair 2011. The analysis also focuses on the overshadowing impacts on existing neighbouring gardens and open spaces.
- 8.35 The above BRE Guidance only relates to protecting residential accommodation and whilst the impact on all the neighbouring buildings has been assessed, only the residential accommodation is considered to be within a Use Class that is protected by LDP policy. The residential properties in close proximity to the site are at Wesley Lane, No's 17, 31, 32, 33, 34 and 38 Churchill Way Villas and Landmark Place on Churchill Way. The student accommodation at Bridge Street Exchange has also been considered. The remaining buildings in close proximity are not in residential use and the University of South Wales building to the south-east is not used for student living accommodation.

#### Daylight:

- 8.36 The Vertical Sky Component (VSC) metric has been used for the daylight impact assessment on existing surrounding properties. The results show that the development would meet the BRE criteria for all the residential neighbouring buildings, except a low impact on some windows of the Churchill Way Villas.

Given that this would only be a low impact and the site is in an urban context, officers consider the impact to be within reasonable limits.

Sunlight:

- 8.37 For existing properties around the site, the access to sunlight is measured from the windows to main living rooms, facing within 90° of due south. The majority of the windows to the Churchill Way Villas are not facing 90° of due south and so are not assessed in line with BRE criteria. Two windows that face within 90° of due south will be affected, however there would only be a marginal impact in the summer. There would be a loss of sunlight during the winter, however this is due to existing low levels of light from the close proximity to the flank elevation of the adjoining building. As such, it is considered that the impact on sunlight to the neighbouring residential buildings would be negligible.

Overshadowing:

- 8.38 The assessment has looked at the overshadowing of gardens and amenity areas. The results show a negligible impact on the amenity spaces of the Villas on Churchill Way. Further, these areas are front/side passes which are more passing areas and not used as functional amenity space. There will therefore be no detrimental overshadowing impact on neighbouring amenity spaces.

Overlooking and Privacy:

- 8.39 Paragraph 4.9 of the Infill Sites SPG (2017) states that a minimum of 21 metres should be maintained between principal windows to habitable rooms. Para. 4.9 follows on to state that the minimum overlooking distance from a habitable room window to a garden area of a separate dwelling should be 10.5 metres. The proposal will not result in any overlooking or loss of privacy to any neighbouring properties.

Agent of Change Principle:

- 8.40 The application site lies in a busy city centre environment and has a number of night-time economy and entertainment venues in close proximity. In particular the Motorpoint Arena which lies to the south-west and the Chapel public house/restaurant to the north-east, which is open until 2am on Fridays and Saturdays.
- 8.41 Paragraph 4.3.44 of Planning Policy Wales (PPW) (Edition 11, 2021) states that “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 says that a business or person responsible for introducing a change is responsible for managing that change”. Further, para 6.7.24 of PPW 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.”

- 8.42 The applicant has provided an Environmental Noise Report to assess the existing day and night noise from traffic, the railway line and existing plant noise. This recommends noise mitigation measures to be installed. Whilst the Noise Officer supports these recommendations, they are concerned that insufficient consideration to the night-time economy has been assessed. As such, a pre-occupation validation noise survey has been recommended as a condition. This will demonstrate that the adopted noise mitigation measures are effectual in reducing external noise within habitable rooms to agreed acceptable levels and will ensure that the recommended measures are provided and installed correctly. It will also assess the noise from the surrounding night-time economy and make sure that external amenity spaces in the development have acceptable noise levels. Subject to this condition, it is considered that both the future of the existing night-time cultural economy and the amenity of future residents within the development will be protected.

Other matters impacting upon amenity:

- 8.43 Conditions have been applied ensuring that there will be no delivery vehicles arriving, departing, loading or unloading outside the hours of 7am and 8pm. The commercial units will also have operation hours restricted to 8am to 1am on any day. These hours are not considered to be unreasonable in a city centre location and will not result in an unacceptable level of noise disturbance. A sound insulation condition has been applied between the commercial units and residential communal amenity level. A Plant Noise condition has been applied to protect occupants from excessive environmental noise. Finally, a condition ensuring that the preparation and cooking of hot food and the extraction of all fumes from the food preparation areas in the ground floor units shall be mechanically extracted.
- 8.44 The Noise Officer assessed the supporting Train Induced Vibration and Assessment Report and has raised no objection with regard to potential vibration from the railway line.
- 8.45 In light of the above, subject to the aforementioned conditions, it is considered that the amenity of the future occupiers and any neighbouring occupiers within the vicinity, will be sufficiently protected.

**d. Transport, Servicing and Waste**

Resident and Transport Movement:

- 8.46 The site is located in the city centre within an easy level walk of Queen Street Railway Station (250m north/east), bus services on Churchill Way (100m to 200m north/west), car share and Nextbike sites, along with access to all the

services, amenities, employment and leisure facilities such a central location affords. The site is therefore considered to be extremely sustainably located in transport terms and somewhere where public transport and active travel offer viable alternatives to the ownership and use of private cars.

- 8.47 Notwithstanding the acceptability of the proposed development, there is a significant overlap between the works required for construction and the public realm associated with the Council's improvement works to Churchill Way and Guildford Crescent at the junction with Guildford Street and Bridge Street. The scheme being delivered by the Council in the area is associated with the opening of the canal and delivery of improved bus facilities (bus lanes/stops/shelters) on Churchill Way. The scheme includes reprioritisation of traffic on Churchill Way and associated public realm improvements, including improvements to Guildford Crescent adjacent to the Masonic Hall, which the Council is unlikely to be able to complete due to the timing of development construction (as it is currently understood) and the associated need for a construction compound on Guildford Crescent.
- 8.48 Conditions are therefore sought to ensure appropriate management of construction, in the form of a Construction Management Plan (as part of the Environmental Management Plan (CEMP)) and Construction Logistics Plan, along with the reinstatement of the highway in accordance with the Council improvement scheme (in the form of a Highway Public Realm Works condition). Both the Construction Logistics Plan and Public Realm Plan will be delivered by the developer via Section 278 agreements with the Council.
- 8.49 Further, subject to planning permission being granted for the proposed development, the eastern footpath running along the rear of the Masonic Hall and the application site (up against the rail retaining wall) is proposed to be stopped-up and used for a controlled shared service route to the development and the Masonic Hall. Controlled gated access will be provided at both ends, with the public street lighting removed and replaced with new lighting served by the development. This principle is agreeable and will be subject to a formal Stopping-up process following grant of permission.

#### Car Parking:

- 8.50 The application proposes no car parking spaces, which complies with the Managing Transportation Impacts SPG. Policy T5 of the adopted LDP requires development to accord with the council parking standards, as outlined in the approved SPG. Paragraph 6.1 of the approved 'Managing Transportation Impacts' SPG states that 'the availability of parking spaces and their location can influence travel choices. Excessive provision can serve to stimulate demand for car travel and perpetuate reliance on the car. The application of parking standards to new developments is therefore an important tool in managing demand for travel by car and encouraging a shift to sustainable transport modes'. The aforementioned SPG uses maximum parking standards (as required by Planning Policy Wales), and there is no minimum amount of car parking that has to be provided. Transportation Officers raise no objection on the grounds of potential increased traffic congestion.

### Cycle Parking:

- 8.51 The application proposes a ratio of one cycle space per apartment (272 spaces). Whilst it is acknowledged that this does not comply with the Council's adopted SPG guidance of providing a one space per bedroom, Transportation Officers have agreed to accept this ratio due to the constrained size of the plot and due to the site being located in an extremely sustainable location with excellent access to public transport (buses, trains, Nextbike cycle hire all within 200m). To ensure that the spaces are sufficiently accessible and can be used for all types of bicycles, a cycle parking details condition has been applied that will ensure there is a minimum of 20% accessible ground-based stands and 50% of any two tier racks will have tray centres of 500mm, with the remaining to be a minimum of 375mm spacings. Officers are satisfied that there will be sufficient room for this provision. Further, an additional condition has been applied for a Resident Travel Plan to promote walking, cycling, public transport and other alternatives to the ownership and use of private cars.

### Servicing:

- 8.52 Servicing will generally be provided from street, in a similar way to the site as previously managed and as currently the case for the hotel to the south. The principle of servicing from street is well established in the city and it is noted that a service layby already exists immediately south and adjacent to the site. Given that the commercial units are relatively small, it is not considered that a Servicing Management Plan is necessary in this instance.

### Waste:

- 8.53 The refuse store will be accessed through the side footpath and all refuse will be collected privately with a more frequent collection schedule. The Waste Officer raises no objection to the arrangements.

### **e. Drainage**

- 8.54 Officers note the objection from Dwr Cymru Welsh Water (DCWW) due to the location of a large diameter (900mm) brick egg sewer located on the road and pavement on Guilford Crescent adjacent to the development site boundary. The applicant has confirmed that they are in discussions with DCWW and that the development will not extend any closer to the easement of the egg brick sewer than that of the retained facades. Notwithstanding this, officers have recommended two pre-commencement conditions related to drainage and water supply. The Association of British Ports (ABP) have a right to the flow of the water of the dock feeder but the Council own the tunnel structures. Notwithstanding this, ABP will be consulted on any condition related to the dock feeder.
- 8.55 The development incorporates blue roof systems on the roof terrace and roof areas. Runoff from the development will drain to a below-ground storage tank, which would control flows to the discharge rate of 2.2 litres per second. Additional planting will also be proposed at level 1 to satisfying the SAB

credentials of the scheme using filtering layers below planting to throttle and filter the run-off from the site.

- 8.56 The applicant has noted the concerns of the SAB officer. The requirement of SAB is a separate regulatory process and as advised by WG circular 16/2014, it is not the role of the planning system to regulate other frameworks. In this instance it is considered that the conditions imposed requiring details of drainage and water supply are considered to meet planning objectives and that surface water can be controlled through the SAB regulatory framework.

**f. Other Considerations**

'Build to Rent' Housing Need:

- 8.57 Officers note the objections raised regarding the lack of an assessment of the housing need for 'build to rent' units. A thorough understanding of housing need forms a key component of the evidence base behind the Council's adopted LDP. The adopted LDP seeks to deliver 41,415 new dwellings within the Plan period (2006-2026) of which over half of the overall housing requirement is expected to come forward on brownfield sites.
- 8.58 The Council is currently carrying out a review of the adopted LDP and whilst this is at an early stage of preparation and the latest Welsh Government growth projections has reduced, Cardiff is still projected to experience growth over future years - Cardiff's population is still expected to grow by 8% up to 2036. In terms of spatial distribution, the emerging LDP review recognises that brownfield sites will continue to play an important role in delivering windfall sites and proposes that brownfield sites contribute over half of the provision.
- 8.59 Although the adopted LDP does not specify a mix of dwelling types to be expected on brownfield sites, both local and national policy seeks the most efficient use of land indicating a clear preference for higher density development.
- 8.60 Whilst the Council's Housing Strategy relates to affordable homes only, it provides a helpful picture on general need. This indicates that the greatest demand is for 2-bedroom units by a substantial margin, followed by 1-bed units and then 3-bed units. The Council's Housing Strategy also indicates that Cathays (which includes the city centre) is one of the wards with the lowest availability of housing stock.
- 8.61 The proposed development is a 'Build-to-Rent' scheme and is intended to meet a specific sector in the local housing market. It is intended to create diversity in the overall housing stock which is important against the backdrop of increasing disparity between wage growth and house price increase evidenced in the latest Annual Housing Monitoring Report.
- 8.62 The apartments will be purpose 'build to rent' and offered on flexible and long-term tenancies by an institutional investor, they will not be sold to individuals. The development includes a internal and external community spaces to foster



a community feel as well having a dedicated manager on-site.

Microclimate:

- 8.63 A Wind Microclimate Study, prepared by SWP (dated March 2021) has been provided, which identifies that the only where there is concern in relation to wind tunnelling is the immediate area to the rear of the building, which will be used as a controlled access lane. As such, no concerns are raised with regard to any potential microclimatic effects.

**9. PLANNING OBLIGATIONS**

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

- (i) £232,559.10 towards community facilities
- (ii) £435,356 towards public open space
- (iii) £4,181,800 towards affordable housing

- 9.2 To assist the consideration of planning obligations, the applicant provided a Viability Statement (June 2021). This states that the estimated construction cost is £45,362,217 and in order for the application to be considered viable, the scheme must produce a developer's profit margin of 15% on cost. Based on providing no provision towards s106, the scheme produces a profit on cost of 4.02% and is therefore considered unviable.

- 9.3 In accordance with the established practice of obtaining an independent assessment of viability appraisals presented in support of planning applications, the Council has sought the advice of an independent assessor. To provide further diligence in considering this application, the Council's Economic Development Directorate have also been consulted and raise no objection to the submitted scheme in terms of viability.

- 9.4 Officers have considered the abnormal costs associated with retaining the terrace of properties, site constraints in terms of construction, and acknowledge the positive contribution of the development to public realm enhancements and bringing back into beneficial use buildings which currently remain vacant. It is considered that, despite the viability of the scheme, the contribution toward public realm enhancements under Condition 5 above would be of a value of circa £500,000. When considered against other consented schemes in the pre-pandemic era, this is considered comparable and acceptable.

**10. LEGAL CONSIDERATIONS**

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

there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

- 10.2 The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council's duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.
- 10.3 Wellbeing of Future Generations (Wales) Act 2016: Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.
- 10.4 Statutory pre-application public consultation: The statutory pre-application public consultation was carried out in accordance with legislation and is considered acceptable.

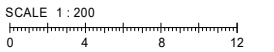
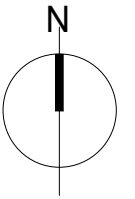
## 11. **CONCLUSION**

- 11.1 The proposal delivers a significant number of residential units in a highly sustainable location on brownfield land. The retention of the Guildford Crescent façades will bring the site back into beneficial use, providing an active frontage that will help create vibrancy and activity at street level. The public realm improvements that have been required as a condition will provide an enhancement to the setting of the listed building. It is considered that, on balance, the concerns of the Conservation Officer can be addressed through the proposed development and associated public realm enhancements.
- 11.2 It is therefore recommended that planning permission be approved subject to the relevant conditions.



Notes

THIS DRAWING READ IN CONJUNCTION WITH :



— Application Boundary

P3	Planning application issue	22.06.21	OD	NT
P2	Issued for PAC	08.03.21	OD	NT
P1	First Issue	25.11.20	OD	NT
Rev	Description	Date	Dr	App
OD		25/11/20		NT

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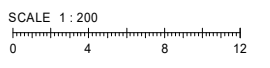
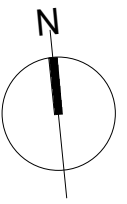
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project	Guildford Crescent Residential		
drawing	SITE LOCATION PLAN		
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**Application Boundary**

**Note: For the proposed building levels in relation to the retained external levels please refer to the Proposed Ground Floor Plan 0530.**

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P2	Issued for PAC	08.03.21	OD	NT
P1	First Issue	25.11.20	OD	NT
Rev	Description	Date	Dr	App
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OD	25/11/20		NT	

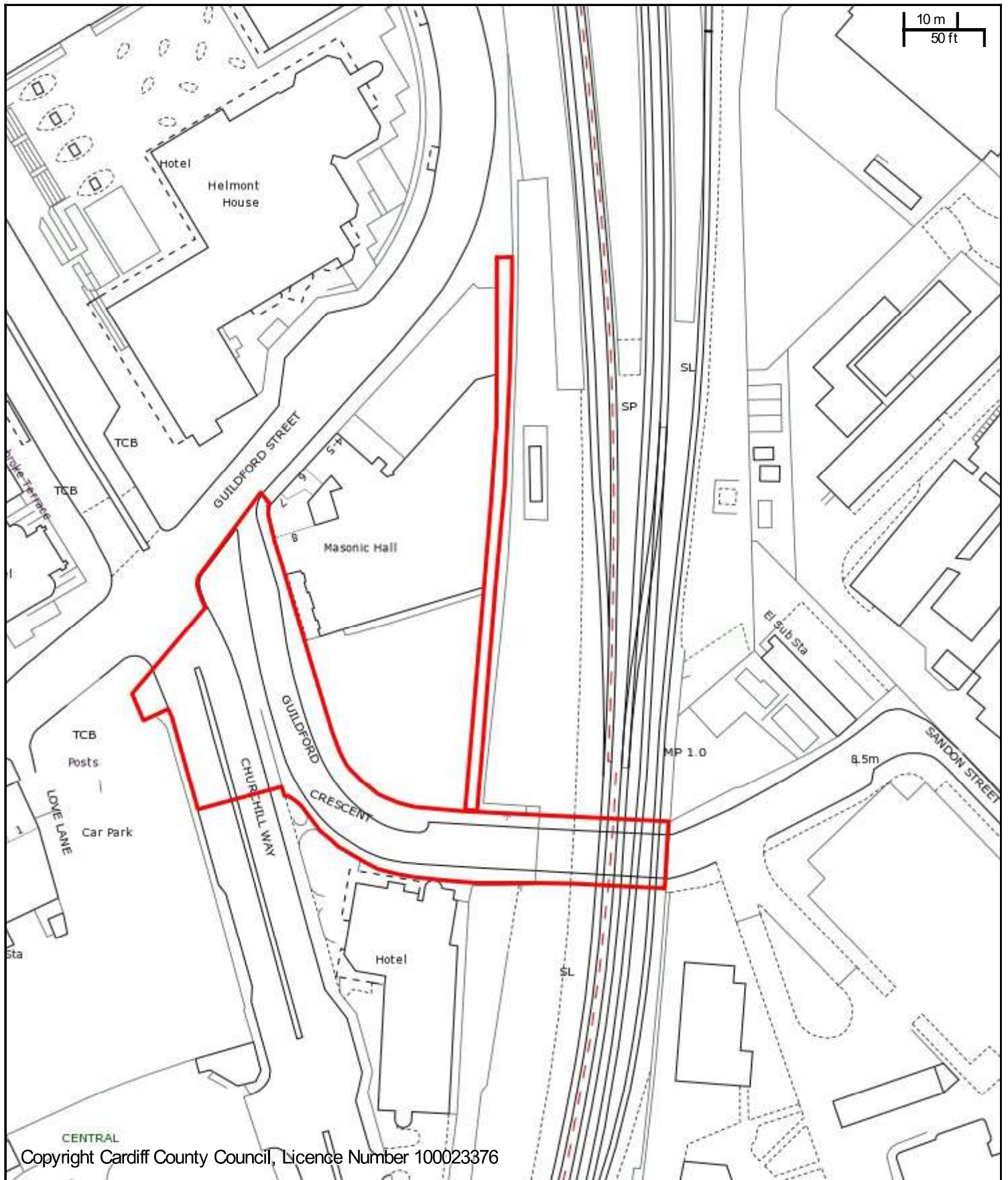
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client name	GT Guildford Crescent Limited		
project	Guildford Crescent Residential		
drawing	PROPOSED GROUND FLOOR SITE PLAN		
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**Cyngor Caerdydd**

**Cardiff Council**



**Drawing no: PRRD-01**



**Title: Public Realm Area**

Scale: 1:1000

Date: 22/10/2021 at 10:25 AM

Coordinates:

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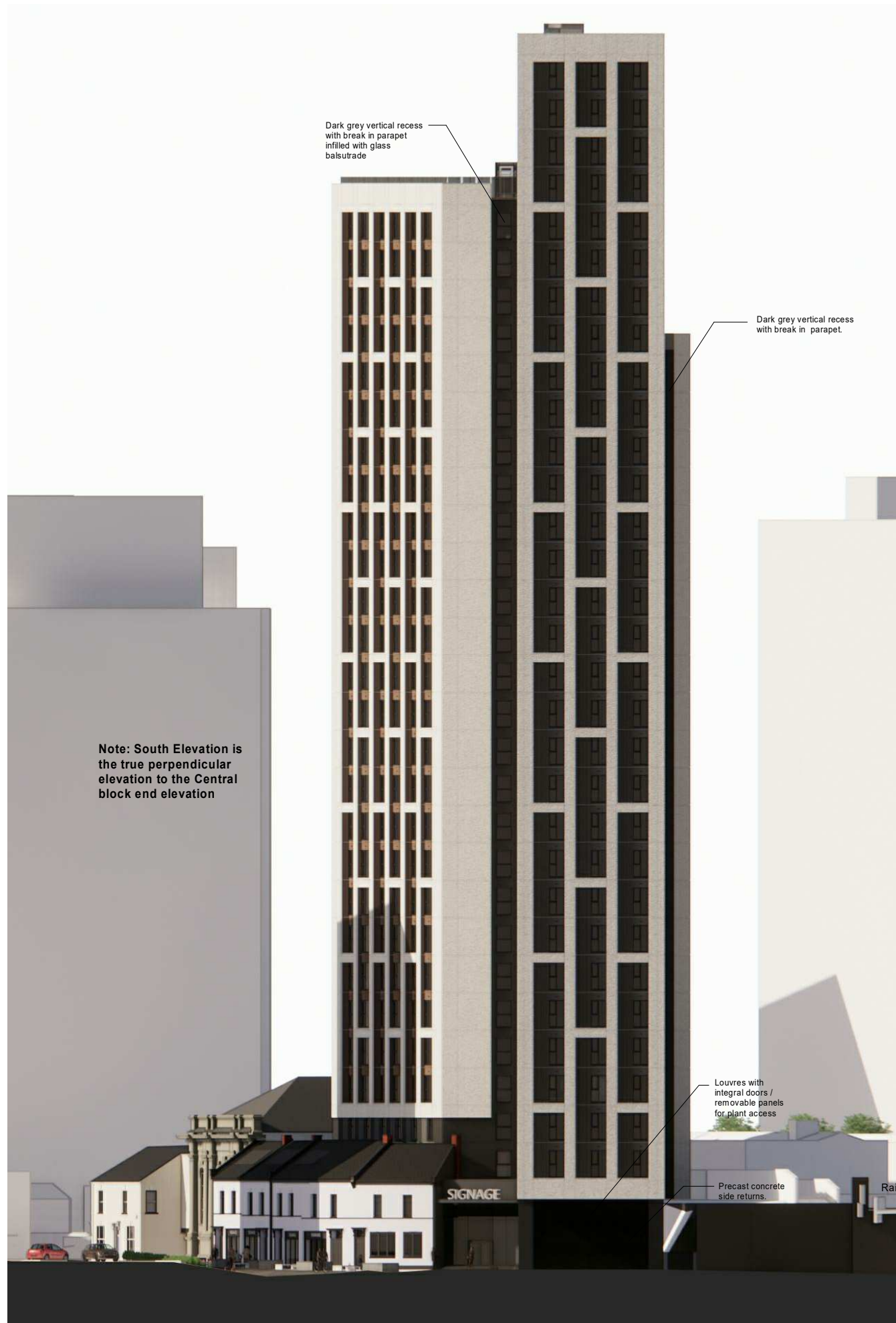
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NORTH NORTH WEST ELEVATION

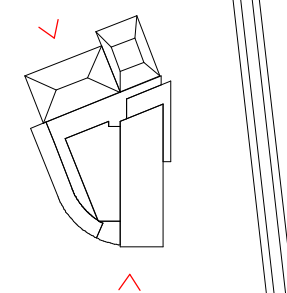
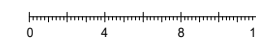


SOUTH ELEVATION

West block 11.3m Central Block NE

Notes

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- Grey acid etched concrete panel (central block)  
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Colour: Camel TBC
- Grey acid etched concrete panel (to vertical recesses and plinth)  
Colour: Charcoal
- Louvre Panel  
Colour: Charcoal
- PPC Aluminium Louvre Air Vents (final positions TBC)  
Colour: To match concrete

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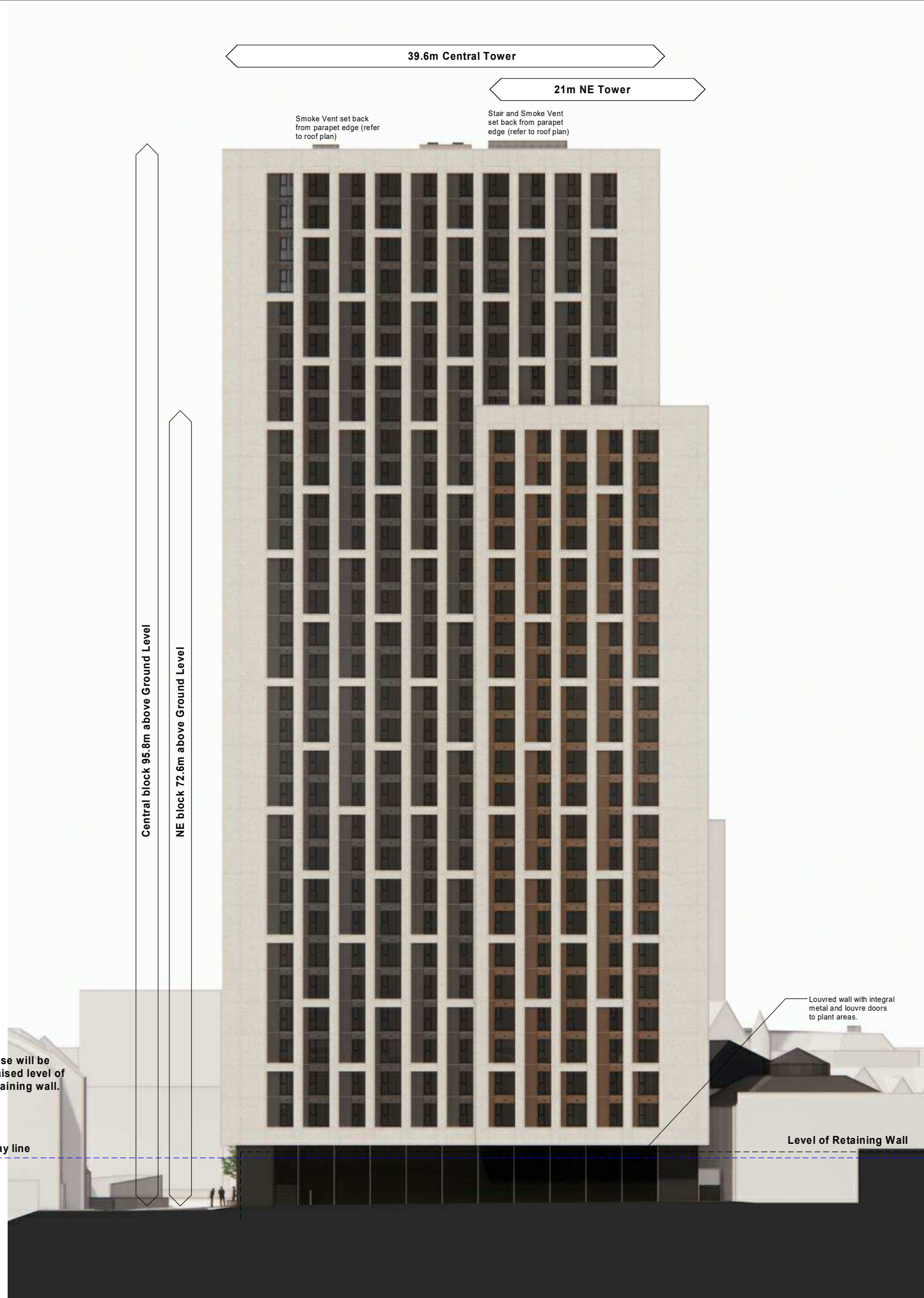
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client name	GT Guildford Crescent Limited		
project	Guildford Crescent Residential		
drawing	PROPOSED NORTH NORTH WEST and SOUTH ELEVATION		
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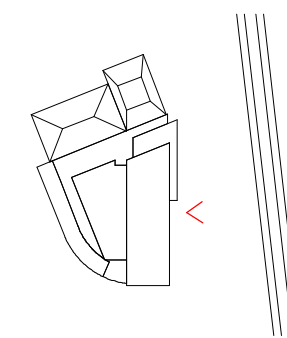
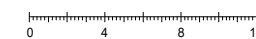
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












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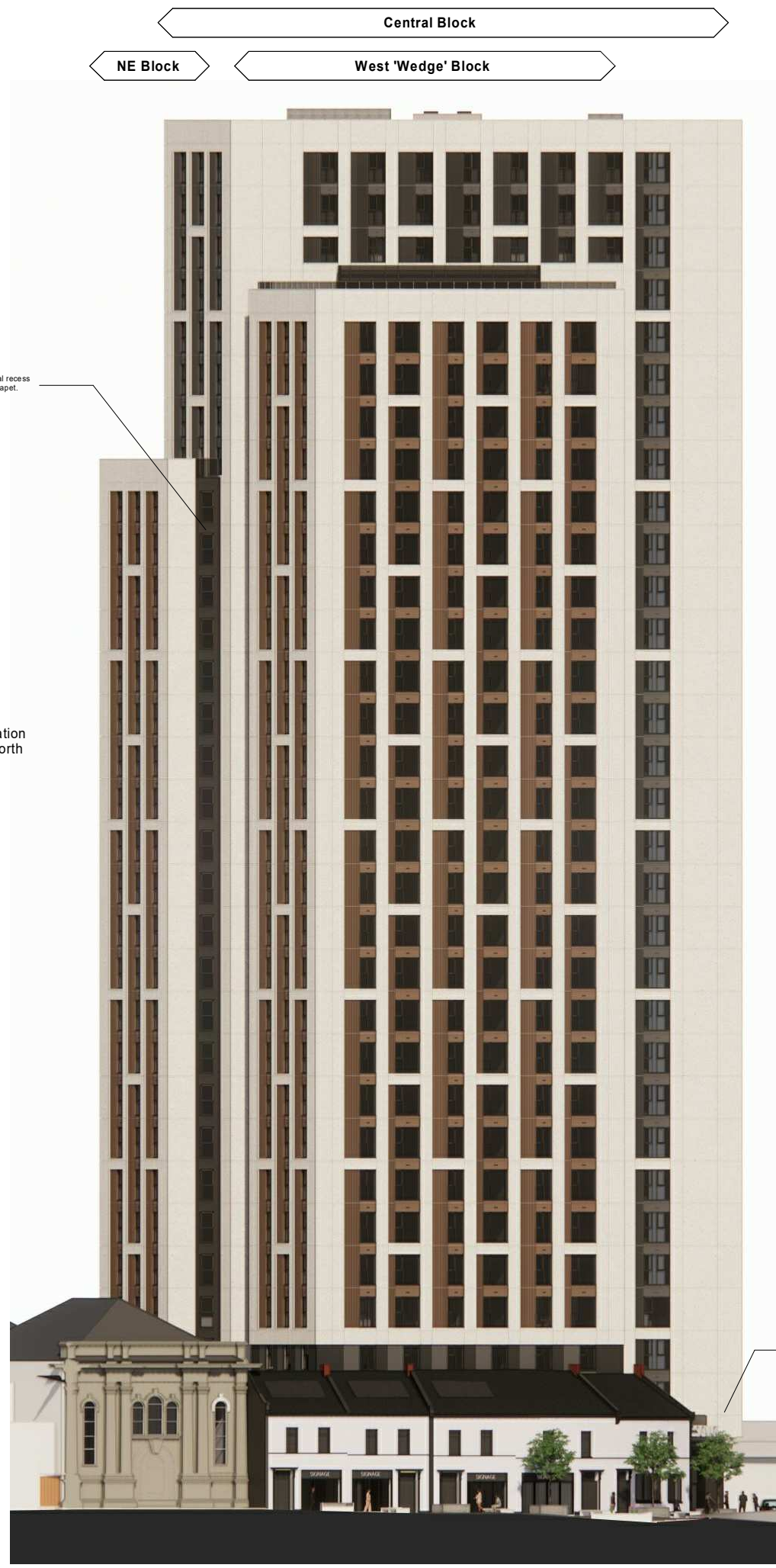
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client name	GT Guildford Crescent Limited		
project	Guildford Crescent Residential		
drawing	PROPOSED EAST ELEVATION		
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Dark grey vertical recess with break in parapet.

For Gable Elevation refer to North North West Elevation

Cantilever over pavement (refer to proposed ground floor plan for extent).

WEST ELEVATION

Note: West Elevation is the true perpendicular elevation to the Central block

For terrace frontage refer to proposed terrace elevations.

Central Block

NE Block

West 'Wedge' Block

Central block 95.8m above Ground Level  
 West block 84.2m above Ground Level  
 NE block 72.6m above Ground Level

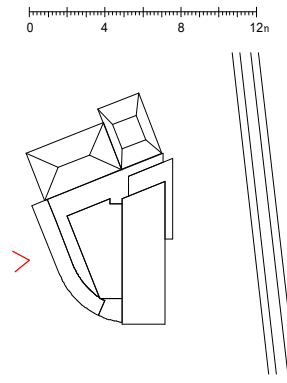
4 Storeys

4 Storeys












4 Storeys

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Colour: To match concrete

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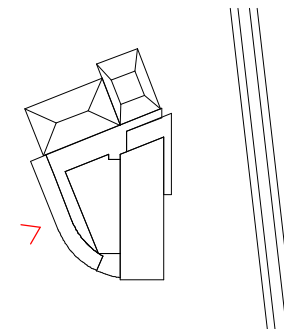
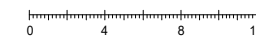
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project	Guildford Crescent Residential		
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Colour: To match concrete

Refer to South Elevation for Central Block Gable Elevation

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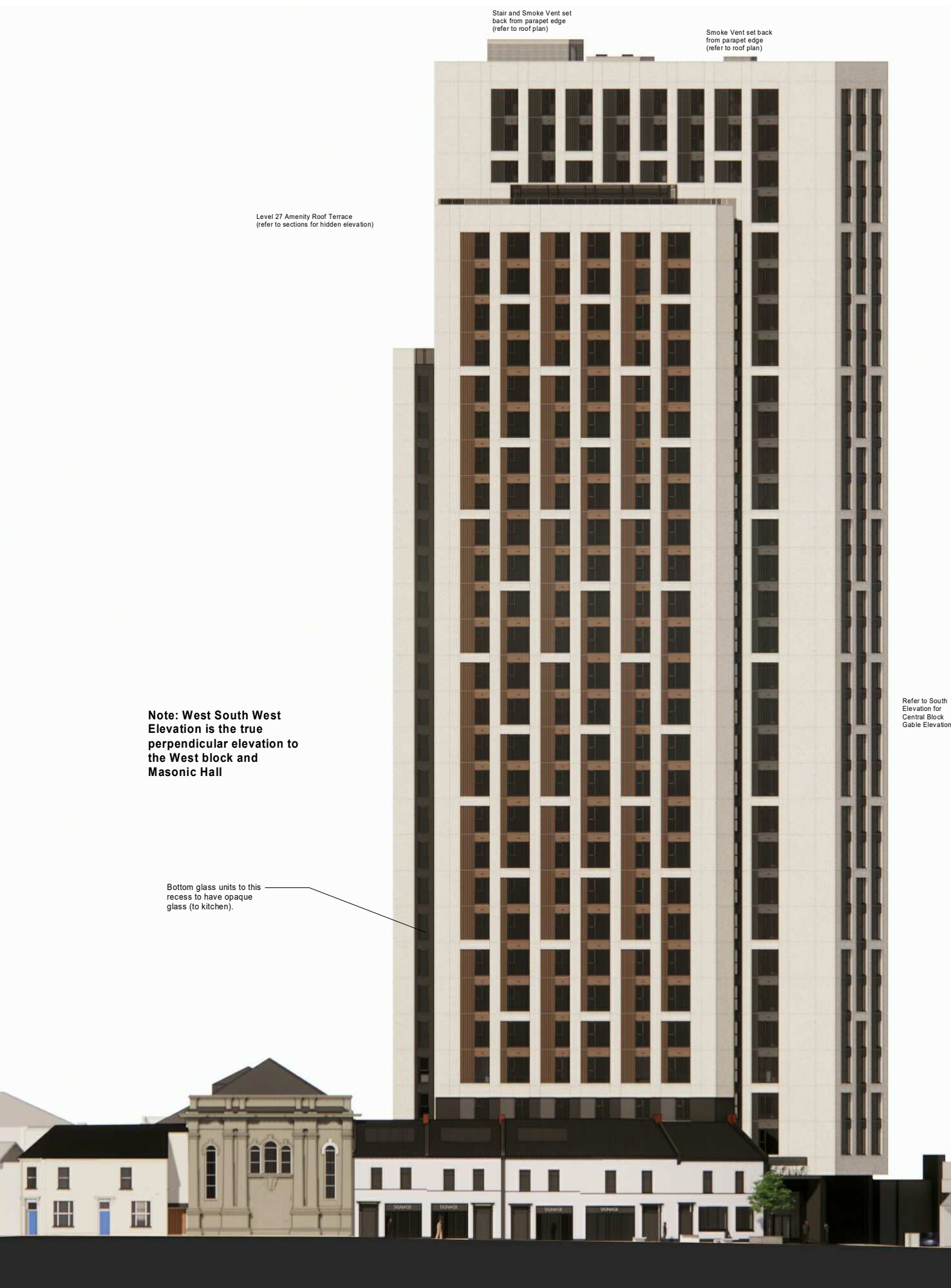
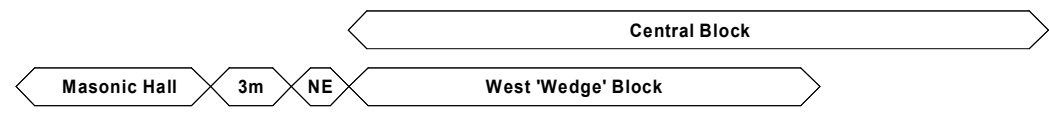
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drawing  
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drawing number <b>C4307-AHR-XX-ZZ-DR-A-0514</b>	rev <b>P2</b>
	issue status

This drawing is to be read in conjunction with all related drawings. All dimensions must be checked and verified on site before commencing any work or producing shop drawings. The originator should be notified immediately of any discrepancy. This drawing is copyright and remains the property of AHR.

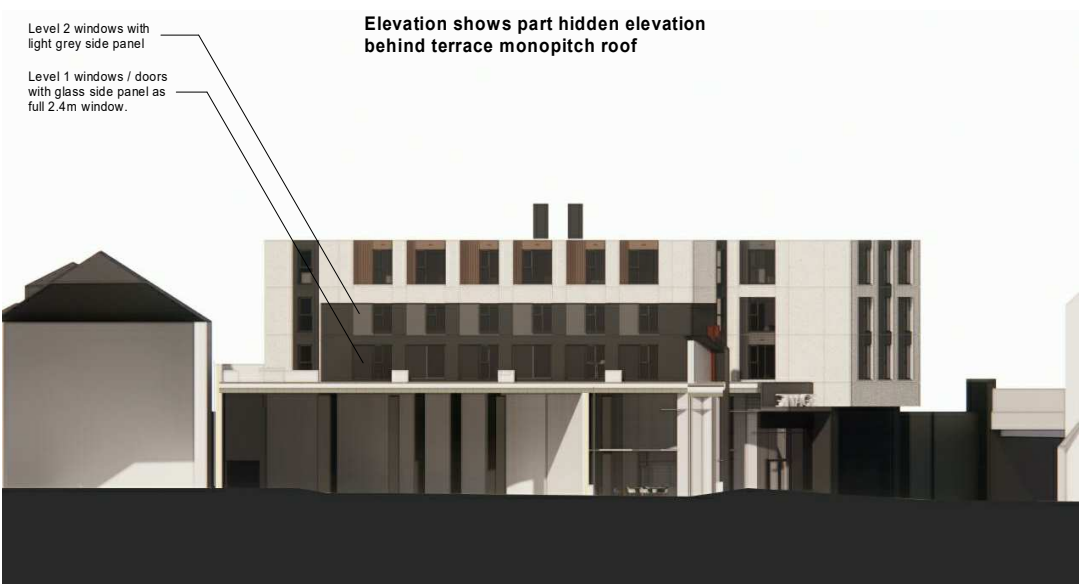


Level 27 Amenity Roof Terrace (refer to sections for hidden elevation)

Stair and Smoke Vent set back from parapet edge (refer to roof plan)  
Smoke Vent set back from parapet edge (refer to roof plan)

**Note: West South West Elevation is the true perpendicular elevation to the West block and Masonic Hall**

Bottom glass units to this recess to have opaque glass (to kitchen).



Elevation shows part hidden elevation behind terrace monopitch roof

Level 2 windows with light grey side panel  
Level 1 windows / doors with glass side panel as full 2.4m window.

**WEST SOUTH WEST ELEVATION 1**

**WEST SOUTH WEST ELEVATION 2**

For terrace frontage refer to proposed terrace elevations

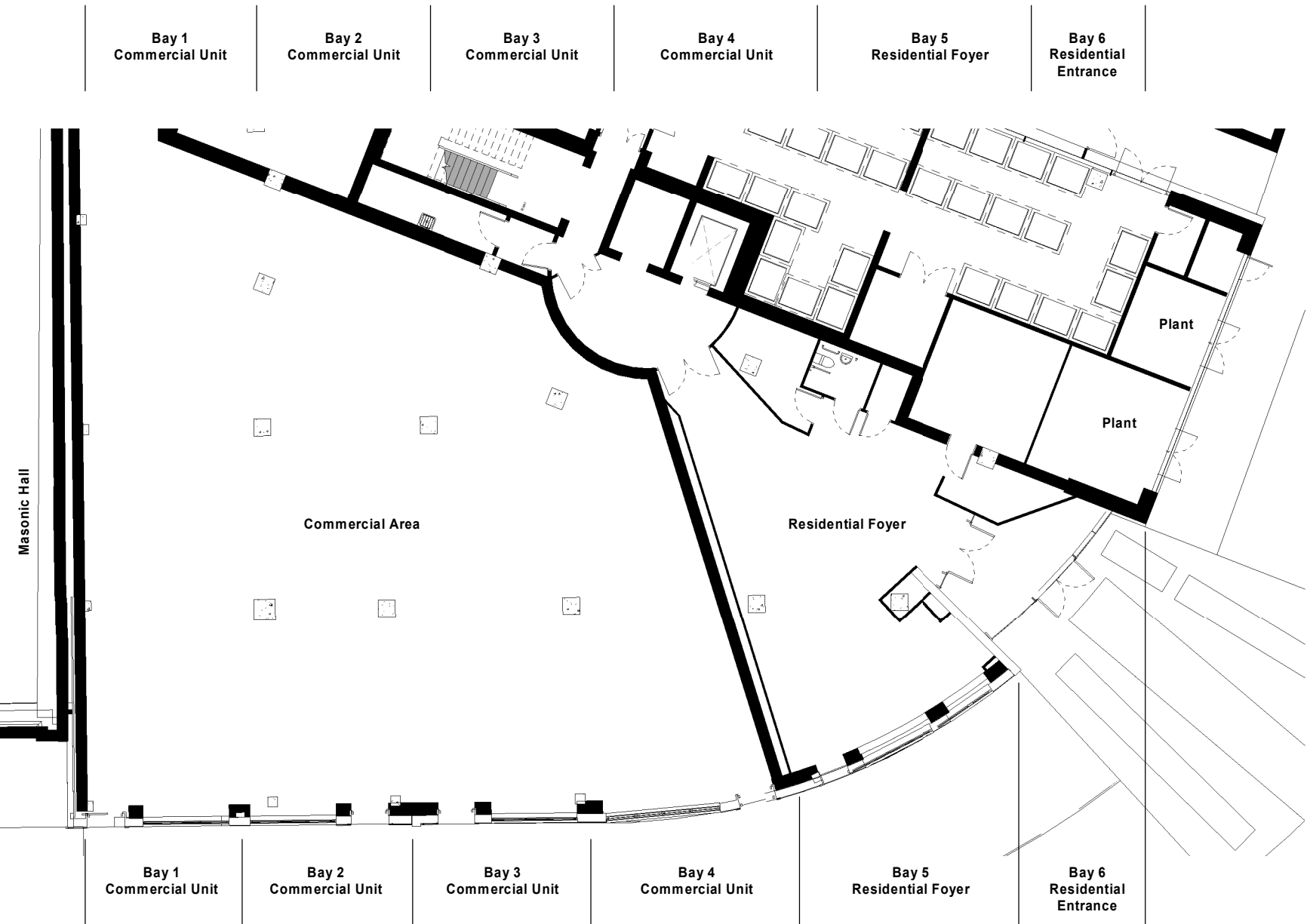


1 TERRACE PROPOSED ELEVATION



3 ENTRANCE PROPOSED ELEVATION

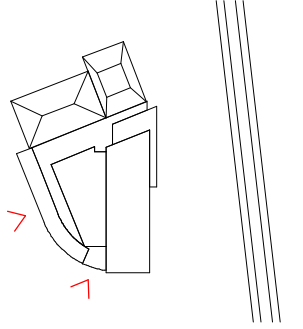
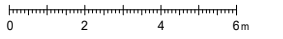
- Aluminium framed curtain walling to residential entrance with clear glass double glazed units, integral glazed doors and brise soleil louvre blades supported off bracketary as part of curtain walling system. Roof canopy over entrance in PPC aluminium flashing / panels. 'Signage' illustrative.
- Aluminium louvre wall to plant area with integral doors and removable louvre panels for access and plant replacement
- Pre-cast concrete acid etched 'charcoal' cladding panels to corners



2 TERRACE FRONTAGE PLAN

Notes

THIS DRAWING READ IN CONJUNCTION WITH :



The list below highlights the key scope of works proposed to the terrace facade:

1. Painted Render – note the proposed colour(s) are to be confirmed with the Planning Department and could incorporate a public art design. \*
2. New shopfront windows openings to be provided to Bays 1-4 with double glazed PPC aluminium window system providing either full double glazed height windows, bi-fold/concertina doors, or swing opening doors with an integral opaque panel at the head for shop signage. All shopfronts to be full-height from pavement level with top set to align with adjoining recreated doorway canopy. Entrance door to be integrated into glazing system dependent on the commercial unit configuration. Shopfronts to have dark grey reveal / border frame with thickness to match stone band detailing on terrace.
3. The original window opening sizes are to be retained to Bay 5 to the residential foyer with new aluminium framed double glazed unit windows to match shopfronts.
4. Doorway surround architraves and canopies to be recreated to match the original historic profiles.
5. Doorsets to be replaced to match the appearance of the original doors.
6. Original integral wall signs retained and refurbished.
7. New upper timber framed windows to match principles of original design though with modern thermally broken frames and double glazed units.
8. New slate tiled roof to be constructed as mono-pitch to reflect original pitch and height to a lapping ridge tile detail with eave detail gutter to match original appearance and relationship to cornice. Downpipes to be replaced to match original.
9. Potential solar PV panels integrated flush into the roof tile line.
10. New roof division walls constructed to original positions to suit corbel eave detail with new stone/concrete capping and rendered finish.
11. Reformed chimney feature ends of division walls to be constructed to reflect original. (Chimneys to potentially be used as flue pipe discharge points from plantroom).
12. Cornice detailing to be retained / painted. \*
13. Stone cill and keystone to upper windows to be retained / painted. \*
14. Feature horizontal banding to be retained / painted. \*
15. Terrace skirting at pavement edge to be painted dark grey.

\* Colours to be agreed

P2	Planning application issue	22.06.21	OD	NT
P1	Issued for PAC	08.03.21	OD	NT
Rev	Description	Date	Dr	App
By			By	By
original by		date created	approved by	
Author		11/26/20	Approver	

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client name	GT Guildford Crescent Limited
project	Guildford Crescent Residential
drawing	PROPOSED TERRACE ELEVATIONS
computer file	C:\Revit\Projects\GCR-AHR-01-XX-4B-A-BUILDING UPDATE Nigel.txd
project number	2019.00194.000
drawing number	C4307-AHR-XX-ZZ-DR-A-0516
scale	As indicated@A1
rev	P2
issue status	

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**LOCAL MEMBER APPLICATION**

COMMITTEE DATE: 03/11/2021

APPLICATION No. **21/02203/DCH** APPLICATION DATE: 14/09/2021

ED: **CYNCOED**

APP: TYPE: Householder Planning Permission

APPLICANT: BABLIN MOLIK

LOCATION: 410 CYNCOED ROAD, CYNCOED, CARDIFF, CF23 6SB

PROPOSAL: ADDITIONAL SIDE DORMER TO ADD TO PROPOSED REAR EXTENSIONS AND OPPOSITE SIDE DORMER PREVIOUSLY APPROVED PLUS INSTALLATION OF NEW PAVEMENT CROSSOVER

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

1. C01 Statutory Time Limit
2. The development shall be carried out in accordance with the following approved plans:
  - CVD2/3/a - GROUND FLOOR PLAN
  - CVD2/4/d – PROPOSED FIRST FLOOR PLAN
  - CVD2/6/b – REAR AND SIDE ELEVATIONS PROPOSED
  - CVD 2/7/b – FRONT AND SIDE ELEVATIONS PROPOSED
  - CVD/2/2 – PROPOSED ADDITIONAL PAVEMENT CROSSOVER / DRIVEWAY

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

3. The parking area shown in drawing no. CVD/2/2 shall be constructed of permeable materials or provide for the disposal of surface water run-off onto a porous or permeable area and not into the existing mains drainage system.

Reason: To ensure that any new hard surface does not lead to increased surface water run-off and a subsequent potential increase in flood risk.

**RECOMMENDATION 2** : The applicant be advised that this planning permission relates to works within the curtilage of the application site and does not permit the construction or alteration to a vehicular crossover or any works to the public highway. Under the Highways Act 1980, anyone wishing to drive across the footway to park on their property must have an authorised vehicle

crossover approved and constructed. An application should be made to the Highways Service of the Council for permission for a vehicle crossover to be constructed. It should be noted that the Highways Service would assess each site individually and against the current Council standards, 'Crossover Terms and Conditions'. Similar installations within a localised area will not automatically result in approval of a given application. Older, historic, crossovers in the same vicinity do not necessarily mean a new crossover will be approved.

## 1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 This application seeks planning permission to install a further dormer on the side facing roof slope of the dwelling at 410 Cyncoed Road. Additionally, permission for a second pavement crossover is sought to enable an in-out vehicle access arrangement from the current front garden area.
- 1.2 Planning permission was previously granted by the Local Planning Authority for alterations to the property including a side and rear extension along with loft accommodation and creation of a new side facing dormer window, to its northern elevation (20/02241/DCH – approved by the Planning Committee on 27/01/2021).
- 1.3 The proposed dormer is located on the south facing roof slope at the rear of the dwelling. It would be located beyond an existing dormer window. The dormer feature is of a traditional gable design with a pitched and hipped roof finished in materials to match the existing roof. The dormer would not contain any windows and would create additional headspace within the first floor loft bedroom.

## 2. **DESCRIPTION OF SITE**

- 2.1 The site comprises a single-storey detached bungalow located within the Ward of Cyncoed. The application property is located on Cyncoed Road, to the north of the Rhyd y Penau Road junction. The site has parking at the front and to the side and a single garage to the rear. There is a large private garden area behind the house.
- 2.2 The surrounding area comprises a variety of house types. The adjacent property immediately to the south is a dormer bungalow. Immediately to the north is two-storey semi-detached dwelling with a flat roof.

## 3. **SITE HISTORY**

Application No : 20/02241/DCH  
Proposal : REAR AND SIDE EXTENSION WITH SIDE DORMERS AND ROOF-LIGHTS  
Application Type: HSE  
Decision : PER  
Decision Date : 04/02/2021



#### 4. **POLICY FRAMEWORK**

4.1 The site lies within a residential area as defined by the proposals map of the Cardiff Local Development Plan 2016.

#### 4.2 **Relevant National Planning Guidance:**

Future Wales: The National Plan 2040 (2021)

Planning Policy Wales (Edition 11, 2021)

Planning Policy Wales TAN 12: Design

#### 4.3 **Relevant Cardiff Local Development Plan Policies:**

Policy KP5 : Good Quality and Sustainable Design

Policy T5: Managing Transport Impacts

Policy T6: Impact on transport Networks and Services

#### 4.4 **Relevant Supplementary Planning Guidance:**

Residential Extensions & Alterations (June 2015)

Managing Transportation Impacts (Incorporating Parking Standards) SPG 2018

#### 5. **INTERNAL CONSULTEE RESPONSES**

5.1 The Operational Manager, Transportation has confirmed no objection from a highway safety point of view to the proposal, but has confirmed that a crossover application for a second pavement crossover would need to be submitted and considered by the Council's Highways Crossover Team. Such a consideration is outside the scope of the planning submission.

#### 6. **EXTERNAL CONSULTEE RESPONSES**

6.1 None

#### 7. **REPRESENTATIONS**

7.1 Neighbours have been notified and no representations were received.

#### 8. **ANALYSIS**

8.1 The key issues for consideration with this application are the effect of the proposal upon character and appearance of the area and its transport impact.

8.2 In assessing the impact of the proposed development, the proposal should be considered against Policy KP5 of the Cardiff Local Development Plan which states that:

*'all new development will be required to be of a high quality, sustainable design and make a positive contribution to the creation of distinctive communities, places and spaces by:*

- i. Responding to the local character and context of the built and landscape setting so that layout, scale, form, massing, height, density, colour, materials, detailing and impact on the built and natural environment are all addressed within development proposal; and*
- x. Ensuring no undue effect on the amenity of neighbouring occupiers.*

- 8.3 Advice on residential extensions is contained in the Council's Supplementary Planning Guidance (SPG) on Residential Extensions and Alterations (2017). This guidance notes that all alterations and additions to a property should relate well to the character and context of the surrounding area and should be sympathetic in terms of scale, positioning, detailing and materials to ensure that the development results in a balanced appearance and fits comfortably into the wider street scene, particularly if the neighbourhood has a very strong style or character.
- 8.4 Paragraph 7.77 of the SPG notes that the design of new dormer windows should be considered carefully, as they can have a significant impact on the character and appearance of a house and its surrounding area. Dormer windows should:
- Relate well to the dwelling on which they are positioned/located.
  - Relate well to the context of the street or immediate surroundings.
  - Be avoided on the front elevation of a dwelling, unless they are a local feature.
  - Be appropriately scaled in order that they appear subservient to the existing roof.
  - Be set up from the external wall, down from the ridge and in from either side by an appropriate distance.
  - Be finished in materials which reflect or complement the main dwelling.
  - Respect any symmetry evident within the existing dwelling.
  - Positioned to minimise impact upon neighbouring amenity

#### CHARACTER AND APPEARANCE

- 8.5 The proposed dormer roof addition is considered to be acceptable in regards to its scale and form and will not prejudice the general character of the area. The design is similar to the two other roof dormers on the dwelling and is appropriately positioned towards the rear of the property. It would be suitably scaled and would be finished in materials which match those used on the existing roof.
- 8.6 In terms of the impact on the visual amenity of the area, it is not considered that there would be any adverse harm to the street scene or character of the area.
- 8.7 The application site can successfully accommodate the proposed changes while maintaining the existing character of the property. The development is considered to be an appropriate alteration to the existing house in terms of scale, form and finish and will form a sympathetic alteration.

#### TRANSPORT IMPACTS

- 8.8 The consideration of the additional access from a land use Planning point of view does not raise concern in respect of highway safety, and this has been confirmed by the Council's Transport Officer. However, it is important to note that the introduction of the additional access will also need to be considered

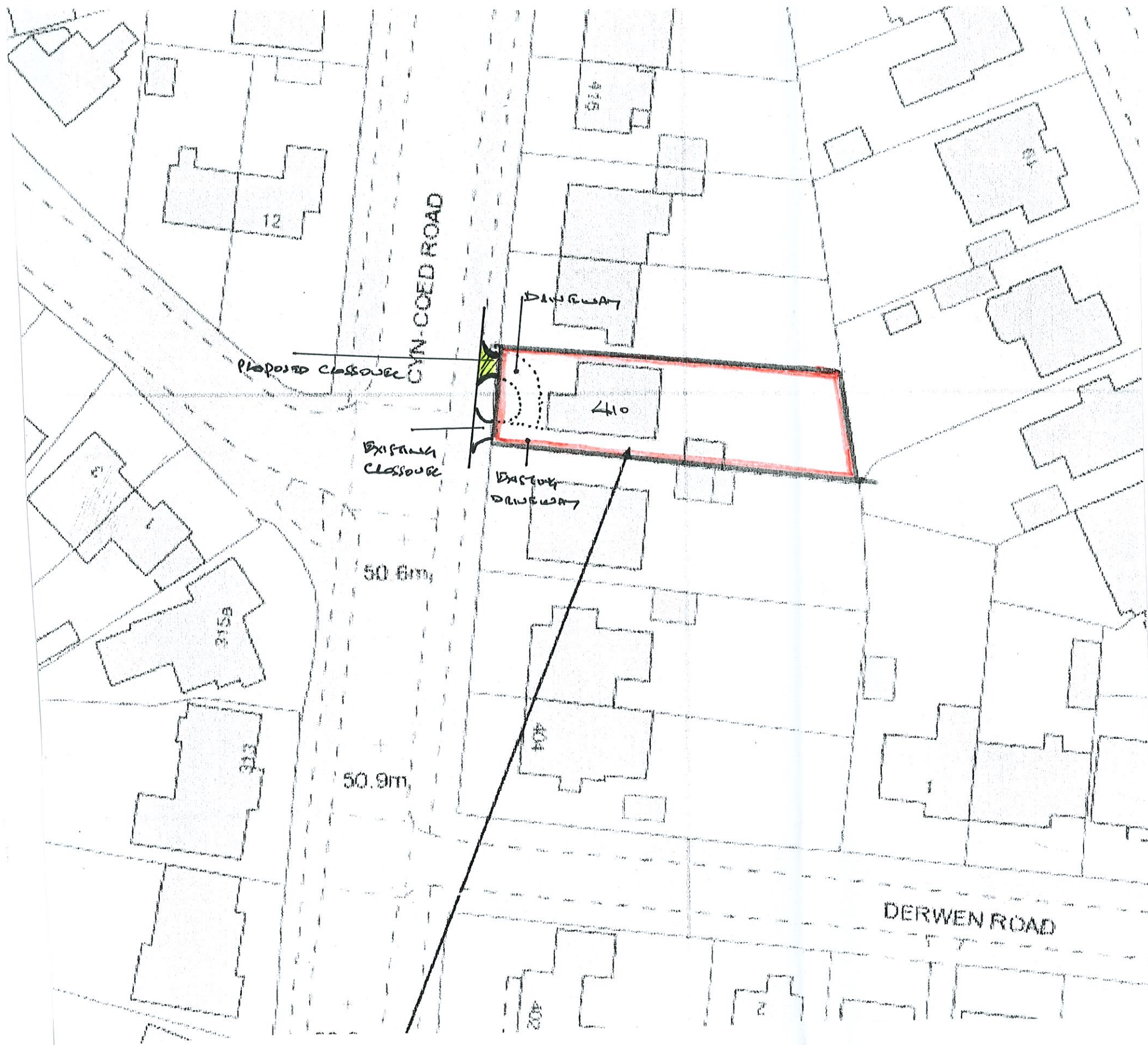
and agreed by the Council's Highways Section (Crossover Team) and in this respect a separate application will need to be submitted and considered against the present Council standards relating to 'Crossovers Terms and Conditions'.

## 9. **OTHER CONSIDERATIONS**

- 9.1 Crime and Disorder Act 1998 – Section 17(1) of the Crime and Disorder Act 1998 imposes 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. **RECOMMENDATION**

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



SITE PLAN 1:500 at A3 proposed additional pavement crossover

**DTB DESIGN**  
 TEMPLE COURT 13a CATHEDRAL ROAD  
 CARDIFF CF11 9HA  
 TEL 029 2035 0365  
 dtbdesignservices@gmail.com



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REVISIONS

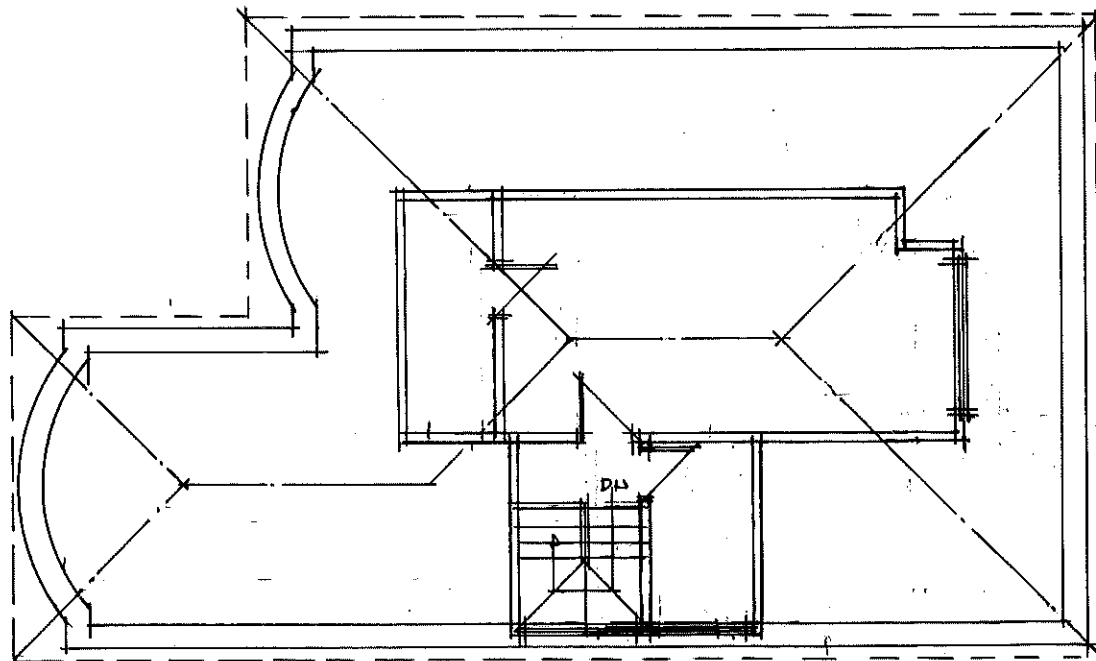
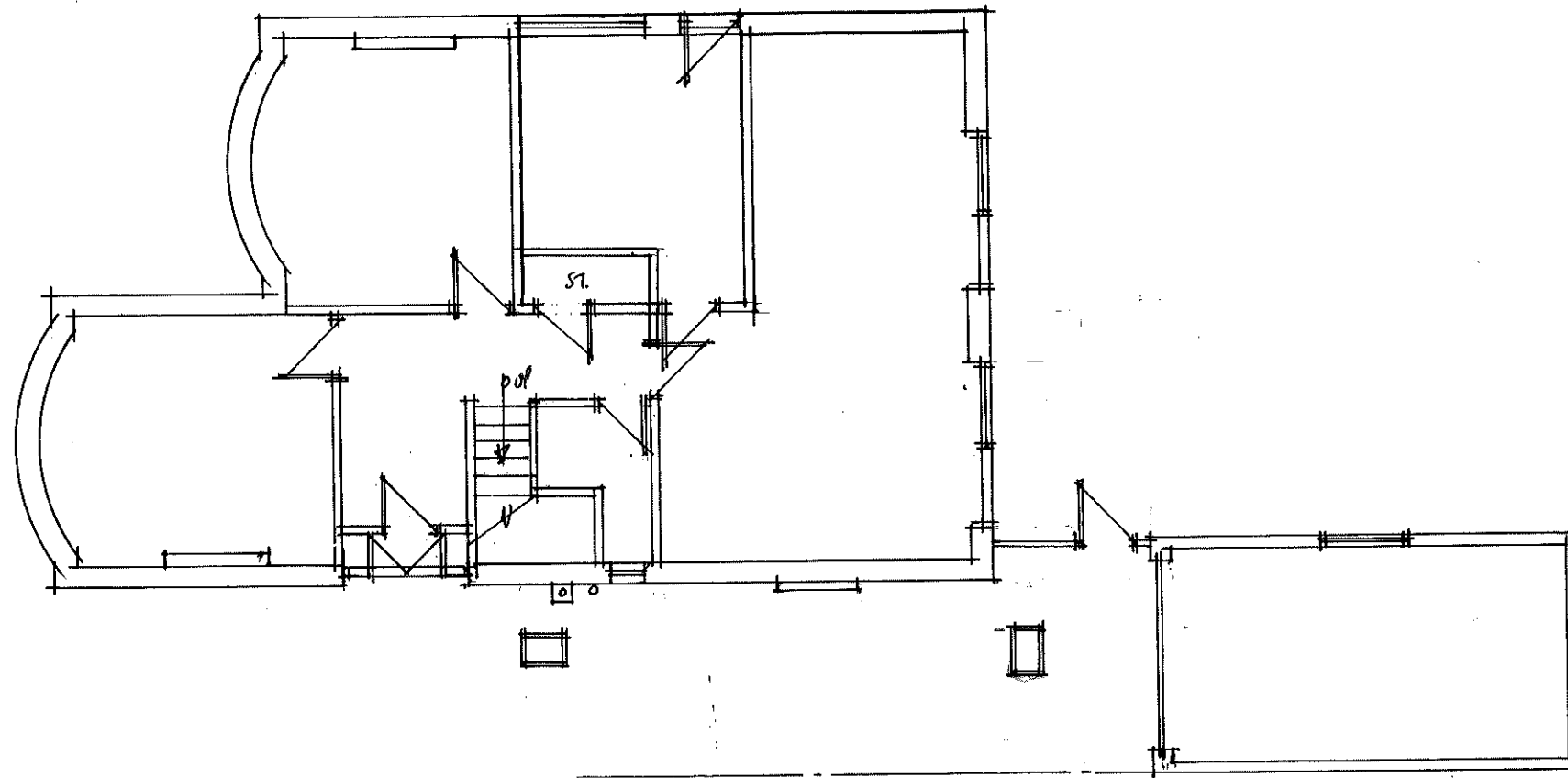
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DTB DESIGN Architectural & Property Development Consultant

DESCRIPTION

DEVELOPMENT AT  
 410 CYNCOED ROAD  
 CARDIFF





GROUND & FIRST FLOOR EXISTING 1:100 at A3

**DTB DESIGN**  
 TEMPLE COURT 13a CATHEDRAL ROAD  
 CARDIFF CF11 9HA  
 TEL 029 2035 0365  
 dtbdesignservices@gmail.com



REVISIONS

NO.	DESCRIPTION

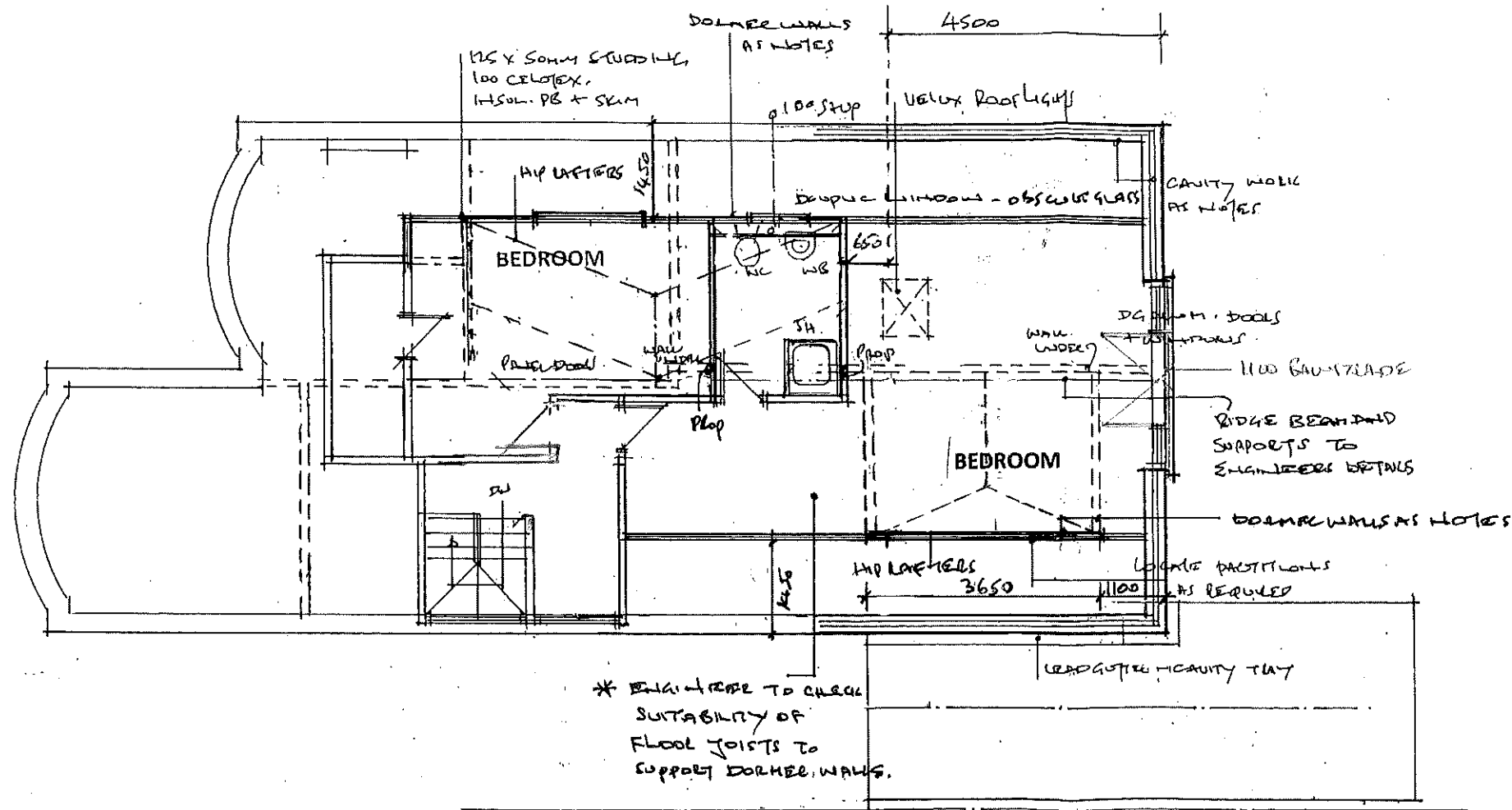
**DTB DESIGN Architectural & Property Development Consultants**

DESCRIPTION


DEVELOPMENT AT  
 410 CYNCOED ROAD  
 CARDIFF

OCT 2020 PLAN NO. CVD2/2





**DTB DESIGN**  
 TEMPLE COURT 13a CATHEDRAL ROAD  
 CARDIFF CF11 9HA  
 TEL 029 2035 0365  
 dtbdesignservices@gmail.com



REVISIONS

CL. HALL (C) SIDE DOOR 20/20  
 (P) (b) 20/20  
 DIMS AS PER (P) (C) CL. HALL (C) 15/19/21  
 CHANGE LECT 9/21 (D)

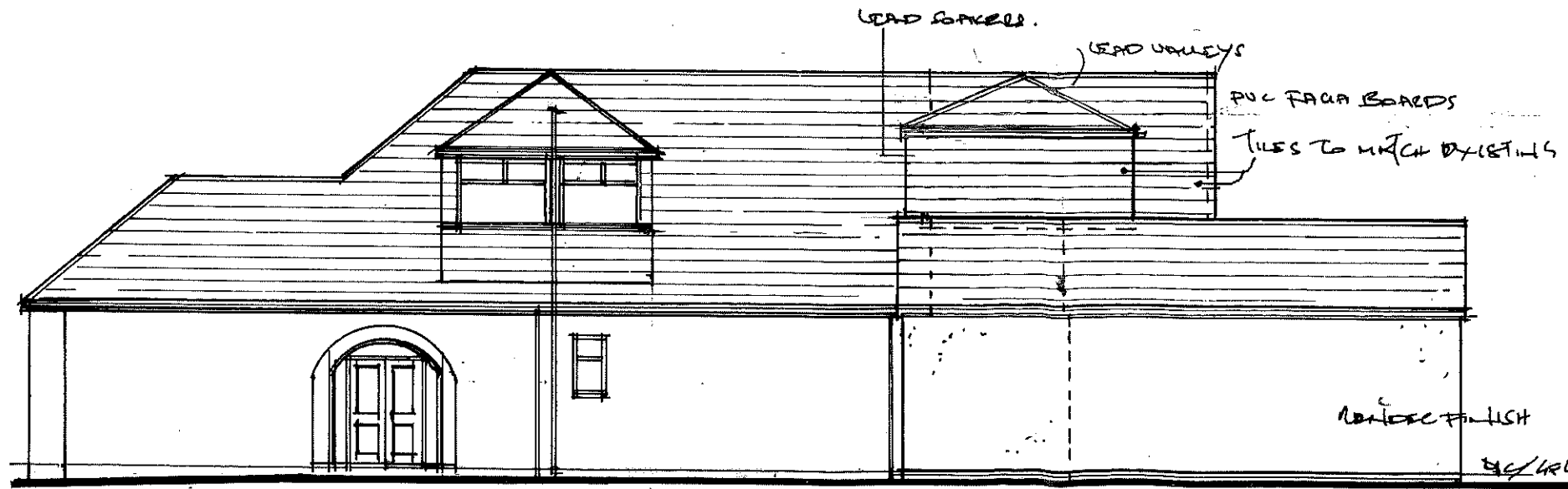
DTB DESIGN Architectural & Property Development Consultants

DESCRIPTION

DEVELOPMENT AT  
 410 CYNCOED ROAD  
 CARDIFF

OCT 2020 PLAN NO. CVD214 /a /b /c /d /e

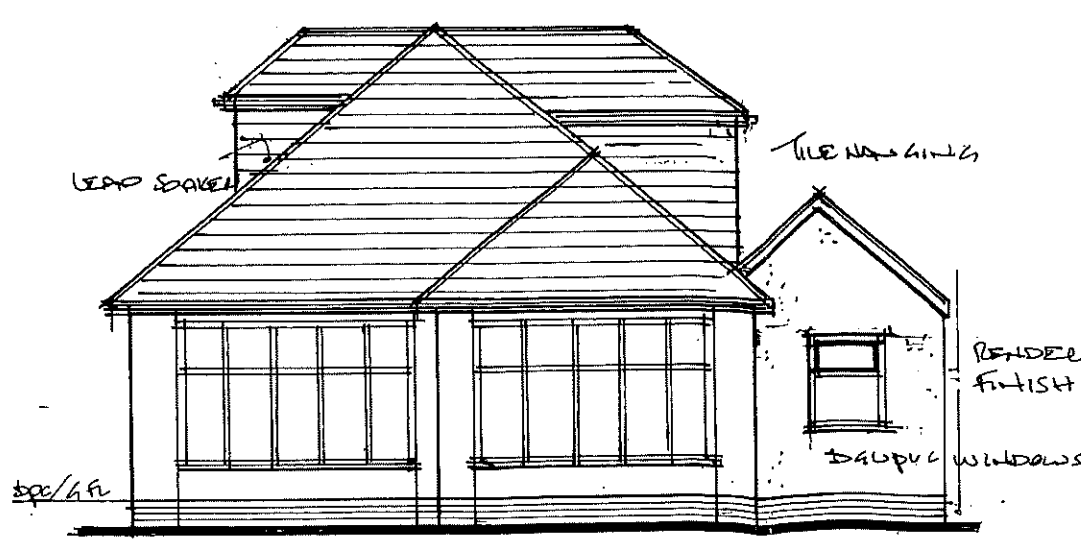
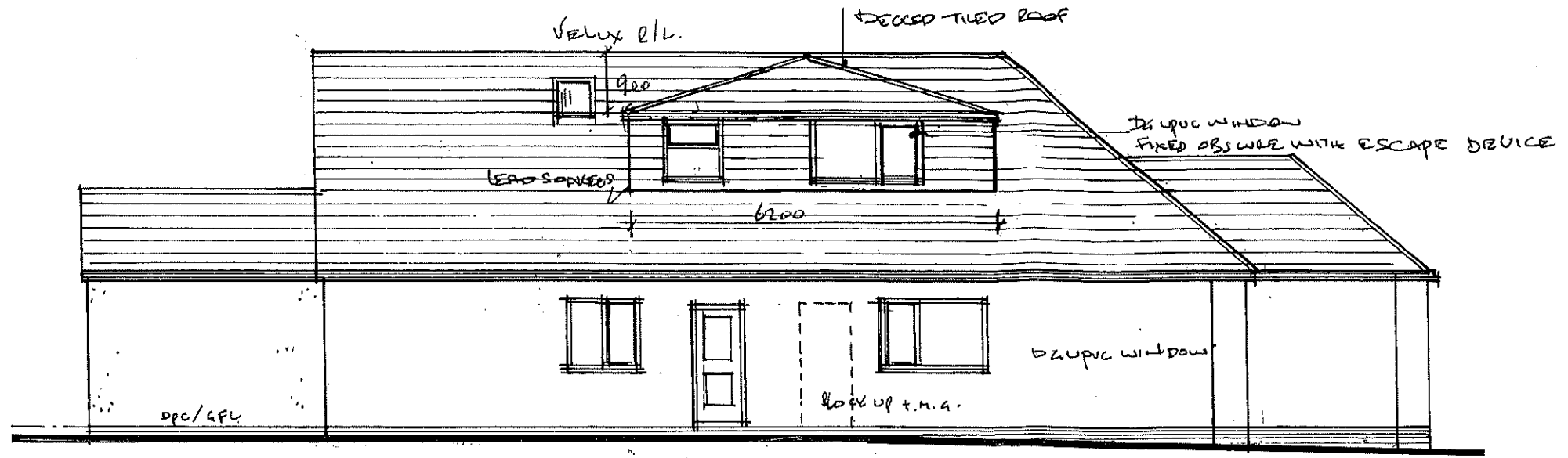
FIRST FLOOR PROPOSED 1:100 at A3



REAR & SIDE ELEVATIONS PROPOSED 1:100 at A3

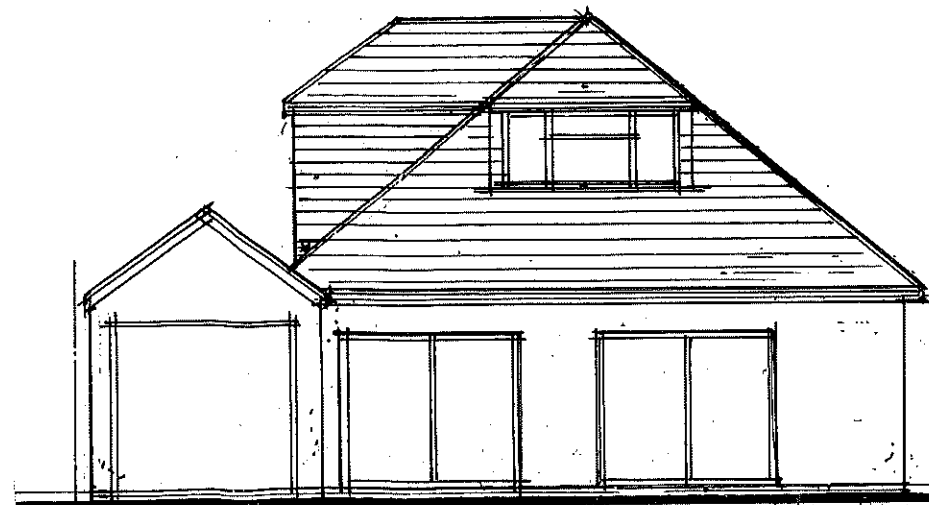
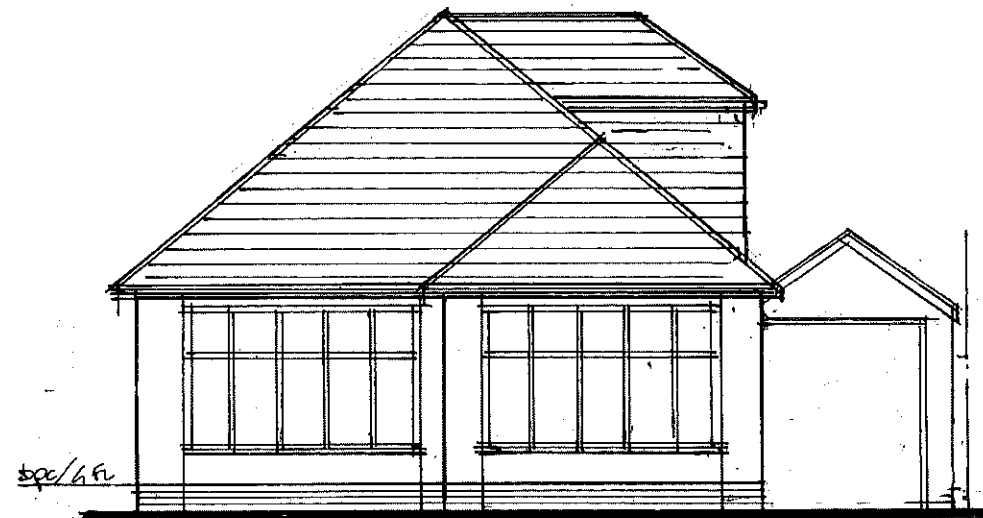
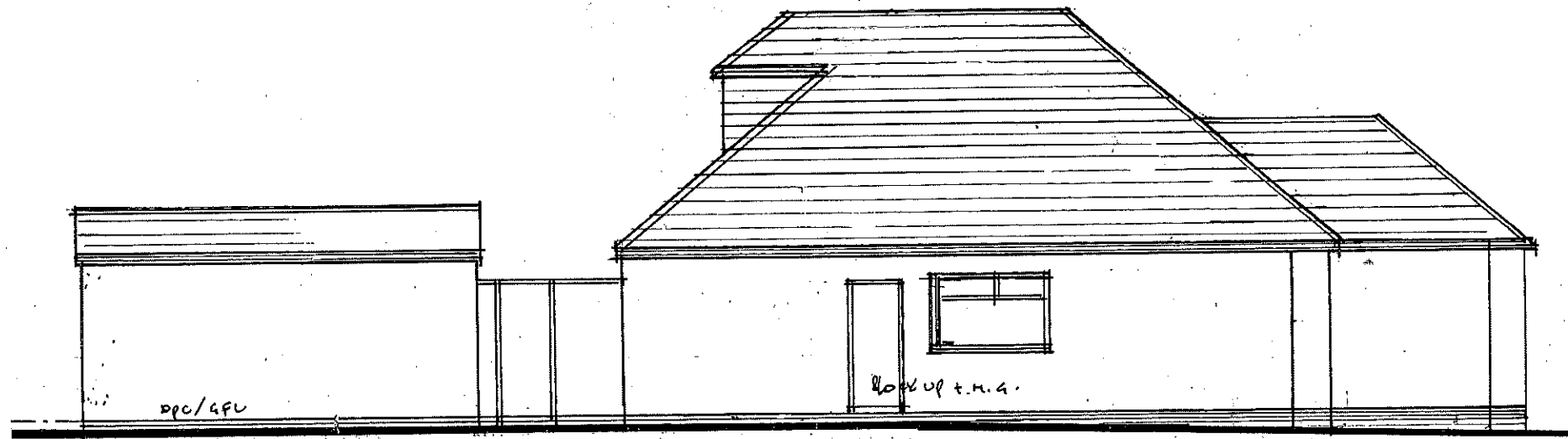
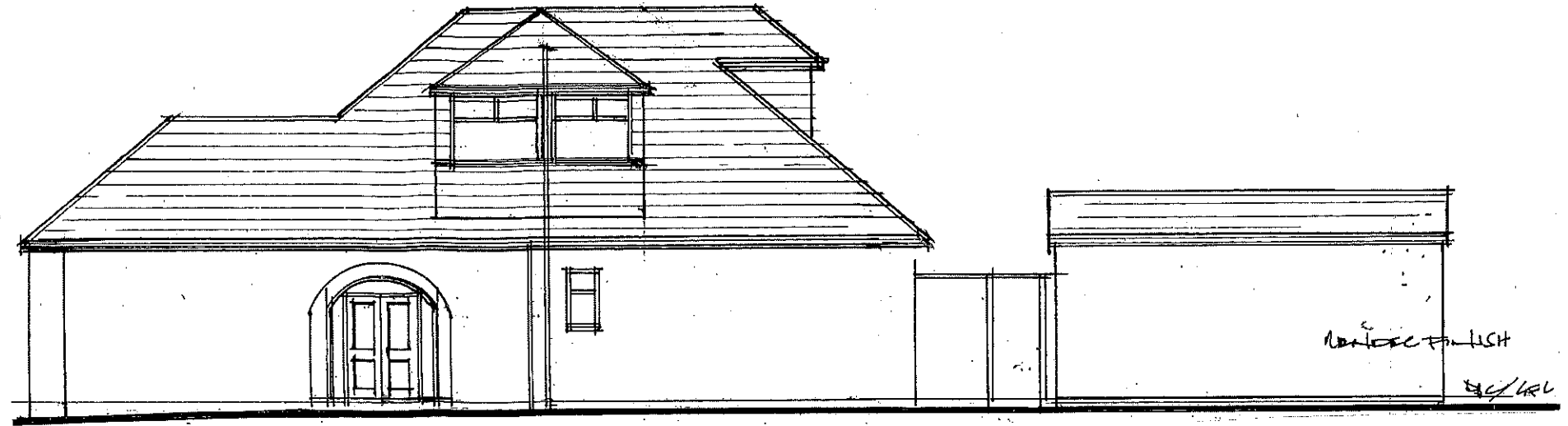
<b>DTB DESIGN</b> TEMPLE COURT 13a CATHEDRAL ROAD CARDIFF CF11 9HA TEL 029 2035 0365 dtbdesignservices@gmail.com		
REVISIONS		
QUEST 1502/ 9/21 @ " " 15/9/21 @		
<b>DTB DESIGN Architectural &amp; Property Development Consultants</b>		
DESCRIPTION		
DEVELOPMENT AT 410 CYNCOED ROAD CARDIFF		
OCT 2020	PLAN NO. CVD217/4/10	





FRONT & SIDE ELEVATIONS PROPOSED 1:100 at A3

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REVISIONS		
a) (a) @ 10th Dec 2020 30/10/20 Dis. 100.00 27/10/21 (b)		
DTB DESIGN Architectural & Property Development Consultants		
DESCRIPTION		
DEVELOPMENT AT 410 CYNCOED ROAD CARDIFF		
OCT 2020	PLAN NO. CVD2/6 1a/1b	



FRONT, REAR & SIDE ELEVATIONS EXISTING 1:100 at A3

<b>DTB DESIGN</b> TEMPLE COURT 13a CATHEDRAL ROAD CARDIFF CF11 9HA TEL 029 2035 0365 dtbdesignservices@gmail.com		
REVISIONS		
<b>DTB DESIGN Architectural &amp; Property Development Consultants</b>		
DESCRIPTION		
DEVELOPMENT AT 410 CYNCOED ROAD CARDIFF		
OCT 2020	PLAN NO. CVD2/5	

**Cardiff Council : Strategic Planning And Environment : Development Control**

**Applications Decided between 04/10/2021 and 08/10/2021**

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class</u>
<b>ADAMSDOWN</b>								
21/00812/DCH	06/04/2021	Arthur	HSE	58 RICHARDS TERRACE, ROATH, CARDIFF, CF24 1RX	SINGLE STOREY AND FIRST FLOOR EXTENSIONS AT REAR	04/10/2021	Permission be granted	Householder
<b>BUTETOWN</b>								
21/01483/MJR	14/06/2021	Willis Construction Ltd	NMA	SITE OF THE DEMOLISHED WHARF PUB, 121 SCHOONER WAY, ATLANTIC WHARF, CARDIFF, CF10 4EU	REMOVAL OF CONDITION 28 OF 16/00660/MJR RELATING TO PILING AND ADDITION OF PILING RISK ASSESSMENT TO LIST OF APPROVED DOCUMENTS UNDER CONDITION 2	07/10/2021	Permission be granted	Non Material Amendment
21/01792/MJR	20/07/2021	Willis Construction Ltd	NMA	FORMER WHARF PUBLIC HOUSE, MANAGERS FLAT AND BOATSHED, 121 SCHOONER WAY, ATLANTIC WHARF, CARDIFF, CF10 4EU	AMENDMENT TO APPROVED CLADDING MATERIALS - PREVIOUSLY APPROVED UNDER 16/00660/MJR	07/10/2021	Withdrawn by Applicant	Non Material Amendment
21/01959/MJR	05/08/2021	Willis Construction Ltd	NMA	SITE OF THE DEMOLISHED WHARF PUB, 121 SCHOONER WAY, ATLANTIC WHARF, CARDIFF, CF10 4EU	AMENDMENT TO GLAZING TO JULIET BALCONIES IN BLCOKS C/D AND F - PREVIOUSLY APPROVED UNDER 16/00660/MJR	07/10/2021	Withdrawn by Applicant	Non Material Amendment
<b>CAERAU</b>								
21/02099/MNR	06/09/2021	Cardiff City Council	FUL	TY GWYN SPECIAL SCHOOL, VINCENT ROAD, CAERAU, CARDIFF, CF5 5AQ	INSTALLATION OF MODULAR BUILDING FOR USE AS TEMPORARY CLASSROOM DURING CONSTRUCTION OF NEW SPECIAL SCHOOL	05/10/2021	Permission be granted	General Regulations
<b>CANTON</b>								

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class</u>
21/01293/DCH	16/08/2021	Camilleri	HSE	16 LECKWITH AVENUE, CANTON, CARDIFF, CF11 8HQ	GROUND FLOOR EXTENSION TO THE REAR	05/10/2021	Permission be granted	Householder
21/02171/DCH	08/09/2021	Williams	HSE	85 CLIVE ROAD, CANTON, CARDIFF, CF5 1HH	FIRST FLOOR EXTENSION TO REAR ANNEX	08/10/2021	Permission be granted	Householder
<b>CATHAYS</b>								
21/02014/MNR	19/08/2021	LaSalle UK Property Services Ltd.	FUL	12 MORGAN ARCADE, CITY CENTRE, CARDIFF, CF10 1AF	CHANGE OF USE FROM D2 (LEISURE) TO A1 (RETAIL)	08/10/2021	Permission be granted	Minor - Retail (A1-A3)
A/21/00125/MNR	26/08/2021	Vita Cardiff	ADV	PROPOSED STUDENT DEVELOPMENT, 11 PARK PLACE, CATHAYS PARK, CARDIFF, CF10 3DR	SCAFFOLD HOARDING	05/10/2021	Permission be granted	Advertisements
A/21/00136/MNR	13/09/2021	Bluegroup Retail	ADV	26 ST DAVID'S DEWI SANT, GRAND ARCADE, CITY CENTRE, CARDIFF, CF10 2ER	NEW SIGNAGE	04/10/2021	Permission be granted	Advertisements
21/01670/MNR	09/07/2021	C & P Harris	FUL	92 CRWYS ROAD, CATHAYS, CARDIFF, CF24 4NP	REMODELLING OF GROUND FLOOR, REAR AND SECOND FLOOR EXTENSIONS AND CONVERSION TO PROVIDE 5 FLATS	04/10/2021	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>
20/00903/MNR	04/05/2020	Archdiocese of Cardiff	FUL	ST DAVIDS METROPOLITAN CATHEDRAL CHURCH, CHARLES STREET, CITY CENTRE, CARDIFF, CF10 2GE	PROPOSAL INCLUDES REOPENING OF ACCESSIBLE ENTRANCE TO THE NORTH INCLUDING THE INTRODUCTION OF A HAND-RAIL TO EXISTING EXTERNAL RAMP AND INSTALLATION OF AN ALUMINIUM 'WELCOME' SIGN. IN ADDITION, THE REMOVAL OF THE EXISTING MASONRY WALL ADJACENT TO THE EXISTING EXTERNAL RAILINGS TO THE SOUTH WEST AND TO REPLACE THE WALL WITH RAILINGS INCLUDING A PEDESTRIAN GATEWAY	08/10/2021	Permission be granted	Other Consent Types

21/01814/MNR	27/07/2021	Chowdhury	FUL	8 WOODVILLE ROAD, CATHAYS, CARDIFF, CF24 4EA	CONSTRUCTION OF REAR DORMER ROOF EXTENSION TO EXISTING HOUSE IN MULTIPLE OCCUPATION TO FORM A 9 BED HOUSE IN MULTIPLE OCCUPATION	08/10/2021	Planning Permission be refused	Minor - Dwellings (C3)
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#### **CREIGAU/ST FAGANS**

20/02634/MNR	18/12/2020	Assura Aspire Limited	FUL	LAND AT RHYDLAFAR DRIVE, ST FAGANS, CARDIFF	CONSTRUCTION OF A NEW 2 STOREY MEDICAL CENTRE (D1 USE CLASS) AND PHARMACY (A1 USE CLASS), PARKING, LANDSCAPING AND ASSOCIATED WORKS	05/10/2021	Permission be granted	Minor - Other Principal Uses
20/01228/MNR	01/07/2020	Ely Court Care Ltd	FUL	THE COURT NURSING HOME, CWRT Y CADNO, ST FAGANS, CARDIFF, CF5 6XD	LANDSCAPING OF REAR GARDEN INCLUDING RAISING LEVEL TO ALLOW DISABLED ACCESS AND INSERTION OF DOUBLE DOOR ACCESS POINT	06/10/2021	Withdrawn by Applicant	Other Consent Types

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class</u>
20/01229/MNR	01/07/2020	Ely Court Care Ltd	LBC	THE COURT NURSING HOME, CWRT Y CADNO, ST FAGANS, CARDIFF, CF5 6XD	LANDSCAPING OF REAR GARDEN INCLUDING RAISING LEVEL TO ALLOW DISABLED ACCESS AND INSERTION OF DOUBLE DOOR ACCESS POINT	06/10/2021	Withdrawn by Applicant	Listed Buildings

#### CYNCOED

21/01627/DCH	30/06/2021	Al Taan	HSE	22 CARNEGIE DRIVE, LAKESIDE, CARDIFF, CF23 6DH	SINGLE STOREY REAR EXTENSION, FRONT PORCH EXTENSION AND REAR DORMER ROOF EXTENSION	05/10/2021	Permission be granted	Householder
21/01730/DCH	14/07/2021	Robinson	HSE	2 JELICOE GARDENS, ROATH PARK, CARDIFF, CF23 5QW	SINGLE STOREY REAR EXTENSION & HIP TO GABLE ROOF EXTENSION WITH REAR DORMER	04/10/2021	Permission be granted	Householder
21/02098/DCH	07/09/2021	Hawthorne	HSE	107 CYNCOED ROAD, CYNCOED, CARDIFF, CF23 6AD	SINGLE STOREY REAR EXTENSION FORMING GARDEN ROOM / INTEGRAL LINK CONSERVATORY OFF KITCHEN / UTILITY AREA	06/10/2021	Permission be granted	Householder
21/01633/DCH	02/07/2021	Parfitt	HSE	223 WOOLASTON AVENUE, LAKESIDE, CARDIFF, CF23 6EX	DOUBLE STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION	06/10/2021	Permission be granted	Householder

#### ELY

21/01772/MNR	15/07/2021	Higginson	FUL	REAR OF 136 GRAND AVENUE, ELY, CARDIFF, CF5 4HX	NEW SINGLE STOREY ONE BEDROOM DWELLING INCLUDING TWO PARKING SPACES AND ASSOCIATED WORKS	08/10/2021	Planning Permission be refused	Minor - Dwellings (C3)
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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>
21/01502/DCH	16/06/2021	Deakin	HSE	4 VACHELL ROAD, ELY, CARDIFF, CF5 4HH	PART SINGLE & PART DOUBLE STOREY REAR EXTENSION AND FIRST FLOOR EXTENSION TO SIDE	08/10/2021	Permission be granted	Householder
21/00762/MNR	30/03/2021	WAI CHAN	DOC	128A COWBRIDGE ROAD WEST, ELY, CARDIFF, CF5 5BT	DISCHARGE OF CONDITIONS 6 (EXTERNAL EXTRACTION EQUIPMENT) AND 7 (SOUND INSULATION) OF 20/02348/MNR	04/10/2021	Full Discharge of Condition	Discharge of Conditions
<b>FAIRWATER</b>								
21/01842/DCH	27/07/2021	Chew	HSE	152 BWLCH ROAD, FAIRWATER, CARDIFF, CF5 3EF	HIP TO GABLE ROOF CONVERSION AND CONSTRUCTION OF REAR DORMER	04/10/2021	Permission be granted	Householder
21/01775/MNR	19/07/2021	Gillespie	FUL	REAR OF 115-117, ELY ROAD, FAIRWATER, CARDIFF, CF5 3AB	DEMOLITION OF EXISTING GARAGE/ OUTBUILDING AND CONSTRUCTION OF SINGLE STOREY RESIDENTIAL UNIT	05/10/2021	Planning Permission be refused	Minor - Dwellings (C3)
21/02085/DCH	26/08/2021	Lewis	HSE	5 LLANGYNIDR ROAD, FAIRWATER, CARDIFF, CF5 3BR	SINGLE STOREY EXTENSION TO REAR	05/10/2021	Permission be granted	Householder
20/02184/MNR	29/10/2020	INVOLVE RECRUITMENT LTD	DOC	PART OF LAND AT 26 CEDAR GROVE, PENTREBANE, CARDIFF, CF5 3RS	DISCHARGE OF CONDITIONS 7 (GAS MONITORING), 8 (SURFACE WATER) AND 13 (LANDSCAPING) OF 18/02082/MNR	07/10/2021	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>
21/02305/MNR	30/09/2021	Involve Residential Propoerties Lt & Involve Recruitment Ltd	NMA	PART OF LAND AT 26 CEDAR GROVE, PENTREBANE, CARDIFF, CF5 3RS	NON-MATERIAL AMENDMENT TO REDUCE THE SIZE DWELLING AND FRONT PORCH, STAIRCASE WINDOW TO CHANGE FROM FIRST FLOOR TO GROUND FLOOR,OMISSION OF SINGLE REAR KITCHEN WINDOW,AND REDUCTION IN FRONT LOUNGE WINDOW SIZE	07/10/2021	Permission be granted	Non Material Amendment

#### **GABALFA**

21/01946/DCH	11/08/2021	Peddar	HSE	44 EDINGTON AVENUE, GABALFA, CARDIFF, CF14 3QG	SINGLE STOREY REAR EXTENSION	06/10/2021	Permission be granted	Householder
21/01920/MNR	13/08/2021	Hecsagon Ltd	FUL	176 NORTH ROAD, GABALFA, CARDIFF, CF14 3BJ	CHANGE OF USE TO 7 BED HOUSE IN MULTIPLE OCCUPATION (SUI-GENERIS)	06/10/2021	Permission be granted	Minor - Other Principal Uses

#### **GRANGETOWN**

21/02236/MJR	16/09/2021	Bellway Homes Limited (Wales)	NMA	BLOCK T, PROSPECT PLACE, FERRY COURT, GRANGETOWN	REPLACEMENT OF ALL ACM (ALUMINIUM COMPOSITE MATERIALS) SPANDREL PANELS AND RENDER BACK TO SHEATHING BOARD TO BLOCK T AT PROSPECT PLACE- PREVIOUSLY APPROVED UNDER 06/00613/C	05/10/2021	Permission be granted	Non Material Amendment
21/01685/DCH	01/09/2021	Obasi	HSE	88 PENARTH ROAD, GRANGETOWN, CARDIFF, CF11 6NH	SINGLE STOREY REAR EXTENSION AND EXTERNAL ALTERATIONS	04/10/2021	Permission be granted	Householder
A/21/00131/MNR	07/09/2021	Sytner Group	ADV	THORNE HOUSE, PENARTH ROAD, LECKWITH, CARDIFF, CF11 8TT	INSTALLATION OF DIGITAL SIGN	08/10/2021	Permission be granted	Advertisements



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21/02009/DCH	16/08/2021	Gammon	CLD	32 ST ALBAN AVENUE, HEATH, CARDIFF, CF14 4AT	SINGLE STOREY REAR EXTENSION	08/10/2021	Permission be granted	Other Consent Types
21/01987/DCH	09/08/2021	Gallagher	HSE	26 KING GEORGE V DRIVE WEST, HEATH, CARDIFF, CF14 4EE	PROPOSED ANNEX IN EXISTING GARDEN	05/10/2021	Permission be granted	Householder
21/01733/DCH	13/07/2021	Steer	HSE	4 ST ANGELA ROAD, HEATH, CARDIFF, CF14 4DN	TWO STOREY REAR WRAP AROUND EXTENSION, REAR LEAN-TO EXTENSION AND SINGLE STOREY SIDE EXTENSION	05/10/2021	Permission be granted	Householder
21/01999/DCH	11/08/2021	Barakat	HSE	196 MANOR WAY, WHITCHURCH, CARDIFF, CF14 1RP	TWO STOREY FRONT AND SIDE EXTENSION	06/10/2021	Permission be granted	Householder
21/01928/DCH	06/08/2021	Morris	HSE	152 KING GEORGE V DRIVE EAST, HEATH, CARDIFF, CF14 4EN	PROPOSED SINGLE STOREY SIDE AND REAR 'WRAP AROUND' EXTENSION AND NEW GARDEN ROOM	06/10/2021	Permission be granted	Householder
21/02132/DCH	03/09/2021	Kirby	HSE	63 KYLE CRESCENT, HEATH, CARDIFF, CF14 1SU	SINGLE STOREY WRAP AROUND REAR AND SIDE EXTENSION	06/10/2021	Permission be granted	Householder
21/01970/MNR	09/08/2021	Jones	FUL	22 AND 22A PANTBACH ROAD, BIRCHGROVE, CARDIFF, CF14 1UA	CHANGE OF USE FROM FORMER SOLICITORS TO DWELLINGHOUSE, COMBINING 22 AND 22A PANTBACH ROAD INTO A SINGLE DWELLING	08/10/2021	Permission be granted	Minor - Dwellings (C3)

## LISVANE

<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>
21/01652/DCH	01/07/2021	Harris	HSE	ST DENYS, CHURCH ROAD, LISVANE, CARDIFF, CF14 0SJ	DEMOLITION OF EXISTING EXTENSION AND CONSTRUCTION OF NEW SINGLE STOREY EXTENSION TO SIDE OF PROPERTY AND ASSOCIATED ALTERATIONS	05/10/2021	Permission be granted	Householder

20/02297/MNR	09/11/2020	Hoban	FUL	LAND ADJACENT TO THE FARTHINGS, LISVANE ROAD, LISVANE	DISCHARGE OF CONDITIONS 3 (EXTERNAL FINISHING MATERIALS), 4 (SITE ENCLOSURE), 5 (LANDSCAPE WORKS), 11 (PROPOSED FLOOR LEVELS), 12 (WINDOW DETAILS), 13 (CONTAMINATION) AND 20 (HIGHWAY ACCESS AND FOOTWAY) OF 20/00767/MNR	04/10/2021	Full Discharge of Condition	Minor - Dwellings (C3)
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21/01722/MJR	12/07/2021	Redrow Homes	NMA	PHASE 1B(II) & PHASE 1C(I), CHURCHLANDS LAND NORTH AND EAST OF LISVANE, MAERDY LANE, LISVANE	AMENDMENT TO THE ACCESS AND PARKING LAYOUT TO PLOTS 147-161 - PREVIOUSLY APPROVED UNDER 19/02053/MJR	04/10/2021	Planning Permission be refused	Non Material Amendment
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## LLANDAFF

21/02002/MNR	13/08/2021	Rees	DOC	16 THE AVENUE, LLANDAFF, CARDIFF, CF5 2LQ	DISCHARGE OF CONDITION 3 (EXTERNAL FINISHING MATERIALS) OF 17/01464/MJR	04/10/2021	Full Discharge of Condition	Discharge of Conditions
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21/02003/MNR	13/08/2021	Rees	DOC	16 THE AVENUE, LLANDAFF, CARDIFF, CF5 2LQ	DISCHARGE OF CONDITION 6 (BAT BOXES) OF 17/01464/MNR	04/10/2021	Full Discharge of Condition	Discharge of Conditions
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21/01950/DCH	05/08/2021	Russell	HSE	3 TRISCOMBE DRIVE, LLANDAFF, CARDIFF, CF5 2PN	SEPARATION OF DWELLING INTO MAIN HOUSE AND ADJOINING ANNEX WITH PORCH AREA CREATED IN PLACE OF EXISTING GARAGE AND SINGLE STOREY REAR EXTENSION	04/10/2021	Permission be granted	Householder

#### LLANDAFF NORTH

21/01566/DCH	11/08/2021	Internet Agent Cardiff Ltd	CLD	23 RADYR ROAD, LLANDAFF NORTH, CARDIFF, CF14 2FU	REAR DORMER ROOF EXTENSION	06/10/2021	Permission be granted	Other Consent Types
21/02024/DCH	13/08/2021	Owen	HSE	19 EVANSFIELD ROAD, LLANDAFF NORTH, CARDIFF, CF14 2FA	SINGLE STOREY REAR EXTENSION AND ASSOCIATED EXTERNAL WORKS	06/10/2021	Permission be granted	Householder

#### LLANISHEN

21/01602/MNR	25/06/2021	City of Cardiff Council	FUL	THE COURT SPECIAL SCHOOL, STATION ROAD, LLANISHEN, CARDIFF, CF14 5UX	ESSENTIAL REPAIRS TO EXTERNAL FABRIC OF BUILDING INCLUDING REPLACEMENT ROOF FINISH, REPLACEMENT RENDER TO WEST ELEVATION, CERTAIN REPLACEMENT WINDOWS, RE-CONSTRUCTION OF EXISTING DORMER CONSTRUCTIONS, DEMOLITION OF EXISTING NON-ORIGINAL CHIMNEY, REMOVAL OF EXISTING UNSAFE STEEL FIRE ESCAPE AND INTERNAL REFURBISHMENT OF SECOND FLOOR CARETAKERS ACCOMMODATION INCLUDING MECHANICAL AND ELECTRICAL ADAPTATIONS	08/10/2021	Permission be granted	General Regulations
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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>
LBC/21/00008/MNR25/06/2021		City of Cardiff Council	LBC	THE COURT SPECIAL SCHOOL, STATION ROAD, LLANISHEN, CARDIFF, CF14 5UX	ESSENTIAL REPAIRS TO EXTERNAL FABRIC OF BUILDING INCLUDING REPLACEMENT ROOF FINISH, REPLACEMENT RENDER TO WEST ELEVATION, CERTAIN REPLACEMENT WINDOWS, RE-CONSTRUCTION OF EXISTING DORMER CONSTRUCTIONS, DEMOLITION OF EXISTING NON-ORIGINAL CHIMNEY, REMOVAL OF EXISTING UNSAFE STEEL FIRE ESCAPE AND INTERNAL REFURBISHMENT OF SECOND FLOOR CARETAKERS ACCOMMODATION INCLUDING MECHANICAL AND ELECTRICAL ADAPTATIONS	08/10/2021	Permission be granted	General Regulations
21/02032/DCH	24/08/2021	Aikman	HSE	120 FIDLAS ROAD, LLANISHEN, CARDIFF, CF14 0NE	SINGLE STOREY REAR, SIDE EXTENSION	08/10/2021	Permission be granted	Householder
<b>LLANRUMNEY</b>								
21/00822/MNR	09/04/2021	WHEATLE	FUL	LAND AT 124 LLANRUMNEY AVENUE, LLANRUMNEY, CARDIFF, CF3 4DZ	CONSTRUCTION OF SINGLE DWELLING	07/10/2021	Withdrawn by Applicant	Minor - Dwellings (C3)
21/01561/DCH	25/06/2021	Facey	HSE	69 ELGAR CRESCENT, LLANRUMNEY, CARDIFF, CF3 5RW	REMOVAL OF EXISTING BALCONY AND CONSTRUCTION OF FIRST FLOOR EXTENSION AND ASSOCIATED WORKS	06/10/2021	Permission be granted	Householder
<b>PENTYRCH</b>								



<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class</u>
21/01530/DCH	17/06/2021	Wilson	HSE	FOXFIELD HOUSE, CHURCH ROAD, PENTYRCH, CARDIFF, CF15 9QF	SINGLE STOREY SIDE EXTENSION	08/10/2021	Permission be granted	Householder

## PENYLAN

21/01368/DCH	01/06/2021	HOSSEINI	HSE	8 LADY MARY ROAD, PENYLAN, CARDIFF, CF23 5NS	TWO STOREY REAR EXTENSION AND REAR DORMER AND SIDE CANOPY	08/10/2021	Permission be granted	Householder
21/01626/DCH	01/07/2021	Szulik	HSE	15 EARL'S COURT ROAD, PENYLAN, CARDIFF, CF23 9DD	HIP TO GABLE ROOF EXTENSION WITH REAR DORMER AND REMOVAL AND REFURBISHMENT OF CHIMNEY STACKS	04/10/2021	Permission be granted	Householder
21/00983/DCH	09/07/2021	Levene	FUL	2 RAGLAN COURT, LANGDALE CLOSE, PENYLAN, CARDIFF, CF23 5LY	CONSTRUCTION OF A CONSERVATORY TO REAR ELEVATION	05/10/2021	Permission be granted	Householder
21/01926/DCH	09/08/2021	Whittaker	HSE	7 BRONWYDD CLOSE, PENYLAN, CARDIFF, CF23 5RA	CONSTRUCT GARDEN GYM	05/10/2021	Permission be granted	Householder
21/02213/DCH	13/09/2021	Williams Bournier	HSE	118 CARISBROOKE WAY, PENYLAN, CARDIFF, CF23 9HX	SINGLE AND DOUBLE STOREY REAR AND SIDE EXTENSIONS	08/10/2021	Permission be granted	Householder

## PLASNEWYDD

21/01425/MNR	08/06/2021	Parvez	FUL	REAR OF 211, CITY ROAD, ROATH, CARDIFF, CF24 3JD	CONVERSION AND EXTENSION OF EXISTING COACH HOUSE TO CREATE TWO APARTMENTS	05/10/2021	Planning Permission be refused	Minor - Dwellings (C3)
21/02249/DCH	17/09/2021	Darch	NMH	109 STRATHNAIRN STREET, ROATH, CARDIFF, CF24 3JQ	ALTERATIONS TO A WINDOW, ROOFLIGHTS AND ROOF LANTERN - PREVIOUSLY APPROVED UNDER 20/02453/DCH	05/10/2021	Permission be granted	Non Material Householder

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A/21/00116/MNR	20/07/2021	Sports Performance Services Ltd	ADV	33 THE PARADE, ROATH, CARDIFF, CF24 3AD	THREE NON-ILLUMINATED SIGNS	04/10/2021	Permission be granted	Advertisements
<b>PONTPRENNAU/OLD ST MELLONS</b>								
21/02012/DCH	12/08/2021	Vallance	HSE	8 CLOS ALYN, PONTPRENNAU, CARDIFF, CF23 8LB	ERECT A CONSERVATORY TO THE REAR ELEVATION	05/10/2021	Permission be granted	Householder
21/01969/DCH	11/08/2021	Szabo	HSE	37 LASCELLES DRIVE, PONTPRENNAU, CARDIFF, CF23 8NU	SINGLE STOREY REAR EXTENSION WITH GARAGE CONVERSION	08/10/2021	Permission be granted	Householder
<b>RADYR</b>								
21/02125/DCH	06/09/2021	Slater	HSE	116 HEOL ISAF, RADYR, CARDIFF, CF15 8EA	TWO STOREY EXTENSION TO SOUTH WEST CORNER OF HOUSE, SINGLE STOREY REAR EXTENSION AND REPLACEMENT OF THE EXISTING GARAGE WITH A NEW LARGER GARAGE	08/10/2021	Permission be granted	Householder
<b>RHIWBINA</b>								
21/02128/DCH	02/09/2021	REYNOLDS	NMH	33 BLAEN-Y-COED, RHIWBINA, CARDIFF, CF14 6LL	REVISION TO REAR WINDOWS - PREVIOUSLY APPROVED UNDER 20/02283/DCH	08/10/2021	Permission be granted	Non Material Householder
21/01505/DCH	02/07/2021	Eales	HSE	71 BEULAH ROAD, RHIWBINA, CARDIFF, CF14 6LW	HIP TO GABLE ROOF EXTENSION WITH REAR DORMER	08/10/2021	Permission be granted	Householder
21/00757/DCH	24/03/2021	Parfitt	LBC	6 PEN-Y-DRE, RHIWBINA, CARDIFF, CF14 6EP	CONSTRUCTION OF A REAR SINGLE STOREY EXTENSION	08/10/2021	Permission be granted	Listed Buildings

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21/00756/DCH	25/03/2021	Parfitt	HSE	6 PEN-Y-DRE, RHIWBINA, CARDIFF, CF14 6EP	CONSTRUCTION OF A REAR SINGLE STOREY EXTENSION	08/10/2021	Permission be granted	Householder
21/00042/DCH	12/01/2021	conick	HSE	68 BEULAH ROAD, RHIWBINA, CARDIFF, CF14 6LY	SIDE EXTENSION WITH FIRST FLOOR EXTENSION AND SIDE DORMER ROOF EXTENSIONS	06/10/2021	Planning Permission be refused	Householder
<b>RIVERSIDE</b>								
21/01468/MNR	23/06/2021	Lewis	DOC	WARDEN'S COTTAGE, COWBRIDGE ROAD EAST, SOPHIA GARDENS, CARDIFF	DISCHARGE OF CONDITIONS 9 (CYCLE PARKING FACILITIES), 12 (HARD AND SOFT LANDSCAPING), 16 (EXTERNAL LIGHTING) AND 19 (BIN STORE) OF 19/00507/MNR	08/10/2021	Full Discharge of Condition	Discharge of Conditions
21/01786/DCH	12/08/2021	Morgan	VAR	23 SEVERN GROVE, PONTCANNA, CARDIFF, CF11 9EN	VARIATION OF CONDITIONS 1 AND 2 OF 17/01486/DCH TO ALLOW A FURTHER FIVE-YEAR PERIOD IN WHICH TO COMMENCE THE DEVELOPMENT AND ALTER APPROVED PLANS	04/10/2021	Permission be granted	Renewals and Variation of Conditions
21/02055/MNR	03/09/2021	T & NL Limited	FUL	4 ROMILLY CRESCENT, PONTCANNA, CARDIFF, CF11 9NR	EXTENSION OF EXISTING COFFEE AND WINE BAR INTO PART OF THE ADJACENT GARAGE	04/10/2021	Permission be granted	Minor - Retail (A1-A3)
<b>RUMNEY</b>								
21/01540/DCH	23/06/2021	Lace	HSE	248 GREENWAY ROAD, RUMNEY, CARDIFF, CF3 3PL	SINGLE STOREY REAR EXTENSION	08/10/2021	Planning Permission be refused	Householder

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21/02100/MJR	27/08/2021	Wates Residential and Cardiff Council	NMA	FORMER EASTERN HIGH SCHOOL, NEWPORT ROAD, RUMNEY, CARDIFF, CF3 3XG	NON-MATERIAL AMENDMENT APPLICATION FOR THE REWORDING OF CONDITION 2 (SCHEDULE OF APPROVED PLANS) TO ALLOW SUBSTITUTION OF REVISED PLANS AND THE REMOVAL OF CONDITION 34 (PEDESTRIAN LINK) PREVIOUSLY APPROVED UNDER 18/02519/MJR	08/10/2021	Permission be granted	General Regulations

**SPLOTT**

21/01972/MNR	18/08/2021	Charnwood Group	FUL	THE TIMBER YARD, EAST MOORS ROAD, SPLOTT, CARDIFF, CF24 5EE	CONSTRUCTION OF SINGLE STOREY INDUSTRIAL UNIT	08/10/2021	Permission be granted	Minor - Industry/Storage/Distribution
21/01998/MJR	16/08/2021	Princes Ltd	NMA	UNIT 69, PORTMANMOOR ROAD INDUSTRIAL ESTATE, PORTMANMOOR ROAD, SPLOTT, CARDIFF, CF24 5PS	NEW VEHICLE CANOPY OPEN SIDED FOR UNLOADING LORRIES, 6 EXTERNAL LOADING DOORS WITH CANOPY OVER, AND EXTERNAL SERVICE YARD TO NORTH ELEVATION; NEW AIRLOCK AND RELOCATION OF ROLLER SHUTTER TO SOUTH ELEVATION - PREVIOUSLY APPROVED UNDER 12/00959/DCI	08/10/2021	Permission be granted	Non Material Amendment



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21/02170/MNR	09/09/2021	MCQUADE	NMA	71A HABERSHON STREET, SPLOTT, CARDIFF, CF24 2DW	REVISION OF INTERNAL LAYOUTS AND SOME DOOR/WINDOW POSITIONS PLUS REMOVING THE LOFT CONVERSION PROPOSAL - PREVIOUSLY APPROVED ON APPEAL IN RESPECT OF PLANNING APPLICATION 20/00697/MNR APPROVED UNDER APPEAL REFERENCE APP/Z6815/A/20/3257971	04/10/2021	Permission be granted	Non Material Amendment

20/02043/MNR	13/10/2020	G CAPITAL	FUL	UNIT 70-71, PORTMANMOOR ROAD INDUSTRIAL ESTATE, PORTMANMOOR ROAD, SPLOTT, CARDIFF, CF24 5HB	NEW ACCESS ROADWAY TO UNITS 70-71	06/10/2021	Permission be granted	Other Consent Types
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#### TROWBRIDGE

21/01837/DCH	23/07/2021	Cardiff Community Housing Association	FUL	FLATS 18-28 AND 25-47 BRO ATHRO AND FLATS 19-29 VALLEY VIEW, TROWBRIDGE, CARDIFF, CF3 1DZ	REPLACEMENT OF ALL WINDOWS FROM METAL / ALUMINIUM TO WHITE UPVC AND REPLACEMENT OF BUILDING ENTRANCE DOORS FROM METAL / ALUMINIUM TO GRP COMPOSITE DOORS	08/10/2021	Permission be granted	Householder
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#### WHITCHURCH/TONGWYNLAIS

PRAP/21/00043/MNR	15/08/2021	CK Hutchison Networks (UK) Ltd	PAT	LAND AT TY-MAWR ROAD ADJACENT TO WHITCHURCH RUGBY CLUB, WHITCHURCH	PROPOSED 15.0M PHASE 8 MONOPOLE C/W WRAPROUND CABINET AT BASE AND ASSOCIATED ANCILLARY WORKS	08/10/2021	No Prior Approval required	Other Consent Types
21/01981/DCH	11/08/2021	Ruiz	CLD	11 MERVYN ROAD, WHITCHURCH, CARDIFF, CF14 1PQ	REAR DORMER ROOF EXTENSION	06/10/2021	Permission be granted	Other Consent Types

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21/02081/DCH	26/08/2021	Taylor	HSE	21 LON-Y-CELYN, WHITCHURCH, CARDIFF, CF14 7BT	SINGLE STOREY REAR EXTENSION	05/10/2021	Permission be granted	Householder
21/01822/MNR	26/07/2021	Davies	FUL	47 MERTHYR ROAD, TONGWYNLAIS, CARDIFF, CF15 7LG	CHANGE OF USE OF FIRST FLOOR TO A TWO BEDROOM RESIDENTIAL FLAT	05/10/2021	Permission be granted	Minor - Dwellings (C3)
21/01905/MNR	29/07/2021	Ainon Baptist Church	NMA	AINON BAPTIST CHURCH, MARKET STREET, TONGWYNLAIS, CARDIFF, CF15 7NS	CHANGE OF FENESTRATION AND EXTERNAL REAR WALL FINISH - PREVIOUSLY APPROVED UNDER 19/01218/MNR	04/10/2021	Permission be granted	Non Material Amendment
21/02143/DCH	07/09/2021	Cox	HSE	13 PENYDARREN DRIVE, WHITCHURCH, CARDIFF, CF14 2TT	SINGLE STOREY REAR EXTENSION	08/10/2021	Permission be granted	Householder
21/02094/MNR	09/09/2021	Dean's Lasers and Aesthetics	FUL	UNIT 3, NORMAN ROAD, WHITCHURCH, CARDIFF, CF14 1PS	USE AS A TATTOO PARLOUR/LASER AND AESTHETICS CLINIC	08/10/2021	Permission be granted	Minor - Other Principal Uses

**Cardiff Council : Strategic Planning And Environment : Development Control**

**Applications Decided between 11/10/2021 and 15/10/2021**

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class</u>
<b>BUTETOWN</b>								
PRAP/21/00047/MNR	23/08/2021	CK Hutchison Networks (UK) Ltd	PAT	FOOTPATH ON WINDSOR ESPLANADE, CARDIFF BAY	PROPOSED 5G TELECOMS INSTALLATION: 18M HIGH 'SLIM LINE' PHASE 8 H3G STREET POLE C/W WRAP AROUND CABINET AND 3NO. CABINETS WITH ANCILLARY WORKS	15/10/2021	Permission Required	Other Consent Types
<b>CAERAU</b>								
21/01909/MNR	02/08/2021	Williams	FUL	PART OF LAND AT 153 HEOL TRELAI, CAERAU, CARDIFF, CF5 5LE	NEW ADJOINING TWO STOREY DWELLING	13/10/2021	Permission be granted	Minor - Dwellings (C3)
<b>CANTON</b>								
21/01882/DCH	27/07/2021	Rees	HSE	146A PEMBROKE ROAD, CANTON, CARDIFF, CF5 1QQ	FIRST FLOOR SIDE EXTENSION	15/10/2021	Planning Permission be refused	Householder
<b>CATHAYS</b>								
21/01562/MJR	29/06/2021	Cardiff University	DOC	46-48 PARK PLACE, CATHAYS PARK, CARDIFF, CF10 3BB	DISCHARGE OF CONDITION 22 (FUME EXTRACTION) OF 16/01739/MJR	11/10/2021	Full Discharge of Condition	Discharge of Conditions
21/02220/MJR	16/09/2021	Cardiff University	DOC	46-48 PARK PLACE, CATHAYS PARK, CARDIFF, CF10 3BB	DISCHARGE OF CONDITION 14 (VERIFICATION REPORT) OF 16/01739/MJR	11/10/2021	Full Discharge of Condition	Discharge of Conditions
<b>CYNCOED</b>								

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class</u>
21/02106/DCH	31/08/2021	Fox	NMH	210 CYNCOED ROAD, CYNCOED, CARDIFF, CF23 6RS	TO MAKE THE EXTENSION SMALLER - PREVIOUSLY APPROVED UNDER 19/01451/DCH	13/10/2021	Permission be granted	Non Material Householder

#### ELY

21/01804/DCH	16/08/2021	Cadwyn Housing Association	HSE	34 KENWOOD ROAD, ELY, CARDIFF, CF5 4PQ	GROUND FLOOR REAR EXTENSION	13/10/2021	Permission be granted	Householder
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#### GABALFA

21/01234/MNR	20/05/2021	Ruth	FUL	64 HEATHFIELD ROAD, GABALFA, CARDIFF, CF14 3JY	CHANGE OF USE FROM A SINGLE DWELLING HOUSE (C3) TO A 5 BEDROOM C4 HOUSE IN MULTIPLE OCCUPATION	13/10/2021	Planning Permission be refused	Minor - Dwellings (C3)
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#### GRANGETOWN

PRAP/21/00046/MNR	23/08/2021	CK Hutchinson Networks (UK) Ltd	PAT	GRASS VERGE OF PENARTH ROAD, LECKWITH	THE INSTALLATION OF A 20 METRE HIGH MONOPOLE SUPPORTING 6 NO. ANTENNAS, AND 4 NO. EQUIPMENT CABINETS (INCLUDING 1NO. WRAP AROUND CABINET) AND DEVELOPMENT WORKS ANCILLARY THERETO	15/10/2021	No Prior Approval required	Other Consent Types
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#### HEATH

21/01866/DCH	04/08/2021	Sprudd	CLD	138 KING GEORGE V DRIVE NORTH, HEATH, CARDIFF, CF14 4EL	SIDE DORMER ROOF EXTENSIONS	12/10/2021	Withdrawn by Applicant	Other Consent Types
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#### LISVANE



<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>
PRAP/21/00048/MNR	23/08/2021	CK Hutchison Networks (UK) Ltd	PAT	FOOT PATH ON TY-DRAW ROAD, ADJACENT TO HEOL NANT GLANDULAS JUNCTION, PONTPRENNAU	PROPOSED 5G TELECOMS INSTALLATION: 20M HIGH 'SLIM LINE' PHASE 8 H3G STREET POLE C/W WRAP AROUND CABINET AND 3NO. CABINETS WITH ANCILLARY WORKS	12/10/2021	Prior Approval be refused	Other Consent Types

#### LLANDAFF

21/02035/DCH	17/08/2021	Wickett	HSE	10 HEOL SEDDON, DANESCOURT, CARDIFF, CF5 2QX	SINGLE STOREY SIDE EXTENSION	13/10/2021	Permission be granted	Householder
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#### LLANDAFF NORTH

21/01264/MNR	15/06/2021	James	FUL	14 STATION ROAD, LLANDAFF NORTH, CARDIFF, CF14 2FF	PART CONVERSION OF GROUND FLOOR CAR SALES UNIT TO MIXED CLASS A1/A3 USE AND SUBDIVISION INTO 3 UNITS	15/10/2021	Permission be granted	Minor - Retail (A1-A3)
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#### LLANISHEN

21/02037/DCH	17/08/2021	Jowers	CLD	24 CLOS Y HEBOG, THORNHILL, CARDIFF, CF14 9JL	PROPOSED NEW SOLID ROOF ON EXISTING CONSERVATORY, NEW SIDE DOOR AND FENCE, AMEND KITCHEN WINDOW TO PATIO DOORS WITH 'JULIETTE BALCONY' HANDRAIL	13/10/2021	Permission be granted	Other Consent Types
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21/01782/DCH	26/07/2021	COUCH	HSE	7 TOWY ROAD, LLANISHEN, CARDIFF, CF14 0NS	PROPOSED TWO STOREY EXTENSION TO REAR ELEVATION. REPLACE EXISTING GARAGE DOOR TO FRONT ELEVATION WITH WINDOW. CONVERT GARAGE INTO PLAY ROOM AREA.	14/10/2021	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>
21/02000/DCH	11/08/2021	PAIN	HSE	18 WHITE BARN ROAD, LLANISHEN, CARDIFF, CF14 5HA	DEMOLITION OF UTILITY ROOM AND CONSTRUCTION OF A SINGLE STOREY EXTENSION TO THE SIDE/REAR OF THE PROPERTY	12/10/2021	Permission be granted	Householder

#### PENTYRCH

PRAP/21/00049/MNR	25/08/2021	CK Hutchison Networks (UK) Ltd	PAT	JUNCTION OF HEOL-Y-PENTRE AND BRONLLWYN, PENTYRCH, CARDIFF	PROPOSED 15M 'SLIM LINE' PHASE 8 MONOPOLE COUPLED WITH WRAPAROUND CABINET AT BASE, 3NO. ADDITIONAL ANCILLARY EQUIPMENT CABINETS AND ASSOCIATED ANCILLARY WORKS	15/10/2021	Permission Required	Other Consent Types
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#### PENYLAN

21/02112/MJR	10/09/2021	Wates Construction	NMA	FORMER HOWARDIAN ADULT LEARNING CENTRE, HAMMOND WAY, PENYLAN, CARDIFF	CHANGE TO BOUNDARY LINES OF PLOTS 1-5 SO THAT LEGAL BOUNDARIES TIE IN WITH AGREED SITE FEATURES AND EXISTING FENCE BOUNDARIES. CHANGE TO REAR OF PLOTS 9/10 SO THAT EACH RESIDENCE HAS PRIVATE SPACE. PARKING SPACES OF PLOTS 40/41 EXTENDED- PREVIOUSLY APPROVED UNDER 18/02500/MJR	15/10/2021	Permission be granted	Non Material Amendment
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#### PLASNEWYDD

21/02180/MNR	13/09/2021	AXIS EDUCATIONAL TRUST	FUL	38 THE PARADE, ROATH, CARDIFF, CF24 3AD	CHANGE OF USE TO PRIVATE TUITION CENTRE	13/10/2021	Permission be granted	Other Consent Types
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#### RADYR

<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>
PRNO/21/00016/MNR	09/09/2021	Trustees of St Fagans No1 & No2 Trust	PRAP	OUTBUILDINGS AT TY GWYN FARM, LLANTRISANT ROAD, RADYR, CARDIFF, CF15 8ER	DEMOLITION OF NON-LISTED OUTBUILDINGS	13/10/2021	No Prior Approval required	Other Consent Types
21/01721/DCH	09/07/2021	Smart	HSE	SPRINGFIELD, 3 WINDSOR ROAD, RADYR, CARDIFF, CF15 8BP	ALTERATIONS AND 2 FIRST FLOOR EXTENSIONS ABOVE EXISTING SINGLE STOREY SIDE GARAGE AND REAR DINING AREA	12/10/2021	Permission be granted	Householder
21/01994/DCH	18/08/2021	Watt	HSE	13 MAES YR AWEL, RADYR, CARDIFF, CF15 8AN	NEW PORCH & FIRST FLOOR SIDE EXTENSION	11/10/2021	Permission be granted	Householder
<b>RIVERSIDE</b>								
21/01484/MNR	15/06/2021	Algoma Restaurants Ltd	FUL	LLETY ELGANO GUEST ACCOMMODATION, 58 CATHEDRAL ROAD, PONTCANNA, CARDIFF, CF11 9LL	RETENTION OF A WOODEN GAZEBO WITH SLATE ROOF ON A RAISED WOODEN PLINTH	15/10/2021	Planning Permission be refused	Minor - Retail (A1-A3)
<b>TROWBRIDGE</b>								
21/01964/DCH	05/08/2021	Calway	CLD	25 BRYTHON DRIVE, ST MELLONS, CARDIFF, CF3 0LR	EXTENSION OF FRONT DOOR ENTRANCE	13/10/2021	Permission be granted	Other Consent Types
<b>WHITCHURCH/TONGWYNLAIS</b>								
21/01554/DCH	29/06/2021	Pankhurst	HSE	9 LON MADOC, WHITCHURCH, CARDIFF, CF14 1HA	HIP TO GABLE ROOF EXTENSION WITH REAR DORMER	11/10/2021	Planning Permission be refused	Householder
21/01874/DCH	29/07/2021	Shepherd	HSE	45 KELSTON ROAD, WHITCHURCH, CARDIFF, CF14 2AG	DEMOLITION OF EXISTING LEAN-TO AT REAR OF PROPERTY AND REPLACEMENT WITH A NEW REAR EXTENSION	15/10/2021	Permission be granted	Householder

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## Cardiff Council : Strategic Planning And Environment : Development Control

### Applications Decided between 18/10/2021 and 22/10/2021

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class</u>
<b>ADAMSDOWN</b>								
21/02372/MNR	06/10/2021	Nesco Partnership	NMA	6, 7 AND 8 UPPER CLIFTON STREET, CLIFTON STREET, ADAMSDOWN, CARDIFF, CF24 1PU	EXTERNAL ALTERATIONS AND ALTERATIONS TO INTERNAL LAYOUT - PREVIOUSLY APPROVED UNDER 16/01966/MNR	20/10/2021	Permission be granted	Non Material Amendment
<b>BUTETOWN</b>								
21/01612/MNR	15/07/2021	Pinnacle Power	FUL	HIGHWAY LAND AT QUEENSGATE ROUNDABOUT, HEMINGWAY NETWORK RD, LLOYD GEORGE AVE, BUTE PL, PIERHEAD ST, BUTE ST, SOUTH LOUDON PL & SQ, CANAL PDE, LAND AT COUNTY HALL, WMC, TY HYWEL, SENEDD, BUTETOWN HUB, NELSON HSE, BUTETOWN CC, CANAL PK, CAVC & TRESILILIAN HSE	INSTALLATION OF THE DISTRICT HEATING PIPE	22/10/2021	Permission be granted	Other Consent Types
21/02028/DCH	19/08/2021	Hawken	CLD	49 POMEROY STREET, BUTETOWN, CARDIFF, CF10 5GT	GROUND FLOOR REAR EXTENSION	18/10/2021	Permission be granted	Other Consent Types
21/01780/MNR	19/07/2021	BEAGLES	FUL	LAND AT CELERITY DRIVE, ATLANTIC WHARF, CARDIFF	ERECTION OF NEW BUILD DEVELOPMENT TO FORM 4 NO ATTACHED 3 BED DWELLINGS	20/10/2021	Permission be granted	Minor - Dwellings (C3)
<b>CAERAU</b>								
21/01429/MNR	21/07/2021	Chris Chucas	FUL	16 ARLES ROAD, CAERAU, CARDIFF, CF5 5AP	CHANGE OF USE FROM DWELLINGHOUSE TO C4 HOUSE OF MULTIPLE OCCUPATION	20/10/2021	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>
21/01936/DCH	27/08/2021	Humphrey	HSE	195 HEOL TRELAI, CAERAU, CARDIFF, CF5 5LF	SINGLE STOREY REAR EXTENSION AND ASSOCIATED WORKS	20/10/2021	Permission be granted	Householder
21/02050/MNR	23/08/2021	Weymouth	FUL	7 THORNE WAY, CAERAU, CARDIFF, CF5 5DL	CONVERSION OF EXISTING PROPERTY INTO TWO DWELLINGS, CONVERTING AND EXTENDING THE DETACHED GARAGE INTO A GRANNY FLAT AND DIVIDING THE EXISTING BACK GARDEN	18/10/2021	Planning Permission be refused	Minor - Dwellings (C3)
21/02129/MNR	01/09/2021	Cornerstone	FUL	LAND ADJACENT TO CWRT-YR-ALA ROAD, CAERAU	REMOVAL OF EXISTING 18M MONOPOLE C/W 4NO. ANTENNAS, 2NO. EQUIPMENT CABINETS AND OTHER ANCILLARY EQUIPMENT; INSTALLATION OF REPLACEMENT 22.5M MONOPOLE ON EXTENDED CONCRETE BASE C/W INSTALLATION OF 8NO. REPLACEMENT ANTENNAS, 24NO. ERS UNITS ON NEW HEADFRAME AND 2NO. 0.3M DISHES ON MONOPOLE; INSTALLATION OF 2NO. REPLACEMENT EQUIPMENT CABINETS, 4NO. ERS RACKS ON EXTENDED CONCRETE BASE AND ANCILLARY EQUIPMENT THERETO	21/10/2021	Permission be granted	Minor - Other Principal Uses

CANTON

<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>
21/02091/MJR	13/09/2021	Cardiff Council	NMA	PART OF LAND AT CARDIFF INTERNATIONAL SPORTS STADIUM, LECKWITH ROAD, CANTON, CARDIFF, CF11 8AZ	AMENDMENTS TO THE PLANTING AND LANDSCAPE PLANS TO ALLOW REAR MAINTENANCE ACCESS FOR THE RESIDENTS ON LAWRENNY AVENUE - PREVIOUSLY APPROVED UNDER 20/01648/MJR	21/10/2021	Permission be granted	General Regulations

21/01965/DCH	09/08/2021	Morgan	HSE	38 VICTORIA AVENUE, CANTON, CARDIFF, CF5 1ET	SINGLE STOREY REAR EXTENSION AND CONVERSION OF EXISTING GARDEN OFFICE TO INCLUDE GUEST BEDROOM ACCOMMODATION	20/10/2021	Permission be granted	Householder
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## CATHAYS

21/02061/DCH	24/08/2021	Loscher	HSE	5 GELLIGAER GARDENS, CATHAYS, CARDIFF, CF24 4L	SINGLE STOREY REAR EXTENSION	20/10/2021	Permission be granted	Householder
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LBC/21/00019/MNR	16/08/2021	Bungalow Rest (Cardiff)	LBC	15 HIGH STREET, CITY CENTRE, CARDIFF, CF10 1AX	REPLACE EXISTING TIMBER SASH WINDOWS ON A LIKE FOR LIKE BASIS TO FRONT FACADE AND ASSOCIATED REPAIRS	20/10/2021	Permission be granted	Listed Buildings
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21/01206/MNR	12/05/2021	Benc	FUL	5 CYPRIAN HOUSE, MONTHERMER ROAD, CATHAYS, CARDIFF, CF24 4QY	RETROSPECTIVE APPLICATION FOR USE OF RESIDENTIAL PROPERTY AS 7 BEDROOM HOUSE IN MULTIPLE OCCUPATION (HMO)	20/10/2021	Permission be granted	Minor - Dwellings (C3)
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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>
21/02160/MNR	14/09/2021	Troia (UK) Restaurants Ltd	FUL	45-47 THE HAYES, CITY CENTRE, CARDIFF, CF10 1GA	CHANGE OF USE OF GROUND FLOOR OF UNITS 45 AND 47 TO A RESTAURANT, SHOPFRONT ALTERATIONS AND INTERNAL ALTERATIONS INCLUDING INSTALLATION OF A MEZZANINE	21/10/2021	Permission be granted	Minor - Retail (A1-A3)

21/02029/MNR	16/08/2021	jamur	FUL	140 CRWYS ROAD, CATHAYS CARDIFF, CF24 4NR	ALTERATIONS AND CONVERSION OF EXISTING DETACHED STORAGE BUILDING INTO A COMMERCIAL OFFICE	21/10/2021	Permission be granted	Minor - Offices (B1(a))
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21/02122/DCH	09/09/2021	AHMED	FUL	101A CRWYS ROAD, CATHAYS, CARDIFF, CF24 4NF	FIRST FLOOR REAR EXTENSION TO EXISTING FLAT	20/10/2021	Planning Permission be refused	Householder
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#### CREIGAU/ST FAGANS

PRNO/21/00015/MNR	16/10/2021	St Fagans National Museum of History	PRNO	MUSEUM OF WELSH LIFE, MICHAELSTON ROAD, ST FAGANS, CARDIFF, CF5 6XB	NEW STEEL FRAMED CATTLE SHED BEHIND EXISTING HAY BARN	20/10/2021	Permission Required	Other Consent Types
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#### CYNCOED

21/02237/DCH	16/09/2021	Morgan	HSE	87 LAKE ROAD WEST, ROATH PARK, CARDIFF, CF23 5PJ	SINGLE STOREY REAR EXTENSION WITH ASSOCIATED ALTERATIONS	20/10/2021	Permission be granted	Householder
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21/01599/DCH	29/06/2021	Proctor	HSE	35 LLYSWEN ROAD, CYNCOED, CARDIFF, CF23 6NH	TWO STOREY SIDE EXTENSION, FIRST FLOOR EXTENSION OVER GARAGE AND REAR CANOPY	21/10/2021	Permission be granted	Householder
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21/01541/DCH	22/06/2021	DINEEN	HSE	8 WOODLAND CRESCENT, CYNCOED, CARDIFF, CF23 6BU	CONSTRUCTION OF DORMER EXTENSION TO REAR	20/10/2021	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>
21/01667/DCH	05/07/2021	Drinkall	HSE	21 WESTMINSTER CRESCENT, CYNCOED, CARDIFF, CF23 6SE	SINGLE STOREY REAR EXTENSION	20/10/2021	Permission be granted	Householder
21/01823/DCH	21/07/2021	Lewis	HSE	205 LAKE ROAD WEST, ROATH PARK, CARDIFF, CF23 5QX	LOFT CONVERSION INCLUDING DORMER ROOF EXTENSIONS	18/10/2021	Permission be granted	Householder

## FAIRWATER

21/01152/MNR	11/05/2021	Vision 21 Cyfle Cymru	FUL	SBECTRWM FAIRWATER COMMUNITY CENTRE, BWLCH ROAD, FAIRWATER, CARDIFF, CF5 3EF	THE REMOVAL AND REPLACEMENT OF THE EXISTING HORTICULTURAL POLY TUNNEL WITH A LARGER STRUCTURE WHICH IS USED AS PART OF THE CHARITY VISION 21 (CYFLE CYNRU) WITH SERVICES TO PEOPLE WITH LEARNING DIFFICULTIES	21/10/2021	Permission be granted	Minor - Other Principal Uses
21/01973/DCH	17/08/2021	Karol	HSE	52 GORSE PLACE, FAIRWATER, CARDIFF, CF5 3PD	TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSIONS AND FRONT PORCH EXTENSION	22/10/2021	Permission be granted	Householder
21/02020/DCH	24/08/2021	Cullen	HSE	70 ASHCROFT CRESCENT, PENTREBANE, CARDIFF, CF5 3RP	SINGLE STOREY SIDE EXTENSION.	22/10/2021	Planning Permission be refused	Householder

## GABALFA

21/01508/MNR	15/06/2021	Mr Gwilym Rees	FUL	276 NORTH ROAD, GABALFA, CARDIFF, CF14 3BL	CHANGE OF USE FROM FIRST FLOOR OFFICES TO 2 NO. ONE BEDROOM FLATS	22/10/2021	Permission be granted	Minor - Dwellings (C3)
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## GRANGETOWN

<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>
21/02353/MNR	04/10/2021	Gillard	CLD	20 COEDCAE STREET, GRANGETOWN, CARDIFF, CF11 7AA	CHANGE OF USE OF A PRIVATE DWELLING INTO, CARE HOME FOR UP TO 4 PEOPLE	21/10/2021	Permission be granted	Other Consent Types

PRAP/21/00038/MNR	23/08/2021	CK Hutchison Networks (UK) Ltd	PAT	JUNCTION OF PENARTH ROAD AND TAFF EMBANKMENT, GRANGETOWN	PROPOSED 5G TELECOMS INSTALLATION 20M HIGH 'SLIM LINE' PHASE 8 H3G STREET POLE C/W WRAP AROUND CABINET AND 3NO. CABINETS WITH ANCILLARY WORKS	18/10/2021	Permission Required	Other Consent Types
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## HEATH

21/01863/DCH	27/07/2021	George	HSE	1 HEATH PARK LANE, CAERPHILLY ROAD, BIRCHGROVE, CARDIFF, CF14 4AL	TWO STOREY SIDE EXTENSION AND REPLACE EXISTING HEDGE WITH NEW FENCE	19/10/2021	Permission be granted	Householder
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21/02076/DCH	25/08/2021	Jones	HSE	45 ST INA ROAD, HEATH, CARDIFF, CF14 4LT	PROPOSED SINGLE STOREY REAR EXTENSION & ATTIC CONVERSION WITH SIDE & REAR DORMERS	19/10/2021	Permission be granted	Householder
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21/02070/DCH	25/08/2021	Barry	HSE	19 HEOL NEST, WHITCHURCH, CARDIFF, CF14 1SY	DEMOLISH EXISTING REAR CONSERVATORY AND CONSTRUCT NEW SINGLE STOREY REAR EXTENSION AND EXTERNAL ALTERATIONS	22/10/2021	Permission be granted	Householder
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21/02281/DCH	21/09/2021	Bezodis	HSE	53 ST GOWAN AVENUE, HEATH, CARDIFF, CF14 4JX	SINGLE STOREY REAR EXTENSION, DEMOLITION OF GARAGE AND CONSTRUCTION OF A STORAGE SHED	20/10/2021	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>
21/02102/DCH	31/08/2021	Thorpe	HSE	84 ST ANGELA ROAD, HEATHGROUND FLOOR CARDIFF, CF14 4DN	EXTENSION TO SIDE UNDER EXISTING FIRST FLOOR EXTENSION AND REAR SINGLE STOREY EXTENSION	20/10/2021	Permission be granted	Householder

## LISVANE

21/01944/DCH	05/08/2021	Kemble	HSE	DILLONS, CEFN MABLY ROAD, LISVANE, CARDIFF, CF14 0SP	REMOVAL OF EXISTING ROOF AND REPLACE WITH DOUBLE GABLE APEX ROOF WITH REAR DORMER ROOF EXTENSIONS, EXTENSION AND ALTERATIONS TO FRONT ELEVATION AND CONSTRUCTION OF DOUBLE GARAGE	20/10/2021	Permission be granted	Householder
21/01763/DCH	15/07/2021	ROTHWELL	HSE	26 HEOL CEFN ON, LISVANE, CARDIFF, CF14 0TP	PROPOSED TWO STOREY EXTENSION TO SIDE OF PROPERTY	21/10/2021	Permission be granted	Householder
21/01709/MJR	14/07/2021	Carter Lauren Construction Ltd	DOC	PLOT 1, TY DRAW ROAD, CARDIFF	DISCHARGE OF CONDITION 9 (LANDSCAPING DETAILS) OF 20/01863/MJR	20/10/2021	Full Discharge of Condition	Discharge of Conditions

## LLANDAFF

21/01609/DCH	26/08/2021	Hopkins	DOC	17 THE CATHEDRAL GREEN, LLANDAFF, CARDIFF, CF5 2EB	DISCHARGE OF CONDITION 4 (EXTERNAL FINISHING MATERIALS) OF 19/01599/DCH	20/10/2021	Full Discharge of Condition	Discharge of Conditions
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## LLANDAFF NORTH

<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>
PRAP/21/00050/M01/09/2021		Cornerstone	PAT	LAND ON GABALFA AVENUE ADJACENT TO T A CENTRE, LLANDAFF NORTH	THE INSTALLATION OF A 20METRE HIGH MONOPOLE SUPPORTING 6NO. ANTENNAS, 2NO. 0.3M TRANSMISSION DISHES AND THE INSTALLATION 2NO. EQUIPMENT CABINETS AND DEVELOPMENT WORKS ANCILLARY THERETO	22/10/2021	No Prior Approval required	Other Consent Types

21/02144/DCH	07/09/2021	Sheahan	HSE	36 CLARBESTON ROAD, LLANDAFF NORTH, CARDIFF CF14 2LN	TWO STOREY SIDE EXTENSION	22/10/2021	Permission be granted	Householder
21/01533/DCH	30/07/2021	Khan	HSE	66 COLWILL ROAD, LLANDAFF NORTH, CARDIFF CF14 2QR	SINGLE STOREY REAR AND SIDE EXTENSION	21/10/2021	Permission be granted	Householder

#### LLANISHEN

21/02038/DCH	18/08/2021	James	HSE	13 SPRING GROVE, LLANISHEN, CARDIFF, CF14 9DL	FIRST FLOOR SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION	21/10/2021	Permission be granted	Householder
21/02392/DCH	12/10/2021	Buckland	DOC	95 STATION ROAD, LLANISHEN, CARDIFF, CF14 5UU	DISCHARGE OF CONDITION 4 (ARBORICULTURIST METHOD STATEMENT AND TREE PROTECTION PLAN) OF 21/00071/DCH	22/10/2021	Full Discharge of Condition	Discharge of Conditions
21/01534/DCH	15/07/2021	Davey	HSE	207 TATHAM ROAD, LLANISHEN, CARDIFF, CF14 5FF	CONVERSION OF INTERNAL GARAGE TO LIVING SPACE	21/10/2021	Permission be granted	Householder
21/01931/DCH	30/07/2021	Carter	HSE	3 LLANDEGFEDD CLOSE, THORNHILL, CARDIFF, CF14 9HJ	TWO STOREY SIDE EXTENSION AND FRONT PORCH	18/10/2021	Permission be granted	Householder

#### LLANRUMNEY

<u>Application No.</u>	<u>Date</u>	<u>Applicant</u>	<u>Type</u>	<u>Address</u>	<u>Proposal</u>	<u>Decision Date:</u>	<u>Decision:</u>	<u>Statutory Class</u>
21/01755/DCH	15/07/2021	Forester	HSE	149 LLANRUMNEY AVENUE, LLANRUMNEY, CARDIFF, CF34DW	SINGLE STOREY REAR EXTENSION AND ASSOCIATED WORKS	20/10/2021	Permission be granted	General Regulations
21/02115/MNR	02/09/2021	KHAN	DOC	781 NEWPORT ROAD, LLANRUMNEY, CARDIFF, CF34AJ	DISCHARGE OF CONDITION 5 (EXTERNAL EXTRACTION EQUIPMENT OF 20/00798/MNR	20/10/2021	Full Discharge of Condition	Discharge of Conditions
<b>PENTYRCH</b>								
21/02109/DCH	31/08/2021	Wallington	HSE	34 HEOL BERRY, GWAELOD-Y-GARTH, CARDIFF, CF15 9HB	PROPOSED SINGLE STOREY EXTENSION WITH CARPORT AND PORCH	20/10/2021	Permission be granted	Householder
21/01201/MNR	14/05/2021	Woods	DOC	LAND OFF THE GLADE, SCHOOL LANE, GWAELOD-Y-GARTH, CARDIFF, CF15 9HN	DISCHARGE OF CONDITIONS 6 (SOFT LANDSCAPING) AND 9 (GAS MONITORING) OF 20/00123/MNR	21/10/2021	Refuse to Discharge	Discharge of Conditions
<b>PENYLAN</b>								
21/00456/DCH	01/06/2021	Lloyd	HSE	10 MITERDALE CLOSE, PENYLAN, CARDIFF, CF23 5LG	SINGLE AND DOUBLE STOREY SIDE AND REAR EXTENSIONS WITH HIP TO GABLE ROOF EXTENSION	19/10/2021	Permission be granted	Householder
21/01845/MNR	02/08/2021	Smart Education Wales	FUL	OFFICE 1 FIRST FLOOR, NUMBER 9, IPSWICH ROAD, PENYLAN, CARDIFF, CF23 9XX	CHANGE OF USE TO EDUCATION/TRAINING CENTRE (D1 USE CLASS)	18/10/2021	Permission be granted	Minor - Other Principal Uses
21/01674/DCH	07/07/2021	Sainsbury	HSE	101 OAK WOOD AVENUE, PENYLAN, CARDIFF, CF23 9EZ	TWO STOREY SIDE AND REAR EXTENSION, NEW FRONT PORCH AND REPLACEMENT OF EXISTING GARAGE WITH NEW GARDEN ROOM	18/10/2021	Permission be granted	Householder

**PLASNEWYDD**



<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>
21/02186/MNR	13/09/2021	Climate	FUL	CLIMATE HOUSE, 12 TY'N-Y-COED PLACE, ROATH CARDIFF, CF24 4TX	FIRST FLOOR EXTENSION TO FRONT ELEVATION	20/10/2021	Permission be granted	Minor - Other Principal Uses

### **PONTRENAU/OLD ST MELLONS**

21/01990/MJR	12/08/2021	Persimmon Homes (East Wales)	NMA	PHASE 1, LAND EAST OF CHURCH ROAD AND NORTH AND SOUTH OF, BRIDGE ROAD, OLD ST MELLONS	AMENDMENT TO GENERAL ARRANGEMENT OF BUILD AND UPDATED MATERIAL PALETTE - PREVIOUSLY APPROVED UNDER 14/02556/MJR	22/10/2021	Permission be granted	Non Material Amendment
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21/02021/DCH	19/08/2021	Raddy	CLD	OAKVIEW, BEGAN ROAD, OLID ST MELLONS, CARDIFF, CF3 6XJ	DEMOLITION OF EXISTING CONSERVATORY AND REAR PROTRUDING CHIMNEY AND CONSTRUCTION OF A SINGLE STOREY REAR EXTENSION	18/10/2021	Permission be granted	Other Consent Types
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21/01934/MNR	04/08/2021	WONG	FUL	PLOT 731, BUTTERCUP FIELDS, ST EDERYNS VILLAGE, OLD ST MELLONS, CARDIFF, CF3 6YS	PROPOSED REAR CONSERVATORY EXTENSION	20/10/2021	Permission be granted	Minor - Dwellings (C3)
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### **RADYR**

21/02147/DCH	14/09/2021	Quick	HSE	11A BRYNCOED, RADYR, CARDIFF, CF15 8RH	SINGLE STOREY FRONT AND REAR EXTENSIONS, FIRST FLOOR EXTENSION DEMOLITION OF EXISTING GARAGE AND CONSTRUCTION OF NEW GARAGE	20/10/2021	Permission be granted	Householder
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21/02151/DCH	07/09/2021	Jones	HSE	16 CLOS YSGALLEN, MORGANSTOWN, CARDIFF, CF15 8FT	PROPOSED DEMOLITION OF EXISTING CONSERVATORY AND CONSTRUCTION OF SINGLE STOREY REAR EXTENSION WITH TERRACE AND STORAGE BELOW	20/10/2021	Permission be granted	Householder

## RHIWBINA

21/02216/DCH	16/09/2021	McGovern	HSE	7 TROED Y RHIW, RHIWBINA, CARDIFF, CF14 6UR	TWO STOREY SIDE EXTENSION AND REDUCTION IN THE LENGTH OF EXISTING GARAGE	20/10/2021	Permission be granted	Householder
21/01116/DCH	06/05/2021	WOODHOUSE	HSE	8 TROED Y RHIW, RHIWBINA, CARDIFF, CF14 6UR	DOUBLE AND SINGLE STOREY EXTENSIONS WITH STORAGE SPACE BELOW GROUND FLOOR	18/10/2021	Permission be granted	Householder

## RIVERSIDE

21/01741/DCH	13/07/2021	RIAZ	HSE	37 GLOUCESTER STREET, RIVERSIDE, CARDIFF, CF11 6EL	GROUND AND FIRST FLOOR REAR EXTENSIONS AND EXTERNAL ALTERATIONS	20/10/2021	Permission be granted	Householder
A/21/00142/MNR	24/09/2021	Clear Channel	ADV	BUS SHELTER OUTSIDE LITCHFIELD COURT, TUDOR STREET, RIVERSIDE, CARDIFF, CF11 6BF	1-21 INSTALLATION OF A DOUBLE SIDED DIGITAL ADVERTISING UNIT FULLY INTEGRATED INTO A BUS SHELTER	20/10/2021	Permission be granted	Advertisements
21/02082/MNR	26/08/2021	Colderley	FUL	PONTCANNA CARAVAN PARK DOGO STREET, PONTCANNA, CARDIFF, CF11 9LB	INSTALLATION OF GLAMPING PODS	21/10/2021	Permission be granted	Minor - Other Principal Uses

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21/02380/MJR	06/10/2021	Portabella	NMA	PLOT 34, THE BONE YARD, REAR OF 35 ROMILLY CRESCENT AND 70-72 LLANDAFF ROAD, PONTCANNA, CARDIFF	TO REPLACE THE CONSENTED PROPOSED WINDOW SCREEN WITH A GLAZED SCREEN WITH DOORS AND A JULIETTE BALCONY WITHIN THE SURROUND ON PLOT 34 (FLAT OVER GARAGE) - PREVIOUSLY APPROVED UNDER 19/02071/MJR	21/10/2021	Permission be granted	Non Material Amendment

## RUMNEY

21/02018/DCH	13/08/2021	Page	HSE	45 DOWNTON ROAD, RUMNEY, CARDIFF, CF3 3BJ	PROPOSED REPLACEMENT SINGLE-STOREY EXTENSION AND MODIFICATION OF GROUND-FLOOR, SIDE ELEVATION, BAY WINDOW DETAILING	21/10/2021	Permission be granted	Householder
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## SPLOTT

21/01805/MNR	23/07/2021	Pharmaron UK Ltd	FUL	PHARMARON UK, THE OLD GLASSWORKS, NETTLEFOLD ROAD, SPLOTT, CARDIFF, CF24 5JQ	RETENTION OF 4 PORTACABINS USED FOR STORAGE PURPOSES AND THE ERECTION OF A FURTHER PORTACABIN FOR OFFICE USE	20/10/2021	Permission be granted	Minor - Industry/Storage/Distribution
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## TROWBRIDGE

21/01744/MNR	16/07/2021	ANDREW	DOC	LAND AT USKLEY COTTAGE, NEWPORT ROAD, ST MELLONS, CARDIFF, CF3 2WJ	DISCHARGE OF CONDITIONS 3 (EXTERNAL FINISHING MATERIALS), 4 (SITE ENCLOSURE), 5 (HARD AND SOFT LANDSCAPE), 12 (DRAINAGE SCHEME) AND 14 (PROPOSED FLOOR LEVELS) OF 20/00729/MNR	18/10/2021	Full Discharge of Condition	Discharge of Conditions
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21/01951/MNR	04/08/2021	Al-Ibrahim	DOC	CAE COB FARMHOUSE, ASPEN CLOSE, ST MELLONS CARDIFF, CF3 0BT	DISCHARGE OF CONDITIONS 3 (DRAINAGE), 4 (CYCLE STORE) AND 5 (LANDSCAPING) OF 18/01954/MNR	19/10/2021	Full Discharge of Condition	Discharge of Conditions

## WHITCHURCH/TONGWYNLAIS

21/02047/DCH	27/08/2021	Jones	HSE	3 REGENT GARDENS, WHITCHURCH, CARDIFF, CF14 7BH	PROPOSED SINGLE STOREY CONSERVATORY REPLACEMENT	19/10/2021	Permission be granted	Householder
21/02217/DCH	15/09/2021	Voyce	HSE	9 MAELOG ROAD, WHITCHURCH, CARDIFF, CF14 1HP	SINGLE STOREY SIDE EXTENSION AND HIP TO GABLE ROOF EXTENSION WITH REAR DORMER	18/10/2021	Permission be granted	Householder
21/00187/DCH	26/01/2021	Malcolm	HSE	HOLLIES, HEOL DON, WHITCHURCH, CARDIFF, CF14 2AR	CONSTRUCTION OF A DETACHED SINGLE GARAGE	19/10/2021	Permission be granted	Householder
21/01752/DCH	14/07/2021	Knight	NMH	6 CLAS YORATH, WHITCHURCH, CARDIFF, CF14 1QG	PITCHED ROOF CONSTRUCTION IN PLACE OF FLAT ROOF EXTENSIONS, SELF FINISHED RENDER TO REPLACE VERTICAL TIMBER CLADDING, 2NO. KITCHEN EXTENSION WINDOWS TO BE REMOVED AND 2NO. OBSCURE GLAZED WINDOWS ADDED TO SIDE - PREVIOUSLY APPROVED UNDER 19/02054/DCH	18/10/2021	Permission be granted	Non Material Householder
21/01855/MNR	27/07/2021	Roines Estates Ltd.	FUL	FIRST FLOOR, 5-9 MERTHYR ROAD, WHITCHURCH, CARDIFF, CF14 1DA	CHANGE OF USE OF PART OF THE EXISTING COMMERCIAL AREA FROM OFFICE SPACE TO 2NO. APARTMENTS	18/10/2021	Permission be granted	Minor - Dwellings (C3)

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21/02074/DCH	25/08/2021	Selley	HSE	3 BROCASTLE ROAD, WHITCHURCH, CARDIFF, CF14 1BB	CONSTRUCT REAR SINGLE STOREY EXTENSION	20/10/2021	Permission be granted	Householder
21/02089/DCH	31/08/2021	Tyler	HSE	16 GRANT'S CLOSE, TONGWYNLAIS, CARDIFF, CF15 7NG	GROUND FLOOR REAR EXTENSION AND ATTIC CONVERSION	20/10/2021	Permission be granted	Householder
A/21/00133/MNR	08/09/2021	Coffi Lab	ADV	55 PENLLINE ROAD, WHITCHURCH, CARDIFF, CF14 2AB	NEW SIGNAGE	22/10/2021	Permission be granted	Advertisements