

## LOCAL MEMBER OBJECTION

COMMITTEE DATE: 13/07/2016

APPLICATION No. **16/00181/MNR** APPLICATION DATE: 02/02/2016

ED: **RIVERSIDE**

APP: TYPE: Full Planning Permission

APPLICANT: Acorn Cardiff Ltd

LOCATION: CATHEDRAL HOUSE, 31 CATHEDRAL ROAD, RIVERSIDE,  
CARDIFF, CF11 9HB

PROPOSAL: REAR EXTENSION TO ACCOMMODATE 5 APARTMENTS ON  
THE 4TH, 5TH AND 6TH FLOORS

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**RECOMMENDATION 1** : That, subject to relevant parties entering into a binding planning obligation in agreement with the Council under **SECTION 106** of the Town and Country Planning Act 1990, within 6 months of the date of this resolution unless otherwise agreed by the Council in writing, in respect of matters detailed in paragraph 8.7 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 approved drawings numbered 211, 212, 213, 214, 215 & 216.  
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. Development of the sixth floor shall not take place until full details and specifications of the curtain wall cladding have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
Reason: To ensure a satisfactory aesthetic appearance of the development.
4. Prior to occupation of the flats hereby approved the car parking spaces shown on drawing numbered 211 shall be provided and shall thereafter be retained and not used for any purpose other than the parking of vehicles.  
Reason: To ensure that the use of the proposed development does not interfere with the safety and free flow of traffic passing along the highway.
5. Prior to occupation of the flats hereby approved, a covered cycle store shall be provided as shown on drawing numbered 211 to accommodate at least 10 cycles and shall thereafter be retained.

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

6. Prior to occupation of the flats hereby approved, refuse storage shall be provided within the site to accommodate general waste, recycling and food waste. Refuse storage shall thereafter be retained.

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

**RECOMMENDATION 2:** The applicant is advised to contact Asset Management (029 2078 8166 [assetmanagement@cardiff.gov.uk](mailto:assetmanagement@cardiff.gov.uk)) to obtain any necessary licenses for skips, containers, scaffolding or hoardings on the adopted highway. Any necessary remedial works to the footway arising as a consequence of the development being implemented shall be carried out to the satisfaction of Asset Management.

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

**RECOMMENDATION 4:** The site is located within a flood risk area. Future occupants/owners are advised to sign up to the Environment Agency's Flood Warning service. Additional guidance can be found on the following website: <http://www.environment-agency.gov.uk/homeandleisure/floods/38289.aspx>

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

- 1.1 The application seeks planning permission to erect a fourth/fifth/sixth floor rear extension to a four storey rear annexe of a nine storey building to accommodate five additional flats.
- 1.2 The extension would be 16.4m long and 9.2m wide at fourth/fifth floor levels and 13.2m long and 7.3m wide sixth floor level, the sixth floor would be stepped back from the west side by 3.3m and from north/south sides by 1m, the roof would be 21.7m above ground level. The fourth and fifth floors would be finished in curtain walling of glazing and obscure panels with a cream render frame, and the sixth floor would be finished in grey standing cladding.
- 1.3 Internally the accommodation would comprise two flats of 65 square metres at both fourth and fifth floor levels, and a flat of 82 square metres at sixth floor level. The flats would be accessed via existing stairwell/lift and entrance from the Hamilton Street elevation. One off street car parking space would be provided within the existing ground floor car park and cycle parking would be

accommodated within ground floor cycle store.

## 2. **DESCRIPTION OF SITE**

- 2.1 The site comprises a part nine/part four storey 1970s building on the corner of Cathedral Road/Hamilton Street known as Cathedral House which has recently been converted to 20 flats. It is located within the Cathedral Road Conservation Area, there is a three storey office building on the opposite corner south of Hamilton Street, a five storey modern office building adjacent to the north at no. 33-25 Cathedral Road and a terrace of two storey residential dwellings to the rear at Ryder Street.

## 3. **SITE HISTORY**

- 3.1 13/00918/DCI – planning permission granted and implemented for refurbishment and conversion of existing office accommodation to include change of use of part ground floor offices into coffee shop and ancillary accommodation, formation of new entrance to new flats, change of use of 1st to 7th floor offices into 20 no flat units, retention and refurbishment of 8th floor penthouse, demolition of existing external fire escape staircases, retention of rear car parking areas and creation of new front amenity area.
- 3.2 14/01825/DCI – planning permission granted and implemented for variation of condition 10 of 13/00918/DCI to allow for repositioning of entrance doors and the lobby area to become part of the coffee shop.

## 4. **POLICY FRAMEWORK**

### 4.1 Relevant National Planning Guidance:

Planning Policy Wales (Edition 8, 2016)  
Planning Policy Wales TAN 12: Design  
Planning Policy Wales TAN 15: Development & Flood Risk

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

Policy KP5 (Good Quality and Sustainable Design)  
Policy H3 (Affordable Housing)  
Policy EN9 (Conservation of the Historic Environment)  
Policy EN14 (Flood Risk)  
Policy T5 (Managing Transport Impacts)  
Policy W2 (Provision for Waste Management Facilities in Development)

### 4.3 Relevant Supplementary Planning Guidance:

*The SPGs were approved as supplementary guidance to the City of Cardiff Local Plan (1996). Although the City of Cardiff Local Plan (1996) has recently been superseded by the Cardiff Local Development Plan (2016), the advice contained within the SPGs is pertinent to the assessment of the proposal and remains consistent with the aims of both LDP Policies and guidance in Planning*

*Policy Wales and are afforded significant weight.*

Affordable Housing (2007).

Residential Design Guide (2008).

Access, Circulation & Parking Standards (2010).

Waste Collection and Storage Facilities (2007).

## 5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 Waste Management – Current site plans do not give enough details on the waste storage arrangements for this proposal. Further details are required to show the waste storage area, and the number of bins to be stored on this site. Until then, Waste Management is unable to assess whether this proposal is acceptable. 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.
- 5.2 Transportation - When considering the site as a whole (25 flats in total) the minimum number of car parking spaces as stated in the Council's adopted Access, Circulation & Parking Standards SPG (Jan 2010) would be 12.5 (on the basis that all of these flats are two bed). The site already benefits from 15 spaces, and as such the increase in the number of flats is still considered to be policy compliant. On the basis of the above, have no objection to the proposal as submitted, subject to a condition to secure additional cycle parking.
- 5.2 Housing Strategy – Cardiff has a high housing need for affordable housing in this area of the City. In line with the LDP, an affordable housing contribution of 20% of the 5 units (2 units) is sought on this brown-field site. Our priority is to deliver on-site affordable housing, in the form of affordable rented accommodation, built to Welsh Government Development Quality Requirements for purchase by a nominated Registered Social Landlord partner. However, given the proposed design of the residential scheme, overall scheme layout, including the proposed size/design of the units, and the potential service charges for this type of residential development, all of these factors could affect the affordability as well as the practicality of managing and maintaining affordable housing on-site for a Registered Social Landlord. In view of the above, we could accept the affordable housing to be wholly delivered as a financial contribution in lieu of on-site affordable housing provision. On that basis we would seek a financial contribution of £77,430 (in lieu of 1 unit) which is calculated in accordance with the formula in the Affordable Housing – Supplementary Planning Guidance (SPG) (2007).

## 6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 Natural Resources Wales - do not object to the proposed development. On the basis of the information provided, offer the following advice in relation to the proposal and flood risk management. The application site lies entirely within Zone C1 as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Flood Map information, which is updated on a quarterly basis, confirms the site

to be within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the River Taff, a designated main river. Records also show this site has previously flooded from the River Taff. Given the scale of the proposed development (and in the absence of a flood consequence assessment) consider the risk could be acceptable subject to the developer being made aware of the potential flood risks, and advised to install flood-proofing measures as part of the development.

- 6.2 Welsh Water – request a condition that no surface water from any increase in the roof area of the building/or permeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

## 7. **REPRESENTATIONS**

- 7.1 The application was publicised by letter, site and press notice. Objections have been received from nos. 4, 7, 11, 13 & 20 Cathedral House and nos. 20, 22, 26 & 38 Ryder St. Full details are viewable online, their comments are summarised as follows:

- a) *The proposal does not provide sufficient car parking, there are insufficient car parking spaces for existing residents of Cathedral House. There is already parking pressure and congestion in surrounding streets which would be exacerbated by the additional flats and by builder's vehicles, skips and cranes during construction;*
- b) *The proposal would change the appearance of Cathedral House and be out of character with the area;*
- c) *Overbearing and overlooking impact upon properties within Ryder Street and the adjoining building at no. 33 Cathedral Road;*
- d) *Overlooking to existing bedroom windows within Cathedral House;*
- e) *Increased density resulting from the additional units;*
- f) *Noise and dust disturbance during construction;*
- g) *The structure of the existing building will not be able to support the additional three floors;*
- h) *The drainage system cannot support the additional units;*
- i) *It appears that the ground floor café is to be used as a wine bar.*

- 7.2 Cllr Iona Gordon objects to the change of use of the ground floor of the premises and also further objects to the extension of 5 flats.

## 8. **ANALYSIS**

### 8.1 **Amenity Considerations**

It is not considered that the extension would result in any amenity impact upon the residential dwellings at no. 16, 18 & 20 Ryder Street as it would be set off from the boundary with these by approximately 20m. The windows in the west elevation and the external roof terrace of the sixth floor flat would be sited 20m and 18m from the rear gardens of these properties, exceeding the minimum of 10.5m specified by the Residential Design Guide SPG. It is not considered that the extension would have any adverse impact upon the rear annexe of the

office building to the north as it would be set off from the boundary by a lesser distance than the existing flats at first/second/third floor levels. It is not considered that the extension would result in any unreasonable amenity impact to the west facing windows of the existing fourth/fifth/sixth floor flats within the main building as the proposed windows in the north elevation would be positioned at an extremely oblique angle in relation to the existing windows.

- 8.2 The internal volume of all flats comfortably satisfies the minimum internal floor space requirement of 30 square metres at an internal height of 2m or more, and the outlook from all living areas is considered adequate. Whilst it is noted that there would be no external amenity space provided, this is consistent with the recent permission granted for conversion of the existing building to flats, it is also noted that a public park exists within 100m of the site.

### 8.3 Design Considerations

While the proposed extension would necessitate a significant increase in the scale and massing of the rear annexe of the building, it is considered that the annexe could absorb the proposed extension whilst remaining of a subservient scale and form to its Cathedral Road fronting, parent building. The fourth and fifth floors of the proposed extension would be set in and back from the edge of the existing rear annexe by a small distance thereby providing a degree of subservience from it. The sixth floor would be set back further again and finished in a grey standing seem cladding giving it more of a roof like aesthetic. While the addition of three further storeys to the rear annexe would increase its massing relative to the three storey Victorian Terrace to the rear, it is considered that the separation distance between the two is sufficient to allow for the proposed extension to be appropriately accommodated without the spaciousness of the buildings being unacceptably visually eroded.

- 8.4 The south and west elevations of the fourth and fifth floor of the proposed extension would have a curtain wall finish with a stone clad or rendered frame, thereby replicating that of the existing annexe. The northern elevation of the proposed extension would be finished in a stone clad or render finish with vertically emphasised windows. The standing seem cladding finish of the proposed sixth floor would give it a roof like aesthetic which would reduce its visual prominence. The proposed extension is subsequently considered to appropriately respond to the existing building in terms of its form, fenestration arrangement and the finishes proposed. It is subsequently considered that the character of the conservation area would be preserved. The agent was requested to provide details to demonstrate that the finish of the cladding would be of appropriate quality, however has advised the applicant is not in a position to confirm the specific material. Condition 3 is therefore considered necessary to ensure that full details of the sixth floor cladding material are submitted and agreed prior to commencement of development.

### 8.5 Transport Considerations

The Access, Circulation and Parking Standards SPG identifies a car parking requirement of 12.5 spaces in total for the 20 existing flats and 5 proposed flats.

The site benefits from 14 spaces, therefore the increase in the number of flats is considered to be car parking policy compliant as confirmed by Transportation, subject to the provision of cycle parking. Conditions 4 & 5 are therefore considered necessary to ensure the car parking spaces and covered cycle storage are provided prior to beneficial occupation.

#### 8.6 Other Considerations

The comments from Waste Management are noted, however the agent has confirmed that refuse storage for the additional flats could reasonably be accommodated within the ground floor refuse store for the existing flats. Condition 6 is therefore considered necessary to ensure refuse storage is provided prior to beneficial occupation. The condition requested by Welsh Water with regard to surface water from any increase from the roof area is not considered necessary as the roof area of the proposed extension would be no greater than the existing structure.

#### 8.7 Section 106 Request

The request from Housing Strategy for a financial contribution of £77,430 in lieu of on-site affordable housing provision is considered necessary, fairly and reasonably related to the development and in accordance with Policy H3 of the Local Development Plan.

#### 8.8 Representations

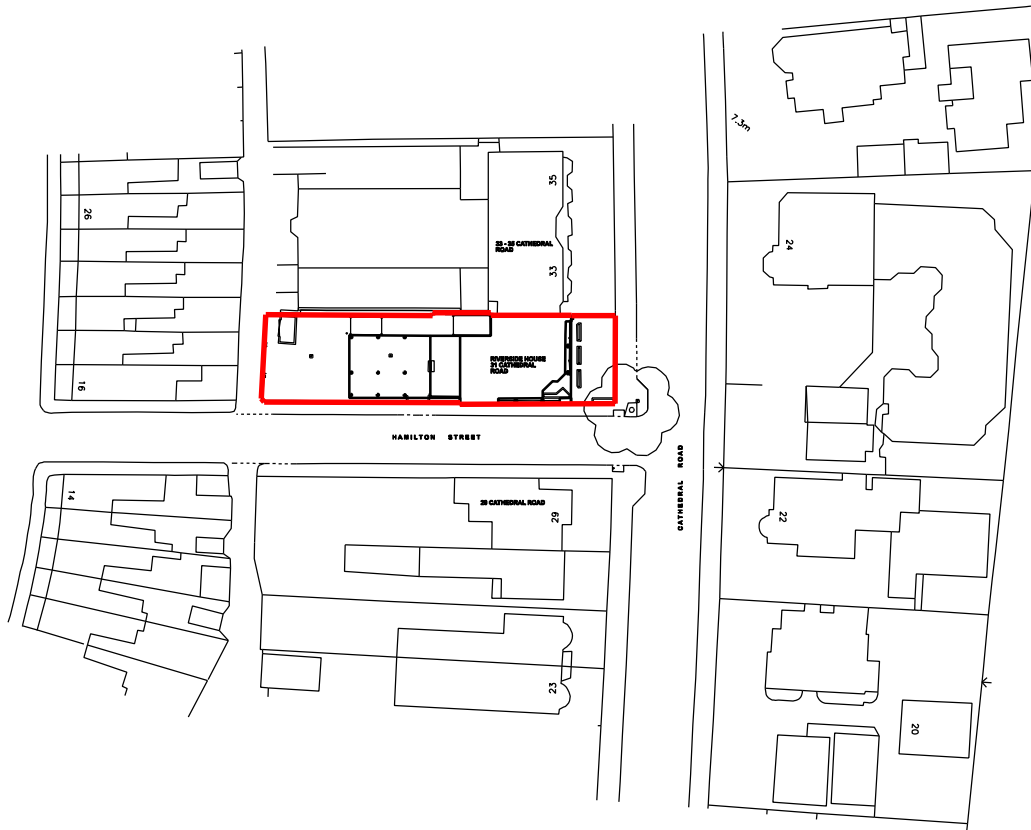
The representations received from neighbouring residents and Cllr Iona Gordon are noted. Specific issues are addressed as follows:


- a) Parking: the proposal is considered policy compliant as confirmed by the Transportation officer and detailed within the above transport analysis. Highways have separate controls relating to construction apparatus on the highway. Recommendation 2 has been included to require any necessary highway licenses to be obtained;
- b) Character: the design is considered appropriate as detailed within the design analysis above;
- c) Overbearing and overlooking impact: the proposed extension would be separated from surrounding properties and buildings by appropriate distances consistent with the existing scenario, as detailed within the amenity analysis above;
- d) Density: the proposed density is considered reasonable in this location;
- e) Noise and dust pollution during construction: not a planning matter, any noise and dust pollution during construction would be controlled by Environmental Health legislation. Recommendation 3 has been included to alert the applicant to their obligations under this legislation.
- f) Structure and Drainage of existing building: not planning matters, these would be controlled by the Building Regulations procedure.
- g) Use of the ground floor café as a wine bar: not relevant to this application, in any case there is nothing to prevent a coffee shop from applying for a license to serve alcohol.

## 8.9 **CONCLUSION**

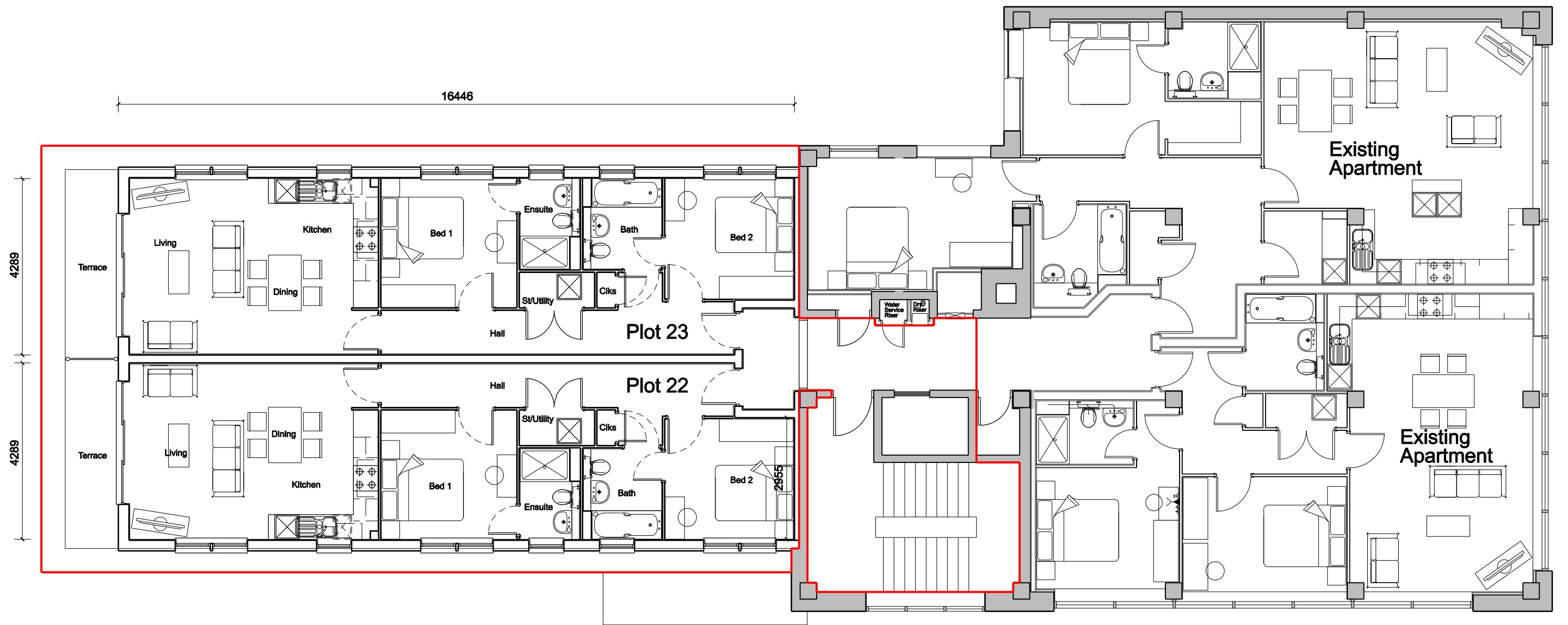
It is concluded that the application is acceptable in accordance with planning policies, and is recommended that planning permission be granted, subject to completion of the legal agreement and subject to conditions.





<b>Client</b> <b>Acorn Cardiff Ltd</b>	<b>Scale</b> <b>1:1250</b>		 <b>Hammonds Yates</b> Architectural Town Planning Urban Design Civil Engineering Design Planning Supervision Licensed Code Assessor Landscape Architecture
<b>Project Title</b> <b>Riverside House, 31 Cathedral Road, Cardiff</b>	<b>Date</b> <b>July 2014</b>		
<b>Drawing Title</b> <b>Location Plan</b>	<b>Drawn By</b>		
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Fourth Floor Plan (Scale 1:100)

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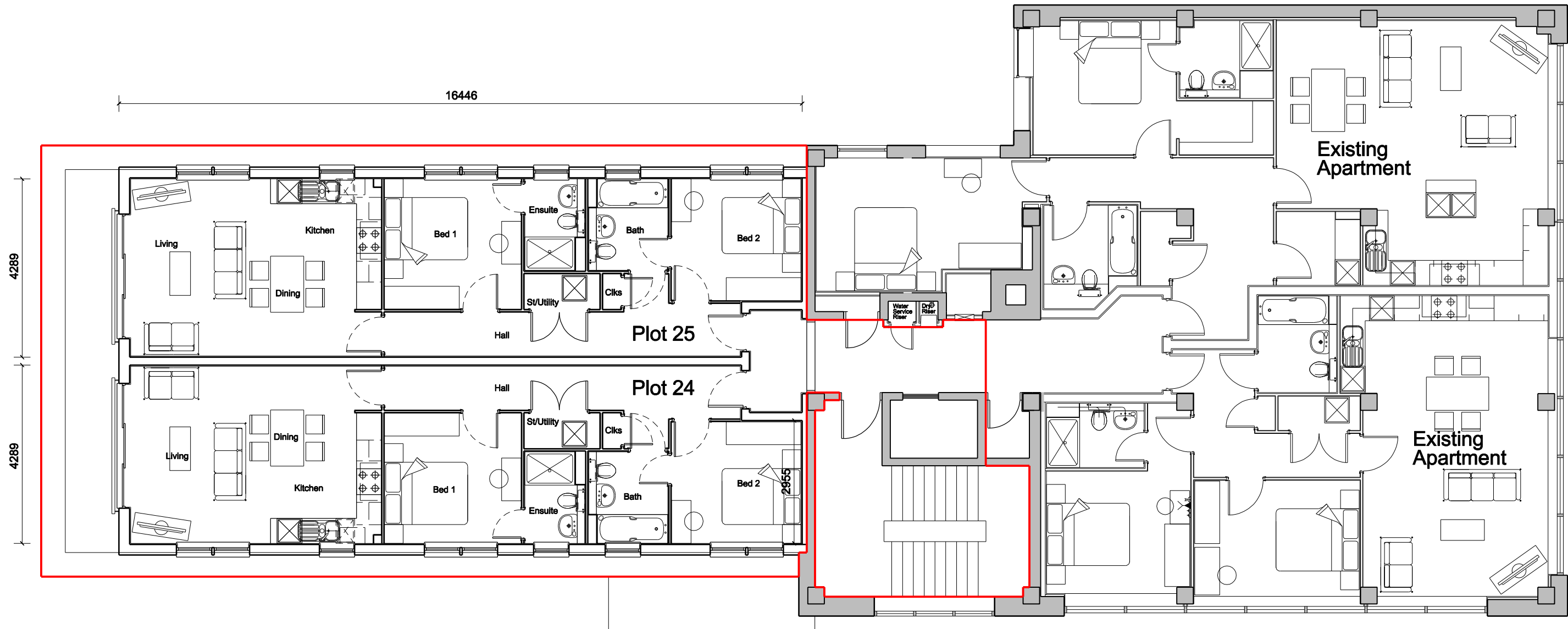
Project Title  
**Riverside House  
 Cathedral Road, Cardiff**

Drawing Title  
**Fourth Floor  
 Proposed**

Drawing Status			
Drawn By IB	Scale 1:100	A3	Date Jan 2016
Job No. <b>1509</b>	Drawing No. <b>212</b>	Rev.	

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1 0.5 1 2 3 4 5  
 Fifth Floor Plan (Scale 1:100)

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Project Title  
**Riverside House  
 Cathedral Road, Cardiff**

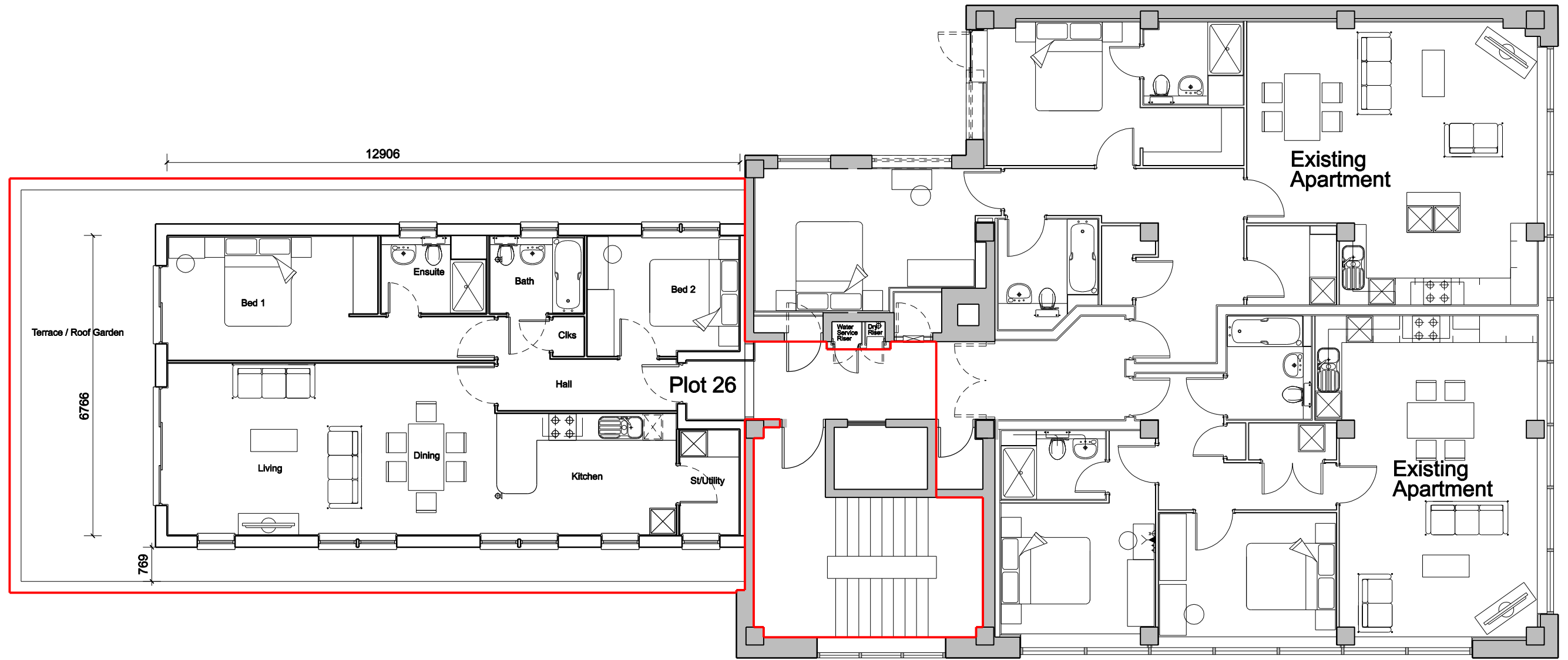
Drawing Title  
**Fifth Floor  
 Proposed**

Drawing Status

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Job No. <b>1509</b>	Drawing No. <b>213</b>	Rev.	

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1 0.5 1 2 3 4 5  
 Sixth Floor Plan (Scale 1:100)

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Client  
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Project Title  
**Riverside House  
 Cathedral Road, Cardiff**

Drawing Title  
**Sixth Floor  
 Proposed**

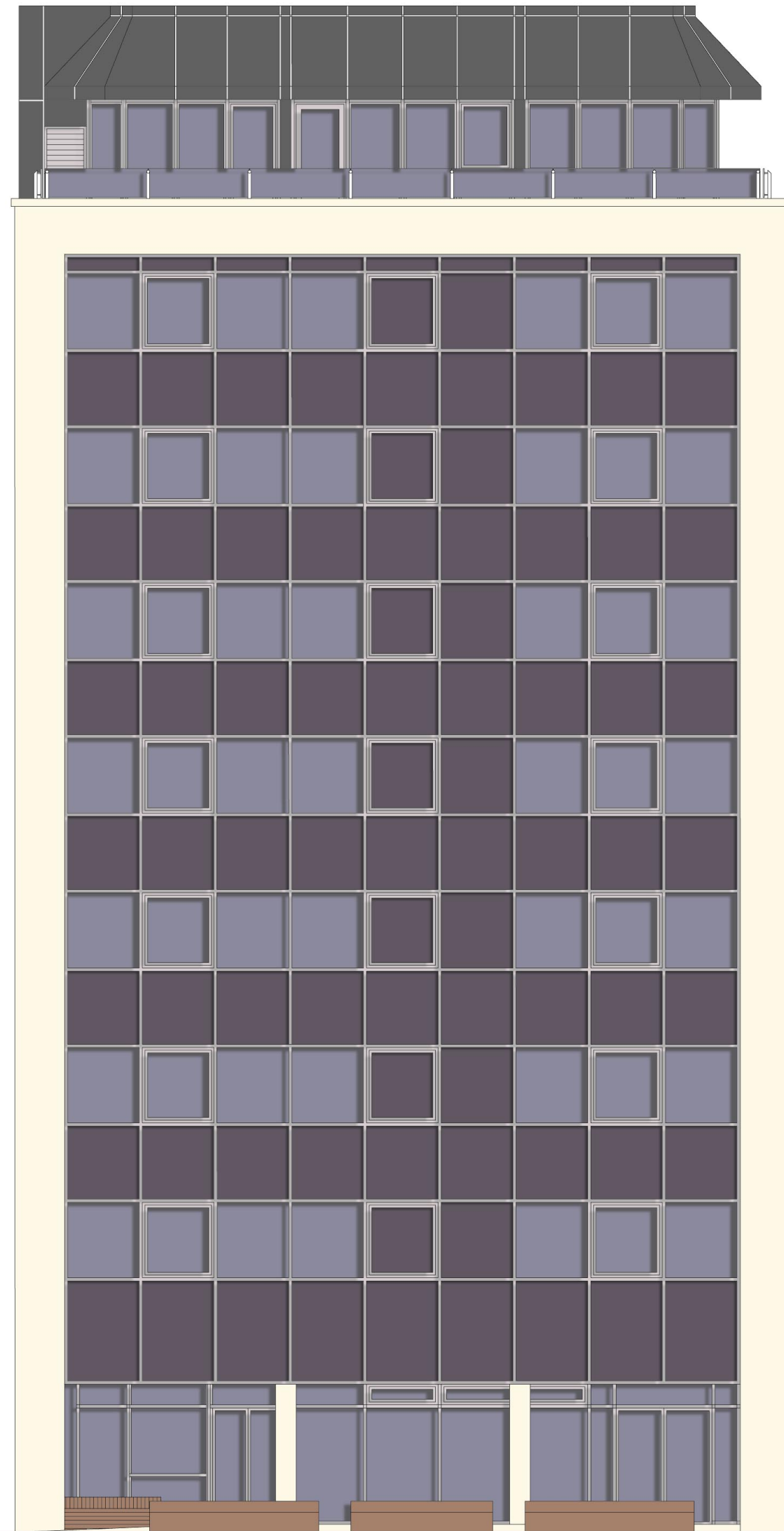
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Job No: 1509 Drawing No: 214 Rev:

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**EAST ELEVATION TO CATHEDRAL ROAD**



**NORTH ELEVATION TO 33 / 35 CATHEDRAL ROAD**

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Project Title  
**Riverside House  
Cathedral Road, Cardiff**

Drawing Title  
**East and North  
Elevations  
Proposed**

Drawn By IB	Scales 1:100	A1	Date Jan 2016
Job No. <b>1509</b>	Drawing No. <b>215</b>	Rev.	

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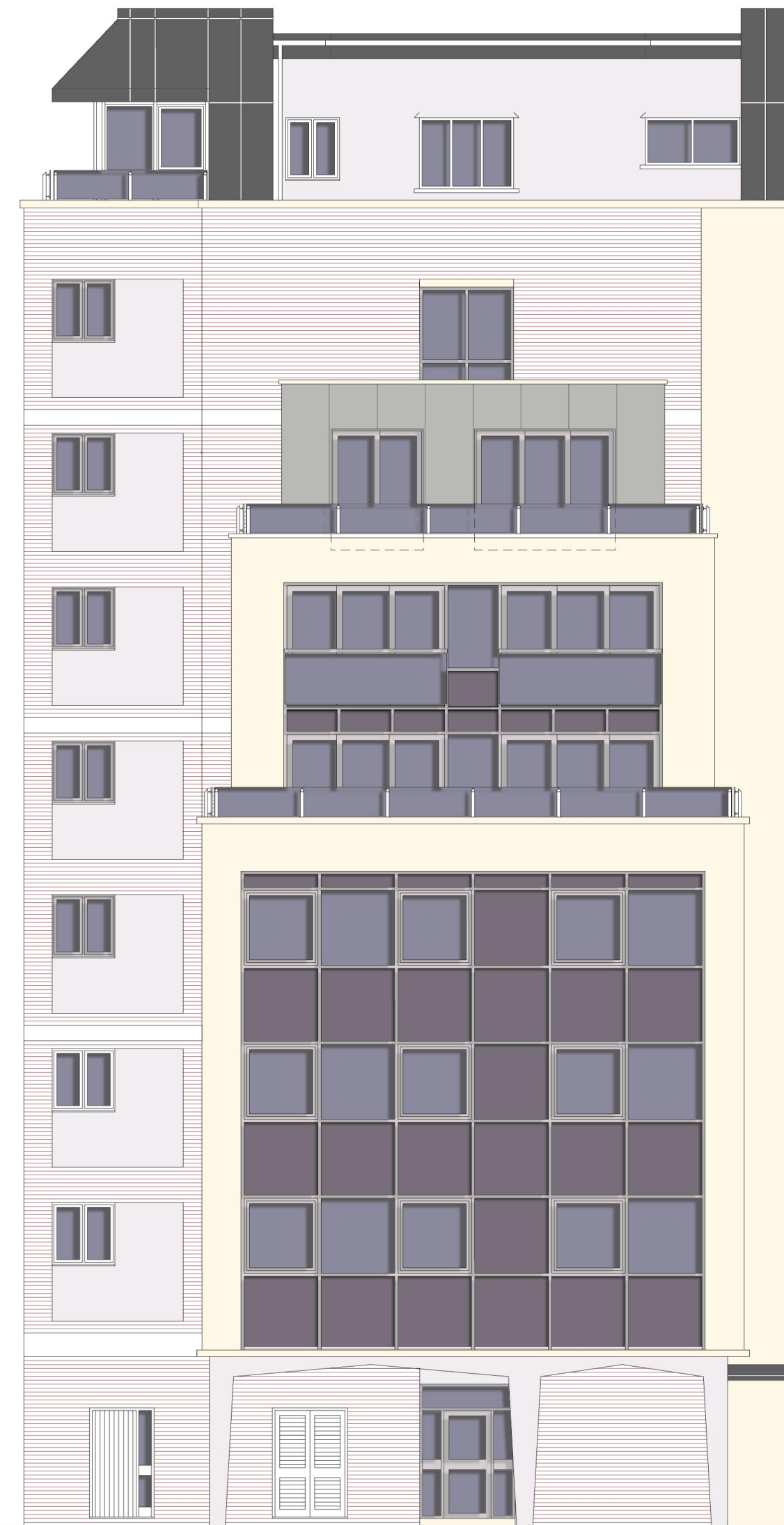
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SEVENTH FLOOR

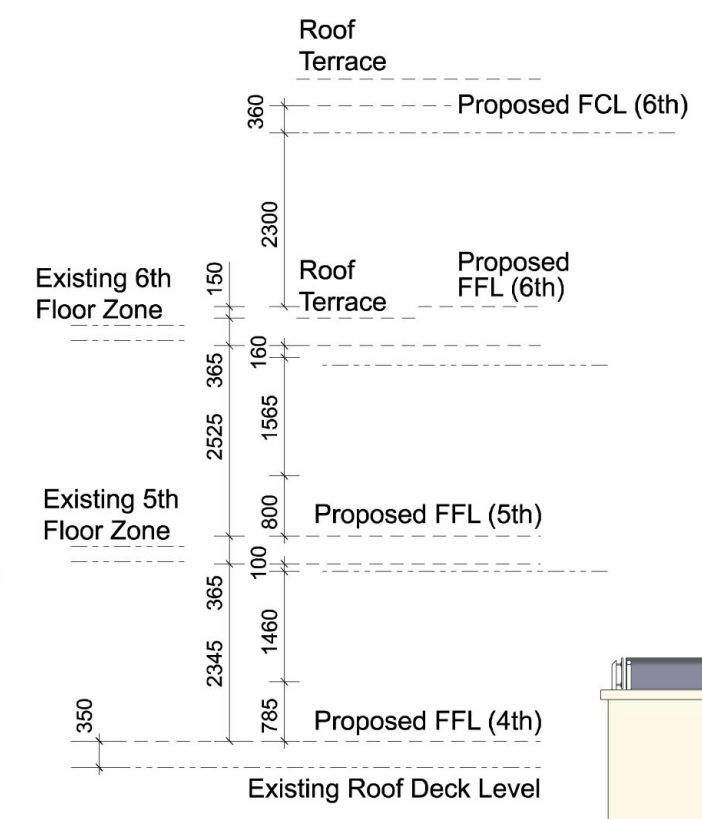
SIXTH FLOOR

FIFTH FLOOR

FOURTH FLOOR



WEST ELEVATION TO CAR PARK



SOUTH ELEVATION TO HAMILTON STREET

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Client  
**Acorn Property Group**

Project Title  
**Riverside House  
Cathedral Road, Cardiff**

Drawing Title  
**West and South  
Elevations  
Proposed**

Drawn By IB	Scales 1:100	A1	Date Jan 2016
Job No. 1509	Drawing No. 216	Rev.	

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Rev	Date	By	Comment