

COMMITTEE DATE: 13/07/2016

APPLICATION No. **16/01024/MJR** APPLICATION DATE: 03/05/2016

ED: **BUTETOWN**

APP: TYPE: Full Planning Permission

APPLICANT: Signature Living (Coal Exchange) Ltd

LOCATION: THE COAL EXCHANGE, MOUNT STUART SQUARE,
BUTETOWN, CARDIFF, CF10 5EB

PROPOSAL: APPLICATION FOR THE CHANGE OF USE OF THE COAL
EXCHANGE TO FORM CIRCA 200 BED HOTEL WITH
FUNCTION ROOMS, RESTAURANT/BAR, HERITAGE
EXHIBITION SPACE AND SPA

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

1. C01 Statutory Time Limit
2. This permission does not extend to any building operations, but to the change of use of the building for use as a Hotel and for ancillary uses as described within the development description only.
Reason: For the avoidance of doubt.
3. The hotel shall not be brought into beneficial use until a scheme of public realm improvements and a timeframe for their implementation has been submitted to and approved by the local planning authority in writing; thereafter the scheme shall be implemented in accordance with the approved details at the developers expense, within the agreed time frame.

The scheme shall include, but not be limited to:

- The removal of the section of carriageway between the Coal Exchange / Baltic House and the creation of a new public square.
- The resurfacing of the footways and public spaces.
- Kerbstone replacement.
- The retention / replacement and introduction of street trees.
- The replacement of street furniture, including benches, cycle stands, litter bins, tree grilles, bollards and street lighting
- The removal of raised brick planters.
- Carriageway and parking bay resurfacing / repair / reinstatement.

within the area defined on PLAN A attached to and forming part of this permission.

The Developer shall also collaborate with the Local Planning Authority in respect of the area defined on PLAN B attached to and forming part of

this permission in respect of the undertaking of further public realm enhancements in the wider area.

Reason: to ensure for the future integrity of the public highway, the aesthetic enhancement of the conservation area, and the safety and amenity of pedestrian and vehicle users of the development in a timely manner.

4. The public realm enhancements required by condition 3 shall include for an assessment of the condition and likely longevity of existing street trees around the building in accordance with BS 5837:2012. Thereafter the Public Realm Improvements shall incorporate measures to improve the health of existing trees, or for their replacement / supplementation with new tree planting (where appropriate) Details of such works should be provided as part of a landscaping scheme to include a scaled planting plan, planting schedule, topsoil and subsoil specification, and tree pit section and plan views, planting methodology and aftercare methodology as a component of the public realm scheme.
Reason: To maintain and improve the appearance of the area in the interests of visual amenity.
5. Prior to the beneficial use of any part of development for the purposes approved, a delivery and servicing strategy shall be submitted to and approved by the Local Planning Authority in writing. The strategy shall include for details of delivery and collection times, service vehicles, waiting expectations and measures to be incorporated to avoid nuisance to adjacent occupiers in terms of noise and accessibility, Thereafter all servicing shall be managed in accordance with the approved strategy.
Reason: To ensure for the amenities of nearby residential occupiers.
6. Prior to beneficial use, the development shall make access provisions for those of impaired mobility in accordance with a scheme of detail which shall first have been submitted to an approved by the Local Planning Authority in writing.
Reason: To ensure for the opportunity of access for all for all services offered.
7. Prior to beneficial use, the development shall make provision for sheltered and secure cycle parking facilities for use by guests and staff in accordance with a scheme of detail which shall first have been submitted to and approved in writing by the local planning authority. Thereafter the cycle parking facilities 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 with the aim of accommodating and encouraging travel by sustainable modes.
8. Prior to beneficial use of the site as a hotel, a Travel Plan shall be submitted to and approved by the local planning authority in writing. The plan shall confirm the measures to be undertaken by the hotel operators

to promote travel to the hotel by sustainable modes/public transport. The travel plan should include targets and monitoring proposals for employees, guests, and those servicing the hotel for a period of 5 years. Reason: In the interests of sustainability.

9. Prior to the beneficial use of any part of development for the purposes approved, waste and recycling storage facilities and collection arrangements shall be provided and confirmed in accordance with a waste management strategy which shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter all waste shall be managed and collected in accordance with the approved strategy.

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

10. Prior to the cooking or preparation of food in any part of the premises, all kitchen and food preparation areas shall be provided with a system of mechanical fume extraction and deodorisation in accordance with a scheme of detail which shall first have been submitted to and approved by the local planning authority in writing. The scheme shall include for specific details of the route, components and point of discharge of the system having special regard to the architectural and historic interest of the building, thereafter the equipment shall be maintained in accordance with the manufacturers' guidelines, such guidelines also having 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, and that the installation will be provided with minimum interference with historic fabric.

11. The Restaurant/Bar hereby permitted is approved on the basis of an integral/ancillary component of the principal hotel use and this permission does not constitute a permission for any separate / independent A3 planning unit.

Reason: For the avoidance of doubt, and because the operation of independent Class A3 uses could prejudice the amenities of the area.

12. No bar or restaurant within the hotel shall be open to the public (defined as patrons not having a valid booking for dormitory accommodation within the hotel) between the hours of 00.00 and 07:00 on any day.

Reason: To protect the amenities of hotel guests and occupiers of adjoining residential accommodation.

13. The use of the function room facilities hereby approved shall accord with a list of function types which shall first have been submitted to and approved in writing by the local planning authority, The function rooms shall not thereafter be used for any purpose not approved in writing by the Local Planning Authority.

Reason: To ensure for the amenities of nearby residential occupiers.

14. Should any Groundworks be proposed, prior to any ground works commencing, a scheme to investigate and monitor the site for the presence of gases* being generated at the site or land adjoining thereto, including a plan of the area to be monitored, shall be submitted to the Local Planning Authority for its approval.

Following completion of the approved monitoring scheme, the proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing to the LPA.

If no protection measures are agreed to be required by the LPA, then no further actions will be required and this will be confirmed in writing.

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

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

15. 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 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.

16. 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.
17. The disposal of foul, surface, and land water drainage from the development shall accord with a scheme of detail which shall first have been submitted to and approved in writing by the Local Planning Authority, The scheme shall include for an assessment of the potential to dispose of surface and land water by sustainable means. and thereafter the scheme shall be implemented in accordance with the approved details prior to the development coming into beneficial use. Thereafter no further foul water, surface water and land drainage from the development shall be allowed to connect directly or indirectly with the public sewerage system without further approval being obtained from the Local Planning Authority.
Reason: To prevent hydraulic overloading of the public sewerage system.
18. The drainage scheme submitted pursuant to the discharge of condition 17 shall incorporate a grease trap(s) from all wastes discharging to the public sewerage system from food prep/kitchen areas or related equipment. No food shall be served on the premises until the grease trap(s) are installed and thereafter the grease trap(s) shall be maintained and serviced in accordance with manufacturers guidelines.
Reason: To protect the integrity of the public sewerage system.
19. All site survey works and future building operations shall be undertaken in accordance with a development management plan, which shall include for details of construction and trades vehicle parking, deliveries, site hoarding, and measures to mitigate against any potential nuisance to neighbours in respect of access, noise, and site practices during the course of development.
Reason: to mitigate any nuisance factors during the course of works necessary to realise the change of use hereby approved.

RECOMMENDATION 2: That the applicant be reminded that:

Any material changes to the external appearance of the building will require Planning Permission; and that any works, internal, external, structural or decorative, which affect the character of the building as a building of

architectural and historic interest will require Listed Building Consent.

The Local Planning Authority can advise as to whether they consider that any proposed works or development will require such permissions; However the applicant is also advised that the only legally binding Authorisation for works to a Listed Building in Wales, is that of the obtaining of Listed Building Consent; and for Development, that of obtaining planning permission or a Certificate of Lawfulness.

RECOMMENDATION 3: That the applicant be advised that:

Former landfill/raise sites have been identified within 250m of the proposed development: The line of the infilled former Glamorganshire Canal also lies approximately 40m west of the development site. Records from ground investigations nearby, indicate low levels of methane and carbon dioxide. The potential risks from the migration of ground gases to human health and the environment, for the proposed end use cannot be ruled out.

Shared Regulatory Services confirm this to you in order that you / your consultants are fully informed prior to commencing development of the site. This will enable you to assess the need for any design changes / need for mitigation to the development design if considered appropriate.

RECOMMENDATION 4: That the applicant be advised that:

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 5. That the applicant be advised that:

The recommendations of the submitted bat scoping survey should be followed through (further surveys to be undertaken with regard to bats/bat roosts and potential mitigation) and that if bats/bat roosts are present then works affecting these (even if they don't require planning permission) are likely to require a European Protected Species (EPS) licence from Natural Resources Wales.

RECOMMENDATION 6: That the applicant be advised:

To contact Welsh Water in respect of the design of the drainage system required by condition 17.

1. DESCRIPTION OF PROPOSED DEVELOPMENT

- 1.1 The applicant proposes the change of use of the predominantly vacant Grade II* (Two Star) Listed Coal Exchange building for purposes of a Circa 200 bed hotel with nominated ancillary uses [function rooms, restaurant/bar, heritage exhibition space and a spa].
- 1.2 Plans and documentation submitted confirm the intention to refurbish the existing building, using the existing floor layouts and room arrangements as the basis for conversion.
- 1.3 No building operations, demolitions, adaptations or extensions or enabling development are proposed under this application, which simply seeks to confirm the acceptability of a Hotel (C1 land use) for the building in planning policy terms. The Planning Officer is advised that the application is submitted with the intent of providing confidence to financiers and to access funding streams to support the project.
- 1.4 Should Planning Permission for the proposed change of use be granted, further application(s) for full planning permission for any external material changes, and for Listed Building Consent for any internal or external works which would affect the character of the building as a building of architectural and historic interest will be submitted for consideration. A design and Access statement has been submitted with the application which can be considered a statement of intentions regarding future works and building alterations.

2. DESCRIPTION OF SITE/SURROUNDS

- 2.1 The site encompasses the whole of The Coal Exchange building central to Mount Stuart Square – an area of approximately one third of a hectare; but excludes the 1970s concrete car park extension to the South of the building.
- 2.2 The building is Grade II* (Two Star) listed as a building of architectural and historic interest, and also lies within the Mount Stuart Square Conservation Area.
- 2.3 The building is largely vacant but some businesses still occupy parts of the South West wing.
- 2.4 The Exchange is surrounded by Baltic House offices to the south, A surface level car park to the South West, Mixed use (office and residential) properties to the west (Aberdare House and St. Stephen's Mansions), further residential accommodation to the north (Empire House and St. James' Mansions), interspersed with office uses, and other commercial (A3) and office premises (A2/B1) to the east.
- 2.5 The building itself has been surrounded by a perimeter safety hoarding to the East, West and North to contain falling masonry and any potential collapse.
- 2.6 The building is in a very poor state of repair, with extensive loss of friable masonry, notable loose stonework, ongoing expansion of mortar joints; and leaning or poorly supported masonry roof structures and chimneys. Historically the building has also been subject to fire damage in the SE wing, and engineering reports suggest the loss of integrity of the NW roof structure and building elevations below.
- 2.7 Recent verbal reports suggest the failure of parts of the lantern rooflight over the main exchange hall, allowing water ingress. This has been confirmed on site.
- 2.8 The building is noted as a 'Building At Risk' on the most recent Cadw/Local Authority Listed Building's at Risk Survey.
- 2.9 Some short term parking remains in the square, however the public realm in the area appears tired and in need of refurbishment.

3. RELEVANT PLANNING HISTORY

Application No :	A/14/00056/DCI
Proposal :	APPLICATION OF LETTERING AND IMAGES TO PERIMETER SAFETY HOARDING
Application Type:	ADV
Decision :	PER
Decision Date :	03/06/2014

Application No :	13/00374/DCI
Proposal :	VARIATION OF CONDITION 1 OF LISTED BUILDING CONSENT 06/764/C TO EXTEND THE TIME PERIOD WITHIN WHICH THE

WORKS MUST BE BEGUN; SO THAT THE PERMITTED WORKS SHALL BEGIN NO LATER THAN 4TH MARCH 2018 (S19 - PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990.
 Application Type: VAR
 Decision : DEEMED WITHDRAWN

Application No : 13/00371/DCI
 Proposal : REMOVAL OF CONDITION 8 OF LISTED BUILDING CONSENT 06/764/C TO ENABLE THE APPROVED DEMOLITION WORKS TO TAKE PLACE PRIOR TO A CONTRACT FOR THE NEW BUILD WORKS BEING SIGNED (S19 - PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990.
 Application Type: VAR
 Decision : DEEMED WITHDRAWN

Application No : 12/00015/DCI
 Proposal : VARIATION OF CONDITION 1 OF PLANNING PERMISSION 06/00760/C TO EXTEND THE COMMENCEMENT PERIOD OF DEVELOPMENT BY FIVE YEARS
 Application Type: VAR
 Decision : RESOLVED TO GRANT (SUBJECT TO A DEED OF VARIATION TO THE S106 AGREEMENT PREVIOUSLY SIGNED).
 Decision Date : 18/04/2012

Application No : 06/00764/C
 Proposal : PARTIAL DEMOLITION AND MIXED USE DEVELOPMENT COMPRISING: RESIDENTIAL, COMMERCIAL OFFICE, RETAIL AND CAFE/RESTAURANT SPACE INCLUDING THE EXCHANGE HALL RETAINED FOR PUBLIC ACCESS
 Application Type: LBC
 Decision : MINISTERIAL APPROVAL FURTHER TO CALL IN
 Decision Date : 04/04/2008

Application No : 06/00760/C
 Proposal : MIXED USE DEVELOPMENT COMPRISING: RESIDENTIAL UNITS; COMMERCIAL OFFICE SPACE; RETAIL AND CAFE/RESTAURANT USES AT GROUND AND LOWER GROUND FLOORS. THE EXCHANGE HALL WILL BE RETAINED FOR PUBLIC ACCESS
 Application Type: FUL
 Decision : PERMITTED
 Decision Date : 23/03/2007

Application No : 04/00633/C
 Proposal : Disabled Ramp
 Application Type: FUL
 Decision : PERMITTED
 Decision Date : 06/08/2004

Application No : 04/00632/C
 Proposal : Disabled Ramp
 Application Type: LBC
 Decision : PERMITTED
 Decision Date : 02/09/2004

Application No : 01/02225/C
Proposal : Extension to Existing Bar Facility, Provision of Cellar within Basement and Ground Floor Access via Lift and Staircase

Application Type: LBC
Decision : PERMITTED
Decision Date : 24/01/2002

Application No : 86/01849/R
Proposal : Demolition of existing "lean-to" porch and making good walls; 2) Form new fire escape door within existing window opening

Application Type: FUL
Decision : PERMITTED
Decision Date : 05/01/1987

4 RELEVANT PLANNING POLICY

4.1 Planning Policy Wales

WO circular 61/96 Planning and the Historic Environment

WO Circular 1/98 Planning and the Historic Environment

TAN 11: Noise

TAN 12: Design

TAN 15: Development and Flood Risk

4.2 Cardiff Local Development Plan 2016

KP5: GOOD QUALITY AND SUSTAINABLE DESIGN

KP8: SUSTAINABLE TRANSPORT

KP10: CENTRAL AND BAY BUSINESS AREAS

KP12: WASTE

KP13: RESPONDING TO EVIDENCED SOCIAL NEEDS

KP15: CLIMATE CHANGE

KP17: BUILT HERITAGE

EC2: PROVISION OF COMPLEMENTARY FACILITIES FOR EMPLOYEES IN BUSINESS, INDUSTRIAL AND WAREHOUSING DEVELOPMENTS

EC4: PROTECTING OFFICES IN THE CENTRAL AND BAY BUSINESS AREAS

EC5: HOTEL DEVELOPMENT

EN7: PRIORITY HABITATS AND SPECIES

EN9: CONSERVATION OF THE HISTORIC ENVIRONMENT

EN13: AIR, NOISE, LIGHT POLLUTION AND LAND CONTAMINATION

EN14: FLOOD RISK

T1: WALKING AND CYCLING

T6: IMPACT ON TRANSPORT NETWORKS AND SERVICES

R8: FOOD AND DRINK USES

W2: PROVISION FOR WASTE MANAGEMENT FACILITIES IN DEVELOPMENT

4.3 Supplementary Planning Guidance:

Open Space

Restaurants, Takeaways and Other Food and Drink Uses

Premises for Eating, Drinking & Entertainment in Cardiff City Centre
Access Circulation and Parking Requirements
Developer Contributions for Transport
Waste Collection and Storage Facilities

4.4 **Other Material Considerations**
City Centre Strategy

5 **INTERNAL CONSULTEE RESPONSES**

Trees Officer

Highway trees bound this site, roughly positioned to mark the four corners of the building. These trees may be harmed directly or indirectly by development (service repair and installation, scaffolding erection, construction operations, vehicle and material storage, amended paving treatments). Consequently they should be assessed in accordance with BS 5837:2012 and the assessment used to inform design. Notwithstanding the outcome of such an assessment, consideration should be given to highway improvements as part of development, including new tree planting (where appropriate) and amended existing tree pit opening treatments, to benefit tree health. Details of such works should be provided as part of a landscaping scheme to include a scaled planting plan, plant schedule, topsoil and subsoil specification, tree pit section and plan views, planting methodology and aftercare methodology.

Pollution Control Officer

In reviewing available records and the application for the proposed development, former landfill/raise sites have been identified within 250m of the proposed development: The line of the infilled former Glamorganshire Canal lies approximately 40m west of the development site. Records from ground investigations nearby indicate low levels of methane and carbon dioxide. The potential risks from the migration of ground gases to human health and the environment, for the proposed end use cannot be ruled out.

Shared Regulatory Services requests that the applicant is advised of the above matter so that they/ their consultants are fully informed prior to commencing development of the site. This will enable the applicant to incorporate any changes to the development/design they may consider appropriate.

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.

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

Transportation Officer.

I refer to the above and would confirm that the submission has been assessed and is considered to be acceptable in principle subject to the following comments and conditions:-

Conditions:

- Servicing plan/Delivery strategy
- Cycle parking provision
- Construction Management plan
- Travel plan
- Public Realm enhancements to include adequate short term pick up and drop off facilities, to include but not be limited to
 - The removal of the section of carriageway between the Coal Exchange/Baltic House and the creation of a new public square;
 - The resurfacing of the footways and public spaces;
 - Kerbstone replacement;
 - The retention/replacement and introduction of street trees;
 - The replacement of street furniture, including benches, cycle stands, litter bins, tree grilles, bollards and street lighting;
 - The removal of raised brick planters;
 - Carriageway and parking bay resurfacing/repair/reinstatement as required.

Within the area defined on PLAN A attached to and forming part of this permission.

Comments:

The development is considered Policy compliant with respect to Parking Guidelines subject to the above conditions, in which respect it is noted that the proposed Hotel use within the Central and Bay area attracts a minimum of zero guest car parking spaces. It is also noted in regard to access that the site is in close proximity to bus and train facilities/services; and that both short term pay and display and long term private parking facilities are nearby for guests that choose to drive.

Given the policy compliant nature of the proposed development and sustainable location of the site I would conclude that any objection on parking or traffic grounds would be unsustainable and any reason for refusal on this basis would not withstand challenge. I therefore have no objection to the application subject to the above requested conditions.

Waste Management

For a development of this size and nature, an in depth waste strategy should be produced detailing anticipated volumes of waste and the segregation of

materials for recycling (suggested recycling includes cardboard, paper, glass, food, plastics as a minimum). It should also predict the number of collections required so that we can ensure the refuse storage space is large enough to accommodate all waste between collections, it may be necessary to implement a compactor to minimise the number of collections of materials such as cardboard.

Details are also required on the access for the collection vehicle.

A method statement detailing how waste is to be transferred to the ground floor (n.b service lifts must be large enough to accommodate bins being used, plus one person) should also be provided.

The bin store should be constructed with double doors that open outwards so that bins can be manoeuvred easily

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 **South Wales Police**

South Wales Police have no objection to proposals and welcome the development of this Grade 2 listed and historically significant building. The proposals to bring the building back to beneficial use will enhance its security and prevent further deterioration of the site.

Given that the above proposals will involve significant investment in terms of time and finance, there is a need to ensure that such an investment is fully supported by means of adequate safety and security measures in keeping with the buildings historical significance and preserved listed characteristics.

In particular South Wales Police make recommendations in terms of ;

Lighting; access control capable of differentiating public, staff only and residential areas of the hotel; a secure area in the hotel being identified for storage of money and valuables of residents; CCTV; a secure delivery area is created; fire risk assessed bin storage areas; adequate fire warning , prevention and evacuation systems, and advise that South Wales Police would welcome discussions with developers on achieving adequate outcomes in terms Safety and Security.

They advise that Secured by Design standards could be applied to the development taking account of any listed building requirements; and would encourage the developer to liaise with SWP on secured by design accreditation.

6.2 **South Wales Fire and Rescue Service**

The developer should consider the need for the provision of:

- a. adequate water supplies on the site for firefighting purposes; and
- b. access for emergency firefighting appliances.

Should the applicant require further information in relation

6.3 Natural Resources Wales:

FLOOD RISK

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). Our Flood Map information, which is updated on a quarterly basis, confirms the site to be within the Tidal outlines.

The planning application proposes highly vulnerable development on previously developed land within a flood risk area. Section 6 of TAN15 requires your Authority to determine whether the development at this location is justified. We refer you to TAN15 for these considerations. We refer you in particular to the justification tests at section 6.2. As part of this justification, the applicant should undertake and submit a flood consequence assessment prior to determination of the application that meets the criteria set out in TAN15. The purpose of the FCA is to ensure that all parties, including your Authority, are aware of the risks to and from the development, and ensure that if practicable, appropriate controls can be incorporated in a planning permission to manage the risks and consequences of flooding.

The flood consequences assessment for the Coal Exchange, submitted in support of the application states:

- That the development is not at risk from 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood event of the River Taff.
- The development site is protected from the impoundment of the Bay with the Cardiff Bay Barrage constituting a flood defence structure that provides a significant level of protection to the Cardiff Area from a tidal perspective.

Based upon the information provided in the FCA, we have no objection to the development from a flood risk perspective.

As it is for your Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN15, we recommend that you consider consulting other professional advisors on the acceptability of the developer's proposals, on matters that we cannot advise you on such as emergency plans, procedures and measures to address structural damage that may result from flooding. We refer you to the above information and the FCA to aid these considerations. Please note, we do not normally comment on or approve the adequacy of flood emergency response and procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users.

PROTECTED SPECIES

NRW originally raised significant concerns regarding the granting of planning permission in the absence of further bat surveys to demonstrate that the

proposal would not be detrimental to the maintenance of the favourable conservation status of bats. However accepting that this application is purely for the principle of change of use and there are no building operations requiring planning permission proposed under the current application then NRW have no observations to make on that principle.

NRW make clear, however, that the applicant should be made aware that the recommendations of the submitted bat scoping survey should be followed through (further surveys to be undertaken with regard to bats/bat roosts and potential mitigation) and that if bats/bat roosts are present then works affecting these (even if they don't require planning permission) are likely to require a European Protected Species (EPS) licence from NRW. In particular NRW note the potential for 'interim protection and investigation and works ahead of any main schedule of repairs to arrest any further decay, and that the Council's ecologist should be consulted to advise further on the need for bat surveys with regard to such future works and the need for a EPS licence.

6.4 Welsh Water

Have provided a standard response in respect of Foul, Surface and land drainage run off from the site and request a drainage condition be applied to any planning permission. They advise that the applicant may need to apply to Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991; but advise that no problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

No objection is raised to the development in respect of water supply, although new infrastructure may be required at developer expense.

6.5 Wales and West Utilities (Gas)

Have provided a plan of the likely position of their apparatus and pipelines and confirmed that the developer must liaise with them to ensure that no damage will occur to their assets during the course of any works.

6.6 Cadw

Our role as a consultee in the planning process is to provide the local planning authority with an assessment concerned with the likely impact that the proposal will have on scheduled monuments or registered historic parks and gardens. It is a matter for the local planning authority to then weigh our assessment against all the other material considerations in determining whether to approve planning permission, including issues concerned with listed buildings and conservation areas.

Having carefully considered the information provided with the planning application, our records show that there are no scheduled monuments or registered historic parks and gardens within the vicinity of the proposed development.

We therefore have no comments to make on the proposed development.

6.7 **The Victorian Society**

On the basis of the information submitted we strongly object to this application and recommend you refuse it consent.

It is simply not credible to suggest, as the submitted drawings do, that no alterations or structural interventions are to be made to the fabric of the Coal Exchange. While the principle of the building's conversion to a hotel may be acceptable, the drawings make no reference to the provision of services, such as ensembles, heating, lighting, security etc, which will surely be required. Furthermore, there does not appear to be a single lift included in the plans, raising serious questions over arrangements for the access and movement of a potentially large number of people into and around the building. In addition, no details are provided as to how the highly significant historic fabric and various spaces are to be altered or adapted, if indeed they are to be. How will the windows, the floors, or the fine timber panelling – to name just a few – be treated and what will be the impact on the exceptional significance of the listed building? Apart from the unconvincing drawings there is practically no information included in this application. This is deeply unsatisfactory.

For the past two years we have requested copies of a Conservation Management Plan and a Structural Survey for the building, both of which were acknowledged by the Council to be essential in considering future options for the reuse of the Coal Exchange. Neither is included with this application and it is not clear that they have ever been produced. For a building thought to be on the verge of collapse almost three years ago we can only assume that the Council will look unfavourably on these glaring omissions from the application.

Proposals affecting any listed building require a high level of scrutiny; but for a building acknowledged as being one of the most significant in the country the level of detail provided with this application is simply unacceptable. Not only does this make the application completely insupportable, it also calls into question the way in which the Council processes and validates applications. We urge the Council to review its procedures so that applications such as this, which are so obviously and woefully lacking in almost every respect, are no longer validated.

On the basis of the almost total lack of detailed information, which is required in order to assess the acceptability of this scheme, we strongly object to the application and urge you to refuse it consent. In the event of the submission of further information I would welcome the opportunity to comment further. Otherwise, I would be grateful if you could inform me of your decision in due course.

A further request from the Victorian Society asks that full recording of the Coal Exchange be undertaken, preferably a full suite of photographs by the RCAHMW, before any alterations, repairs etc. can happen. This will ensure that any works undertaken can relate properly to the existing.

7. **REPRESENTATIONS**

- 7.1 The application has been advertised and neighbouring premises notified.
- 7.2 10 representations have been received. 6 in support, 3 neutral, and 1 recorded as an objection.
- 7.3 The comment recorded as an objection indicates concerns regarding the process of planning itself which the writer considers to allow the developer enormous freedom to change the character of the building; the exclusion of the 'wider area' from the scope of development as this is considered run down and in need of environmental improvement as well as enlivenment in terms of the introduction of new uses; and of the quality of public realm within which the building is sited. The objector is glad that the Coal Exchange would appear to have a future, and comments that use as a hotel would seem particularly fitting, but seeks reassurance regarding architectural quality, placemaking through design and mixing of different uses, and public space.
- 7.4 The neutral comments effectively seek clarification or ask further questions relating to traffic flows and parking; public realm; waste storage collection; the availability of offsite car parking; the lack of internal detailing (bathrooms and plumbing etc), in respect of the degree of intervention into the listed building proposed.

A resident of Rhiwbina considers that there is insufficient information to make a decision as to whether to object or support the application; on the acquisition of the building by the current applicant/developer; the lack of a business plan; no statement of inclusiveness of the local community; the capacity and skills required to deal with such an application; the condition of the conservation area; the need for a characterisation appraisal; the impact of Cardiff Bay Development Corporation; and the lack of transparency by the Council in respect of any masterplan for the area.

"Save the Coal Exchange" who are a voluntary group of interested parties wishing to see the building restored state that they have no objection in principle to the proposed change of use to a hotel, but cannot fully support proposals at this point until they have seen detailed plans to retain the special architectural features and historic character of the building. We would expect such plans to require a Conservation Management Plan (as recommended by Purcell), Listed Building Consent, an outline and schedule of works, and a completed seasonal bat survey (as recommended by United Environmental Services).

One letter of support is conditional 'on the developers putting in place strict rules in relation to air and noise pollution' the writer having concerns that 'Mount Stuart Square will be turned into a lorry park and that the access to and from the square (bearing in mind the road is narrow) will be blocked for residents who need access at all times'. The writer therefore request that parking not be allowed outside the east or north sides of the square where most residential

properties are.

- 7.5 Other comments received in support of the application confirm views that the development will be advantageous, and an investment bringing capital to Cardiff City Centre, the docks area and most importantly Mount Stuart Square; that the development will give Mount Stuart Square a much needed injection of life that fits well with the stature of the iconic Coal Exchange.....

...A high class hotel is one of the few ways which will allow the original features of the building to be retained, without cost to the public.. This is a great opportunity to finally inject some life into the Coal Exchange and Mount Stuart Square again, after a long period of neglect towards one of the most beautiful pieces of heritage architecture in Cardiff... The Coal Exchange is an astonishing piece of architecture that needs a committed developer to bring it back to its full functionality/potential. The fact that this new project aims to rescue this building, taking advantage of its period features and unique characteristics, seems to be a great advantage. We (the neighbours & the general public,) would like to see this building lasting for another 100+ years!

...the proposed hotel with facilities would fill a demand for luxury hotel accommodation in this part of Cardiff Bay where major sports, arts and leisure events that attract tourists and locals alike happen all year round...

This particular redevelopment of the Coal Exchange after a protracted delay would add market value to adjacent and nearby properties, and will trigger new/additional business set-ups in Mount Stuart Square and in Cardiff Bay....

Overall, the proposed application would provide value added benefits to residents and businesses in the part of Cardiff and help to attract more tourists to Cardiff Bay area.

8. ANALYSIS

8.1 ENVIRONMENTAL IMPACT ASSESSMENT.

- 8.2 "EIA development" means development which is likely to have significant effects on the environment by virtue of factors such as its nature, size or location; as advised by the Environmental Impact Assessment Regulations 2016.

- 8.3 Hotel Development is not referenced specifically within the Environmental Impact Assessment Regulations; nor do the Regulations specifically consider the change of use of existing buildings as opposed to the construction of new build hotels. However if attempting to best fit the character of development, the conversion of the Coal Exchange to a hotel might be considered an Urban Development Infrastructure Project.

- 8.4 The threshold identified to establish whether a proposal is EIA Development by virtue of inclusion as a 'Schedule 2' development under this category includes when the overall area of the development exceeds 5 hectares (50,000m²); or

where new development is on a significantly greater scale than the previous use, or where more than 10,000m² of new commercial floorspace is proposed, or where the types of impact are of a markedly different nature to the existing situation.

- 8.5 The conversion proposed does not seek to extend the existing building, rather to renovate the existing floorspace, indicated as having a site area of 3711 m² and a total floorspace of 13,167 sq m. The proposal is not therefore considered a Schedule 2 Development in terms of the scale of development proposed which does not include for any new floorspace.
- 8.6 The nature of the proposed development does not include for the use or processing of any hazardous substances and would not require any significant resource or result in any significant outputs, Such outputs as may reasonably expected such as increased vehicle movements noise and activity in the area need to be considered in context. Apart from the vacant Coal Exchange, Mount Stuart Square is and continues to contain a dense mix of office, commercial and residential accommodations including recreational and entertainment uses within a highly urban setting, and the proposed use is considered unlikely to have any outputs of a markedly different nature to those existing currently.
- 8.7 In respect of location, Mount Stuart Square Conservation Area, although a nationally recognised designation, which places duties of consideration on Local Planning Authorities when considering applications for development in such areas, is not a defined 'sensitive area' for the purposes of the Regulations. Furthermore, as no building operations are proposed, and the premise of the conversion is that of restoration, it is concluded that the development would not have any significant effect on the character or appearance of the area.
- 8.8 On the basis of the foregoing it is concluded that the Development is not EIA Development, and unlikely to have such significant environmental effect as to necessitate the submission of an Environmental Statement.

8.9 LAND USE

The application site falls within the Bay Business Area as defined by the LDP proposals map. Strategic Policy KP10 considers commercial leisure uses are appropriate in this location. Paragraph 4.140/141 recognises that the Bay Business Area is the focus for tourism and leisure development and new and improved leisure, recreation and tourist facilities are important for the Bay's future development.

- 8.10 In addition Policy EC5 favours hotel development in the Central and Bay Business Area subject to considerations of scale, location, design, amenity and transportation. Paragraph 5.63 recognises the conversion of existing properties to hotels contribute to the range of accommodation available for tourists and other visitors to the city. In assessing such proposals, appropriate locations are considered to be main roads into the city and close to tourist or business areas, and suitable properties are likely to be larger houses and vacant low grade offices, able to accommodate parking requirements. In terms of both the property and its location, importance needs to be attached to the need to safeguard amenity of residential areas.

8.11 Assessed against this policy framework, given the Coal Exchange office accommodation has been near vacant for a considerable period of time and is located within the Bay Business Area where policy supports further tourism and leisure uses, the change of use to hotel raises no land use policy concerns.

8.12 PUBLIC REALM

The redevelopment of The Coal Exchange represents a large scale proposal, where bringing the building back into full use will place increased pressure on the surrounding pedestrian environment, particularly due to the nature of the proposal as a hotel where movements will take place across a longer period of time, including at night.

The public realm surrounding the site is of a poor quality and there is a need for it to be upgraded to a standard commensurate with recent city centre / bay developments in order to provide a more efficient pedestrian environment than that which serves the area at present.

Planning Policy Wales, Paragraph 3.4.3 states that 'When a new building is proposed, an existing building is being extended or altered, or a change of use is proposed, developers should consider the need to make it accessible for all those who might use the building. The appropriate design and layout of spaces in, between and around buildings, including parking provision and movement routes, is particularly important in ensuring good accessibility'.

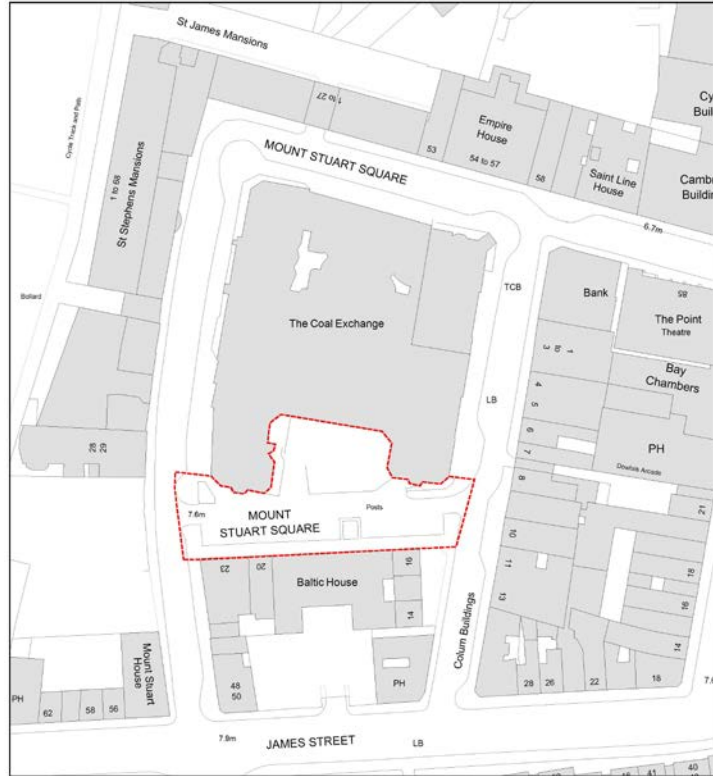
Cardiff Local Development Plan Policy KP6 (New Infrastructure) seeks that new developments will make appropriate provision for, or contribute towards, necessary infrastructure required as a consequence of proposed development, including public realm improvements.

It is requested that prior to the beneficial use of the building, the applicant prepares and undertakes a Public Realm Strategy for the site (as defined on the attached plan), which includes the following components:

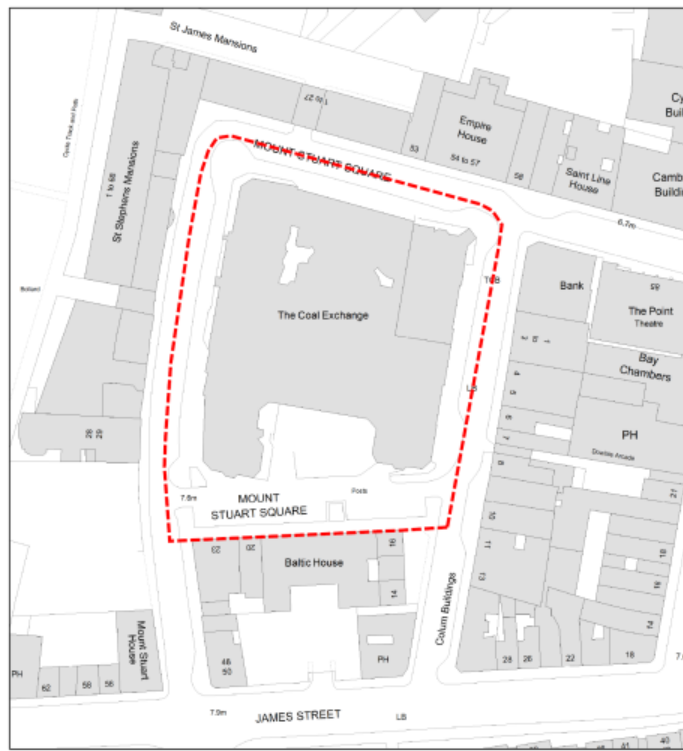
- The removal of the section of carriageway between the Coal Exchange / Baltic House and the creation of a new public square.
- The resurfacing of the footways and public spaces.
- Kerbstone replacement.
- The retention / replacement and introduction of street trees.
- The replacement of street furniture, including benches, cycle stands, litter bins, tree grilles, bollards and street lighting
- The removal of raised brick planters.
- Carriageway and parking bay resurfacing / repair / reinstatement.

The extent of the area to be considered as part of the public realm strategy is identified on Plan A (Below). To ensure that the associated scheme of improvements are provided in a timely manner, it is requested that the developer undertake the public realm works as part of their development in a timescale to be agreed with the Local Planning Authority. This can be secured

by condition.



The developer has also agreed to collaborate with the Local Authority in respect of the upgrading of the wider public realm around the site shown on Plan B, this is also bound by condition.



8.13 HISTORIC ENVIRONMENT

The Coal Exchange is Listed as a building of Architectural and Historic Interest Grade II*. It is also located within the Mount Stuart Square Conservation Area.

As such, the Planning Listed Buildings and Conservation Areas Act 1990 (As Amended) places a duty on Local Planning Authorities, when considering planning applications affecting a Listed Building, to have special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest it possess. The Act further advises that special attention be paid to the desirability of preserving the character and appearance of a conservation area when considering development proposals within it.

National Guidance relating to the Historic Environment is contained within former Welsh Office Circular 61/96. Paragraph 8 of the Circular advises that it is generally preferable if applications for planning permission and listed building consent are considered concurrently.

The planning officer fully concurs with this advice, as it is evidently easier to assess the implications of a development proposal when the condition of the asset is fully understood through appropriately documented survey; when finite development proposals are clarified; and informed by a conservation management plan which has analysed the architectural and historic value of the asset and its components and made recommendations for the future preservation of those assets based on their level of special interest, condition and vulnerability.

However the Planning Officer also notes that this application seeks to establish the principle of the use of the Coal Exchange as a hotel in land use planning terms only and does not in itself seek permission for any building operations or works to the building.

The planning officer also notes that there are few listed buildings in Wales of the scale, complexity and in such vulnerable condition as the Coal Exchange, and that although all parties are keen to understand the status and potential of the building through further survey and clarity of proposals, that it is obvious that the building generally, and the key architectural and historic features for which it is recognised, are in such a vulnerable situation, that it is simply nonsensical to hold up the registration or determination of a planning application which seeks only to establish the principle of a land use, in the absence of such information.

Furthermore, the proposed change of use of the Coal exchange to a hotel, would not appear at odds with the duty placed on the local planning authority to have special regard to the desirability of preserving the building, its setting and architectural features; especially if considered on the premise utilising and restoring the building for such purposes.

It is completely accepted, as pointed out by a number of objectors to the proposals based on lack of information, including Victorian Society, that It is inevitable that the conversion of the building to a hotel will require adaptation

and modification of the building interior, to accommodate en-suite bathrooms, air conditioning and other mechanical and electrical installations, However all such modifications will require Listed Building Consent and can be appropriately assessed at the time of such applications.

Welsh Office Circular 61:96 also makes clear that when asked to consider a planning application relating to a Listed Building in isolation, that a decision on that application cannot be taken as predetermining the outcome of any subsequent application for Listed Building Consent.

It is also not considered practical, given the scale and access difficulties to certain areas of the building's (SE wing, NW wing, roofscape generally), to reasonably expect all survey work and conservation planning decisions to be arrived at prior to a scope of essential preservation/protection measures to protect the most vulnerable/precious areas of the building; or to expect all proposals for fabric interventions to come together simultaneously, and that this information is far more likely come forward in phases.

The planning officer concludes that although the receipt of an application to establish the principle of the change of use of the building only is not ideal, that this in itself does not compromise the ability of the local planning authority to control the detail of the scheme as an when survey detail and recommendations/proposals come forward, and that if such an application is necessary to provide confidence to financiers and enable access to funding streams to make the renovation of the building happen, then this must be accepted ahead of any detail of works, as without finance, the alternative is to watch the building further decline.

Members are also advised that the submitted design and access statement provides a clear intent to restore the building, as a building of architectural and historic interest as the principal offer of the hotel; and that there is an ongoing dialogue between the applicants and their consultants, the local planning authority and Cadw which are currently moving forward positively in respect of the format and content of Listed Building Consent application(s).

8.14 SUSTAINABLE TRANSPORT

Supplementary Planning Guidance relating to parking standards for Hotel Development in the City Centre Bay Core Area requires a minimum of 0 parking spaces for guests; but requires adequate facility for drop off and pick up for guests and for cycle parking for operational/staff purposes; as well as appropriate access for hotel servicing.

Access to Mount Stuart Square from James Street is one way. There are intermittent parking opportunities around the square and to the west and south of the building in particular. The comments of the Transport Officer and Place Making team in terms of public realm enhancement would offer an opportunity for the creation of new pick up and drop off opportunities within a modified southern highway and for improved servicing facilities elsewhere. A condition requires the developer to undertake such improvements prior to the beneficial

use off the hotel.

From a sustainable transport perspective the site is also located within close proximity to Cardiff Bay Railway Station and its connection to the Cardiff Mainline via Queen Street Station. The building is also accessible from the Central Railway Station via Dumballs Road. The Bay is also well served by buses and the building is considered well placed for service by public transport, Cycle parking facilities can be made a requirement of any planning permission and the building has ample opportunity to provide these. The public car park at Mermaid Quay and pay and display kerbside parking (Free one hour parking in West Bute Street) will provide sufficient opportunities for those favouring travel by private car or for pick up and drop off usage, though it will also be a requirement of any planning permission that the applicant provide a travel plan to encourage guests and staff to travel by more sustainable modes.

Members will note that the concrete car park to the south of the building is not included within the application site, and members are advised that the planning officer is in discussion with the applicant regarding its removal as this is considered preferable in conservation terms to its retention for vehicle parking. A further application(s) will follow in this regard, and the area is contained within the area defined for public realm enhancement under the terms of the above mentioned Condition.

8.15 PROTECTED SPECIES

The preliminary bat survey submitted at the Planning Officer's request suggests that the building would provide a likely habitat for bats. The preliminary survey suggests that further survey to confirm the presence of bats and if confirmed, their type and entry points into the building, will be required to consider appropriate mitigation to maintain a favourable conservation status. This has been requested to be followed through by NRW and the Council's ecologist, and the applicant and NRW have been requested to meet to consider the best way forward given the protected and vulnerable condition of the building and ongoing access difficulties. Ultimately NRW will need to provide a licence for any works which are confirmed to have an impact on bats.

8.16 AIR, NOISE, LIGHT POLLUTION

It is not considered likely that a hotel use will have any unduly adverse effect on the amenities of adjacent neighbours in terms of light or air pollution. Cooking odours can be managed by extraction from hotel kitchens and filtered using mechanical and electrical systems. Although increased vehicle movements can be expected as a consequence of increased servicing and taxi movements, it is not considered likely that those would have any discernible impact if considered against the context of James Street and West Bute Street.

Functions may produce noise, as might general activities of deliveries and the comings and goings of guests. However the worst impacts of these can be controlled by planning conditions, which can control the nature of functions, delivery and servicing times. and curtail public use of restaurants and bars

within given hours.

8.17 LAND CONTAMINATION

The comments of the Contaminated Land Officer are noted. There are no groundworks proposed under the cover of this application, however the conditions proposed are accepted on the basis that there may be a requirement to undertake such works in the future which may not be captured by any other requirement for planning permission or listed building consent. The standard suite of import conditions and to cover any potential for unforeseen contamination is also considered prudent.

8.18 FLOOD RISK

The building is located within flood Zone C1 which is an area where there is a degree of risk, but where flood defence infrastructure exists to serve the development. The comments of Natural Resources Wales 'No Objection' are noted. On this basis and in consideration of the given context, the Planning Officer is satisfied that the conversion of the building is justified from a potential flooding perspective, and that the applicants have acknowledged this position by means of submitting a flood consequences assessment with the application.

8.19 PROVISION FOR WASTE MANAGEMENT FACILITIES IN DEVELOPMENT

The waste managers comments are noted and a waste strategy is required by condition. The planning officer observes however that the capacity of the building is finite and the use of the property as a hotel is unlikely to generate a greater population than previous office uses or as an entertainment venue, and there is no concern that the building cannot handle likely waste volumes.

8.20 OTHER ISSUES RAISED IN REPRESENTATIONS RECEIVED

- *Planning process allows enormous freedom to change the character of the building.*

This application, if approved, will establish the principle of the change of use of the building to a hotel. The use of the building as a hotel will undoubtedly bring a different character to the building, and to the area, but it is hoped a positive change which will retain the special interest of the building into the next stage of its viable use for future generations to enjoy and appreciate.

The granting of planning permission for a change of use will not permit any material alteration to the building exterior. As this would require planning permission which is not applied for here; nor would it permit any change which would affect the character of the building as a building of architectural or historic interest externally or internally as such changes would require the Granting of a separate application for Listed Building Consent.

The planning officer is therefore satisfied that this planning process will not allow any undue freedom to change the character of the building.

- *The Exclusion of the 'wider area' from the scope of application.*
 The applicant has indicated that they do not have any ownership interest in any other building in the area. Public realm enhancements are an expectation of the developer in implementing any change of use which would see intensified use of the public realm. But it would not be considered reasonable that the developer be expected to extend the geographic extent or development proposals outside of the current scope of the application.
- *Architectural Quality.*
 This application does not seek permission for any building works, these may follow, and will be judged on their merit at the time of any submission. The architects have commissioned conservation consultants of note, and an application for Listed Building Consent is expected to be submitted for consideration shortly.
- *Placemaking through design*
 Is considered beyond the scope of a single application. The scope of public realm works will be the subject of further dialogue with the applicant
- *Detail regarding the acquisition of the building by the current applicant/developer.*
 This is not a planning requirement.
- *The lack of a business plan.*
 This is not a planning requirement.
- *No statement of inclusiveness of the local community*
 This is not a planning requirement
- *Lack of capacity and skills required to deal with such an application*
 This is not concurred with
- *The condition of the conservation area.*
 This application which seeks a viable future for the building is considered to have a positive influence on the condition of the area
- *The need for a characterisation appraisal.*
 Is not material to the determination of this application. A conservation area appraisal exists for the area and promotes the repair of the Coal Exchange.
- *The impact of Cardiff Bay Development Corporation.*
 Is not material to the determination of this application
- *The lack of transparency by the Council in respect of any masterplan for the area.*
 The Council are currently considering a number of masterplan studies for this and other key areas of the city. However none are currently of adopted status. The lack of a masterplan for the area not material to the

determination of this application.

- **Lack of a Conservation Management Plan**
This application contains a Design and Access statement which confirms the intentions of repair and a recommendation for a conservation management plan it is understood that this will advise the submission of any future application(s) for Listed Building Consent.
- **Lack of an application for Listed Building Consent, an outline and schedule of works.**
These matters are considered in the report.
- ***Lack of a completed seasonal bat survey.***
The applicant is aware of the protected status of bats, and of the potential for the building to being used for roosting purposes. A seasonal bat survey will take a number of months and is dependent on access/acceptable observation techniques. The determination of this application will not impact on the need for a protected species licence from NRW or for such survey/mitigation proposals as will be necessary to ensure for the favourable conservation status of bats when the LPA consider any future planning application or Listed Building Consent Application.
- ***Access during construction.***
It is recommended that any permission is subject to a condition requiring a construction management plan.

9. SECTION 106 MATTERS

No requests for financial contributions have been received in respect of this application. However, it is considered a reasonable expectation that the development should secure the necessary enhancement of the immediate public realm, as indicated in the applicant's promotional material for the development, and to make necessary improvements for servicing and pick up and drop off of guests as requested by the Transportation and Place Making teams. The Planning Officer is satisfied, given that the only other interested party are the Council as Highways Authority. That it is appropriate to secure this by condition.

10. CONCLUSION

That Planning Permission for the change of use of the building for purposes of a hotel, function rooms, restaurant / bar, heritage exhibition space and spa be Granted subject to such conditions as are appropriate and necessary to enable such a use in the given context.