

## PETITION / AM CONCERNS

COMMITTEE DATE: 12/10/2016

APPLICATION No. **16/01558/MJR** APPLICATION DATE: 08/07/2016

ED: **LLANISHEN**

APP: TYPE: Full Planning Permission

APPLICANT: Wates

LOCATION: WALKER HOUSE CHILDRENS HOME, 158 FIDLAS ROAD,  
LLANISHEN, CARDIFF, CF14 5LZ

PROPOSAL: DEVELOPMENT OF 16 DWELLINGS ON THE FORMER  
WALKER HOUSE SITE OFF FIDLAS ROAD, (12NO. OPEN  
MARKET SALE DWELLINGS WITH 4 AFFORDABLE  
DWELLING HOUSES), ASSOCIATED LANDSCAPING,  
ACCESS AND HIGHWAYS WORKS

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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 9.2 of this report, planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. The consent relates to the following approved plans:

<i>Title</i>	<i>Drawing. No.</i>
Site location plan	3516-PA-001
Site layout plan	3516-PA-003A
Street elevations (1 of 2)	3516-PA-200A
Street elevations (2 of 2)	3516-PA-201A
House type B	3516-PA-100
House type C	3516-PA-101
House type D2	3516-PA-102
Boundary details	3516-PA-301
Planting plan	16-24-PL-201A
Drainage layout	CAM-00-00-GA-C-100-P3

Reason: The plans form part of the application.
3. E1B Samples of Materials
4. C3F Details of Access Road Junction
5. E3D Retain Parking Within Site
6. D3L Details of Roads (Development)

7. No development shall take place until full engineering drawings of the highway improvements on Fidas Road have been submitted to and approved in writing by the Local Planning Authority. The works to comprise carriageway markings as illustrated on Cardiff Councils drawing number PRJ038. The highway improvement works shall be implemented in accordance with the approved details prior to 1<sup>st</sup> occupation of the development. Reason: To ensure that use of the proposed development does not interfere with the safety and free flow of traffic passing along the highway abutting the site.
8. Prior to commencement of development a scheme of construction management shall be submitted to and approved by the Local Planning Authority. This scheme shall include details of how the existing nursery will continue to operate whilst the construction is taking place, together with construction traffic routes, site hoardings, site access, parking of contractor's vehicles and wheel washing facilities. The development construction shall be managed strictly in accordance with the scheme so approved.  
Reason: In the interests of highway safety and public amenity.
9. D4X Tree Protection - Complex Sites with On
10. C4P Landscaping Design & Implementation Pro
11. C4R Landscaping Implementation
12. Prior to the commencement of superstructure works details of the acoustic performance of the proposed glazing, as set out in the Noise and Vibration Assessment report (Wardell Armstrong June 2016), shall be submitted to and approved in writing by the LPA. The scheme shall be implemented in accordance with the approved details prior to beneficial occupation.  
Reason: To ensure the amenity of future occupiers is not prejudiced.
13. *Unsuspected 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.

14. *Imported topsoil:* 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.
15. *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.
16. *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.
17. No development shall take place until a site assessment, including ground permeability testing, has been undertaken to determine whether sustainable drainage techniques can be utilised, and a drainage scheme for the disposal of both surface water and foul water including any connection to the existing drainage system has been submitted to and

approved by the Local Planning Authority. The works shall be implemented in accordance with the approved details.  
Reason: To ensure an orderly form of development.

18. No development shall take place until details of the means of site enclosure have been submitted to and approved by the Local Planning Authority. The scheme shall be constructed in accordance with the approved details prior to the development being put into beneficial use.  
Reason: To ensure that the amenities of the area are protected.
19. Details of provisions to be made for the incorporation of a minimum of one bat box and one bird box, in suitable locations on buildings or in trees retained on the site, 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.  
Reason: In the interests of biodiversity and the protection of European Protected Species.
20. No clearance of trees, bushes or shrubs to take place between 1st February and 15th August unless otherwise approved in writing by the Local Planning Authority. This approval will be given if it can be demonstrated that there are no birds nesting in this vegetation immediately (48 hrs) before works commence.  
Reason: To avoid disturbance to nesting birds which are protected under the Wildlife and Countryside Act 1981.

**RECOMMENDATION 2:** Highway Works – The highway works condition and any other works to existing and new public highways (to be undertaken by the developer) are to be subject to an agreement under Section 278/ 38 of the Highways Act 1980 between the developer and Local Highway Authority.

**RECOMMENDATION 3:** Welcome Pack – The applicant is requested to provide future residents with a welcome pack upon their arrival, detailing public transport services in the area, to help promote sustainable transport. Leaflets and advice in connection with production of the packs are available from Miriam Highgate, Cardiff Council, County Hall, tel: 029 2087 2213.

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

- (i) determining the extent and effects of such constraints;
- 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** : 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.

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

- 1.1 A detailed application to construct 16 dwellings comprising 12no. market family houses (all 3 bed dwellings) and 4no. affordable family houses (2no 2 bed and 2no. 3 bed dwellings), on the site of the former Walker House Children's Home (demolished 2011). The proposals include the improvement of the access road and footpath into the site from Fidas Road and will maintain access to the 'Noah's Ark' day nursery.
- 1.2 The application is made by Wates Living Homes, Housing Partnership Programme (HPP) development partners for Cardiff Council. The aim of the HPP is to build around 1500 mixed tenure high quality homes across 40 Council-owned sites (40% affordable overall).
- 1.3 Amended plans have been received addressing separation distances, improved link to footpath, and details of access road.
- 1.4 The layout arranges the dwellings in four short terraces plus one pair of semi-detached dwellings around a curved T-shaped cul-de-sac. The layout is dictated by separation distances from neighbouring properties and by the root protection areas of protected trees to the north and west. The 2-storey houses are of traditional design with tiled pitched roofs and brick elevations. All the houses have back and front gardens.

- 1.5 Just before the access road enters the main body of the site the road ramps up to footpath level creating a shared surface for pedestrians and vehicles. Beyond the access road T-junction surface materials change to further prioritise pedestrians over vehicles and create attractive pedestrian friendly spaces. The shared surface has been designed in accordance with 'Manual for Streets' and 'Homezone' principles, and best practice for disabled users.
- 1.6 The houses are set back from the street with parking for one vehicle located to the front in most cases. Four of the plots (1, 3, 8, and 9) benefit from 2 parking spaces. Visitor parking is integrated within the shared surfaces. A total of 24 parking spaces, including 3 visitor spaces, are provided. A small area of landscaped amenity space, incorporating the gated link to the public footpath, is located at the head of the access road. A layby on the access road acts as a pick-up and drop-off zone for the nursery.
- 1.7 The T-junction is designed as a turning head for refuse and other large vehicles and hardstandings for the use of residents on refuse collection days are located in this area.
- 1.8 Column-mounted lighting is located within the new shared surface areas and on the access road to comply with the Council's requirements and the recommendations of the Bat Conservation Trust and Secured by Design.
- 1.9 Nine individual trees (1 category A; 2 category B; 5 category C; 1 category U) and one tree group (category C) are to be removed. Twenty replacement trees are proposed.
- 1.10 The following information is submitted in support of the application:
- Design and Access Statement
  - Pre-development Tree Survey & Assessment
  - Tree Constraints Plan
  - Arboricultural Method Statement
  - Transport Statement (amended version recd. 14.9.16)
  - Noise and Vibration Assessment Report
  - Stage 1 Road Safety Audit
  - Addendum to RSA Stage 1 report
  - Extended Phase 1 Habitat and Species Assessment
  - Ecological Report following a Reptile Survey
  - Soil Resource Survey and Plan
  - Flood Consequence Assessment and Drainage Strategy

## 2. **DESCRIPTION OF SITE**

- 2.1 The irregular shaped application site (0.56 ha) has an existing access from Fidas Road. To the south the site is bounded by the nursery school and the back gardens of nos. 170 – 176 Fidas road; to the north-west by the back gardens of nos. 6 – 9 Georgian Way; to the north and north-east by 'Court Field'

an area of formal amenity open space used for recreation; and to the east by the Valleys railway line embankment.

- 2.2 Existing access is from Fidas road with a narrow access road running north into the main portion of the site. To the west of this road is no. 160 Fidas road. Immediately to the east of the road next to the rail way a public footpath links Fidas Road with Court field and Station Road and Llanishen station to the north.
- 2.3 The boundary with the railway is lined with mature trees and dense vegetation. The boundary with Court Field to the north is lined with mature trees and to the north-west and west there are a number of mature trees located in the back gardens of the Georgian Way and Fidas Road close to the boundary. The tree survey identifies 11 trees on the site of which 1 is category A (high quality, retention desirable), and 3 are category B trees (moderate quality, estimated 20+ years of life) on the site. The remaining 7 are category C (low quality, estimated min 10 years life), or U category (to be removed).
- 2.4 The group of trees to the northern boundary with Court Field recreation ground is surveyed as category A, the small group to the west on the boundary with no. 9 Georgian Way as category C, and the offsite woodland to the east as category B. The 4 no. category A oak trees located within the adjacent rear gardens of nos. 174 & 176 Fidas Road and nos. 6 & 8 Georgian Way are of note and are protected by a TPO.
- 2.5 The site is in a predominantly residential area with large Victorian semi-detached dwellings on Fidas Road, a street of Victorian terraced houses directly opposite the site access (Wyndham Terrace), and a relatively modern development of detached houses arranged around a cul-de-sac to the north-west of the site (Georgian Way).
- 2.6 The Llanishen local shopping centre on Ty-Glas Road is located about 700m to the west accessed via Fidas Road and Station Road. Llanishen railway station is about 500m to the north with direct pedestrian access via the existing footpath. Bus services to Thornhill and the City Centre run along Fidas Road (bus stops located within 150m of the site).

### 3. **PLANNING HISTORY**

- 11/01981/DCO: Prior approval granted in July 2011 for demolition of the 2 storey Walker House.

### 4. **POLICY FRAMEWORK**

#### National policy

- 4.1 Planning Policy Wales (PPW) Edition 8, 2016 favours the sustainable re-use of previously developed land.
- 4.2 The following Technical Advice Notes (TANs) are relevant:
  - TAN 12: Design (2009)

### Local policy

- 4.3 The following policies of the recently adopted 2016 City of Cardiff LDP are relevant to the consideration of this application:-
- KP5 Good Quality and Sustainable Design
  - KP7 Planning Obligations
  - EN8 Trees, Woodlands and Hedgerows
  - EN12 Renewable Energy and Low Carbon Technologies
  - EN13 Air, Noise, Light Pollution and Land Contamination
  - EN14 Flood risk
  - T1 Walking and Cycling
  - T6 Impact on Transport Networks and Services
- 4.4 The following Supplementary Planning Guidance relates to the previous 1996 Local Plan. It is under review following the adoption of the LDP however it remains a material consideration in considering the application insofar as it is consistent with LDP policy:
- Cardiff Residential Design Guide (2008)
  - Open Space (March 2008)
  - Biodiversity Parts 1 & 2 (June 2006)
  - Access, Circulation and Parking Requirements (2010)
  - Waste Collection and Storage Facilities (2007)

## 5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 Land Use Policy: The application site is a vacant brownfield site, with the former children's home, Walker House, having been demolished. The application site is located within the settlement boundary as defined by the proposals map and has no specific policy designation or allocation. The immediate context of the site is residential. Taking into account the above factors, the application raises no land use policy concerns.
- 5.2 Housing Strategy: This scheme forms part of the Council's Housing Partnership Programme (HPP) which is a partnership between the Housing Development Team and Wates Living Homes. The aim of the HPP is to build around 1,500 mixed tenure, energy efficient, sustainable and high quality homes across circa 40 Council owned sites within Cardiff. Overall, the programme will provide 40% affordable homes across the portfolio of sites with the remaining dwellings being placed on open market sale by Wates Living Homes.
- 5.3 This planning application is for the proposed new-build development on the site at the former Walker House Children's Home, 158 Fidas Road, Llanishen which will provide a total of 16 dwellings, all houses.
- 5.4 In terms of the affordable housing, the proposal is for 4 affordable homes (25%), to be owned by Cardiff Council for social rented accommodation. The mix of the units is: 2 x 2 bed houses; 2 x 3 bed houses. This proposal exceeds the planning policy requirements of 20% on brownfield sites, and we are fully supportive of this affordable housing scheme.
- 5.5 NB A proportion of the affordable housing units on the site may be sold by the Council to 1<sup>st</sup> time buyers as low cost shared equity housing. The low cost



shared equity housing units may be offered for sale at a percentage of the Open Market Value, with the residual equity held by the Council. The exact quantum and percentage equity share purchase price is yet to be determined.

- 5.6 Parks Service: As no public open space is being provided on-site, the developers will be required to make a financial contribution towards the provision of open space off-site, or the improvement (including design and maintenance) of existing open space in the locality. Based on the above assessment the contribution payable will be £39,269. I enclose a copy of the calculation.
- 5.7 Subject to approval from Ward Members the identified use for the S106 contribution from this development is upgrading the public footpath from Fidlas Road to Courtfield Lane. The footpath is currently poorly surfaced, with overgrowing vegetation and insecure fencing on the development/ open space side. It provides access to Courtfield recreation ground and is a potentially important link to Llanishen Station.
- 5.8 Transportation: With reference to the above, we would make the following comments: A Transport Statement (TS) has been submitted in support of the application which sets out the transport issues relating to the proposed development site. It also considers the sites location and its accessibility by all modes of transport. Whilst its proximity to local facilities is generally acceptable, the nearest (inbound) bus stop does not have a bus boarder and therefore would not be accessible to those residents who require such facilities. It would therefore be recommended that a financial contribution be secured in order to provide this.
- 5.9 It is also noted that access to the railway network via Llanishen Railway Station is limited in terms of the suitability of the existing footpath.
- 5.10 A number of concerns have been raised regarding accidents at the location of the existing roundabout to the west of the access on Fidlas Road. Whilst there would be a limited number of additional vehicle movements as a direct result of this development, there would be an increase in vehicular trips over and above that which currently exists, i.e. 69no. (2 way) over a typical day. As such it could be argued that there would be a worsening of the existing situation.
- 5.11 The Council has identified a scheme of improvement works at this roundabout which is currently awaiting funding and which could be taken forward. These works would be of benefit to residents and visitors of the application site and also existing users of the highway network.
- 5.12 At the location of the existing/proposed access it is considered that there would be a limited increase in the number of vehicle movements during the network peak hours. Vehicle speeds are generally low along this section of Fidlas Road (due to the alignment and the presence of the bridge pier) and traffic accident data from the last 5 years does not reveal any accidents at this specific location. In view of this the proposed access arrangements are considered acceptable subject to detailed design to be controlled by condition.

- 5.13 The access road off Fidlas Road appears to be too long and straight to be suitable for a shared surface. The TS refers to a 5.5 metre wide road plus footway – but this isn't clear from the drawings, i.e. If a footway is to be provided then it is not clear where this would terminate and where the shared surface would begin, together with no indication of any gateway feature in order to emphasise the transition. The Road Safety Audit (RSA) refers to a shared surface approach, so there is an element of inconsistency here between the two documents. A condition is included below relating to the internal road layout in order to address this.
- 5.14 The RSA also makes reference to refuse vehicles having to reverse to the bin storage areas. Please could you advise whether Waste Management is happy with this arrangement.
- 5.15 The TS also doesn't address the issue of the parking requirement that would be retained for the nursery school and whether the proposed car parking would be adequate.
- 5.16 On the basis of the above the officer confirms there is **no objection** to the application subject to retention of parking, access details, road details, provision of road, highway improvements including improvements to the roundabout and highway markings on Fidlas Road, and construction management plan conditions, and a Section106 contribution of £4,240 for the provision of a bus boarder kerb at bus stop reference 10675 (inbound).
- 5.17 Pollution Control (Contaminated Land): No objection subject to standard unforeseen contamination, imported aggregates, imported soils and use of site-won materials conditions, and a contamination and unstable land advisory notice.
- 5.18 Pollution Control (Noise & Air): The Officer notes that an acoustic assessment (including noise and vibration) has been undertaken by Wates Construction Ltd, (Wardell Armstrong) dated June 2016, due to the proximity of the railway line to the east.
- 5.19 The applicant has outlined a glazing and ventilation scheme (6.2.3 page 16) and detailed it in Appendix B and C. It is stated that this will allow for passive ventilation to be provided in noise sensitive rooms with windows closed and that they consider that purge ventilation can be provided via extractor fans in kitchen/bathrooms and through the occasional opening of windows as required.
- 5.20 The Officer is not satisfied that this will provide sufficient ventilation for the proposed dwellings, without having to open windows onto a noisy environment. He is of the opinion that a scheme of mechanical ventilation, or similar should be produced for the development.
- 5.21 The applicant recommends that dwellings located on this site boundary will have acoustic glazing in their windows to ensure the comfort of their occupants.

The Officer requires additional product details of the glazing and frames that are intended to be used in the houses.

- 5.22 The vibration impact assessment on page 14 of the report states that significant vibration impacts from train movements along the railway line are not anticipated, however, consideration should be given to the underlying ground conditions, foundations and final construction details of the building. The developer must consider these factors during construction.
- 5.23 Standard road traffic noise and railway noise and vibration conditions are requested.
- 5.24 Waste Management: No objection.
- 5.25 Trees: Insufficient space is afforded by this development to replace the existing A and B category trees with trees of equivalent size and longevity.
- 5.26 T4 is a 22m poplar with 12m radial branch spreads, 'weak structure' and that is 'slightly unbalanced'. The survey does not identify it to species but most poplars, particularly when mature, are vulnerable to major branch failures and are not appropriate subjects for retention in a residential context unless they are afforded much greater space than T4 has been. I do not consider reliance on the tree being regularly cut back to be good design, and it runs contrary to the advice in BS 5837:2012. Trees are being required to 'move' to accommodate development, rather than the design of development being adapted to accommodate good quality trees.
- 5.27 Plot 1 will be grossly shaded and over-dominated by the off-site oaks.
- 5.28 Plots 8-12 may not be grossly shaded, but over-dominance is not simply a matter of shading. My experience is that ash trees at this proximity to gardens and dwellings are certain to be a perceived nuisance due to leaf fall, self-seeding, branch failure and loss of direct light. Ash are quick growing, but also quick failing trees, that rarely sit comfortably in a residential context. The result of cutting back will be vigorous re-growth exacerbating nuisance problems and likely making the trees more unbalanced.
- 5.29 The Tree Officer would like to see this development re-designed to give space for retained 'A' and 'B' trees to be able to grow to their full potential, and for new trees equivalent to the 'A' and 'B' trees lost to do likewise. He cannot see how this can be achieved without a significant reduction in the density of development.
- 5.30 Ecology: Note that a reptile survey was undertaken in respect of this application, and that no reptiles were found to occur on this site. Therefore, no further consideration of these species is required. It is also noted from the Phase 1 survey report that some of the trees on site are sizable enough to have the potential to support bats, but that none of the ones inspected showed evidence of suitable features. Therefore no further bat surveys are needed.

- 5.31 Bushes and trees on the site which need to be removed may support nesting birds in the spring, so we should attach our usual nesting birds condition.
- 5.32 The loss of trees and shrubs and the impact of new building is likely to lead to a reduction in habitat quality for bats and birds, even if no specific roosts are identified. Therefore, in line with other developments in Cardiff, we should require some compensatory provision in the form of bat/ bird boxes.

## 6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 Welsh Water: No objection subject to DCWW standard conditions.
- 6.2 South Wales Police: No objection and confirm that SWP were engaged in the pre-app discussions and this has been reflected in the DAS
- 6.3 Natural Resources Wales (NRW): No objection.
- 6.4 Network Rail (NR): Network Rail notes that the retaining wall adjacent to the access road is in their ownership, which raises safety concerns should any excavations be planned for a service trench in front of the wall. Network Rail would therefore object to any excavations being carried out at this location. NR note there is a grass verge the other side of the access road, and would recommend that utilities be installed at that location. This can be controlled by an appropriately worded planning condition.
- 6.5 Standard comments and requirements for the safe operation of the railway and the protection of NR assets are included in the response.

## 7. **REPRESENTATIONS**

- 7.1 The proposals were advertised as a major application in the press and on site, and local members and neighbours were consulted. A public consultation was carried out by the developer at the local scout hall on 24.5.16. Neighbours, local member and objectors were notified of amended plans.
- 7.2 A valid petition of objection with 75 signatures has been received objecting to the development on the following grounds:
- Removal of trees resulting in adverse impact on wildlife habitats, in particular bats, potential worsening of water run-off into Fidlas Road properties from an already waterlogged field, and loss of noise and dust barrier between railway and properties on Georgian Way and Fidlas Road;
  - Impact of development on TPO trees, in particular future management pressures (pruning/felling) on occupants of Georgian Way/ Fidlas Road and Cardiff Council;
  - Impact of TPO trees on amenity of future occupiers – overshading, shedding of leaves and branches on back gardens;
  - Existence of pond on site;
  - Restricted sightlines for traffic turning right out of the site
  - Road Safety Audit does not address safety concerns over existing access

- Invalid comparison of access sightlines with access sightlines from Wyndham Terrace
- Reliability of Transport Statement traffic survey data. Local residents are of the opinion that traffic levels on Fidlas road at the time of the survey were considerably lighter as a result of roadworks at the Rhyd Y Pennau/ Fidlas Road roundabout leading to people taking alternative routes;
- Overdevelopment of the site – a smaller more exclusive development would be preferred.

7.3 Julie Morgan, AM for Cardiff North, raises the following concerns on behalf of the local residents, some of which she shares:

- Removal of trees acting as a sound barrier and dust collector;
- Conflict between traffic using the site (residents and deliveries) and day nursery users;
- Reliability of Transport Statement traffic survey data (see above);
- Restricted sightlines for traffic turning right out of the site, particularly cyclists;
- Insufficient parking for nursery users (only pick-up and drop-off);
- Overlooking of properties on Georgian Way;
- Overdevelopment;
- May lead to further development in Court Field.

7.4 A total of 6 individual representations have been received from residents of Fidlas Road and Georgian Way, objecting on the following grounds:

- Loss of privacy;
- Impact of development on TPO trees;
- Reliability of Transport Statement traffic survey data (see above);
- Restricted sightlines for traffic exiting right, particularly cyclists;
- Increased pressure for spaces at local schools;
- Removal of trees acting as a sound/ dust barrier, and habitat for wildlife;
- Loss of market value of adjoining properties as a result of the development;
- Overdevelopment of the site;
- Invalid comparison of access sightlines with access sightlines from Wyndham Terrace;
- Substandard separation distances (loss of privacy/ overlooking concerns);
- Lightspill into existing property from proposed street lighting;
- Location of bin area adjacent no. 9 Georgian Way boundary;
- Insufficient turning space for refuse and emergency vehicles;
- Egress on Fidlas Road should be left turn only;
- Potential loss of Court Field recreation ground;
- Increased traffic leading to increased noise and safety concerns resulting from Fidlas Road blind spot;
- Construction traffic noise and disruption;
- Inadequate parking provision for nursery school during construction phase;
- Overdevelopment – proposal not in keeping with the character of the area (typically larger houses and gardens).

## 8. **ASSESSMENT**

- 8.1 The proposed residential use in an established residential area does not raise any land use policy concerns.
- 8.2 The numbers, layout and design of the housing is acceptable and is in keeping with the character of the area. The number of parking spaces is acceptable, as are access arrangements to the nursery. The nursery has confirmed that parking provision and pick-up and drop-off arrangements are acceptable.
- 8.3 The Tree Officer's concerns are noted however the loss of 9 individual trees (including one A category tree and 2 B category trees) and one tree group is mitigated to an extent by 20 replacement trees. New development is sited outside the root protection areas of the offsite protected trees. Tree protection and landscaping conditions are imposed.
- 8.4 In relation to the access from Fidas Road, the Transport Officer has no objection given the limited increase in the number of vehicle movements during the network peak hours, the generally low vehicle speeds along this section of Fidas Road because of the alignment and proximity of the bridge pier to the east, and the lack of any accidents at this specific location. NB The Transport Statement and Road Safety Audit reached the same conclusion.
- 8.5 *Adequacy of Road safety Audit (RSA):* The addendum to the RSA dated 13.9.16 confirms that the sightline and the operation of the junction was considered and confirming that if the proposal involved retaining an unsafe access and egress and increasing the risk of conflict then this would have been included in the report. The conclusion reached was that the unsatisfactory sightline is self-evident and that drivers are consequently likely to emerge cautiously.
- 8.6 Following issue of the Stage 1 Road Safety Audit report the Audit Team have been presented with traffic flow forecasts indicating an additional 8 vehicle movements during the am peak and 6 additional vehicle movements in the pm peak as a result of the development. This compares to 26 am peak trips generated by the nursery and 21 during the pm peak. Whilst this is an increase of the order of 25-35%, it still represents a low number.
- 8.7 CrashMap shows that during the 5 year period 2011-15 there were no recorded accidents at this access junction. There were also none in the vicinity of the railway arches and only one slight injury accident at the roundabout. As such, the available data is consistent with the Audit Team's own observations and does not indicate that the junction is currently operating unsafely.
- 8.8 Regarding the safety of the existing access/ egress the Audit Team was not advised of any departures from standards, although the exit from the site does have a restricted sightline to the left and we noted this whilst on site. However, the Audit Team's view was that although the exit was certainly not good, 'it looked like what it was'. Observed speeds from either direction were not excessive and we considered that drivers exiting the site would be likely to turn

right cautiously and with an awareness of the restricted sightline. The sightline to, and from, the right is good and traffic from the right was not observed travelling at high speeds.

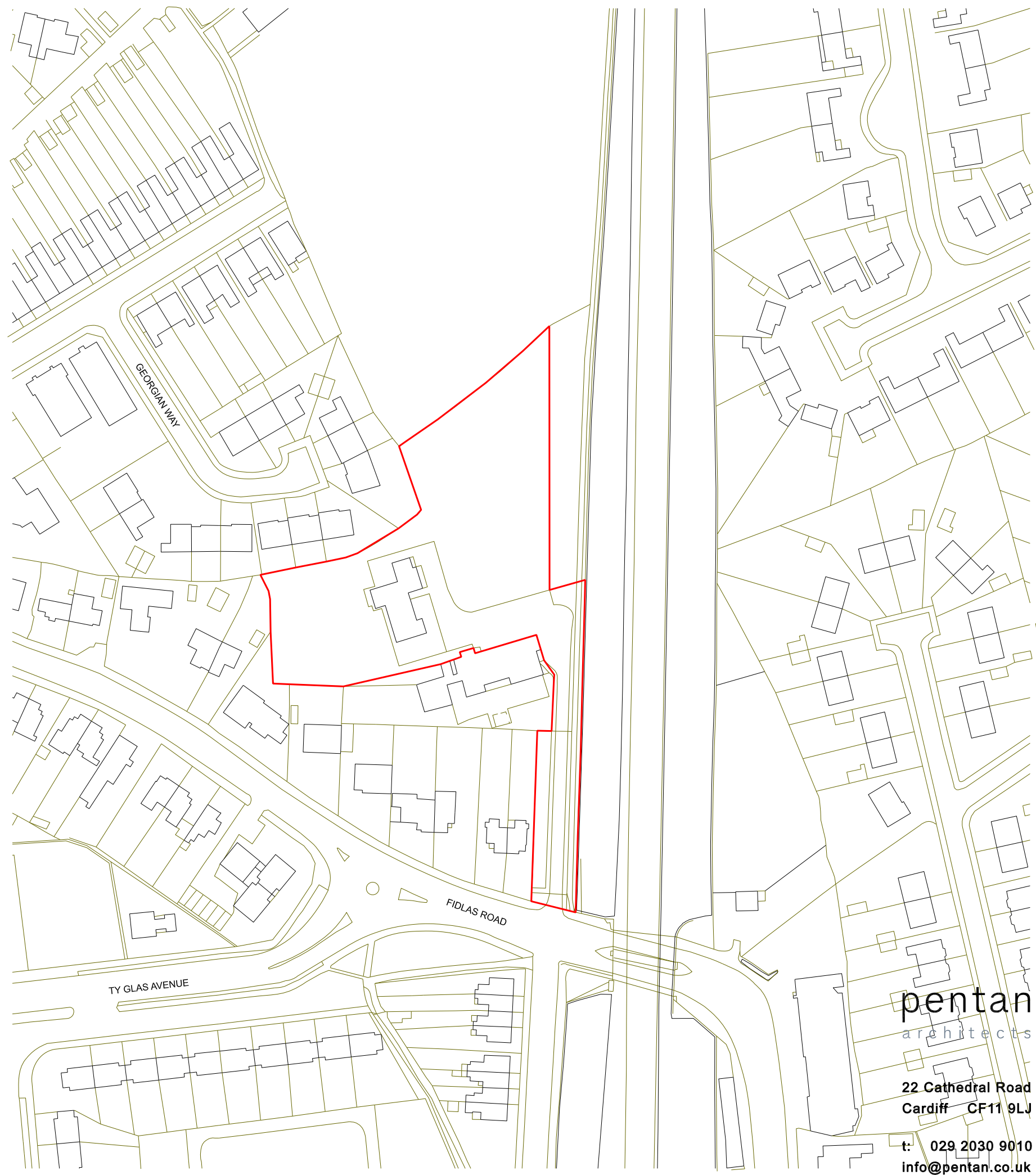
- 8.9 Since preparing the road safety audit report, the RSA Team has been provided with a copy of the Transport Statement for this scheme and has noted the contents of paragraphs 4.6 to 4.9 regarding speeds, sightlines and the Manual for Streets guidance. As stated above, the RSA concluded that the unsatisfactory sightline was self-evident and that drivers were consequently likely to emerge cautiously.
- 8.10 A forecast increase in flow may seem likely to be associated with a corresponding increase in risk exposure. However, given that the flows will still be relatively low and that the existing risk also appears to be low, we did not consider that the restricted sightline was a matter for inclusion in our report.
- 8.11 The amended TS states that the traffic survey which was undertaken over 7 days commencing 22<sup>nd</sup> April did not coincide with roadworks undertaken on Fidas Road on 18<sup>th</sup> and 19<sup>th</sup> April. Works to the Rhyd-y-Penau roundabout, approx. 1km from the site, were being undertaken during the course of the survey but these works were restricted to non-peak hours and it is therefore considered that these works had no significant bearing on the results of the survey.
- 8.12 A condition has been added requiring S278 highway improvement works to Fidas Road to create a hatched area in the middle of the road where traffic exiting right can wait and give way if necessary to westbound traffic.
- 8.13 A modified noise condition requiring details of the acoustic performance of the proposed glazing is attached.
- 8.14 In relation to overlooking and privacy concerns minimum separation distances (21m window to window) to neighbouring properties on Georgian Way are observed. Separation distances from the boundaries of neighbouring properties will not give rise to overlooking or overbearing concerns and is acceptable.
- 8.15 The tree belt located adjacent to the railway line does not form part of the application site and there are no proposals to remove it.
- 8.16 No construction is proposed within the root protection areas of TPO trees. Details of how these and other trees on or adjacent to the site will be protected are required by condition. The impact of retained trees on the amenity of future occupiers, in respect of shading/ leaf fall/ branch drop is not a planning matter.
- 8.17 *Representations:* The main grounds for objection relating to overdevelopment, access and sightlines, adequacy of RSA/ TS, privacy & overlooking, and loss of trees are all addressed above. The remaining representations are addressed below:

- 8.18 The ecology report and site visit did not reveal the presence of a pond on site. The proposed drainage plan is acceptable.
- 8.19 The future of Court Field does not form part of the application under consideration. Any application for the development of the Court Field open space would be assessed on its own merits in accordance with the LDP.
- 8.20 Street lighting complies with the Council's requirements and the recommendations of the Bat Conservation Trust and is designed to minimise any lightspill from street lighting on to neighbouring properties.
- 8.21 The bin area located next to the boundary with no. 9 Georgian Way is an area of hardstanding and is separated by a hedge from the 2.6m high boundary. It is not a binstore and will only be in use on bin collection days. The impact on amenity of the neighbour is therefore considered acceptable.
- 8.22 Turning space for refuse and emergency vehicles is adequate. No objection has been received from Transportation or Waste Management.
- 8.23 Noise and disruption arising from construction is addressed by a construction management plan condition and a construction site noise advisory. Noise or disruption outside these hours would be dealt with by environmental health officers using separate powers.
- 8.24 Loss of property value as a result of development is not a planning matter.

## 9. **CONCLUSION**

- 9.1 The proposals are acceptable in terms of land use, layout, amenity of future occupiers and neighbours, design, access and parking provision.
- 9.2 The granting of planning permission is recommended subject to conditions and the signing of a Section 106 legal agreement to secure the following:
- The upgrading of the public footpath linking Fidas Road and Court Field Lane, including resurfacing and the removal/ repair/ replacement of fencing separating the footpath from Court Fields recreation grounds. The agreed works to be undertaken by the developer and completed prior to beneficial occupation, or funded up to a maximum financial contribution of £39,269. The agreed amount to be paid to the Council prior to beneficial occupation.
  - A transportation financial contribution of £3,950 for the provision of a bus boarder kerb at bus stop reference 10675 (inbound).
  - The provision of 4no. affordable dwellings on site in accordance with the Housing Strategy consultation response.

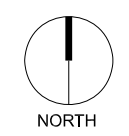




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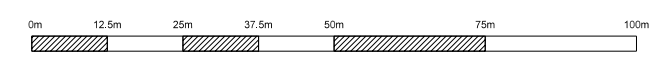
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NORTH

— SITE BOUNDARY

SITE AREA 0.56 (hectares)



Project  
WALKER HOUSE, LLANISHEN

Client  
WATES LIVING HOMES

Drawing Title

Date  
JUN '16

Scale  
1:1250 @ A3

Drawing No.  
3 5 1 6 \_ P A \_ 0 0 1

Rev.  
-

# SITE LOCATION PLAN

NOTES. Do not scale. All dimensions are in millimetres unless stated otherwise



Existing footpath to be resurfaced as far as Court Field Lane with a compacted stone dust finish.

New compacted stone dust footpath to weave through trees and connect with existing footpath.

Existing footpath to be resurfaced as far as Court Field Lane with a compacted stone dust finish.

New footpath to join existing footpath at this point.

Ramp up to shared surface area.

Line of new footpath

Possible future kerb alterations by Cardiff City Council.

New central reservation parking to be completed by Developer.

- LANDSCAPING MATERIALS**
- A Concrete block paving - Colour A
  - B Concrete block paving - Colour B
  - C Fine grade tarmac or pre-coated chip/pegs to be agreed with CCC Planners and Highways
  - D Concrete flag paving
  - E Tarmac driveways
  - F Graded areas
- BOUNDARY TYPES**
- Boundary Type 1- 2100mm brickwork wall to boundaries to public open spaces. Feature banding to be in with building elevations.
  - Boundary Type 2- All other boundaries to back gardens to be 1800mm close boarded fencing.
  - Boundary Type 3- 2100mm close boarded fencing.
  - Boundary Type 4- Brickwork dwarf retaining wall.
- SYMBOLS**
- Plot numbers.
  - Dwelling Types.
  - Car parking space allocation.
  - Garden shed.
  - Rotary Dryer.
  - Planted areas.
  - Timber bin enclosure.
  - Site boundary.
  - Proposed medium tree.
  - Existing tree to remain. Dotted line indicates root protection zone.
  - Existing tree to be removed.
  - Indicative position of 1.5m service trench for proposed incoming services.

KEY	TENURE	HOUSE TYPE	AREA	NO. (AFF)	NO. (GMS)	TOTAL
(A)	OPEN MARKET SALE	3 BED 5 PERSON	78.0m <sup>2</sup>	12	-	-
(B)	AFFORDABLE	2 BED 4 PERSON	85.0m <sup>2</sup>	2	-	-
(C)	AFFORDABLE	3 BED 5 PERSON	95.0m <sup>2</sup>	2	-	-
				16		

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Project  
 WALKER HOUSE, LLANISHEN

Client  
 WATES LIVING HOMES

Drawing Title  
 SITE LAYOUT PLAN

Date  
 JUN '16

Scale  
 1:200 @ A0

Drawing No.  
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Rev:  
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NOTES: Do not scale. All dimensions are in millimetres unless stated otherwise