

COMMITTEE DATE: 26/10/2016

APPLICATION No. **16/00995/MNR** APPLICATION DATE: 16/05/2016

ED: **PENYLAN**

APP: TYPE: Full Planning Permission

APPLICANT: Mr Macauley

LOCATION: 8 THE RETREAT, PENYLAN, CARDIFF, CF23 5QZ

PROPOSAL: DEMOLITION OF EXISTING BUILDING AND ERECTION 6 NO TWO BEDROOM FLATS

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 paragraphs 8.13 and 8.14 of this report, planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

P512-L-220-Rev B, P512-L-003-Rev B, P512-L-220-Rev B, P512-L-200, P512-L-201-Rev B, P512-L-202-Rev B, P512-L-210-Rev B, P512-L-211-Rev B, P512-L-212-Rev B, P512-L-213, P512-L-214, P512-L-215.

Scoping and dusk emergence survey for presence of Bat Roost sites dated 28th August, 2016.

Arboricultural Report dated 21st September, 2016

Arboricultural Impact Assessment Plan dated September, 2016

Tree Constraints Plan dated September, 2016.

Reason: To ensure satisfactory completion of the development and in line with the aims of Planning Policy Wales to promote an efficient and effective planning system.

3. The cycle parking spaces shown on the approved plans shall be provided prior to the development being brought into beneficial use and thereafter shall be maintained and shall not be used for any purpose other than the parking of vehicles.

Reason: To provide for cyclists in accordance with Policy T5: Managing Transport Impacts of the Cardiff Local Development Plan.

4. Prior to the construction of the building above foundation level, details of the external finishing materials shall be submitted to and approved in writing by

the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the finished appearance of the development is in keeping with the area in accordance with Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan.

5. Notwithstanding the submitted information, details of the means of site enclosure shall be submitted to and approved by the Local Planning Authority. The means of site enclosure shall be constructed in accordance with the approved details prior to the development being put into beneficial use.

Reason: In the interests of visual and residential amenity, in accordance with Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan.

6. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing within 2 days to the Local Planning Authority, all associated works shall 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 shall be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the Local Planning Authority within 2 weeks of the discovery of any unsuspected contamination.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, in accordance with Policy EN13: Air, Noise, Light Pollution and Land Contamination of the Cardiff Local Development Plan.

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

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

Reason: To ensure that the safety of future occupiers is not prejudiced, in

accordance with Policy EN13: Air, Noise, Light Pollution and Land Contamination of the Cardiff Local Development Plan.

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

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

Reason: To ensure that the safety of future occupiers is not prejudiced, in accordance with Policy EN13: Air, Noise, Light Pollution and Land Contamination of the Cardiff Local Development Plan.

9. 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: Air, Noise, Light Pollution and Land Contamination of the Cardiff Local Development Plan.

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

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

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

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

Reason: To ensure that the safety of future occupiers is not prejudiced, in accordance with Policy EN13: Air, Noise, Light Pollution and Land Contamination of the Cardiff Local Development Plan.

11. Prior to the erection of the flats hereby approved, a scheme for the drainage of the site and any connection to the existing drainage system shall be submitted to and approved in writing to the local planning authority. Prior to the submission of the drainage details, ground permeability tests shall be undertaken to ascertain whether sustainable drainage techniques can be utilised and the results of the tests shall be incorporated in the submitted scheme. No part of the development shall be occupied until the scheme is carried out and completed as approved.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment and in accordance with Policy EN10: Water Sensitive Design of the Cardiff Local Development Plan.

12. The development shall not be put into beneficial use until the approved refuse facilities are provided and thereafter the facilities shall be retained for the use the occupiers of the development.

Reason: In the interests of visual and residential amenity, in accordance with Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan.

13. The external amenity areas shown on the approved plans shall be provided before the development hereby permitted is occupied and thereafter the amenity areas shall be retained for the benefit of existing and future occupiers of the site.

Reason: To provide adequate amenity space for future residents of the development in accordance with Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan.

14. The car parking spaces shown on the approved plans shall be provided prior to the development being brought into beneficial use and thereafter shall be maintained and shall not be used for any purpose other than the parking of vehicles.

Reason : To ensure that the use of the proposed development does not interfere with the safety and free flow of traffic passing along the highway, in accordance with Policy T5: Managing Transport Impacts of the Cardiff Local Development Plan.

15. No part of the development hereby permitted shall be commenced until a scheme of construction management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall

include as required, details of construction/demolition traffic routes, site hoardings, site access, contractors parking and wheel washing facilities. Construction of the development shall be managed in accordance with the scheme so approved.

Reason: In the interests of highway safety and public amenity in accordance with Policy T5: Managing Transport Impacts of the Cardiff Local Development Plan.

16. Prior to commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority to provide that all habitable rooms exposed to external road traffic noise in excess of 63 dBA Leq 16 hour [free field] during the day [07.00 to 23.00 hours] or 57 dBA Leq 8 hour [free field] at night [23.00 to 07.00 hours] shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 40 dBA Leq 16 hour during the day and 35 dBA Leq 8 hour at night.

The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be provided with acoustically treated active ventilation units. Each ventilation unit (with air filter in position), by itself or with an integral air supply duct and cowl (or grille), shall be capable of giving variable ventilation rates ranging from –

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

No habitable room shall be occupied until the approved sound insulation and ventilation measures have been installed in that room.

Reason: To ensure that the amenities of future occupiers are protected in accordance with Policy KP5: Good Quality and Sustainable Design and Policy EN13: Air, Noise, Light Pollution of the Cardiff Local Development Plan.

17. No development shall take place until a finalised Arboricultural Report has been submitted to and approved by the Local Planning Authority. The report shall clarify that subsoil and topsoil shall be imported to BS 3882:2015 and BS 8601:2013 and emplaced to give profiles of 300mm topsoil over 600mm subsoil for tree planting (or mixed tree and shrub/tree and grass areas), 300mm over 300mm for shrubs only and 150mm over 150mm for grass only. Soils for tree planting areas should meet the sandy loam texture range. The development shall be carried out in accordance with the approved report.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity in accordance with Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan.

18. All planting, seeding, turf-laying and paving shown on the approved plans shall be carried out in the first planting and seeding season

following the occupation of the building or the completion of the development, whichever is the sooner. Any retained or planted trees or plants which within a period of 5 years from the completion of the development die, are removed, become seriously damaged or diseased, or (in the opinion of the Local Planning Authority) otherwise defective, shall be replaced in the planting season following their death with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity, in accordance with Policies KP5: Good Quality and Sustainable Design and KP:15 of the Cardiff Local Development Plan.

RECOMMENDATION 2 : To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays. The applicant is also advised to seek approval for any proposed piling operations.

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

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

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

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

RECOMMENDATION 4: The Officer also advises that developers of all new residential units are required to purchase the bin provision for each unit. The bins have to meet the Council's specifications and can be purchased directly by contacting the Waste Management's commercial team on 029 20717500.

RECOMMENDATION 5 : The applicant is recommended to undertake the proposed development in accordance with the proposed precautionary mitigation measures set out in Section 6 of the Bat survey from Spectrum Ecology dated 28th August, 2016, submitted in support of the planning application.

RECOMMENDATION 6 : The applicant is advised to contact highways@cardiff.gov.uk prior to undertaking the works associated with the access in order to obtain the necessary licence.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 This planning application relates to the site of 8 The Retreat, Pen-y- Lan Road where planning permission is sought to demolish the existing two storey dwelling and redevelop the site with a building containing 6 no. two bedroom flats. Details of the siting and appearance of the development are shown on the attached plans. Accommodation would be provided on four floors with the second floor partly contained within the roof space and the 'upper second' floor wholly contained within the roof space.
- 1.2 The proposed building would be rectangular in plan with a footprint measuring approximately 18.0 metres by 10.0 metres and rising to a height of approximately 6.5 metres at eaves level and 11.5 metres to the ridge line of a pitched roof. The elevations are shown to be articulated with projecting bay elements and balconies. Proposed materials comprise smooth faced rendered walls with terra cotta cladding panels and slate grey roof tiles.
- 1.3 Following discussions with the agent, the plans have been revised to increase the amount of amenity space around the building and provide an improved relationship with Pen-y-Lan Road and the Retreat. This has partly been achieved by accommodating off- site parking (six spaces) within an under croft level rather than at ground level to the rear of the building as originally proposed.
- 1.4 Relatively narrow external amenity areas are shown to the front and both sides of the proposed building intended to serve the two ground floor flats. A proposed brickwork boundary wall would enclose the eastern and southern site

boundaries. Two metre high fencing would enclose the northern boundary next to the embankment of the adjacent Eastern Avenue. The upper floor flats are provided with balcony areas on both the front and side elevations.

- 1.5 The application is supported by a Bat Survey and Arboricultural Report/landscape proposals.

2. DESCRIPTION OF SITE

- 2.1 No. 8 The Retreat comprises a two storey property occupying a site at the corner of Pen-y-Lan Road and The Retreat. The latter road is a short cul-de-sac which extends north westwards crossing the adjacent Eastern Avenue and serves two pairs of large semi-detached houses. To the south of the application site lies Penylan House; a substantial three storey residential home. The building occupies a lower ground level than the adjacent road to the north east and is screened from The Retreat by trees.

- 2.2 To the north of the application site lies Eastern Avenue which is in a cutting at this point. The embankment separating the carriageway and the boundary of the site is tree covered.

- 2.3 The existing property on the application site comprises a two storey building finished in white painted render with a red tiled roof. The property is set in some 8.0 metres from Pen-y-Lan Road and orientated to front onto The Retreat rather than the principal highway.

- 2.4 On the opposite side of Pen-y-Lan Road there are relatively large two storey properties of traditional appearance with hipped roofs, gable fronted bay projections etc.

3. SITE HISTORY

- 3.1 95/01890/W: 'Sessional care for 10 children from 9:15am to 12:30pm in three rooms:

Application refused 08/07/96

- 3.2 95/01551/W: Change of use of tree rooms to nursery school 9am to 3;30pm Monday- Friday- Application withdrawn

4. POLICY FRAMEWORK

- 4.1 The Cardiff Local Development Plan 2006-2026 provides the local planning policy framework. Relevant policies include:

KP5: Good Quality and Sustainable Design

KP15: Climate Change

EN13: Air, Noise, Light Pollution and Land Contamination

T5: Managing Transport Impacts

EN11: Water Sensitive Design

H3: Affordable Housing
EN7: Priority Habitats and Species;
EN8: Trees, Woodlands and Hedgerows
W2 (Provision for Waste Management Facilities in Development).

- 4.2 Supplementary Planning Guidance: Design Guidance for Infill Development (2011)
Supplementary Planning Guidance: Access, Circulation and Parking (January, 2010)
Supplementary Planning Guidance: Waste and Collection and Storage Facilities (2007)
Supplementary Planning Guidance: Trees and Development (2007).
Supplementary Planning Guidance: Biodiversity (June 2011).

4.3 *Planning Policy Wales Edition 8 (2016):*

1.2.5 Provided that a consideration is material in planning terms it must be taken into account in dealing with a planning application even though other machinery may exist for its regulation. Even where consent is needed under other legislation, the planning system may have an important part to play, for example in deciding whether the development is appropriate for the particular location. The grant of planning permission does not remove the need to obtain any other consent that may be necessary, nor does it imply that such consents will be forthcoming.

4.4.3: In contributing to the Well-being of Future Generations Act goals, planning policies, decisions and proposals should (inter alia):

- Promote resource-efficient and climate change resilient settlement patterns that minimise land-take and urban sprawl, especially through preference for the re-use of suitable previously developed land and buildings, wherever possible avoiding development on greenfield sites
- Locate developments so as to minimise the demand for travel, especially by private car
- Ensure that all local communities – both urban and rural – have sufficient good quality housing for their needs, including affordable housing for local needs and for special needs where appropriate, in safe neighbourhoods

4.7.4: Local planning authorities should assess the extent to which developments are consistent with minimising the need to travel and increasing accessibility by modes other than the private car. Higher density development, including residential development, should be encouraged near public transport nodes or near corridors well served by public transport (or with the potential to be so served).

4.11.9: Visual appearance, scale and relationship to surroundings and context are material planning considerations.

4.11.11: Local planning authorities and developers should consider the issue of accessibility for all.

5.2.9 Trees, woodlands and hedgerows are of great importance, both as wildlife habitats and in terms of their contribution to landscape character and beauty. They also play a role in tackling climate change by trapping carbon and can provide a sustainable energy source. Local planning authorities should seek to

protect trees, groups of trees and areas of woodland where they have natural heritage value or contribute to the character or amenity of a particular locality.

5.5.11 The presence of a species protected under European or UK legislation is a material consideration when a local planning authority is considering a development proposal which, if carried out, would be likely to result in disturbance or harm to the species or its habitat.

4.11.12: Local Authorities are under a legal obligation to consider the need to prevent and reduce crime and disorder in all decisions that they take.

9.1.2 Local planning authorities should promote sustainable residential environments, avoid large housing areas of monotonous character and make appropriate provision for affordable housing. Local planning authorities should promote, inter alia, development that is easily accessible by public transport, cycling and walking, attractive landscapes around dwellings, with usable open space and regard for biodiversity, nature conservation and flood risk; greater emphasis on quality, good design and the creation of places to live that are safe and attractive, well designed living environments, where appropriate at increased densities.

9.1.1 : The Assembly Government will seek to ensure that previously developed land is used in preference to Greenfield sites; new housing and residential environments are well designed, meeting national sustainability standards and making a significant contribution to promoting community regeneration and improving the quality of life and that the overall result of new housing development in villages, towns or edge of settlement is a mix of affordable and market housing that retains and, where practical, enhances important landscape and wildlife features in the development.

9.2.13: Sensitive design and good landscaping are particularly important if new buildings are successfully to be fitted into small vacant sites in established residential areas.

9.3.3: Insensitive infilling or the cumulative effects of development or redevelopment should not be allowed to damage an area's character and amenity. This includes such impact on neighbouring dwellings such as serious loss of privacy or overshadowing.

12.4.1: The adequacy of water supply and the sewerage infrastructure are material considerations in planning applications and appeals.

12.7.3: Adequate facilities and space for the collection, composting and recycling of waste materials should be incorporated into the design of any development.

5. **INTERNAL CONSULTEE RESPONSES**

5.1 The Operational Manager, Transportation comments as follows;

The Officer acknowledges the concerns of the local resident regarding vehicles parking inconsiderately and possibly blocking access to the highway and pavement whilst construction is taking place. He recommends a Construction Management Plan to address this issue secured by way of a condition. The Officer has no objections to application in terms of parking provision confirming that proposal accords with the Council's Parking Guidelines. To prevent and deter parking on the adjacent road, the Officer recommends securing a financial contribution towards implementing junction protection in the form of

double yellow lines at the location. The contribution would amount to £2,120 secured by way of a S106 Agreement.

5.2 The Pollution Control (Noise & Air) Team recommends a traffic noise mitigation condition and informative relating to construction site noise.

5.3 The Pollution Control (Contaminated Land) Team comments as follows:

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

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

Shared Regulatory Services requests conditions and informative statements in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with policy 2.63 of the Cardiff Unitary Development Plan.

5.4 Operational Manager, Drainage Management: No representations have been received.

5.5 Operational Manager, Waste Management advises that the plans detailing refuse storage are acceptable.

5.6 The Housing Strategy Officer advises as follows:

In line with Local Development Plan Policy H3 , an affordable housing contribution of 20% of the 6 units (1 unit) is sought on this brown-field site.

Our priority is to deliver on-site affordable housing, in the form of affordable rented accommodation, built to Welsh Government Development Quality Requirements. However, given the proposed design of the scheme, the unknown proposed future tenure of the units, and the likely service charges for this type of residential development, all of which could affect the affordability as well as the practicality of managing and maintaining affordable housing on-site for a Registered Social Landlord, we would be prepared to accept financial contribution in lieu of on-site affordable housing provision

On that basis of the above, we would seek a financial contribution of £77,430 (in lieu of 1 unit) which is calculated in accordance with the formula in the Affordable

Housing – Supplementary Planning Guidance (SPG) (2007).

6. EXTERNAL CONSULTEE RESPONSES

- 6.1 Welsh Water/Dwr Cymru note the information submitted with the application and, in particular, the drainage arrangement shown on drawing P512L-003 showing surface water connecting to a soakaway. The Company advises that no surface water and/or land drainage shall be allowed to connect with the public sewerage network.

7. REPRESENTATIONS

- 7.1 Local members have been notified of the application. No representations have been received.
- 7.2 The occupiers of 4 The Retreat raise the following issues (summary):

Whilst we do not have objections to the building per se we do have issues in respect of (i) the construction, (ii) the proposed parking for the development and (iii) nuisance traffic. During the construction of the nearby Penylan Nursing Home in 2014, the construction traffic caused numerous issues by parking on the roads and pavements of The Retreat, at times resulting in residents, delivery vehicles and refuse collection vehicles being unable to access the cul-de-sac. Pedestrians were forced to walk on the roads. On several occasions, deliveries were not made and refuse not collected. Several complaints were made directly to the site management and 'Consider Construction', all to no avail. Our concern is that we will have a repeat of this situation with similar effects and the potential for emergency service vehicles being unable to access the remaining four houses.

The proposed parking for 6 cars is likely to be inadequate for the proposed number of flats. Parking availability in The Retreat is limited during evenings and weekends and is already regularly impacted by visitors to the nearby nursing home with the cul-de-sac being inevitably used as a turning circle, often without consideration to residents and damage to vehicles has occurred in the past.

It is likely that overflow parking will be in the cul-de-sac area of The Retreat, on parts of the road that are really too narrow to accommodate parallel parking or on pavements, giving concerns over access, particularly in respect of emergency services.

We believe that there should be restrictions preventing construction traffic from parking on The Retreat or its pavements and from blocking access to the other residences, that parking should be designed such that it is commensurate with the amount of accommodation to be constructed and that double yellow lines should be placed on the road immediately outside the proposed development to prevent future residents of the proposed development from parking on The Retreat's pavements and from blocking access to the other residences.

8. ANALYSIS

8.1 Planning permission is sought to demolish a two storey dwelling at 8 The Retreat, Penylan and construct a building containing of 6 no.two bedroom flats.

8.2 The main planning issues are considered to relate to:

- (i) the effects of the proposed development on the character and appearance of the street scene and the general amenities of neighbouring occupiers.
- (ii) whether the proposed development will provide an acceptable living environment for prospective occupiers.
- (iii) parking/transportation.
- (v) affordable housing provision.
- (iv) trees/landscaping and nature conservation.

8.3 Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan states that... *all new development will be required to be of a high quality, sustainable design and make a positive contribution to the creation of distinctive communities, places and spaces by* (inter alia):

(i) responding to the local character and context of the built and landscape setting so that layout, scale, form, massing, height, density, colour, materials, detailing and impact on the built and natural heritage are all addressed within development proposals;

(x) ensuring no undue effect on the amenity of neighbouring occupiers and connecting positively to surrounding communities;

8.4 Planning Policy Wales at paragraph 4.11.9 states that '*visual appearance, scale and relationship to surroundings and context are material planning considerations.*'

8.5 Further guidance on residential infill development is provided in the Council's Supplementary Planning Guidance: *Design Guidance for Infill Development (2011)*. The advice contained within the Infill Sites SPG is consistent with the aims of LDP Policy KP5 and guidance in Planning Policy Wales and therefore remains pertinent to the consideration of the current application, assisting in informing the assessment of relevant matters

8.6 At paragraph 3.8, the SPG states that:

Infill, back land and site redevelopment must result in the creation of good places to live. This needs to be demonstrated through the quality of internal living space; private amenity space; and through adherence to principles relating to access, security, and legibility.

8.7 At paragraph 3.12, the SPG states that:

Infill development needs to be sensitive to its immediate surroundings and respond well to the built context. It is important that in residential areas where there is a clear existing pattern and form of development, new buildings,

landscaping and boundary treatment complement the character of the surroundings.

8.8 At paragraph 4.11, the SPG states that:

'To safeguard the amenity of existing residents, proposals must not result in unacceptable harm regarding the level of overbearing, overshadowing or overlooking of neighbouring properties.'

8.9 With respect to the effect of the development on the character and appearance of the street scene, there is no objection to the proposed building on design grounds. The application site lies to the north of a large three storey residential care home of modern appearance, although this building is set well back from the Pen-y-Lan Road frontage. There is no clear building line along this stretch of the street and site has no immediate neighbours. Nevertheless, the scheme as originally submitted was considered to represent a cramped development of the site with limited amenity/landscape provision and the building positioned in close proximity to both Pen-Y-Lan Road and The Retreat. Following discussions with the agent, amended plans have been received which sets the building further away from these boundaries and by incorporating undercroft parking, provides a much improved amenity area to the rear of the site.

8.10 With regard to the prospective living environment for future occupiers, the proposed flats have acceptable internal living space, outlook and external amenity areas.

8.11 Having regard to its siting, it is not considered that the development will have an overbearing impact on nearby occupiers or result in an unacceptable loss of privacy; The nearest dwelling on the opposite side of Pen-Y Lan Road is sited some 29.0 metres from the front elevation of the proposed building.

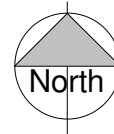
8.12 Appropriate landscaping and tree protection can be satisfactorily addressed by condition. The submitted bat survey has not identified issues that cannot be addressed by mitigation.

8.13 The Transportation Officer has no objections to the application in terms of parking provision confirming that the proposal accords with the Council's Parking Guidelines. The Officer acknowledges the concern of the local resident regarding vehicles parking inconsiderately and possibly blocking access to the highway and pavement whilst construction is taking place. He recommends a Construction Management Plan to address this issue secured by way of a planning condition. To prevent and deter unacceptable parking on the adjacent highway, the Officer also recommends securing a financial contribution towards implementing junction protection in the form of double yellow lines at the location. The contribution would amount to £2,120 secured by way of a S106 Agreement and has been agreed by the applicant.

8.14 In accordance with Local Development Plan Policy H3, the Housing Strategy Officer has advised that an affordable housing contribution should be sought in relation to the development. This amounts to a financial contribution of £77,430

calculated in accordance with the formula in the Affordable Housing Supplementary Planning Guidance and has also been agreed with the applicant.

- 8.15 The proposal, as amended, is considered acceptable on planning grounds and approval is recommended subject to the attached conditions.

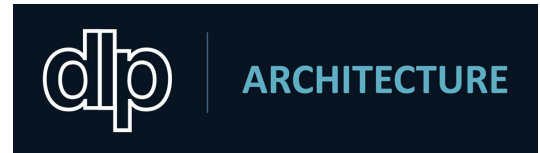


Location Plan

1 : 1250

Planning Issue

date	rev	name	chk	note



Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design
Systems House 89 Heol Don Cardiff CF14 2AT
T 02920316857 M 07785582007 info@dlparchitecture.co.uk

PROJECT
Demolition of existing building and erection 6
No two bedroom flats
8 The Retreat, Penylan Rd, Cardiff, CF23
5QZ

DRAWING TITLE
Location Plan

SCALE	DATE	DRAWN BY	CHECKED BY
1 : 1250	26/04/16	PL	GM

DRAWING NUMBER	REVISION
P512 L_001	



Front Elevation from The Retreat



Side Elevation from Pen-y-Lan Road



Rear Elevation from Pen-y-Lan Road



Elevation from The Retreat

Planning Issue

date rev name chk note



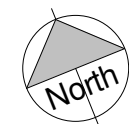
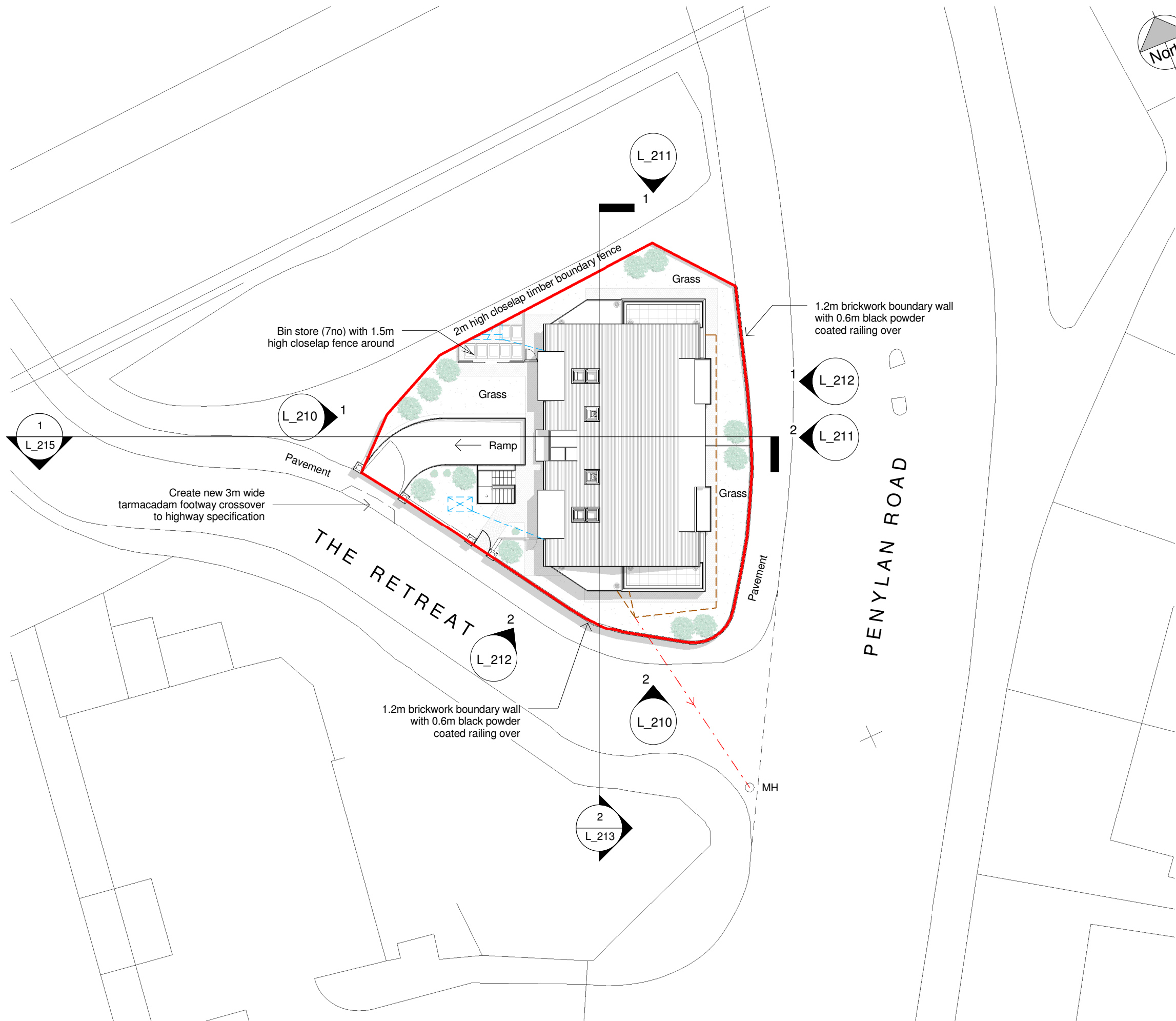
Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design
Systems House 89 Heol Don Cardiff CF14 2AT
T 02920316857 M 07785582007 info@dparchitecture.co.uk

PROJECT
Demolition of existing building and erection 6
No two bedroom flats
8 The Retreat, Penylan Rd, Cardiff, CF23
5QZ

DRAWING TITLE
Photographs as Existing

SCALE DATE DRAWN BY CHECKED BY
26/04/16 PL GM

DRAWING NUMBER REVISION
P512 L_004



Responsibility is not accepted for errors made by others in scaling from this drawing. All construction information should be taken from figured dimensions only.

0mm 50mm

A3 Original Sheet Size

AREAS:

Proposed site area:
429m²

Private amenity areas:
Flat 1: 71m²
Flat 2: 59m²
Flats 3 & 4: 13m²
Flats 5 & 6: 16m²

DRAINAGE NOTES:

Surface water drainage to new soakaway to be designed in accordance with BRE 365

DRAINAGE LEGEND:

- - - - - FOUL DRAINAGE RUN - EXISTING
- - - - - FOUL DRAINAGE RUN - PROPOSED
- - - - - SURFACE WATER DRAINAGE RUN

HARDSTANDING FINISHES KEY:

- GRASS
- PERMEABLE PAVIOURS

Planning Issue

12/08/16	B	PL	GM	Building reduced in size & re-positioned & undercroft parking added
27/06/16	A	PL	GM	Building reduced in size & re-positioned
date	rev	name	chk	note



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PROJECT
Demolition of existing building and erection 6 No two bedroom flats
8 The Retreat, Penylan Rd, Cardiff, CF23 5QZ

DRAWING TITLE
Site Plan as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
As indicated	26/04/16	PL	GM
DRAWING NUMBER	REVISION		
P512 L_003	B		

Site Plan as Proposed
1 : 250

08/09/2016 15:52:46

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0mm 50mm

A3 Original Sheet Size



North West Elevation
1 : 100

FINISHES KEY:

- A : SLATE ROOFING & RIDGE TILES
- B : GREY ALUMINIUM DOUBLE GLAZED WINDOWS & DOORS
- C : BLACK ALUMINIUM RAINWATER GOODS ON WHITE FASCIA
- D : CREAM SMOOTH FACED RENDERED EXTERNAL WALLS
- E : RED / ORANGE FAIRFACED BRICKWORK
- F : STAINLESS STEEL & GLAZED BALUSTRADE
- G : SLATE CLADDING PANELS



North East Elevation
1 : 100

Planning Issue

date	rev	name	chk	note
12/08/16	B	PL	GM	Building reduced in size & re-positioned & undercroft parking added
27/06/16	A	PL	GM	Building reduced in size & re-positioned



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PROJECT
Demolition of existing building and erection 6
No two bedroom flats
8 The Retreat, Penylan Rd, Cardiff, CF23
5QZ

DRAWING TITLE
Elevations 2 of 2 as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
1 : 100	26/04/16	PL	GM

DRAWING NUMBER	REVISION
P512 L_211	B

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0mm 50mm

A3 Original Sheet Size



South East Elevation
1 : 100

FINISHES KEY:

- A : SLATE ROOFING & RIDGE TILES
- B : GREY ALUMINIUM DOUBLE GLAZED WINDOWS & DOORS
- C : BLACK ALUMINIUM RAINWATER GOODS ON WHITE FASCIA
- D : CREAM SMOOTH FACED RENDERED EXTERNAL WALLS
- E : RED / ORANGE FAIRFACED BRICKWORK
- F : STAINLESS STEEL & GLAZED BALUSTRADE
- G : SLATE CLADDING PANELS



South West Elevation
1 : 100

Planning Issue

date	rev	name	chk	note
12/08/16	B	PL	GM	Building reduced in size & re-positioned & undercroft parking added
27/06/16	A	PL	GM	Building reduced in size & re-positioned



Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design
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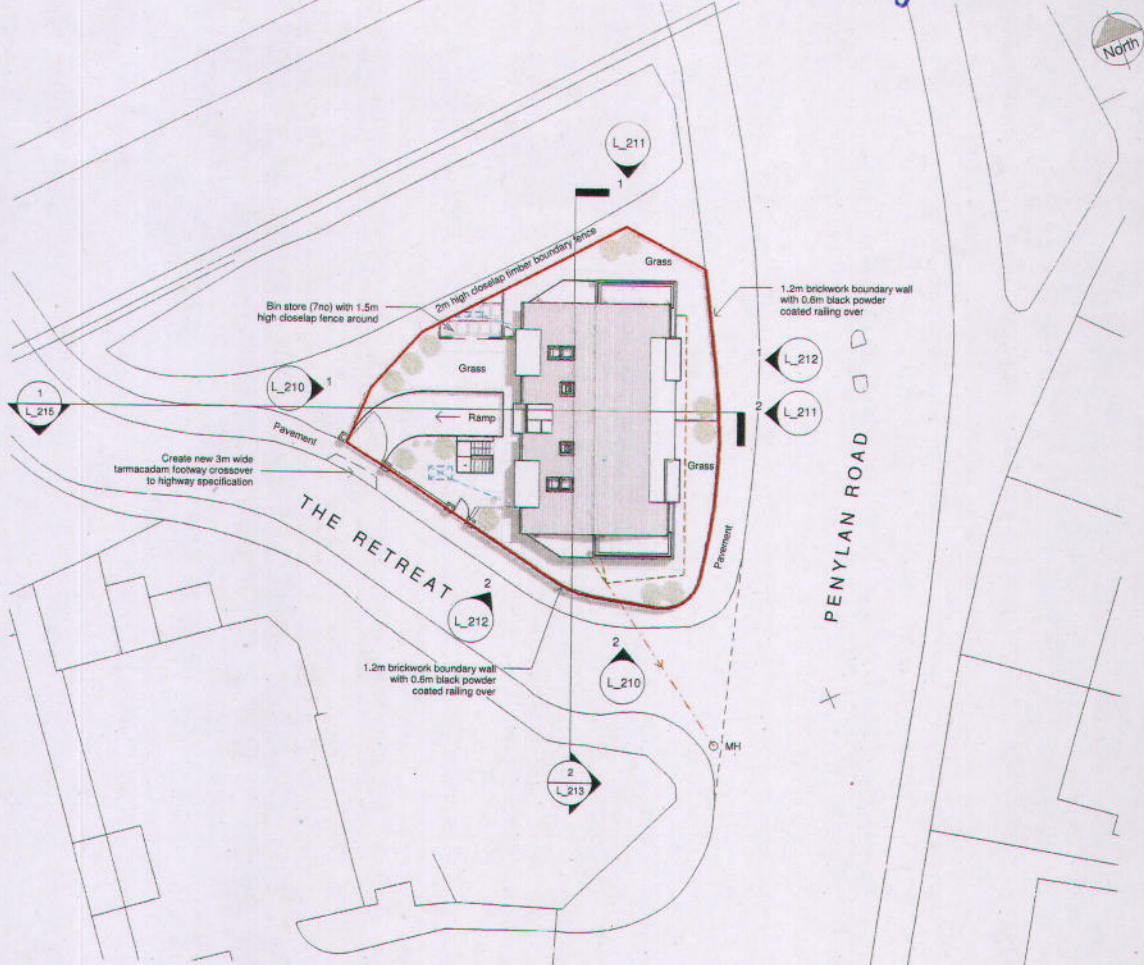
PROJECT
Demolition of existing building and erection 6
No two bedroom flats
8 The Retreat, Penylan Rd, Cardiff, CF23
5QZ

DRAWING TITLE
Elevations 1 of 2 as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
1 : 100	26/04/16	PL	GM

DRAWING NUMBER	REVISION
P512 L_210	B

Amended layout



Site Plan as Proposed
1:250

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A3 Original Sheet

AREAS:
Proposed site area: 429m²
Private amenity areas:
Flat 1: 71m²
Flat 2: 59m²
Flats 3 & 4: 13m²
Flats 5 & 6: 16m²

DRAINAGE NOTES:
Surface water drainage to new soakaway to be designed in accordance with BRE 365

DRAINAGE LEGEND:
- - - FOUL DRAINAGE RUN - EXISTING
- - - FOUL DRAINAGE RUN - PROPOSED
- - - SURFACE WATER DRAINAGE RUN

HARDSTANDING FINISHES KEY:
[Symbol] - GRASS
[Symbol] - PERMEABLE PAVOIRS

Planning Issue

12/06/16 B PL GM Building reduced in size & re-positioned & undercroft parking added
27/06/16 A PL GM Building reduced in size & re-positioned

dtp ARCHITECTURE

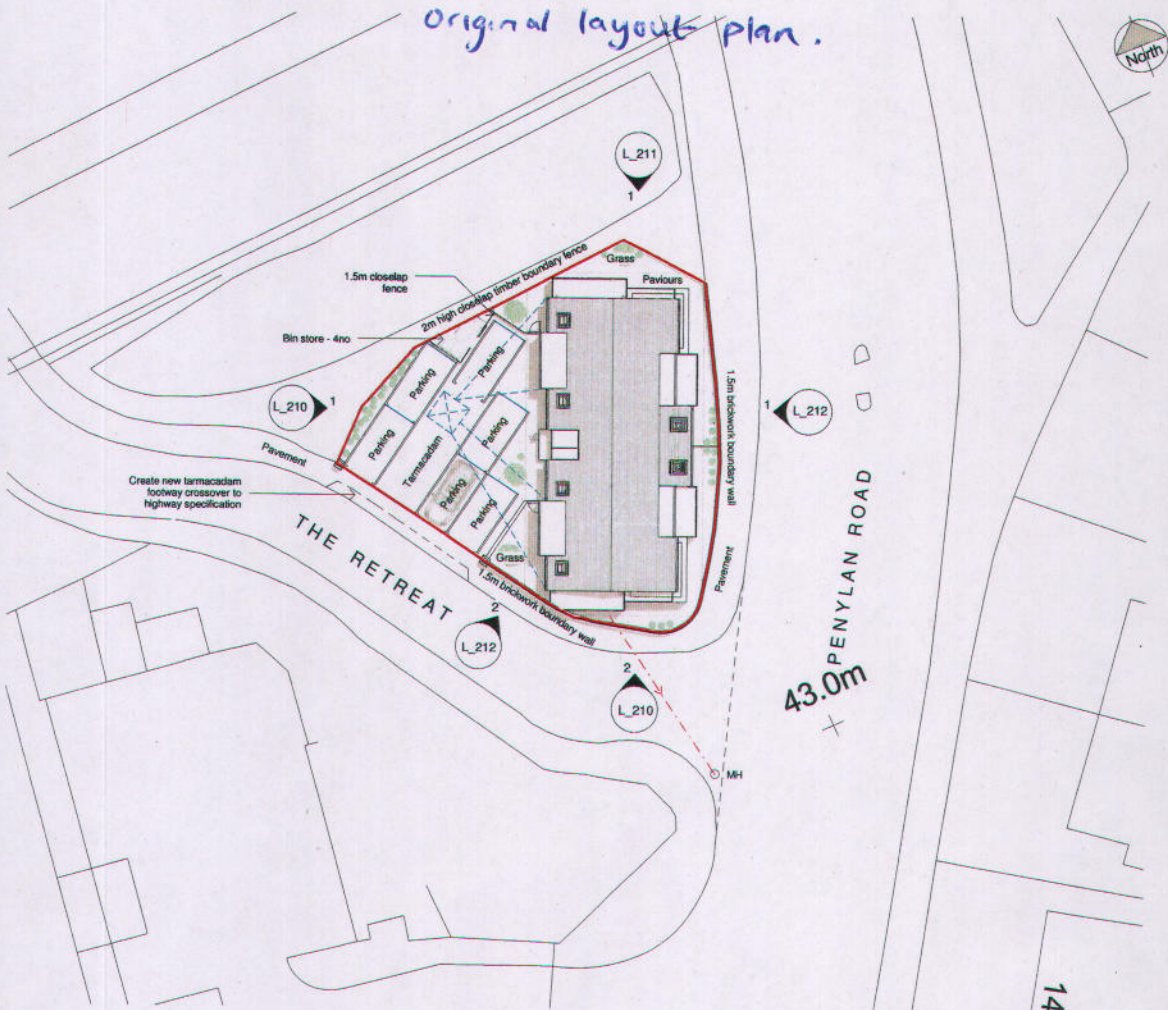
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Systems House 89 Head Don Cardiff CF14 2AT
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PROJECT:
Demolition of existing building and erection of No two bedroom flats
8 The Retreat, Penylan Rd, Cardiff, CF23 5QZ

DRAWING TITLE:
Site Plan as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
As Indicated	26/04/16	PL	GM
DRAWING NUMBER	REVISION		
P512	L_003		B

Original layout plan.



Site Plan as Proposed
1:250

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A3 Original Sheet

AREAS:
Proposed site area: 429m²
Private amenity areas:
Flat 1: 52m²
Flat 2: 51m²
Flats 3 & 4: 13m²
Flats 5 & 6: 16m²

DRAINAGE NOTES:
Surface water drainage to new soakaway to be designed in accordance with BRE 365

DRAINAGE LEGEND:
- - - FOUL DRAINAGE RUN - EXISTING
- - - FOUL DRAINAGE RUN - PROPOSED
- - - SURFACE WATER DRAINAGE RUN

HARDSTANDING FINISHES KEY:
[Symbol] - GRASS
[Symbol] - PERMEABLE PAVOIRS

Planning Issue

10700395

dtp ARCHITECTURE

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PROJECT:
Demolition of existing building and erection of No two bedroom flats
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DRAWING TITLE:
Site Plan as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
As Indicated	26/04/16	PL	GM
DRAWING NUMBER	REVISION		
P512	L_003		

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0mm 50mm

A3 Original Sheet Size



Street View from Penylan Road
1 : 100

FINISHES KEY:

- A : SLATE ROOFING & RIDGE TILES
- B : GREY ALUMINIUM DOUBLE GLAZED WINDOWS & DOORS
- C : BLACK ALUMINIUM RAINWATER GOODS ON WHITE FASCIA
- D : CREAM SMOOTH FACED RENDERED EXTERNAL WALLS
- E : RED / ORANGE FAIRFACED BRICKWORK
- F : STAINLESS STEEL & GLAZED BALUSTRADE
- G : SLATE CLADDING PANELS



Street View from The Retreat
1 : 100

Planning Issue

12/08/16	B	PL	GM	Building reduced in size & re-positioned & undercroft parking added
27/06/16	A	PL	GM	Building reduced in size & re-positioned
date	rev	name	chk	note



Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design
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PROJECT
Demolition of existing building and erection 6 No two bedroom flats
8 The Retreat, Penylan Rd, Cardiff, CF23 5QZ

DRAWING TITLE
Street Views as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
1 : 100	27/04/16	PL	GM

DRAWING NUMBER	REVISION
P512 L_212	B

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