COMMITTEE DATE: 26/10/2016

APPLICATION No. 16/01443/MJR APPLICATION DATE: 14/06/2016

ED: LLANRUMNEY

APP: TYPE: Full Planning Permission

APPLICANT: Wates

LOCATION: FORMER LLANRUMNEY HOUSING DEPOT, MOUNT

PLEASANT LANE, LLANRUMNEY, CARDIFF, CF3 5SR

PROPOSAL: DEVELOPMENT OF 31 DWELLINGS ON THE FORMER

LLANRUMNEY DEPOT SITE OFF MOUNT PLEASANT LANE, (ALL AFFORDABLE UNITS COMPRISING 10 APARTMENTS AND 21 HOUSES), ASSOCIATED LANDSCAPING, ACCESS

AND HIGHWAYS WORKS

RECOMMENDATION 1: That, subject to relevant parties entering into a binding legal agreement with the Council under the provisions of **SECTION 106** of the Town and Country Planning Act 1990, within 6 months of the date of this Resolution unless otherwise agreed by the Council in writing, in respect of matters detailed in Section 9 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 and documents attached to and forming part of this planning application:

<u>Plans:</u>	
3517_PA_001	Site Location Plan
3517_PA_003	Site layout plan, Rev. A
3510_PA_301	Boundary Details, Rev. A
TDA 2087.01	Site survey, Feb 2015, Rev. A
3517_PA_300	Shared Surface Details, Rev.A
16-25-PL-201	Planting Plans, Rev. A
3517_PA_100	House Type E – General Arrangement and
	Elevations
3517_PA_101	Flat Block A - General Arrangement and
	Elevations
3517_PA_102	Flat Block B - General Arrangement and
	Elevations
3517_PA_200	Street Elevations Sheet 1 of 2
3517_PA_201	Street Elevations Sheet 2 of 2
CAM0000GAS 007	Retaining Walls, Masonry Type A to E,
	Rev.P1
CAM 0000GAC100	Drainage Layout, Rev. P4
CAM 000000SE C/110/P1	Proposed site sections sheet 1 of 3

CAM 00000SE C/111/P1 Proposed site sections sheet 2 of 3
CAM 00000SE C/112/P1 Proposed site sections sheet 3 of 3
CAM 0000GA S/001/P1 Site plan foundations / retaining walls & trial pit /borehole testing

Documents:

CC1588/Rep01/A Flood Consequences Assessment and Drainage Strategy

Reason: The plans and documents form part of the planning application and for the avoidance of doubt.

- 3. Prior to commencement of development, a detailed Construction Management Plan and associated method statements shall be submitted to and approved in writing by the Local Planning authority. This shall accord with the approved plans and shall include, but not be limited to:
 - Details of traffic management measures during construction; convenient pedestrian, cycle and vehicular access; traffic construction routes, details of parking of vehicles for contractors; site operatives and visitors;
 - Details of: site hoardings; site access; storage of plant and materials used in constructing the development; wheel washing facilities; measures to control the emission of dust and dirt during construction; A scheme for recycling/disposing of waste resulting from construction works;
 - c. Details of the drainage scheme construction, detailing adequate methods of working near watercourses, how surface water and land drainage run off will be dealt with to prevent: contamination, nuisance, subsidence or flooding to land, buildings, watercourses or highways during the construction period;
 - d. List of on-site contacts and their responsibilities.

Reason: In the interests of highway safety and public amenity, to prevent damage to drainage and soil structure,

4. Prior to commencement of superstructure a scheme shall be submitted to and approved in writing by the Local Planning Authority to provide sound attenuation against external noise to ensure that all such rooms achieve an internal noise level of 35 dBA Leq 16 hour during the day and 30 dBA Leq 8 hour at night including not exceeding 45dB LAF Max internal.

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

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

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

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

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

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

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

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

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the

development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.

7. 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

8. 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.

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

Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the Local Planning Authority. Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.

- 10. 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.
- 11. Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long- term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority. Reasons: To ensure longer term remediation criteria relating to controlled waters have been met. This will ensure there are no longer remaining unacceptable risks to controlled waters following remediation of the site.
- 12. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

 Reasons: There is an increased potential for pollution of controlled waters from inappropriate methods of piling.
- 13. The development hereby permitted shall not be commenced until such time as a scheme to decommission and remove underground storage tank(s) (if encountered), associated infrastructure and pipe work, has been submitted to, and approved in writing by, the Local Planning Authority. The scheme should include a verification plan setting out how any contamination will be identified and remediated. Reason: To protect controlled waters.
- 14. No development shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning authority. These details shall include:
 - a) Existing and proposed services above and below ground, with associated easements and wayleaves;

- b) Existing and proposed finished levels and contours of soft and hard landscaping, in relation to ground levels and floor levels of adjacent buildings and highways with section drawings;
- c) Details of planting and other soft landscape, scaled tree pit sections and plan drawings, scaled planting plans containing schedules, planting distances / densities and numbers; planting and aftercare methodology, layout and construction details of hard surfacing including footpaths and car parking;
- d) Topsoil and subsoil specification.
- e) Landscaping phasing plan and implementation programme.
- f) Management and Maintenance Schedules for the arboricultural, soil, and drainage, other than privately owned domestic gardens, (including 50+ year management plans for trees in hard landscape and all other significant soft landscape features) detailing how they will continue to provide benefits throughout the lifetime of the development.

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

15. 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 sooner.

Any newly planted trees or plants in any non-adopted public areas 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.

- 16. Surface water flows from the development shall only communicate with the public surface water sewer through an attenuation device that discharges at a rate not exceeding 5 l/s or other rate agreed in writing with the Local Planning Authority and Welsh Water'.
 - 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.
- 17. No land drainage shall be allowed to connect directly or indirectly with the public sewerage network. No highway drainage shall be allowed to connect directly or indirectly with the public sewer, unless it can be demonstrated that soakaways are not viable and there are no highway drains in the area'.

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.

18. No development shall take place until a comprehensive Drainage Scheme that follows the principles set out on the approved drawings, indicating how disposal of foul sewerage, surface water and land drainage run off from the site will be dealt with, has been submitted to and approved in writing by the Local Planning Authority.

Where a sustainable drainage scheme is to be provided, the submitted details shall:

- Provide information about the design storm period and intensity, the method employed to delay and control the surface water and land drainage run off from the site and the measures taken to prevent pollution of the receiving ground water and/or surface waters;
- ii. A digital copy of the Micro Drainage simulation model;
- iii. Confirmation of the direction of exceedance flows from the 1in100 +30% storage;
- iv. Specify whether it is proposed to position any surface water drainage (adopted or private) and its associated attenuation together. If so, a design and method statement to clarify how there will be no cross contamination is required.
- v. Include a period for its implementation; and
- vi. Provide a drainage management and maintenance plan which shall include the arrangements for adoption by any public body or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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.

19. No development shall take place until detailed plans showing the position and form of construction of all roads and footpaths within the site and the method of disposal of all surface water drainage therefrom have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure an orderly form of development and to make provision for the satisfactory access to the development by future occupants.

20. No dwelling shall be occupied until that part of the road and footpath which provides access to it and all surface water drainage works for the said road shall have been laid out, constructed and completed (except for the final surfacing) in accordance with the approved plans and details.

Reason: To ensure an orderly form of development and to make provision for satisfactory access to the development for future occupiers.

21. No commencement of superstructure shall take place until a comprehensive scheme of highways improvement works to Mount Pleasant Lane has been submitted to and approved in writing by the Local Authority. The scheme works shall include, but not be limited to; the resurfacing of the full length of Mount Pleasant Lane, the full reconstruction of its adjacent footway, an assessment of necessary improvements to the existing street lighting and highway drainage, an assessment of necessary measures to control the parking of customer vehicles on the footway, improvements to the existing footway adjacent to 2 Countisbury Avenue and to the existing footway which fronts the garage business opposite.

Reason: in the interests of highway safety.

22. No dwelling shall be occupied until the highway improvement works to Mount Pleasant Lane have been completed to the satisfaction to the Local Authority.

Reason: To ensure an orderly form of development and to make provision for satisfactory access to the development for future occupiers.

23. The car parking spaces for each dwelling as shown on the approved plans shall be provided prior to the occupation of that dwelling 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 the site

24. No occupation of apartments shall take place until details showing the provision of cycle parking spaces have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the development being put into beneficial use. Thereafter the cycle parking spaces shall be maintained and shall not be used for any other purpose.

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

25. The refuse storage facilities shown on the approved plans shall be provided prior to the beneficial occupation of the development and shall thereafter be retained and maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an orderly form of development.

26. Prior to commencement of superstructure, a comprehensive sample panel of external finishing materials for the buildings and boundary treatments shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the finished appearance of the development is in keeping with the area.

RECOMMENDATION 2: NOISE

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.

RECOMMENDATION 3: SITE PLAN

Prior to the commencement of development, the developer shall notify the local planning authority of the commencement of development, and shall display a site notice and plan on, or near the site, in accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

RECOMMENDATION 4: CONTAMINATION AND UNSTABLE LAND ADVISORY NOTICE

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

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

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

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

RECOMMENDATION 5: WASTE MANAGEMENT

Each residential unit will require the following for recycling and waste collections:

- 1 x 140 litre bin for general waste
- 1 x 240 litre bin for garden waste (where necessary)
- 1 x 25 litre kerbside caddy for food waste
- Green bags for mixed recycling (equivalent to 140 litres)
- The developers of all new residential units are required to purchase the bin provision required for each unit. The bins have to meet the Council's specifications and can be purchased directly by contacting the Waste Management's commercial team on 029 2071 7500.
- The kitchens should be designed to allow the separation of waste into three waste streams; general, recycling and food waste, in order to encourage the correct disposal of waste.
- Please refer to the Waste Collection and Storage Facilities SPG.

RECOMMENDATION 6: WELSH WATER

Refer to Advisory Notes on letter from Welsh Water dated 18.7.16 with regards to how to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under the Water Industry Act 1991.

RECOMMENDATION 7: NATURAL RESOURCES WALES

For further advice, NRW strongly recommends the applicant:

- Follow the risk management procedures provided in CLR11, Model Procedures for the management of Land Contamination, when dealing with land affected by contamination;
- Refers to Guiding Principles for Land Contamination for the type of information required to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health;
- Refers to Groundwater Protection: Principles and Practice (GP3);
- Refers to British Standard for the Investigation of Potentially Contaminated Sites. Code of Practice (BS10175:2011).
- Refers to WLGA document Development of Land Affected by Contamination: A Guide for Developers, for the type of information we require in order to assess risks to controlled waters from the site.

RECOMMENDATION 8: FIRE SERVICE

The developer should consider the need for the provision of adequate water supplies on the site for firefighting purposes (in discussion with Welsh Water); and access for emergency firefighting appliances. Refer to detail in letter dated

1. DESCRIPTION OF PROPOSED DEVELOPMENT

- 1.1 The application seeks full planning permission for 31 residential dwellings (100% affordable), associated landscaping, access and highways works.
- 1.2 The dwellings are laid out in two courtyards, each individually accessed off Mount Pleasant Lane. The units are comprised of 4no. 1-bed, 2-person apartments, 6no. 2-bed, 3-person apartments and 21no. 2-bed, 4-person houses.
- 1.3 The 1-bed apartments are in 2-storey blocks and the 2-bed apartments are in a 3-storey blocks. The houses are all 2-storey terraces in rows of five. The houses utilise a combination of two high quality red bricks with bespoke architectural striped patterns and coloured timber panels to the ground floor. All buildings have pitched rooves and the windows are slim-line pvc.
- 1.4 All dwellings are designed to meet the requirements of the Cardiff Design Standard, Lifetime Homes, the Welsh Government Development Quality Requirements, Secured by Design and the RNIB.
- 1.5 There is one allocated car parking space per unit. All parking is contained within the courtyard areas, to the front of the houses and close to the entrance to the flats. Each of the ground floor apartment has a disabled parking space that is compliant with Lifetime Homes standards and there are six visitor parking spaces.
- 1.6 The landscaped courtyard areas include block paving, planted beds and a total of 14no. new trees (7no. in each courtyard)

2. **DESCRIPTION OF SITE**

- 2.1 The application site is on Mount Pleasant Lane and lies to the rear of Countisbury Avenue shops in Llanrumney. The site area is 0.5 hectares. The site is long, narrow and roughly rectangular; it was previously occupied by a Council depot which has been demolished.
- 2.2 Mount Pleasant Lane currently services Countisbury Avenue shops to the west as well as access to the Royal Mail depot and will continue to perform this function.
- 2.3 Immediately to the north of the site, there is a flat-roof one-storey extension to the care home building run by a housing association There are also three trees on the land belonging to the care home whose canopies slightly overhang the development site.
- 2.4 To the south of the site is a post office collection depot. At the entrance to Mount Pleasant Lane there is a garage and a car-wash facility. The area adjacent to plot 7 is a sub-station access.

2.5 To the east of the site are the back gardens of the houses that face Bridgwater Road.

3. SITE HISTORY

- 3.1 12/02004/DCO Permission granted: Demolition of Llanrumney CMS Depot
- 3.2 12/00579/DCO Withdrawn: Outline application for residential development.

4. **POLICY FRAMEWORK**

NATIONAL PLANNING POLICY

4.1 Planning Policy Wales (PPW) sets out the land use policies of the Welsh Government and is supplemented with Technical Advice Notes (TANs) and Circulars.

Planning Policy Wales (Edition 8, January 2016)

4.2 Section 1.2 explains that the purpose of the planning system is to manage the development and use of land in the public interest, contributing to the achievement of sustainable development. It notes that the planning system should reconcile the needs of development and conservation, securing economy, efficiency and amenity in the use of land, and protecting natural resources and the historic environment. It recognises that a well-functioning planning system is fundamental for sustainable development.

PPW has been updated, amongst other things, to take into account the Well-being of Future Generations (Wales) Act 2015, and now includes information on the provisions of the Act, including the seven well-being goals (Fig. 4.1) designed to help ensure that public bodies are all working towards the same vision of a sustainable Wales and the sustainable development principle. This principle requires a defined public body to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

Paragraph 4.2.2 states that the planning system provides for a presumption in favour of sustainable development to ensure that social, economic and environmental issues are balanced and integrated, at the same time, by the decision-taker when: taking decisions on individual planning applications.

Paragraph 4.4.3 sets out objectives to contribute to the Well-being of Future Generations Act goals which reflect the Welsh Government's vision for sustainable development and should be considered when determining planning applications.

Technical Advice Notes (TANs) and Circulars

4.3 Key TANs and Circulars include:

TAN 1: Joint Housing Land Availability Studies (2015):

TAN 2: Planning and Affordable Housing (2006)

TAN 11: Noise (1997)

TAN 12: Design (2016)

TAN 15: Development and Flood Risk (2004)

TAN 18: Transport (2007) TAN 21: Waste (2014)

Circular 13/97 'Planning Obligations'

Circular NAW 20/01 'Planning Controls for Hazardous Substances'

Circular WGC 016/2014 'The Use of Planning Conditions for Development

Management'

Other Guidance

Manual for Streets (2007)

Practice Guidance: Planning for Sustainable Buildings (2014)

LOCAL PLANNING POLICY

4.4 Cardiff Local Development Plan, 2006-2016 (Examination version, adopted January 2016)

Key policies:

KP1: LEVEL OF GROWTH

KP5: GOOD QUALITY AND SUSTAINABLE DESIGN

KP6: NEW INFRASTRUCTURE KP7: PLANNING OBLIGATIONS KP8: SUSTAINABLE TRANSPORT

KP12: WASTE

KP13: RESPONDING TO EVIDENCED SOCIAL NEEDS KP14: HEALTHY

LIVING

KP15: CLIMATE CHANGE

Detailed policies:

H3: AFFORDABLE HOUSING

EN8: TREES, WOODLANDS AND HEDGEROWS EN11: PROTECTION OF WATER RESOURCES

EN13: AIR, NOISE, LIGHT POLLUTION AND LAND CONTAMINATION

EN14: FLOOD RISK

T1: WALKING AND CYCLING

T5: MANAGING TRASPORT IMPACTS

T6: IMPACT ON TRANSPORT NETWORKS AND SERVICES
C3: COMMUNITY SAFETY/ CREATING SAFE ENVIRONMENTS
W2: PROVISION FOR WASTE MANAGEMENT FACILITIES IN

DEVELOPMENT

4.5 The application site falls within Cardiff's settlement boundary, as identified on the adopted Cardiff LDP Proposals Map.

Supplementary Planning Guidance (SPG)

Access, Circulation and Parking Standards (2010) Affordable Housing (2007)

Cardiff Residential Design Guide (2008)
Trees and Development (2007)
Waste Collection and Storage Facilities (2007)
Community Facilities and Residential Development (2007)
Open Space (2008)

Other Guidance: Liveable Design Guide (2015)

5. **INTERNAL CONSULTEE RESPONSES**

5.1 The **Housing Officer** provided the following comments:

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.

This planning application is for the proposed new-build development on the site at the Former Llanrumney Housing Depot, which will provide a total of 31 dwellings, both houses and apartments.

In terms of the affordable housing, the proposal is for 31 affordable homes (100%), to be owned by Cardiff Council for social rented accommodation. The mix of the units is:

- 4 x 1 bed flats
- 6 x 2 bed flats
- 21 x 2 bed houses

This proposal exceeds the planning policy requirements of 20% on brownfield sites, and we are fully supportive of this affordable housing scheme.

A proportion of the affordable housing units on the site may be sold by the Council to 1_{st} 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.

5.2 The **Pollution Control Officer** provided the following comments:

The following additional information has been submitted:

Terra Firma (Wales) Ltd, 15/8/16; Additional contamination assessment, letter ref:

RH/13485/Let4.

The above relates to further assessment of the localised potential

contamination of groundwater from petroleum hydrocarbons, identified in the main site investigation.

Based on the above and previously submitted information a remediation strategy will need to be submitted and subject to approval of this a subsequent remediation verification report will be required.

Shared Regulatory Services requests the inclusion of 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 EN13 of the Cardiff Local Development Plan.

- 5.3 The **Noise Officer** has advised that a condition be applied to protect the amenity of future occupiers from the potential noise generated by servicing requirements to the commercial uses in the lane.
- 5.4 The **Highways Officer** providing the following comments:

Mount Pleasant Lane currently largely serves as an access to a number of commercial uses and as a rear access to the Countisbury Avenue shops. Though there's a flat development at its northern end pedestrian access to those flats is achieved from Minehead Close. It's currently in rather poor condition and would need to be significantly improved if it's to serve as the sole means of access to the proposed new residential development.

There's also evidence that Mount Pleasant Lane currently suffers from a significant level of overspill parking by large commercial vehicles, which would have an overbearing effect and also cause restrictions to visibility – all of which make it less than ideal for access to a residential use. However, it would appear that a large element of this overspill parking is actually generated by the existing Housing Depot and I would therefore anticipate that this negative aspect would be significantly eased as a consequence of the proposed residential development.

Though the Transport Statement from Cambria adequately demonstrates that the site is sustainably located in relation to local shops/services/public transport etc., and that the development will generate similar – or reduced – overall numbers of vehicle movements in comparison with the existing use (and of course this would be a significant reduction in terms of movements by large vehicles) it doesn't address the issue of what localised improvements will be required in order to make the development suitable for residential use. In addition to improvements to the road and footway the existing pedestrian link to the shops could be improved and made more pedestrian-friendly by means of a build-out of the existing footway adjacent to 2, Countisbury Avenue, while the provision of bollards at the back of the footway fronting the garage use at the southern end of Mount Pleasant Lane, would create a more pedestrian-friendly environment.

I's suggest a condition along the following lines: Prior to the commencement of development a scheme of highway improvements to Mount Pleasant Lane shall

be submitted to the LPA for approval. Such a scheme shall include, but not be limited to; the scarification/resurfacing of the full length of Mount Pleasant Lane, the full reconstruction of its adjacent footway, an assessment of necessary improvements to the existing street lighting and highway drainage, improvement to the existing footway adjacent to 2, Countisbury Avenue and to the existing footway which fronts the garage business opposite' Reason: in the interests of highway safety.

I'd also request a financial contribution of £3,000 under the S106/UU to cover the cost of processing a TRO for parking restrictions to control on-street parking in the event that the need for this becomes apparent post beneficial occupation.

With regards to the new cul de sacs which will spur off Mount Pleasant to access the new dwellings I would comment that, notwithstanding the lack of turning areas, the proposed arrangements are satisfactory mindful of their short length and mindful of the comments of Waste Management with regards to future collections of waste. Further conditions relating to the construction details of the new roads (D3L) and (D3K), and to the retention of parking (D3D) are required.

With regards to the objection raised by the occupant of 40 Mount Pleasant Avenue I would comment as follows;

Though the comments with respect illegal parking associated with the garage and car wash uses are noted this is an enforcement matter, while further restrictions utilising the aforementioned S106/UU contribution can be introduced as and when required to address and control any future problems which may arise in this respect.

With regards to the amount of traffic already using both Mount Pleasant Lane and Way it should be borne in mind that the Transport Assessment demonstrates that the number of vehicle movements associated with the proposed residential use will actually be less than that generated by the previous use as a Housing Depot – while a further consideration is the number of movements by large commercial vehicles will significantly reduce. While it's acknowledged that that this is a far from ideal location for residential development, the current shortage of housing in the city means that such sites must be considered – and subject to the improvements measures requested above I am satisfied that it will prove adequate in terms of highway safety.

5.5 The **Tree Officer** provided the following comments:

No comprehensive tree assessment has been submitted but the proposed planting plan shows x3 off-site trees overhanging the northern boundary that may be harmed by development or whose future growth may affect the usability of gardens. These trees should be assessed in accordance with BS 5837:2012 and the assessment used to inform design as necessary and the production of an Arboricultural Impact Assessment, Method Statement and Tree Protection Plan, as necessary.

Given the previous use of the site and the evidence of potential asbestos and hydrocarbon contamination presented in the geotechnical/geo-environmental report, re-usable soils for landscaping purposes are unlikely to be available. Unless a Soil Resource Survey has been undertaken providing evidence to the contrary (I would not insist on an SRS/SRP for this site given the previous use and evidence of contamination), I consider that landscaping soils should be imported in accordance with an approved topsoil and subsoil specification supplementing the landscaping scheme. This should include a soiling plan showing the extents of different soil types to be used for different planting types, topsoil/ subsoil profile depths, evidence of certification in accordance with BS 3882:2015 and BS 8601:2013 and evidence of fitness for purpose of the imported soils following an interpretive report prepared by a soil scientist. The submitted planting plan refers to drawing TRP 16-25-PL-202 (tree planting details), but this does not appear to be attached to Acolaid. Such details are required along with a full planting and aftercare methodology, though I have no other adverse observations regarding the planting plan.

Proposed drainage plans show conflict with planting beds – I would like to see all drainage infrastructure located outside of planting beds, and confirmation that no other utilities or lighting will conflict with proposed planting.

5.6 The **Parks Officer** made the following comments:

I concur with the comments made by the Tree Officer regarding the tree assessment, issues regarding contamination, soils and planting, the conflict between the drainage infrastructure and planting which needs to be resolved. Overall I welcome the planting plan.

Based on the information provided on the number and type of units, I have calculated the additional population generated by the development to be 52.31. This generates an open space requirement of 0.126 ha of on-site open space based on the criteria set for Housing accommodation.

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 £55,373 including planning admin fee.

For 100% affordable housing schemes, it is recognised based on the Cardiff Housing Allocation Scheme 2015 document that one bed properties will be for adults only and no children will be allowed to reside there. Therefore the calculation has been adjusted accordingly to remove the element relating to provision of children's play for these properties.

Based on the 2009 Cardiff Council Open Space Survey there is a deficiency in open space provision of 2.52 hectares in the Llanrumney Ward, in which the development is situated (Measured by the Fields in Trust recommended standard of 2.43 hectares per 1000 population). The quality and facilities of existing open spaces also require improvement, with additional capacity to take

into account the increased residential population resulting from the development.

- 5.7 The **Ecology Officer** was consulted and had no comments, given that the depot building had been previously demolished.
- 5.8 The **Regeneration Officer** requested a developer contribution of £21,442 to be spent on community facilities within the ward in line with the Community Facilities and Residential Development SPG.
- 5.9 The **Drainage Officer** concluded, in terms of a statutory perspective, that there are a number of drainage design details which need to be resolved via condition.

He commented as follows:

From the perspective of statutory conditions for the surface water drainage, I will need to see much greater detail in terms of the 2 methods of surface water attenuation, and their linkages. With this, I will also need a digital copy of the MD simulation model and confirmation of the direction of exceedance flows from the 1in100 +30% storage. I am not prepared to allow an increase in outflow off the site, so the volumes of attenuation cannot be reduced. Greater clarity is also required relating to the ground contamination. Any surface water drainage (adopted or private) and its associated attenuation, cannot be exposed to the contamination in a manner which would allow contaminant transfer. If it is proposed to position the 2 together, then a design and method statement to clarify how there will be no cross contamination, is essential.

In terms of non-statutory drainage guidance, this development does not meet the recently published Welsh Government Guidance (Recommended non-statutory standards for sustainable drainage (SuDS) in Wales, 2015). This is very disappointing as it contradicts the advice we have been giving developers. The housing density has compromised the SUDS, leaving very few practical options left in effectively managing attenuation.

5.10 The **Waste Management Officer** raised no objections to the layout and recommended bin storage types.

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 Natural Resources Wales (NRW)

The NRW officer made the following comments:

We have reviewed the Additional Investigation of Contaminated Groundwater: Former Llanrumney Housing Depot letter prepared by Terra Firma Ltd., dated 15th August 2016. This additional information does not alter our position in our letter, reference CAS-20458-S9D4, dated 12 July 2016. We repeat this advice for ease of reference and include further advice on the additional investigation within the enclosed annex.

We have significant concerns with the proposed development as submitted. However, we consider it likely the concerns can be addressed and we would not object, provided the following conditions are imposed on any planning permission granted. Without these conditions, the proposal is likely to have an unacceptable effect on controlled waters.

The proposed development site overlies a secondary A aquifer, which are permeable layers capable of supporting water supplies at a local rather than strategic scale, and in some cases forming an important source of base flow to rivers. Groundwater below the site may therefore be vulnerable to the proposed development.

The submitted Geotechnical and Geo-environmental Site Investigation Report prepared by Terra Firma, dated March 2016, identifies there is hydrocarbon contamination present at the proposed development site, which is associated with its previous use as a council depot. However, it is unclear to what extent the controlled waters are impacted or could be impacted. The additional investigation has further delineated the area of hydrocarbon contamination identified within TP2. However, it has not improved the conceptual understanding of the site or provided an adequate assessment of the potential risk to controlled waters. Further advice on the additional investigation is in the enclosed annex. Therefore, the proposed development will be acceptable if the following measures are implemented and secured by way of planning conditions on any permission your Authority is minded to grant.

A number of conditions and recommendations are listed.

6.2 Welsh Water

The officer made the following comments:

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

We have reviewed the information submitted as part of this application with particular focus on the Flood & Consequence Assessment and Drainage Strategy reference CC1588/REP01/A dated May 2016, drawing number CC1588 CAM 00 00 GA C 100 Rev P2 and Geotechnical/ Geoenvironmental Site Investigation Report reference 13485.

Whilst we acknowledge that all options for disposal of surface water have been considered, discounted and the principles acceptable we note that the plan appears to show land/highway flows being conveyed to the public sewer. In the absence of Highway drainage being agreed to communicate to the public sewer we recommend conditions and advisory notices.

6.3 South Wales Police

The applicant consulted with the South Wales Police Designing out Crime officers regarding community safety and security at the pre-application stage and therefore South Wales Police have no further comments to make due to the fact that all issues have been addressed in the Design and Access statement.

The development has been given the Secured by Design reference number C/3393/16.

7. **REPRESENTATIONS**

- 7.1 There are two objections to the scheme from local residents. The first objector resides in 40 Mount Pleasant Lane to the south of the site and objects on the following grounds:
 - Excess traffic:
 - Mount Pleasant Lane is the busiest Road in Llanrumney. The customers for the car wash and the garage all double park on yellow lines. The repair vehicles park along the road on Mount Pleasant Lane as well as on the pavements on the corner of Mount Pleasant Avenue and Mount Pleasant Lane. Mount Pleasant Lane is supposed to be for deliveries and access only, not for the repair and parking of vehicles;
 - Increase in traffic to Mount Pleasant Avenue. If we have visitors, there is nowhere to park (we do not have a driveway). Building more houses / flats in the area is a bad idea because the traffic is already very heavy. The garage on the corner of Mount Pleasant Avenue / Mount Pleasant Lane already causes problems and additional traffic will make the situation worse;
 - Since speed bumps were introduced onto Llanrumney Avenue, most traffic now uses Mount Pleasant Avenue to get in and out.
 - Increase in air pollution.

The second objector resides in 23 Bridgewater Road which backs onto the site on the following grounds:

- Loss of privacy to the back garden;
- Loss of light or restricted sunlight;
- Security concerns with regards to garden access and fears of a greater risk of criminal activity;
- Loss of value of property;
- Damage to boundary wall from new properties.

8. **ANALYSIS**

8.1 The application site is a vacant parcel of land formerly used as a Council depot (demolished) and situated in close proximity to Countisbury Avenue Local Centre. The site falls within the settlement boundary as defined by the LDP

proposals map and is afforded no specific policy designation or allocation. The surrounding area is residential in nature and given this context, the development of the site for residential purposes raises no land use policy concerns.

- 8.2 The conditions and recommendations from Natural Resource Wales and the Council's Pollution Control Officer have been amalgamated and applied to ensure that hydrocarbon contamination is removed and an adequate assessment is made of the potential risk to controlled waters to protect the environment.
- 8.3 The scheme is 100% affordable housing which is considered to be of significant benefit to the city and contributes towards housing need, as acknowledged by the affordable housing team. This proposal exceeds the planning policy requirements of 20% on brownfield sites and contributes towards the long term Housing Partnership Programme targets.
- 8.4 The density of the scheme (62 DPH) is considered to be a sustainable use of land and appropriate for the site. The houses are all 2-storey terraces in rows of five, book-ended with apartment buildings of 2 and 3 storeys. The internal layout of the apartments are dual aspect to help to reduce the impact of Mount Pleasant Lane. The apartments and the landscaping help to create a meaningful entrance into a courtyard space which will have a quieter residential atmosphere.
- 8.5 The scale is considered to be appropriate for the site and relates well to the existing context. The three-storey apartments act as a gateway feature at the centre of the site.
- 8.6 The combination of two high quality red bricks with bespoke architectural striped patterns and coloured timber panels to the ground floor, together with pitched rooves with mortar bedded verges and slim-line pvc windows, create a well-designed contemporary aesthetic. The canopy and timber bin enclosures positively contribute to the street scene in the courtyards. The final materials will be secured via condition.
- 8.7 The planting scheme is considered beneficial in this otherwise predominantly urban site and includes: 14no. new trees in the courtyards, (3 small, 9 medium and 2 large), a hedge along Mount Pleasant Lane in combination with flowering shrubs to enhance biodiversity (following recommendations in the DAS). The landscaped areas along the eastern boundary further help to provide a buffer between the site and the neighbouring properties. The landscaping beds between the parking bays creates a softening to reduce the visual impact of parked cars.
- 8.8 The Tree Officer is satisfied with the Planting Plan and full landscaping details and aftercare methodology have been conditioned. There has been additional information provided with regards to the proposed utilities that show no conflict with planting beds. There is a condition relating to any retained utilities plan that will need to show no conflict.

- 8.9 There are three off-site trees whose canopies slightly overhang the northerly boundary of the site. There has been updated survey information provided since the Tree Officer gave his comments. The Site Survey indicates that there is one 'C' category sycamore (Low quality and value) to the north of flat block units 30-31, one 'C' category sycamore to the north of house no.29, and one 'B' category (moderate quality and value) Birch to the north of unit no. 24.
- 8.10 The Landscape Architects have confirmed that the 'C' category trees have small canopies and have been planted in a narrow strip of soil between hard surfacing on all sides. This is has resulted in a slightly stunted appearance and sparse crowns. The lack of available soil volume means that the trees are unlikely to grow much larger or have an impact on residential amenity.
- 8.11 The 'B' category birch is 2m away from the rear garden of no. 24 and the canopy overhangs the garden with potential to grow larger and dominate part of the garden. However, the garden size is more than 100sqm and can therefore accommodate a usable amenity area that is away from the tree canopy. The site levels are conditioned and this can ensure that the garden levels are appropriate to ensure usability.
- 8.12 The courtyard includes a shared area for the vehicles and pedestrians which has considered the needs of inclusive design. In addition, there are alternative footpaths to the front of the houses and in front of the three-storey flat blocks. This is considered to be an appropriate approach to access which ensure an intimate feel to the street.
- 8.13 The short rows of narrow fronted terraced housing opposite each other create a clear street frontage that overlooks the courtyards and should encourage a sense of community. The fronts of the terraces are 21m apart across the courtyard. The separation distance between the rears of the properties is also 21m which meets the Council's requirements to protect residential amenity.
- 8.14 The garden sizes for the houses range from 41sqm to 70sq m. The majority of houses have more than 50sqm which meet the Council's Residential Design Guide SPG. The remaining nine units with slightly smaller gardens at 41sqm meet the Welsh Government DQR Housing Standards which stipulate 40sqm and a range of other requirements with regards to flat areas and paved access. Given that all the gardens will have access to usable garden space, and the site area is severely constrained to enable four rows of housing to create overlooked courtyards, this is considered to be acceptable.
- 8.15 The objection from 40 Mount Pleasant Lane, with respect illegal parking associated with the garage and car wash uses are noted, however, this is primarily an enforcement matter. Further restrictions via a highways scheme secured via condition will be introduced to help address and control any future problems which may arise in this respect. This is considered to negate the need for a financial contribution for £3000 via a S106, as requested by the Highways Officer for a TRO, as the submitted plans will account for potential problems through the design.

- 8.16 With regards to the amount of traffic already using both Mount Pleasant Lane and Mount Pleasant Avenue, the Transport Assessment demonstrates that the number of vehicle movements associated with the proposed residential use will actually be less than that generated by the previous use as a Housing Depot. A further consideration is that the number of movements by large commercial vehicles will significantly reduce. Subject to the improvement measures requested via condition. The Highways Officer is satisfied that this will prove adequate in terms of highway safety. There is one allocated car parking space per unit and six visitor spaces which meets the Council's policies on parking.
- 8.17 In terms of the representation received on air pollution, the Pollution Control team have not raised any objection to the application.
- 8.18 With regards to the objection from 23 Bridgewater Road, the closest new unit is identified as plot no.23 in the northerly courtyard. There are no side windows in the new house and there will therefore be no overlooking of 23 Bridgewater Road garden. The new house will not have a material effect on light or sunlight to the property, given that it is a 2-storey pitched roof, will be at a lower level than the 23 Bridgewater Close, only partially overlaps with the alignment of the garden, and the boundary of the new house is 19.6m away from the back of the existing house (16.5m from the rear annex).
- 8.19 There are no significant security concerns, as the garden of unit no.23 encloses the back garden of the objector's house. The South Wales Police provided a Secured by Design reference number for the development gave no objection. The Design and Access Statement provides details on the security measures. The development is considered to be acceptable from a safety and security perspective.
- 8.20 The loss of value of property and the possible damage to a boundary wall is not a material consideration in planning terms. The applicants normally contact all properties that share a boundary with the site with regards to boundary treatments prior to construction.
- 8.21 The Noise Officer requested a condition which has been applied in order to protect future residents from the noise cause by commercial vehicle servicing and movements along Mount Pleasant Lane.
- 8.22 The Conditions and Advisory Notes advised by Welsh Water have been included together with an additional condition with regards to further drainage details in response to the Council's Drainage Officer. This will ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

With regard to surface water drainage, whilst the concerns of the Drainage Officer are noted, it is acknowledged that the opportunities for non-statutory best practice is limited in this instance. The positive contribution of the development towards the provision of affordable housing within a sustainable location, is considered to outweigh the concerns of the drainage officer with

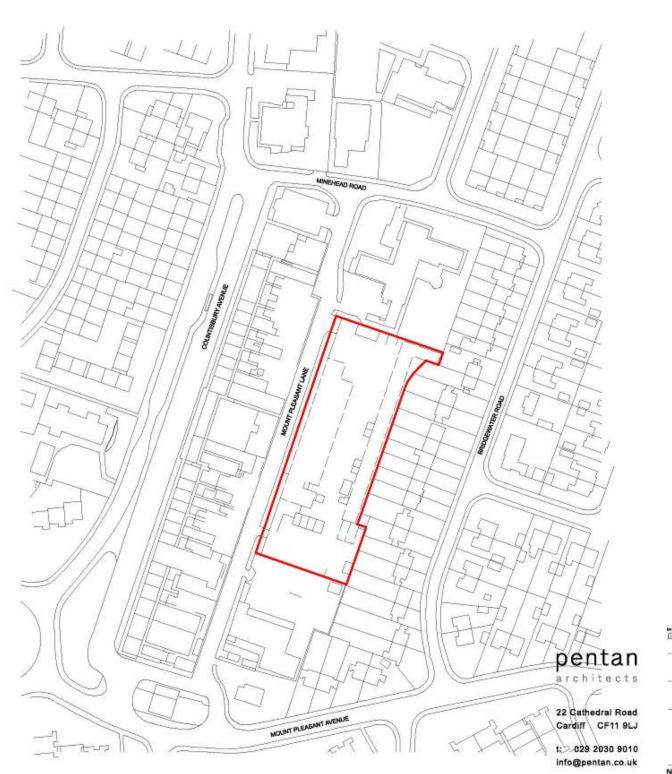
- regard to sustainable drainage in this instance.
- 8.23 The waste management officer raised no objections to the layout. The bin storage types required have been added to the Recommendations.
- 8.24 In summary, the proposed design and layout is considered good and makes the best of a very challenging site.

9. **S106 REQUIREMENTS AND VIABILITY**

- 9.1 In identifying the nature and quantum of infrastructure provision, and having regard to the extent and tenure of affordable housing to be delivered, the applicant has provided a viability statement which has been independently verified
- 9.2 It is acknowledged that the scale and nature of the affordable housing provision, alongside higher design costs and site abnormalities would render the development unviable within the levels of obligations sought. All units within the development are designed to achieve 17% higher energy performance than current Welsh Building Regulations.
- 9.3 Notwithstanding the above, the developer has agreed to the following obligations:
 - 100% affordable housing on-site, comprising of affordable homes to be offered to the Council for social rent;
 - The comprehensive scheme of highways improvement works along Mount Pleasant Lane to be agreed with the local authority and carried out by the developer (as per conditions);
 - Details of on-site management and maintenance of trees, planting and drainage;
 - A commitment to pay commuted maintenance sums towards maintaining highways.
- 9.4 It is considered that the S106 Heads of Terms satisfy the requirements of Circular 13/97 Planning Obligations and the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations.

10. **CONCLUSION**

10.1 It is recommended that planning permission be granted, subject to conditions and the signing of a Section 106 legal agreement to secure the works as indicated in Section 9.





SITE BOUNDARY

SITE AREA 0.5 (hacteres)

Project

LLANRUMNEY DEPOT, MOUNT PLEASANT LANE

WATES LIVING HOMES

Drawing Title

SITE LOCATION PLAN

Revisions

Date JUN '16 1:1250 @ A3 Drawing No. 3517_PA_001

Rev.

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





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Project

LLANRUMNEY DEPOT, MOUNT PLEASANT LANE

WATES LIVING HOMES

Drawing Title

COURTYARD STREET SCENE

Scale NTS

Date JUN '16

Drawing No. 3517_PA_403

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