

COMMITTEE DATE: 21/06/2017

APPLICATION No. **16/03065/MJR** APPLICATION DATE: 19/01/2017

ED: **GRANGETOWN**

APP: TYPE: Full Planning Permission

APPLICANT: Wales & West Housing Association Ltd

LOCATION: ST PAULS CHURCH, LLANMAES STREET, GRANGETOWN, CARDIFF, CF11 7LR

PROPOSAL: CHANGE OF USE OF PART OF EXISTING CHURCH BUILDING FROM PLACE OF WORSHIP TO NEW RESIDENTIAL APARTMENTS (SMALLER PLACE OF WORSHIP RETAINED WITHIN BUILDING), CONSTRUCTION OF 2 NR NEW 2 BEDROOM SEMI-DETACHED HOUSES, CONSTRUCTION OF NEW EXTENSION BETWEEN EXISTING CHURCH VESTRY AND PARISH HALL TO PROVIDE NEW ENTRANCE TO CHURCH, CONSTRUCTION OF NEW CYCLE AND BIN STORE STRUCTURE, ADAPTATION OF EXISTING SITE PERIMETER FENCING TO PROVIDING ACCESS TO NEW HOUSES AND NEW CHURCH ENTRANCE, ALTERATIONS TO EXISTING LANDSCAPING TO ACCOMMODATE NEW CIRCULATION PATHS, ENCLOSED LANDSCAPE AMENITY SPACE FOR USE BY APARTMENT RESIDENTS AND FORECOURT APPROACH TO NEW CHURCH ENTRANCE, LBC APPLICATION FOR THE CONVERSION OF THE EXISTING CHURCH AISLES AND NAVE INTO 12 NEW APARTMENTS, REPLACEMENT OF 8 NR EXISTING WINDOWS IN AISLES AND CREATION OF 8 NR NEW WINDOW OPENINGS SERVING NEW APARTMENTS, ALTERATION OF EXISTING CHURCH CHANCEL TO CREATE NEW FLAT-FLOORED WORSHIP SPACE

RECOMMENDATION 1 : That, subject to relevant parties entering into a binding planning obligation in agreement with the Council under **SECTION 106** of the Town and Country Planning Act 1990, within 6 months of the date of this resolution unless otherwise agreed by the Council in writing, in respect of matters detailed in paragraph 8.20 of this report, planning permission be **GRANTED** subject to the following conditions:

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

<i>Dwg. No.</i>	<i>Title</i>
L(90)001	Site Location Plan
L(90)100	Site Plan
L(90)150B	Site Layout

L(00)100A	Ground Floor Apartment Plan
L(00)101	First Floor Apartment Plan
L(00)102	Second Floor Apartment Plan
L(00)103	Roof Plan
L(00)200	Sections A-A & B-B
L(00)201	Section C-C
L(00)202	Section D-D
L(00)203	Section E-E
L(00)204	Section F-F & G-G
L(00)300A	North Elevation
L(00)301A	West Elevation
L(00)302A	South Elevation
L(00)303A	East Elevation
L(00)150	Chancel and New Entrance Plan
L(00)151	Chancel Internal Elevations
L(00)501B	Link Building – Ground & Roof Plans
L(00)520B	Link Building – Elevations & Sections
L(00)900	Bin & Cycle Store Plans, Sections & Elevations
L(00)700	Houses Ground Floor Plans
L(00)701	Houses First Floor Plans
L(00)702	Houses Second Floor Plans
L(00)720	Houses Section
L(00)730A	Houses Elevations

Reason: For the avoidance of doubt.

3. No above-ground development shall take place until samples of the external finishing materials for the link building and the houses have been submitted to and approved by the Local Planning Authority and the development shall not be brought into beneficial use until the approved scheme is implemented.
Reason: To ensure a satisfactory finished appearance to the development.
4. No above-ground development shall take place until a scheme showing the architectural detailing of the principal elevations of the link building and the houses has been submitted to and approved in writing by the LPA and the development shall not be brought into beneficial use until the approved scheme is implemented.
Reason: To ensure a satisfactory finished appearance to the building.
5. Prior to beneficial occupation of the two semi-detached houses the approved conversion works to the listed St Paul's Church shall have reached certified practical completion.
Reason: To ensure that the houses are not developed in isolation and that the listed building is repaired and brought into beneficial use.
6. *Highway Works:* Prior to beneficial occupation the redundant vehicle crossover on St Fagans Street shall be removed and reinstated as footway.

Reason: To facilitate the reinstatement of the adjacent public highway in the interests of highway and pedestrian safety.

7. *Construction Management Plan:* Prior to commencement of development a scheme of construction management shall be submitted to and approved by the Local Planning Authority, to include details of construction traffic routes, site hoardings, site access, contractor parking and wheel washing facilities. Construction of the development shall be managed strictly in accordance with the scheme so approved.

Reason: In the interests of highway safety and public amenity.

8. No development shall take place until a scheme for the drainage of the site and any connection to the existing drainage system has been submitted to and approved in writing by the LPA. The scheme shall include an assessment (based on permeability testing) of the suitability of the site for draining surface water by sustainable means. The scheme shall be implemented in accordance with the approved details.

Reason: To prevent hydraulic overloading of the public sewerage system and ensure an orderly form of development.

9. *Ground Gas Protection Measures:* Prior to the commencement of any development works a scheme detailing the appropriate gas protection measures that are required 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 has been submitted to and approved by the Local Planning Authority, in writing to the LPA. 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.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.

10. *Contaminated Land Measures – Assessment:* Prior to the commencement of the development an assessment of the nature and extent of contamination shall be submitted to and approved in writing by the Local Planning Authority. This assessment shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

- An intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study.
- An assessment of the potential risks to: human health; groundwater and surface waters; adjoining land, property (existing or proposed); archaeological sites and ancient monuments; and
- An appraisal of remedial options, and justification for the preferred remedial option(s).

Reason: To ensure that information provided for the assessment of the

risks from land contamination is sufficient to enable a proper assessment in accordance with policy EN13 of the Cardiff Local Development Plan.

11. *Submission of Remediation Scheme and Verification Plan:* 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.
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.
12. *Undertaking of Remediation and Issue of Verification Report:* The remediation scheme as approved by the LPA 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.
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.
13. *Identification of Unsuspected Contamination:* In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be

agreed with the LPA within 2 weeks of the discovery of any unsuspected contamination.

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

14. *Imported soil:* 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 to 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, verification sampling of the material received at the development site is required to verify that the imported soil is free from contamination and shall be undertaken in accordance with a scheme agreed with in writing by the LPA.

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

15. *Imported aggregates:* Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation to 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, verification sampling of the material received at the development site is required to verify that the imported aggregate is free from contamination and shall be undertaken in accordance with a scheme agreed with in writing by the LPA.

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

16. *Use of site-won materials:* Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.

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

17. A scheme of sound insulation works to the party wall structure between the apartments on the first floor and the boiler/plant room and the apartments on the second floor and the boiler/plant room shall be submitted to and agreed in writing by the LPA and implemented prior to occupation.

Reason: To protect the amenity of future occupiers.

18. *Tree protection:* No development shall take place until an AMS detailing the methods to be used to prevent loss of or damage to retained trees within and bounding the site, and a Tree Protection Plan (TPP) in the form of a scale drawing showing the finalised layout and the tree and landscaping protection methods detailed in the AMS have been submitted to and approved in writing by the Local Planning Authority. The AMS shall include details of site monitoring of tree protection and tree condition by a qualified arboriculturist, undertaken throughout the development and after its completion, to monitor tree condition. The scheme shall be carried out in accordance with the approved details.

Reason: To protect existing trees in the interests of visual amenity.

19. No above ground development shall take place 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 proposed finished levels, earthworks, hard surfacing materials, proposed and existing services above and below ground level, planting plans (including schedules of plant species, sizes, numbers or densities, and in the case of trees, planting, staking, mulching, protection, soil protection and after care methods) and an implementation programme. The scheme shall be informed by a basic soil assessment and carried out in accordance with the approved details.

Reason: To ensure adequate amenity for future occupiers.

20. C4R Landscaping Implementation

RECOMMENDATION 2: The applicant is advised that the highway works condition and any other works to existing or proposed adopted public highway are to be subject to an agreement under Section 278 Highways Act 1980 between the developer and Local Highway Authority.

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

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 The detailed application proposes the change of use of the main body of the church to 12 affordable apartments over 3 new floors utilising the main west entrance and installing stairs and lift in a new full height entrance foyer.
- 1.2 The chancel will be refurbished and retained as a place of worship and a new single storey extension built to connect the church with the Parish Hall and provide a new entrance hall to the church from St Fagan's Street over a new landscaped forecourt. The existing vicarage garage/ outbuilding will be demolished to make way for this new entrance.
- 1.3 Two new 2-storey semi-detached dwellings will be built next to the Vicarage on the northern boundary of the site. They have front door access from Llanmaes Street via small front gardens with railings, and small fenced private rear gardens. They are set back from the pavement and follow the building line of the existing terrace. Next to the houses and set back into the site there is a bin store and cycle store serving the apartments.
- 1.4 Existing mature trees are retained to the front of the site and there will be no loss of significant amenity trees as a result of this development.

- 1.5 Amended plans were received addressing issues relating to the design of the link block and the semi-detached houses.
- 1.6 Statutory pre-application public consultation was carried out by the developer from 10.11.16 to 9.12.16. Site notices were posted by the applicant and the planning application documents were made available on line. Letters were sent to the adjoining owners and occupiers and to the Ward Councillors. Welsh Water and Cardiff Council Highways were consulted in accordance with statutory requirements.
- 1.7 DCWW responded on drainage requirements. One local resident responded raising concerns over parking, noise from future occupiers, and lack of consultation. Local members did not respond.
- 1.8 The pre-application consultation undertaken by the applicant meets the requirements of the T&CP (Wales) (Amendment) Order 2016.
- 1.9 The application is supported by the following additional information:
 - Pre-Application Consultation Report
 - Design and Access Statement
 - Heritage Impact Assessment
 - Planning Statement
 - Flood Consequences Assessment (FCA) Report, and updated FCA Report
 - Ecological Survey Report
 - Structural Report

2. **DESCRIPTION OF SITE**

- 2.1 A flat roughly square 0.27ha site with the imposing Grade II listed church built in 2 phases between 1889 and 1902 sited in the centre of the site with the main entrance from Paget Street to the west. Immediately to the south of the church building is a single storey unsympathetic Parish Hall building constructed in 1968 and recently renovated, and a 2-storey Vicarage in the NE corner of the church plot that is not included in the red line boundary.
- 2.2 The church and other buildings are bounded to the west and the NW corner by grassed amenity space and several significant mature trees and the site is enclosed by a wrought iron fence.
- 2.3 The site is bounded by Paget Street to the west, Llanmaes Street to the north, a gated lane to the east, and St. Fagans Street to the south. A secondary pedestrian access is provided off St. Fagans Street serving the Parish Hall, and there is a gated vehicular access to the single storey garage (to be demolished) at the southeast corner of the site, accessed off the same street. The immediate area is predominantly residential comprising 2 storey late Victorian terraced housing.

3. **PLANNING HISTORY**

16/03066/MJR: Accompanying application for listed building consent for works to facilitate the conversion of the church aisles and nave into 12 apartments, including the replacement of 8 windows in aisles and creation 8 new window openings serving new apartments, alteration of chancel to create new worship space, and adaptation of site perimeter fencing. Under consideration.

11/2139/DCI: PP granted in April 2012 for extensions and refurbishment of St. Pauls Church Hall.

4. **POLICY FRAMEWORK**

4.1 The following national planning policy and guidance is considered to be of particular relevance:

4.1 Planning Policy Wales (PPW) Ed. 9 Nov 2016: Ch. 6.5 Development Management & the Historic Environment.

Welsh Office Circular 61/96: Planning and the Historic Environment: Historic Buildings and Conservation Areas

4.2 The following Technical Advice Notes (TANs) are relevant:

- TAN 12: Design
- TAN 24: Historic Environment

The following local planning policy and guidance is considered to be of particular relevance:

4.3 Cardiff Local Development Plan 2006-2026:

- KP5 Good Quality and Sustainable Design
- KP7 Planning Obligations
- KP17 Built Heritage
- C1 Community Facilities
- C5 Provision for Open Spaces
- EN13 Air, Noise, Light Pollution & Land Contamination
- H3 Affordable Housing

4.4 Supplementary Planning Guidance

The following Supplementary Planning Guidance (SPG) is of relevance:

- Access, Circulation and Parking Requirements (2010)
- Waste Collection and Storage Facilities (2016)
- Planning Obligations (2017)

5. **INTERNAL CONSULTEE RESPONSES**

Land Use Policy:

5.1 The site has no specific designation or allocation but falls within a residential area. The application should therefore be assessed against Policy H6: Change

of Use or Redevelopment to Residential Use. This policy provides a framework for the assessment of change of use, conversion or redevelopment of redundant previously developed land and premises for residential purposes within settlement boundaries.

- 5.2 Redevelopment to residential use is permitted where:
- there is no overriding need to retain the existing use of the premises and no overriding alternative local land use requirement;
 - the resulting residential accommodation and amenity will be satisfactory;
 - there will be no unacceptable impact on the operating conditions of existing businesses;
 - necessary community and transportation facilities are accessible or can be readily provided or improved; and
 - it can be demonstrated that the change of use to a more sensitive end use has been assessed in terms of land contamination risk and that there are no unacceptable risks to the end users.
- 5.3 Religious facilities such as churches are defined in the LDP as community facilities. As such, Policy C2: Protection of Existing Community Facilities is also of relevance. Policy C2: permits the change of use of buildings used for community facilities where:
- an alternative facility of at least equal quality and scale to meet the community needs is available or will be provided within the vicinity or;
 - it can be demonstrated that the existing provision is surplus to the needs of the community.
- 5.4 The proposal involves only part of the church building and a smaller place of worship will be retained and given its location in an established residential area, assessed against this policy framework, the application raises no land use policy concerns.
- 5.5 Transportation: The Council's Transportation Officer confirms that the submission is considered to be acceptable in principle, subject to standard conditions. **The detailed response will be reported to committee.**
- 5.6 Parks Services: Overall I welcome the design of the amenity space as it will result in retention of many of the trees, particularly those along the boundary of Paget Street. These form a valuable part of the streetscape and protection of these during construction and as part of the final design is a critical part of the scheme. In order to ensure their protection I would advise that a tree protection plan is produced or a plan indicating that they would be fencing off during construction. In terms of design of the amenity space I would suggest that some seating is provided for residents.
- 5.7 These comments relate to the current LDP (C5 Provision for Open Space, Outdoor Recreation, Children's Play and Sport; KP16 Green Infrastructure), and the 2017 Planning Obligations Supplementary Planning Guidance (SPG), supported by policies set out in the 2008 SPG for Open Space which set the Council's approach to open space provision.

- 5.8 The Council's LDP requires provision of a satisfactory level and standard of open space on all new housing/student developments, or an off-site contribution towards existing open space for smaller scale developments where new on-site provision is not applicable.
- 5.9 Based on the information provided on the number and type of units, I have calculated the additional population generated by the development to be 19.2. This generates an open space requirement of 0.0466 ha of on-site open space based on the criteria set for Housing accommodation, or an off-site contribution of £19,921. I enclose a copy of the calculation.
- 5.10 As no public open space is being provided on-site, the developers will be required to make a financial contribution towards the provision of new open space, or the design, improvement and/or maintenance of existing open space in the locality, given that demand for usage of the existing open spaces would increase in the locality as a result of the development.
- 5.11 The use of S106 contribution from this development will need to satisfy CIL and the current distance requirements set out in the 2017 Planning Obligations SPG – play areas 600m (not applicable to student and sheltered accommodation), informal recreation 1000m, and formal recreation 1500mm, measured from edge of the site.
- 5.12 Use of the contribution will be confirmed at S106 stage. The closest areas of recreational open space are Grange Gardens, The Marl and Grangemoor Park.
- 5.13 Housing Strategy: The Housing Strategy Officer makes the following comments: There is a high demand for affordable housing in this area and the Housing Development Team is fully supportive of Wales & West HA redeveloping this site wholly for affordable housing. All social rented units will meet Welsh Government Development Quality requirements (DQR) & the Welsh Housing Quality Standard (WHQS). The planning permission needs to be a restricted use for 100% affordable housing.
- 5.14 Drainage Management: No consultation response received to date. In the event a response is received it will be reported to planning Committee as a late representation.
- 5.15 Waste Management: Amended plans were received addressing concerns over the bin storage area. The Waste Strategy and Minimisation Officer has no objection to the proposal.
- 5.16 Pollution Control (Contaminated Land): The Contaminated Land Officer makes the following observations: In reviewing available records and the application for the proposed development, the site has been identified as formerly part of Upper Grangetown Brickworks, including infilled clay pits. Additional historical landfill sites are also identified within 250m of the development. Activities associated with this may have caused the land to become contaminated. In addition former landfill 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.

- 5.17 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.
- 5.18 Shared Regulatory Services requests the inclusion of standard ground gas protection, contaminated land, unsuspected contamination, imported soils/aggregates, and use of site-won materials conditions.
- 5.19 Pollution Control (Noise & Air): The Pollution Control Officer requests the following conditions: sound insulation, plant noise, and amplified music and a construction site noise recommendation.
- 5.20 Trees: Since submission of the application the applicant has provided a Tree Assessment and an Arboricultural Impact Assessment at the request of the Tree Officer. The Officer makes the following comments:
- 5.21 The submitted tree report demonstrates that implementation of this development will not result in the loss of any significant amenity trees. However, there will be an incursions into the Root Protection Areas (RPAs) of two trees, comprising the 'A' category T10 (paved ramp and bin store) and 'B' category T12 (bin/cycle store, amenity space). Considering that roots from these trees are highly unlikely to be extending into the highway, and the boundary wall may impede their development under the footway, it is reasonable to argue that their RPAs should be offset into the existing soft landscaped parts of the site. Consequently the incursions into the RPA are greater than shown, and taking this approach, the 'B' category T6 also sees an incursion into its RPA (ramped paving). As per 5.3.1 of BS 5837:2015, my default position is that structures should be located outside of RPAs to be retained, unless:
- Technical solutions are presented that will prevent damage to the trees;
 - The project arboriculturist demonstrates the trees can remain viable and that the area lost to encroachment can be compensated for elsewhere, contiguous with its RPA;
 - The project arboriculturist proposes a series of mitigation measures to improve the soil environment that is used by the tree for growth.
- 5.22 Whilst I am content to await landscaping details informed by a basic soil assessment at discharge of conditions stage, I do at least need clear 'in principle' agreement to the following:
- 5.23 A basic soil assessment shall be undertaken prior to the preparation of a landscaping scheme. The assessment shall be carried out by a Soil Scientist, Environmental Scientist, Arboriculturist, Horticulturist or Landscape Architect,

based on the preparation of trial pits. Soil physical characteristics shall be recorded, photographed and submitted as evidence of the suitability of the soil for its intended end use, and a strategy for soil handling, storage and placement prepared, that accords with the principles set out in BS 3882:2015, BS 8601:2013 and the 2009 DEFRA Code.

- 5.24 The basic soil assessment shall be used to inform a detailed landscaping scheme, prepared by a professional Landscape Architect or Garden Designer. The landscaping scheme shall make provision for two new, upright trees on the frontage of the two new houses and the planting palette shall be appropriate functionally and symbolically, reflecting the use of the site as a place of Christian worship. In this regard, plants selected on the basis of their Christian symbolism, including evergreen trees and shrubs in the genera Cupressus, Ilex, Juniperus and Myrtus are appropriate, and shall be incorporated into the landscaping scheme wherever possible. The landscaping scheme shall comprise a scaled planting plan, plant schedule, topsoil and subsoil specification, tree pit section, planting methodology and aftercare methodology.
- 5.25 I agree with the submitted Arboricultural Impact Assessment that a site specific Arboricultural Method Statement and Tree Protection Plan are required to describe the tree protection measures that will be put in place at this site during development. If you do not require such upfront, which is preferred, then you will need to condition the requirement.
- 5.26 Recommended tree protection condition: No demolition, site preparation or development shall take place until the following have been submitted to and approved in writing by the Local Planning Authority (LPA) in accordance with the current British Standard 5837:
- An Arboricultural Method Statement (AMS) detailing the methods to be used to prevent loss of or damage to retained trees within and bounding the site, and existing structural planting or areas designated for new structural planting.
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- The AMS shall include details of site monitoring of tree protection and tree condition by a qualified arboriculturist, undertaken throughout the development and after its completion, to monitor tree condition. This shall include the preparation of a chronological programme for site monitoring and production of site reports, to be sent to the LPA during the different phases of development and demonstrating how the approved tree protection measures have been complied with.
- A Tree Protection Plan (TPP) in the form of a scale drawing showing the finalised layout and the tree and landscaping protection methods detailed in the AMS that can be shown graphically.
- Unless written consent is obtained from the LPA, the development shall be carried out in full conformity with the approved AMS and TPP. Reason: To enable the Local Planning Authority to assess the effects of the proposals on existing trees and landscape; the measures for their protection; to monitor compliance and to make good losses.

6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 Glamorgan Gwent Archaeological Trust (GGAT): Having consulted their records GGAT confirms that the proposal has an archaeological restraint. To ensure work is carried out in an appropriate manner GGAT request a standard condition requiring the pre-commencement submission of a programme of historic building recording and analysis for approval by the LPA.
- 6.2 DCWW: No objection subject to a condition requiring that no surface water from any increase in the roof area of the building and/or impermeable surfaces within the curtilage shall be allowed to drain directly or indirectly to the public sewerage system.
- 6.3 Natural Resources Wales (NRW): NRW has no objection to the development from a flood risk perspective. No adverse comments in relation to European protected Species (bats).
- 6.4 South Wales Police: No objection. Advice is offered on lighting, access control, windows and doors, CCTV, fire alarms, and cycle stores. The response has been forwarded to the applicant.

7. **REPRESENTATIONS**

- 7.1 The application was advertised on site and in the press as affecting the setting of a listed building. Neighbours were notified. Representations have been received from former Grangetown Councillor Tariq Awan, and from local residents at 35 & 40 Llanmaes Street.
- 7.2 No. 40 Llanmaes Street objects on the grounds that it is a quiet street which has enough parking issues already, and does not need noisy social tenants moving in and does not need any more cars. She would also like to have been informed of the application by letter.
- 7.3 No. 35 Llanmaes Street objects on the following grounds:
- Impact of the semi-detached houses on the setting of the listed church and its landscaped grounds.
 - Insensitive design of the houses, in particular the white panels at first floor levels and the white aluminium box surrounds to the ground floor front windows.
 - Inadequate parking provision.
- 7.4 Former Cllr. Awan raises concerns over the increase in traffic and car parking problems and asks whether on-site parking is provided and whether there are any plans to introduce residential parking permits in the Paget Street and Llanmaes St. area.

8. **ANALYSIS**

- 8.1 The main issues to assess are the principle of residential use on the site, the design of the link block and houses, the impact of the link block and the houses

on the setting of the listed building, parking provision, and the amenity of the future occupiers. The works proposed to the listed building are considered in the accompanying application for listed building consent.

- 8.2 The site has no specific designation or allocation but falls within a residential area. The application should therefore be assessed against Policy H6: Change of Use or Redevelopment to Residential Use. This policy provides a framework for the assessment of change of use, conversion or redevelopment of redundant previously developed land and premises for residential purposes within settlement boundaries.
- 8.3 Redevelopment to residential use is permitted where:
- there is no overriding need to retain the existing use of the premises and no overriding alternative local land use requirement;
 - the resulting residential accommodation and amenity will be satisfactory;
 - there will be no unacceptable impact on the operating conditions of existing businesses;
 - necessary community and transportation facilities are accessible or can be readily provided or improved; and
 - it can be demonstrated that the change of use to a more sensitive end use has been assessed in terms of land contamination risk and that there are no unacceptable risks to the end users.
- 8.4 Religious facilities such as churches are defined in the LDP as community facilities. As such, Policy C2: Protection of Existing Community Facilities is also of relevance. Policy C2: permits the change of use of buildings used for community facilities where:
- an alternative facility of at least equal quality and scale to meet the community needs is available or will be provided within the vicinity or;
 - it can be demonstrated that the existing provision is surplus to the needs of the community.
- 8.5 The proposal involves only part of the church building and a smaller place of worship will be retained and given its location in an established residential area, assessed against this policy framework, the application raises no land use policy concerns.
- 8.6 Design: The single-storey flat-roofed link block is designed in such a way as to minimise its impact on the listed building and is acceptable subject to approval of materials and architectural detailing.
- 8.7 Houses: The 2 storey houses with pitched roofs and gables are traditional in design and materials and are in keeping with the Victorian character of the street.
- 8.8 Public Realm: The adjoining footways and gated rear lane are in reasonable condition and with the exception of a redundant crossover that requires reinstating no improvement works are required as part of this scheme._

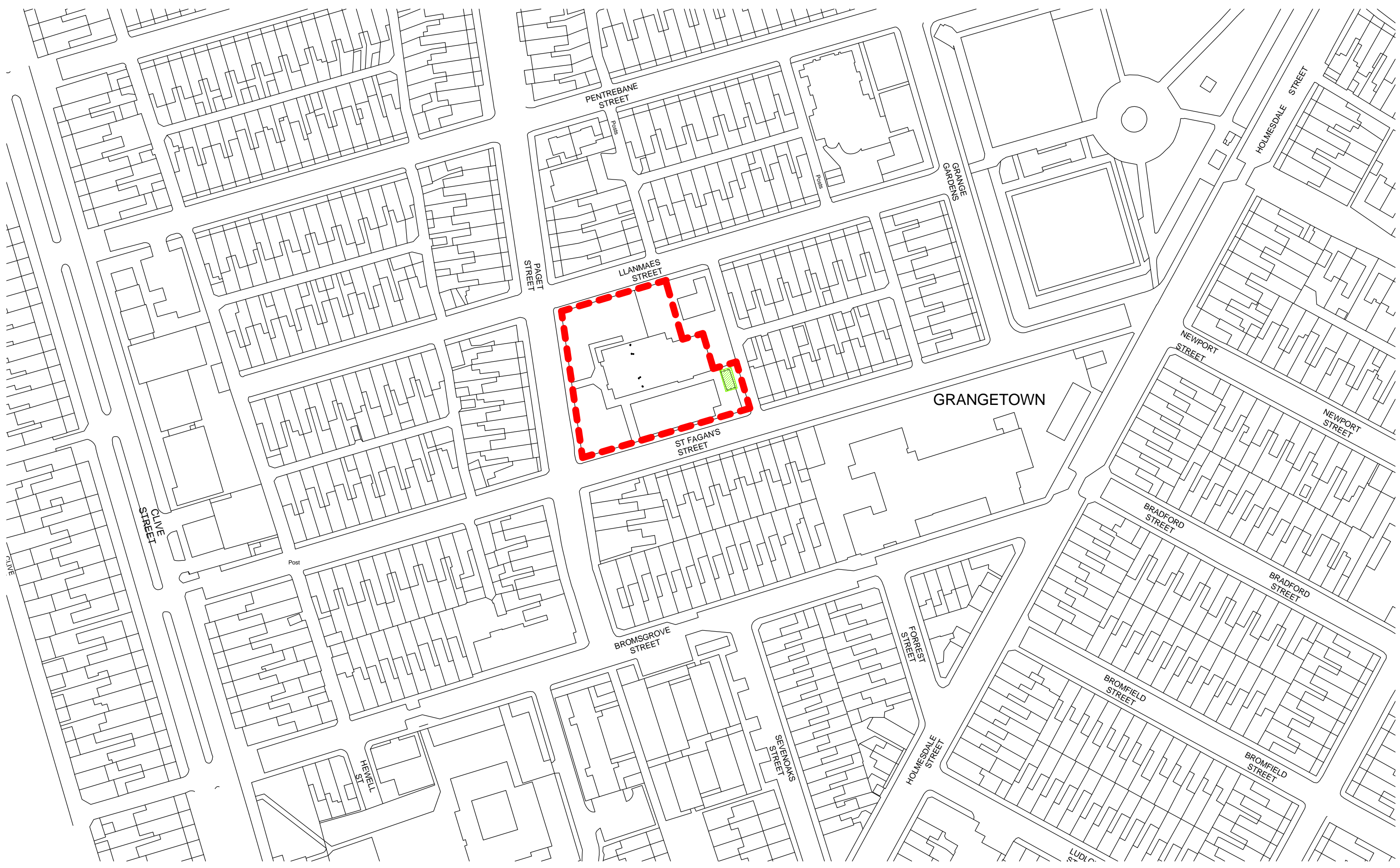
- 8.9 Access and Parking provision: The Access, Circulation and Parking Standards SPG (2010) require a minimum of 4 parking spaces (maximum 14 spaces) for a residential development with this number of affordable units located outside the Central Area. The proposal does not provide any on-site parking provision and is not therefore policy compliant.
- 8.10 However the SPG allows for flexibility in applying the parking standards in certain situations and the following factors (inter alia) are taken into account in assessing levels of parking provision in any particular scheme: location, nature and type of development, accessibility and availability of local facilities, public transport, and on-street parking, and impact on the historic built environment.
- 8.11 On balance on-site parking provision is not required given the location, number and type of units proposed (14 affordable dwellings in a location close to facilities and public transport), and the availability of ample on-street parking adjacent to the site. Providing parking on site would also mean in this case the loss of church grounds and railings, and have a potentially adverse impact on the setting of the listed church.
- 8.12 Amenity of future occupiers: Amenity of future occupiers in relation to privacy, daylighting and external amenity space is acceptable.
- 8.13 The Pollution Control (Noise & Air) consultation response requests plant noise and amplified music conditions, neither of which are required given the nature and scale of the proposed uses. A condition is imposed requiring sound insulation between residential units and the plant/boiler room.
- 8.14 Setting of the listed building: Impact of the two semi-detached houses on the setting of the listed building: The two semi-detached houses would be located away from the most prominent views of the church. The existing area is currently largely screened by an unattractive concrete wall and vegetation within the side garden of the vicarage. A further benefit of this location is that it would not significantly affect the original decorative iron churchyard railings, which are 'curtilage-listed' by virtue of their age, position and association with the church.
- 8.15 The application has not been presented with a formal 'enabling development' case to justify the provision of the houses within the setting of the church, however it is understood that they are required in order to justify the investment in the church and to allow the Housing Association to provide a range and choice of affordable units. It is recommended that a condition be applied to the planning permission ensuring that the conversion works are completed before beneficial occupation of the houses.
- 8.16 Listed building recording: a recording condition as recommended by GGAT is applied to the Listed Building Consent application.
- 8.17 Representations: The concerns and objections relating to parking are addressed above. In relation to the provision of residential parking permits the

introduction of residential parking bays is based on surveys by the Council and to my knowledge none are proposed for this particular area.

- 8.18 The impact of the pair of semi-detached houses on the setting of the listed building, and the design of the houses, is addressed above.
- 8.19 Section 106 obligations: The total s106 financial contribution requested to date is £19,921 for public open space improvements. The contribution is waived in this case given that the proposals restore a listed building, ensure the continued use of the chancel as a place of worship, enhance the landscaped grounds, and provide much-needed affordable housing.
- 8.20 A Section 106 planning obligation is required to ensure that all the dwellings are for 100% affordable housing consistent with the approved Supplementary Planning Guidance (January 2017)

9. **CONCLUSION**

- 9.1 The proposed development would bring a vulnerable listed building back into full beneficial and sustainable use, providing 14 affordable homes and retaining a significant element of the building's intended use as a place of worship. Any negative impacts upon the building's setting, loss of fabric or aesthetic appreciation have been appropriately justified or mitigated within the submitted proposals.
- 9.2 The granting of planning permission is recommended subject to conditions being imposed and a legal agreement (Section 106) being signed to restrict the tenure of the apartments and the semi-detached houses to 100% affordable.



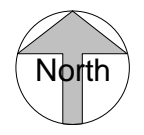
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*	Initial Issue	JJ	RF	17.10.16
A	Garage demolition hatch added	JJ	RF	08.11.16

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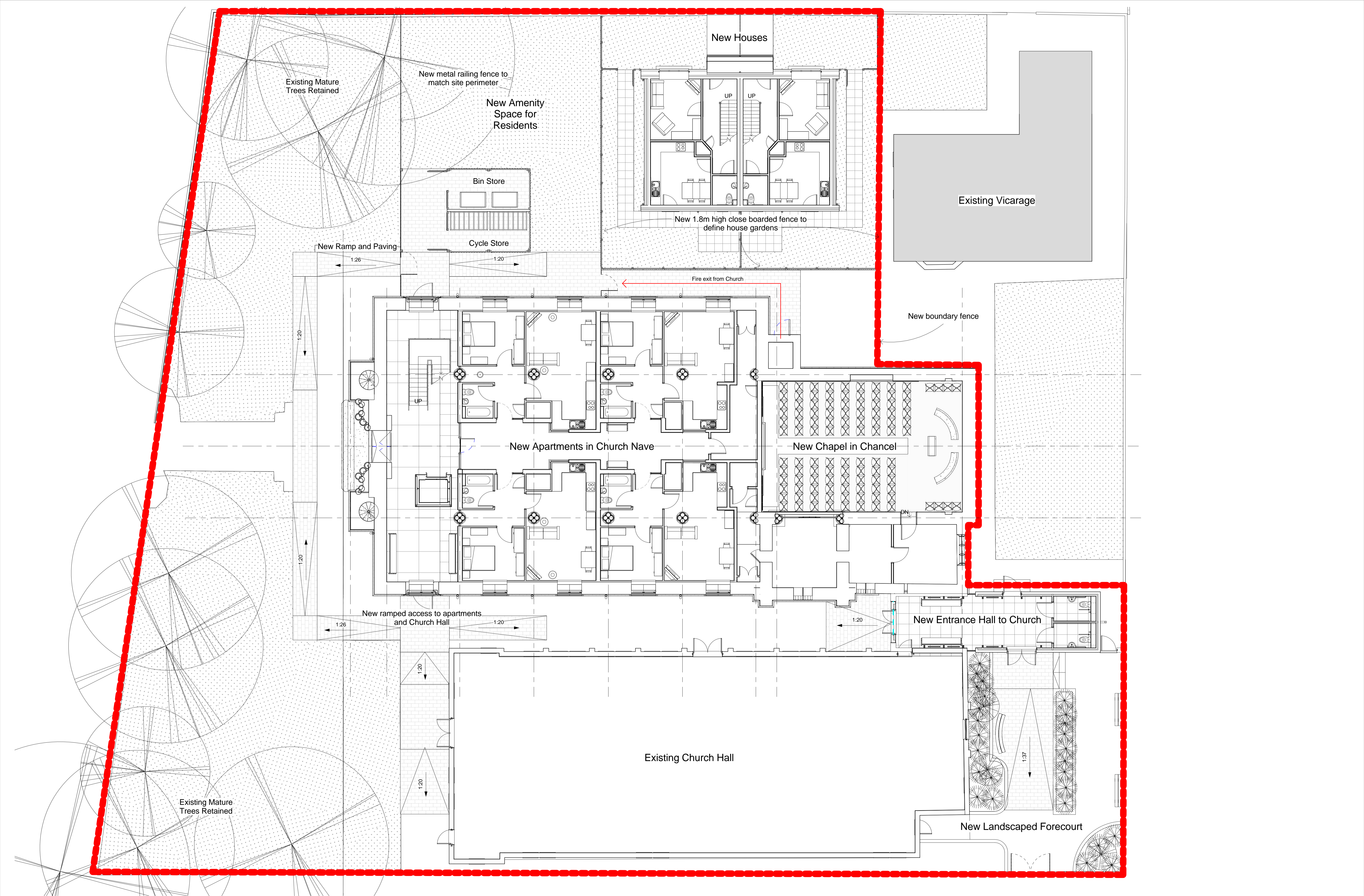
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Project St Paul's Church, Grangetown

Description Site Location Plan

Job No. 315102 Drawing No. L(90)001 Revision A



Revision	Description	By	Chkd B	Date
*	Initial Issue	JJ	RF	17.10.16

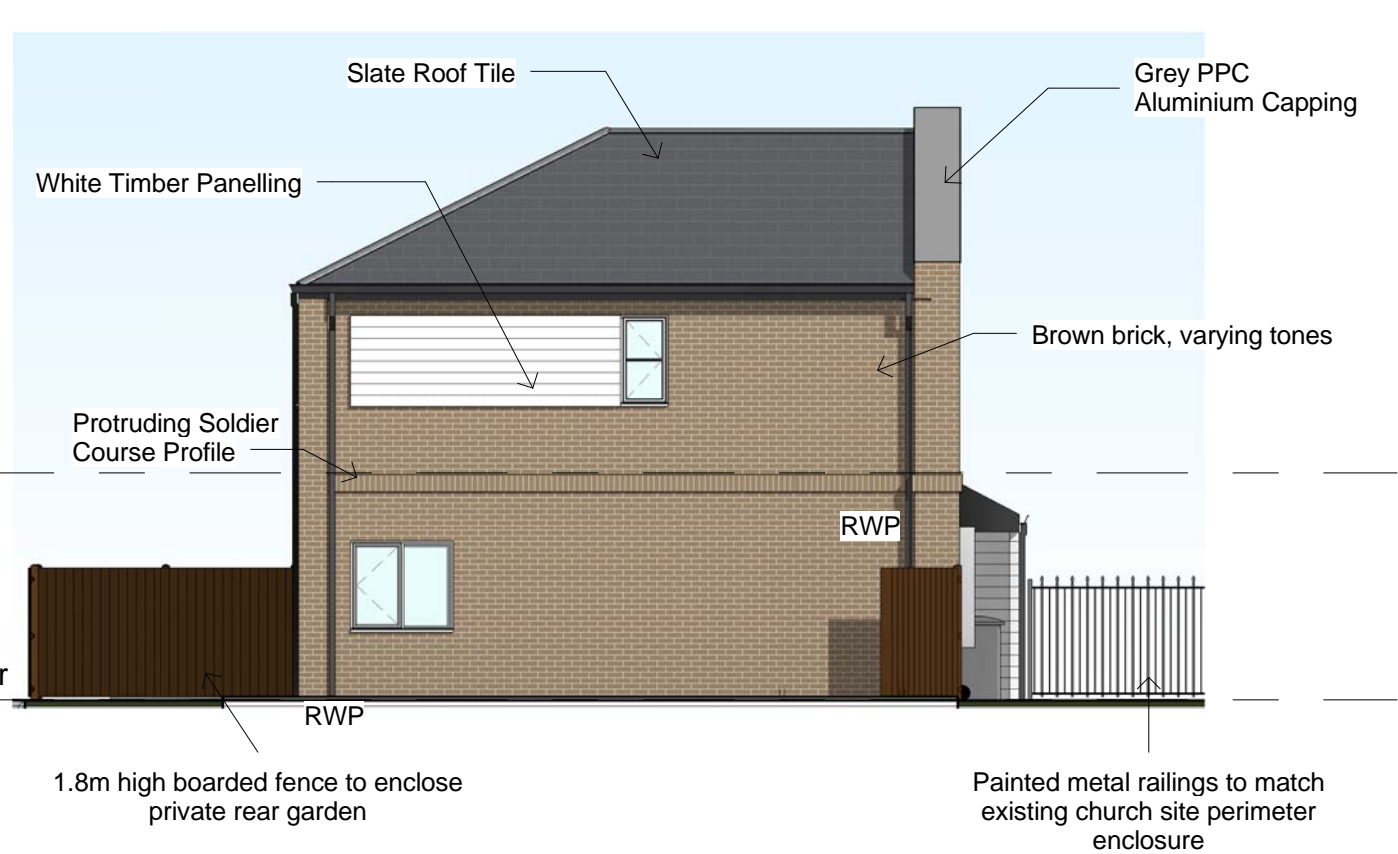
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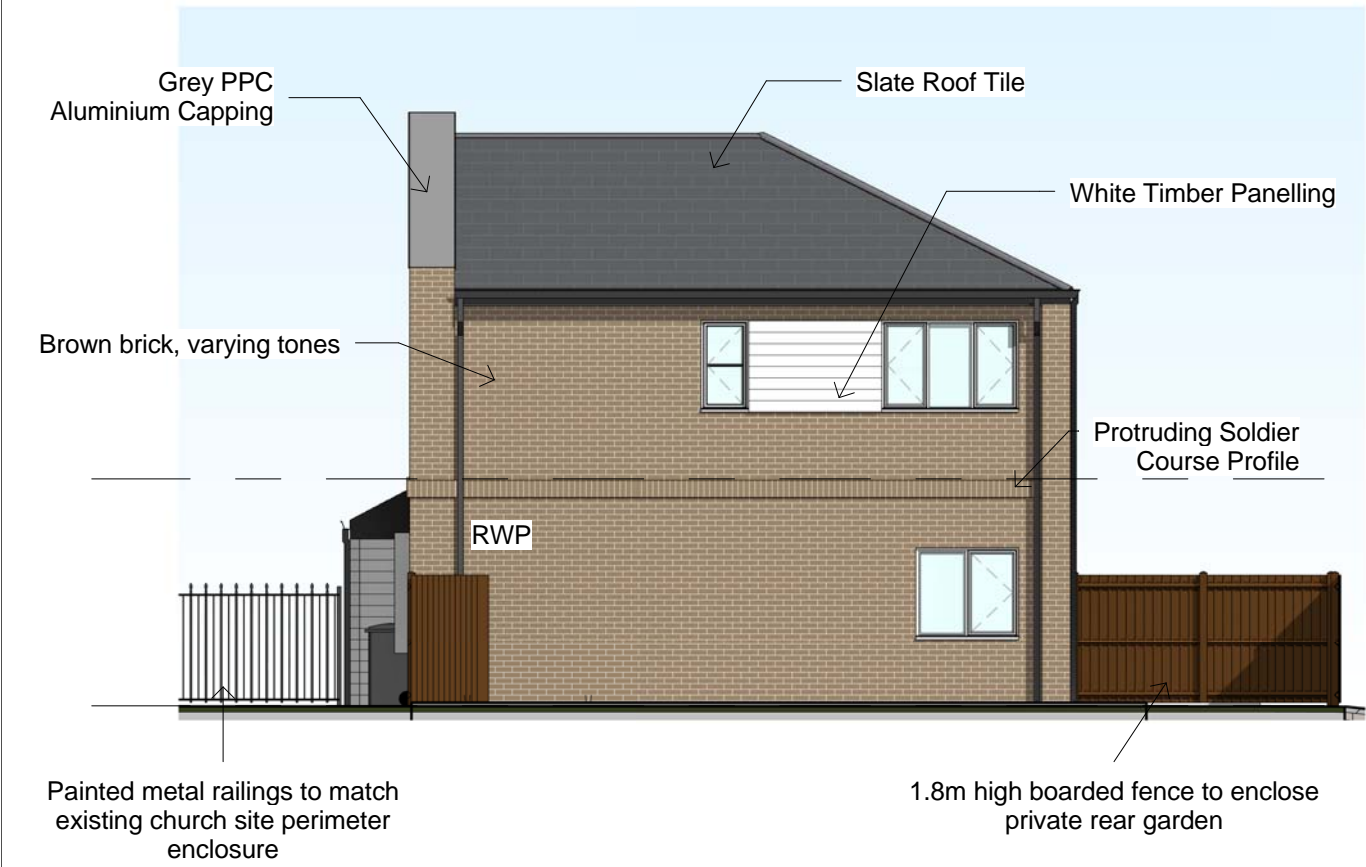
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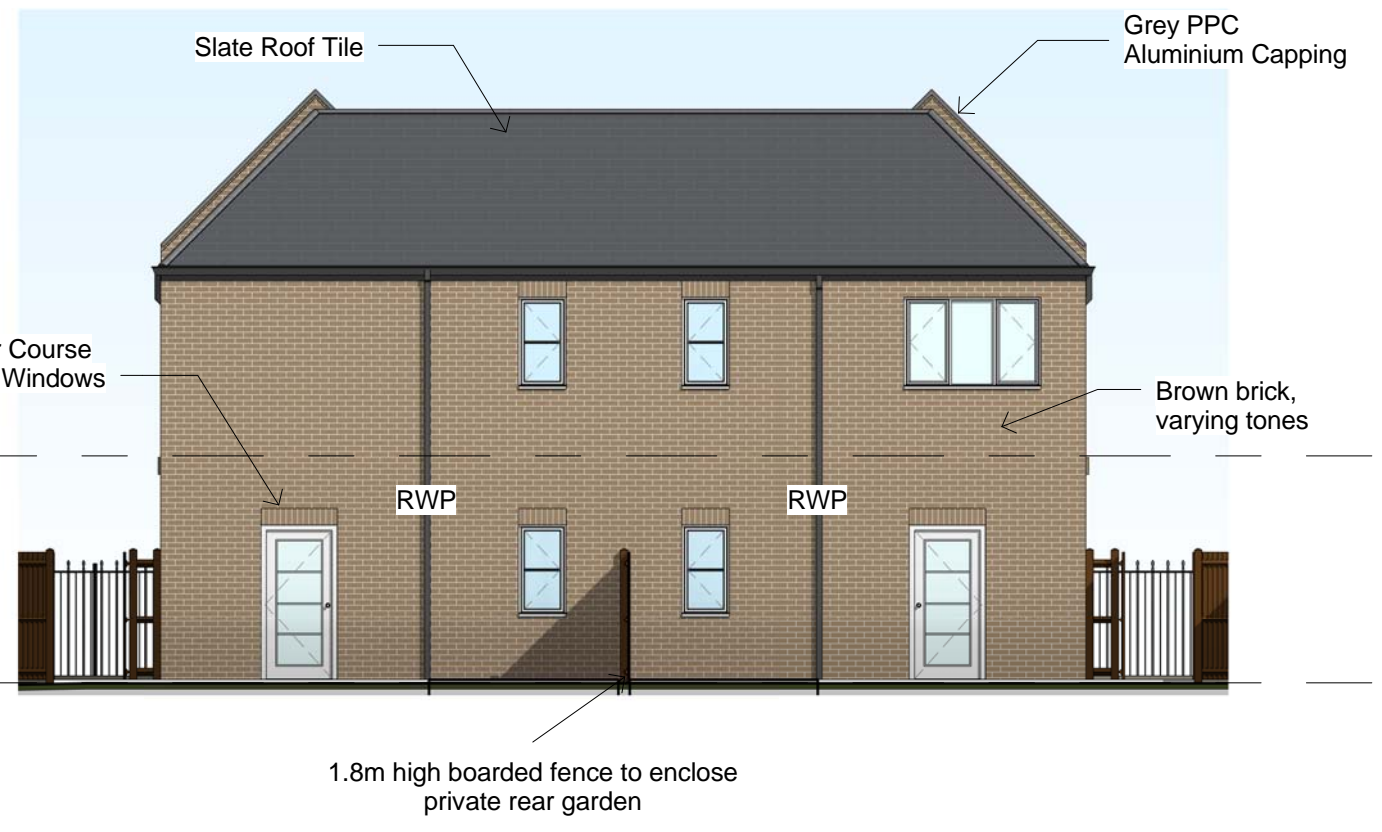
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Description	Elevations
Job No. 315102	Drawing No. L(00)730
Revision	



Revision	Description	By	Chkd By	Date

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Project St Paul's Church, Grangetown - Houses

Description 3D Perspective

Job No.	Drawing No.	Revision
315102	L(00)750	___