

COMMITTEE DATE: 21/06/2017

APPLICATION No. **17/00620/MNR** APPLICATION DATE: 21/03/2017

ED: **WHITCHURCH/TONGWYNLAIS**

APP: TYPE: Outline Planning Permission

APPLICANT: Executors of Duncan Edgar Bowden Deceased

LOCATION: LAND AT IRON BRIDGE ROAD, TONGWYNLAIS

PROPOSAL: NEW DWELLING ON LAND ON IRON BRIDGE ROAD

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

1.
 - 1) A. Approval of the details of the layout and appearance of the development and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
 - B. Plans and particulars of the reserved matters referred to in condition 1A above, relating to the layout and appearance of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.
 - C. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
 - D. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of the last of the reserved matters to be approved, whichever is the later.

Reasons:

 - A. In accordance with the provisions of Article (3)1 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.
 - B, C and D. In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990.
2. The scale of the development and the means of access shall be in accordance with the following plans and documents (which are for illustrative purposes only in respect of the appearance, layout and landscaping of the site):
 - 5234/SL/- Site location plan
 - 5234/02/a – Proposed and existing plans and elevations

Reason: For the avoidance of doubt as to the extent of the permission.
3. Prior to the commencement of any development works a scheme to investigate and monitor the site for the presence of gases* being

generated at the site or land adjoining thereto, including a plan of the area to be monitored, shall be submitted to the Local Planning Authority for its approval.

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

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

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

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

4. 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.

5. 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.

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

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

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

7. 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.

8. Prior to the commencement of development a site assessment, including ground permeability testing as appropriate, shall be undertaken to ascertain whether sustainable drainage techniques such as soakaway drainage and permeable paving can be utilised for the disposal of surface water run-off, and a drainage scheme for the disposal of both surface water and foul sewage, shall be submitted to and approved in writing by the local planning authority. The drainage scheme shall include sustainable drainage techniques if, as a result of the site assessment, these have been found to be feasible. No part of the development shall be occupied until the drainage scheme is carried out and completed as approved.

Reason: In the interests of the proper drainage of the site, in accordance with policy EN10 of the Cardiff Local Development Plan.

9. The plans and particulars submitted in accordance with Condition 1 above shall include :
- (a) a plan, to a scale and level of accuracy appropriate to the proposal, showing the position of every tree on the site and on land adjacent to the site that could influence or be affected by the development, indicating which trees are to be removed;
 - (b) and in relation to every tree identified, a schedule listing :
 - i. information as specified in the latest edition of British Standard BS5837 – “Trees in Relation to Construction – Recommendations”;
 - ii. any proposed pruning, felling or other work;
 - (c) and in relation to every existing tree identified to be retained on the plan referred to in (a) above, details of :
 - i. any proposed alterations to existing ground levels, and of the position of any proposed excavation, that might affect the roof protection area;
 - ii. all appropriate tree protection measures required before and during the course of development.

Reason : To enable the Local Planning Authority to assess the effects of the proposals on existing trees and any measures required for their protection, to monitor compliance and to make good losses, in the interests of visual amenity and tree protection, in accordance with policies KP5 and EN8 of the Cardiff Local Development Plan.

10. No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
- i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

Reason: In the interests of highway safety. Security and public amenity, in accordance with policies C3, T5 and T6 of the Cardiff Local Development Plan.

RECOMMENDATION 2: This development falls within a radon affected area and may require basic radon protective measures, as recommended for the purposes of the Building Regulations 2010.

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 licence. 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: The applicant is advised that the owners/developers of new residential units are required to purchase the bins 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 20717500. Further information regarding waste/recycling and the types of bins required is available in the Supplementary Planning Guidance "Waste Collection and Storage Facilities", which can be found on the Council's website.

RECOMMENDATION 6: The developer is advised that where any species listed under Schedules 2 or 4 of the Conservation of Habitats and Species Regulations 2010 is present on the site in respect of which this permission is granted, no works of site clearance, demolition or construction should take place in pursuance of this permission unless a licence to disturb any such species has been granted in accordance with the aforementioned Regulations. Bats often roost in buildings, and demolition may disturb a bat roost. All bats and their roosts are protected against disturbance under U.K. and European legislation. If works are planned on a building in which bats are roosting, Natural Resources Wales (NRW) must be contacted. If work commences and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Nesting birds are protected under the Wildlife and Countryside Act 1981: Part 1, 1(1)(b), and it is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built. Any work involving the alteration or removal of trees or hedges should ensure that no nesting birds are disturbed. Any such works should be avoided between the months of March and September if possible; however, if the works are essential then any vegetation to be cleared should be inspected by a competent person prior to operations to identify the location of any active bird nests. If active nests are encountered, these should be protected by a 5m ring of vegetation around the nest. Work should not recommence within this exclusion area until the young have fledged and the nest vacated. Birds also use buildings and other man-made structures as nesting sites and some species breed all year.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 The application is for outline planning permission for the erection of a single dwellinghouse. Approval is sought for access and scale only. Appearance, landscaping and layout are reserved for future consideration.
- 1.2 Vehicular access from the car parking space within the site would be directly onto Iron Bridge Road. Pedestrian access would also be onto Iron Bridge Road, via an inward-opening gate.
- 1.3 The house would be single storey, with a maximum height of 3m and a footprint of around 6.8m x 9m (maximum dimensions).
- 1.4 Indicative drawings show a one-bedroom house of a contemporary design located towards the northern boundary of the site, with more than 30 square metres of outdoor amenity space to the south of the building and space allocated for car parking, partly covered by a pergola, at the north eastern corner.

2. **DESCRIPTION OF SITE**

- 2.1 The site is an irregularly shaped plot of land containing a concrete panel double garage with access onto Iron Bridge Road, which bounds the site to the east. It has a frontage of approximately 14m to the highway. The western and southern boundaries border a public footpath which leads from Iron Bridge Road to Clos Cae Wal, via a children's play area and open space. The northern boundary abuts a small site containing a single garage, beyond which is a row of three two storey houses. To the south west, beyond the public footpath, is the rear of a dwelling which fronts onto Grants Close and there are traditional terraced cottages on the opposite side of Iron Bridge Road, where the road splits into two, separated by a bank of trees.

3. **SITE HISTORY**

- 3.1 16/01058/MNR – Outline application for a new dwelling on land on Ironbridge Road currently occupied by disused domestic garage. (Access and scale were not reserved matters). Refused for the following reasons: 1 - a building of the

scale proposed could not be accommodated on this site without breaching the building line to Iron Bridge Road; 2 – a satisfactory amount of useable, private outdoor amenity space could not be accommodated on this site along with a building of the scale proposed.

4. **POLICY FRAMEWORK**

4.1 *Cardiff Local Development Plan 2006-2021:*

KP5 (Good Quality and Sustainable Design);
H6 (Change of Use or Redevelopment to Residential Use);
EN8 (Trees, Woodlands and Hedgerows);
EN10 (Water Sensitive Design);
EN13 (Air, Noise, Light Pollution and Land Contamination);
T5 (Managing Transport Impacts);
T6 (Impact on Transport Networks and Services);
C3 (Community Safety/Creating Safe Environments);
W2 (Provision for Waste Management Facilities in Development).

4.2 *Supplementary Planning Guidance:*

Following the adoption of the Cardiff Local Development Plan, many existing Supplementary Planning Guidance documents are no longer linked to adopted development plan policies. However, where existing SPG is considered consistent with the new LDP policy framework, it will continue to be material to the Development Management process. The following Supplementary Planning Guidance is considered relevant to the determination of this application as it is either adopted or considered consistent with LDP policies KP5, T5 and W2 and can be used to help inform the assessment of relevant matters -

Waste Collection and Storage Facilities (October 2016);
Cardiff Residential Design Guide (January 2017);
Access, Circulation and Parking Standards (January 2010);
Trees and Development (March 2007);
Infill Sites (April 2011).

4.3 *Planning Policy Wales (November 2016):*

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

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

4.9.2 Many previously developed sites in built-up areas may be considered suitable for development because their re-use will promote sustainability objectives. This includes sites: in and around existing settlements where there is vacant or under-used land, commercial property or housing; in suburban areas close to public transport nodes which might support more intensive use for housing or mixed use; which secure land for urban extensions, and; which facilitate the regeneration of existing communities.

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

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

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

9.1.2 Local planning authorities should promote sustainable residential environments, avoid large housing areas of monotonous character and make appropriate provision for affordable housing. Local planning authorities should promote (inter alia): development that is easily accessible by public transport, cycling and walking,; the most efficient use of land; well-designed living environments, where appropriate at increased densities; 'barrier free' housing developments, for example built to Lifetime Homes standards.

9.2.12 Higher densities should be encouraged on easily accessible sites, where appropriate, but these will need to be carefully designed to ensure a high quality environment. In particular, local planning authorities should adopt a flexible approach to car parking standards.

9.3.2 Sensitive infilling of small gaps within small groups of houses, or minor extensions to groups, in particular for affordable housing to meet local need, may be acceptable, though much will depend upon the character of the surroundings and the number of such groups in the area.

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

12.7.3: Adequate facilities and space for the collection, composting and recycling of waste materials should be incorporated into the design of any development and waste prevention efforts at the design, construction and demolition stage should be made by developers.

4.4 *Technical Advice Note 12 - Design (March 2016):*

4.9 Opportunities for innovative design will depend on the existing context of development and the degree to which the historic, architectural, social or environmental characteristics of an area may demand or inhibit a particular design solution. Thorough appraisal of context can provide design pointers, which help to inspire an innovative design response, which meets present and future needs. A contextual approach should not necessarily prohibit

contemporary design.

5. **INTERNAL CONSULTEE RESPONSES**

5.1 *Transportation:* No objections.

5.2 *Drainage:* No comments received.

5.3 *Pollution Control (Contaminated Land):* The site has been identified as being in close proximity to the infilled former Glamorganshire Canal. Such sites are associated with the generation of landfill gases, within subsurface materials, which have the potential to migrate to other sites. This may give rise to potential risks to human health and the environment for the proposed end use. Given the sensitivity of the proposed use and close proximity of potential ground gas source this will necessitate ground gas monitoring and assessment as set out in the standard condition. Whilst contamination is not known at this site the potential cannot be ruled out, I would therefore also include the 'unforeseen contamination' condition. 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.

5.4 *Waste Strategy & Minimisation Officer:* This property 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; 1 x 25 litre kerbside caddy for food waste; green bags for mixed recycling (equivalent to 140 litres), the storage of which must be sensitively integrated into the design. The proposed storage area is acceptable. The kitchen 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.

6. **EXTERNAL CONSULTEES RESPONSES**

6.1 *Welsh Water:* Note that the applicant intends to dispose of surface water to the public sewer. However, in the absence of a drainage strategy submitted as part of this application we cannot support this proposal. The applicant would be expected to evidence that all alternative methods to dispose of surface and land water by sustainable means have been exhausted. Request conditions and advisory notes to be included in any subsequent consent.

6.2 *Tongwynlais Community Council:* Object to the application for the following reasons:

1. A single storey unit would be out of character with other properties in the area.
2. Iron Bridge Road is already heavily congested and has problems with parking. The proposal is on land used for parking and will reduce available spaces.

3. The site is on the Taff Trail and construction work will have an impact on tourism for the village.
4. Construction vehicles and residents' vehicles will cause safety issues for children attending the nearby school and using the local play area.
5. The site is next to the junction with Grants Close which may cause safety concerns with vehicles turning into the road.
6. Iron Bridge Road is too narrow and congested with parked cars, making access difficult – it is not fit for purpose.

7. **REPRESENTATIONS**

7.1 The application has been advertised by neighbour notification. 10 objections have been received, which are summarised as follows :

- 1) The building work will cause disruption to residents of Ironbridge Rd and Grants Close. There is little space for contractors' vehicles or deliveries to park, and almost all the street is single track. There have been many incidents of traffic being completely blocked from getting in or out of Ironbridge Road by large vehicles. The number of construction vehicles around the site is also likely to cause a dangerous lack of visibility for vehicles turning out of Grants Close.
- 2) The application understates the current amount of traffic on Ironbridge Road (many vehicles access the rugby ground when there is a game on, people park their cars to use the Taff Trail, extremely high numbers of cyclists and pedestrians use Ironbridge Road).
- 3) Parking is a major issue on Ironbridge Road already, 2 spaces will be lost and a new household will be likely to bring additional cars. It would be more beneficial to the local community to restore the garages or create parking spaces, and hire or sell them to local residents. A number of residents would be willing to purchase the land to use as garages.
- 4) There will be a negative effect on the public footpath to the park, which will be narrowed at the entrance (becoming less visible) and made darker and therefore less safe/more prone to anti-social behaviour. The path and play area would become less accessible, as the current kissing gates don't allow access to wide buggies / wheelchairs / children's bikes etc.
- 5) The plans have not addressed the reasons for which the original application was turned down. The proposed development still sits out of the building line of Ironbridge Road and the private outdoor amenity space has not increased from the previous application.
- 6) The plans appear to involve removing a mature tree from the neighbouring property.
- 7) The size, siting, style, design and materials are completely at odds with the character of Ironbridge Road.
- 8) A number of neighbours have not been made aware of the application. No Site Notices have been posted. This has limited the number of comments (especially objections) that the application would otherwise have attracted.
- 9) The proposed dwelling would seek to use the shared drain used by 10,

12 and 14 Ironbridge Road. The drain already has issues due to constant blockages. An additional property using this drain would cause further issues as the drain is not sufficient enough to accommodate a further property.

- 10) Proposed Waste Storage is to be placed on the edge of the property. This would not be stored in the safety of wheelie bins, as they are not afforded to residents of Ironbridge Road by the Council. Consequently this could result in unwanted refuse in the street.
- 11) The proposal states that the plot is unused. This is not true. The site is regularly used as a parking spaces by residents within Ironbridge Road. The plot has also been used as a garage until recently, not 10 years as asserted.
- 12) Properties of a similar size have been built which remain vacant. A new property should not be erected only for it to remain vacant, as it affords unusable space.
- 13) The proposed build would look directly into the neighbour's property and no provision has been made in the plans to address this invasion of privacy.

8. **ANALYSIS**

8.1 The site is within an established residential area and therefore there are no objections to the principle of residential development. This is an outline application, the only details to be considered at this stage being access and scale.

8.2 Access.

Access would be directly onto Iron Bridge Road, as it is for the garages at present. Transportation officers have raised no objections and conditions can be used to ensure that the parking space is provided and retained.

8.3 Scale

The previous application related to a two storey house. This was considered unacceptable since, although such a house would be in keeping with the height of existing development in the area, the overall scale of the building would have appeared incongruous and obtrusive given that it would have had to be located forward of the existing two storey building line in order to fit onto the site. The current application is for a single storey structure of modest proportions, which overcomes the previous concerns relating to obtrusiveness and incongruity as it will not have to project any further forward of the two storey building line than does the current garage on the site and it will be around the same height as the garage. The modified scale of the proposed building also allows for the provision of an appropriate amount of outdoor amenity space to serve the development.

8.4 A number of objections to this amended scheme have been received (see 7.1 above), to which I would respond as follows –

1) A construction management scheme can be required, which would minimise disruption caused by building works and construction traffic. Matters such as dust and noise are controlled under environmental health legislation. It would

be unreasonable to refuse planning permission on the grounds of the temporary disturbance that would be caused by construction.

2) Highways/Transportation officers have raised no concerns about this proposal. A single, small, one bedroom dwelling will not generate any noticeable increase in traffic movements.

3) The proposed parking space would be in accordance with the requirements of the Access, Circulation and Parking Standards SPG. The garage is not currently used for parking and the public does not have the right to park on the site. The applicant cannot be forced to develop the site for parking or to hire/sell the site to local residents for use as parking spaces.

4) A building in the location indicated on the submitted drawing would create a shadow on only a small part of the footpath for part of the day. There would be no significant adverse impact on security as the stretch of path affected is very short and will still be overlooked by other dwellings. The development will not encroach onto the footpath itself and the public has no rights to use the application site as a more convenient access to the open space. If the existing gate is too narrow, it is not the applicant's responsibility to provide an alternative access: if the gate into the park needs widening to allow access for buggies etc, this is a separate issue and is not a material planning consideration in this instance.

5) The proposed building, if located in the position shown on the submitted drawing, will not project any further forward of the building line of the houses than does the existing garage on the site and, as it will be the same height as the garage, there will be no noticeable impact on the building line, which there would have been in the previous case where the proposed building was two storeys in height. The amount of usable outdoor amenity space for this development is considered acceptable. The previous proposal indicated a two bedroom property, suitable for family accommodation, and in that case it was expected that a suitable amount of private outdoor amenity space should be provided in accordance with the Infill Sites SPG - *"it should be demonstrated that the size and type of external amenity space is appropriate to the type of development and to the urban grain of the area"* and *"Houses and ground floor flats that will serve as family accommodation should include enclosed and secure private amenity areas. Depending on context, such amenity areas should measure at least 10.5m in depth or 50m² overall."* The proposed development is now indicated to be a small, one bedroom unit (not suitable as family accommodation) and the 34 square metres of enclosed, south-facing, outdoor amenity space (plus 23 square metres to the north east of the building accommodating a parking space and bin storage area) indicated on the drawings is considered to be appropriate to the type of development, as required by the SPG.

6) There is a young ash tree partly overhanging the site to the rear; however, the tree is not protected by a Tree Preservation Order and is not of high amenity value. The consent of the tree's owner would be needed to remove it entirely but any parts that overhang the boundary could be cut back without the need for such consent. This application relates only to details of access and scale, and any future reserved matters application relating to the siting of the building will have to show how the presence of the tree had been taken into account.

7) The layout and appearance of the development are reserved matters, not for consideration at this stage. The size of the proposed building is in keeping with

the scale of development already on the site. There will be no adverse impact on the character of the area.

8) The application has been publicised in accordance with article 12 (5) (b) and article 12 (7) of the Town and Country Planning (Development Management Procedure) Order 2012 (as amended) and the application has attracted the same level of objection as did the previous proposal.

9) Welsh Water have been consulted and have raised no concerns regarding the capacity of the sewers. A condition can be imposed to require surface water drainage details to be approved before development commences, as requested by Welsh Water, to ensure that additional land drainage/surface water does not overload the sewerage system.

10) The precise location of the bin storage area is not for determination at this stage as this application relates to details of access and scale only. However, it should be noted that the Waste Strategy & Minimisation Officer has raised no concerns and there is no suggestion that wheelie bins could not be used: in fact, they give advice regarding the types of bins that the developer will be required to purchase.

11) Whether or not the site is currently in use for parking is irrelevant to the consideration of this application. It is not a public car park and the site owner may choose to prevent local residents parking vehicles here. The site is not the subject of any previous planning condition requiring it to be retained for parking.

12) This application must be determined on its own merits – the fact that other developments may have remained empty is not relevant and is not a reason to refuse planning permission for this proposal.

13) The indicative drawings submitted with the application demonstrate how a dwelling could be designed so that the windows did not face towards the windows of other properties at close distance. However, this aspect of the development is not for consideration at this stage.

- 8.5 In response to the objections raised by the Tongwynlais Community Council: the size of the proposed building is in keeping with the scale of development already on the site and there will be no adverse impact on the character of the area, which consists of a mixture of residential properties of varying styles and sizes. Highways/Transportation officers have raised no concerns about this proposal: the proposed parking space would be in accordance with the requirements of the Access, Circulation and Parking Standards SPG, the general public does not currently have the right to park on the site and could be prevented by the owner from doing so at any time, therefore there are no “available spaces” being lost, and there are no planning conditions requiring the site to be retained for parking. Construction work would be short-term and not on such a large scale that it would affect people’s decision as to whether or not to use the Taff Trail. A construction management scheme can be required to ensure that the developer considers issues such as delivery times and the parking of construction/staff vehicles, which will reduce disruption at busy times and help to protect children arriving at and leaving the nearby school. No concerns have been raised by Highways/Transportation officers regarding highway safety or the width of the road and, with regard to the junction with Grants Close, it should be noted that the vehicular access to/from the application site is in the same location as an existing garage.

8.6 In conclusion, the principle of residential development is acceptable in this area and a development of this scale will have no adverse impact on visual amenity, the amenities of neighbouring residents or the character of the area, and will enable an appropriate amount of outdoor amenity space and car parking to be provided on the site. The access, directly onto Iron Bridge Road, will be in the same location as the existing access serving the garages and is acceptable. It is recommended that the application be approved subject to the conditions set out above.

9. **OTHER CONSIDERATIONS**

9.1 *Crime and Disorder Act 1998*

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

9.2 *Equality Act 2010*

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council's duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic, over and above any other person.

9.3 *Well-being of Future Generations (Wales) Act 2015*

The Well-being of Future Generations (Wales) Act 2015 places a duty on the Welsh Ministers (and other public bodies) to produce well-being objectives and take reasonable steps to meet those objectives in the context of the principle of sustainable development. The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act), has been considered and account has been taken of the ways of working set out at section 5 of the WBFG Act in the determination of this application, and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the well-being objectives referred to in section 9 of the WBFG Act.

9.4 *Environment (Wales) Act 2016*

The Environment (Wales) Act 2016 imposes a duty on the Local Authority to seek to maintain and enhance biodiversity in the proper exercise of its functions. and in doing so to promote the resilience of ecosystems. It is considered that the proposed development does not have any significant implications for, or effect on, biodiversity.



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Project:

Ironbridge Road
Plot adjoining No 14

Title:

Site Location Plan

@rchitecture

32 Castell Coch View
Tongwynlais Cardiff CF15 7LA
02920520800
design@architecture.co.uk

5234

Project

SL

Drawing

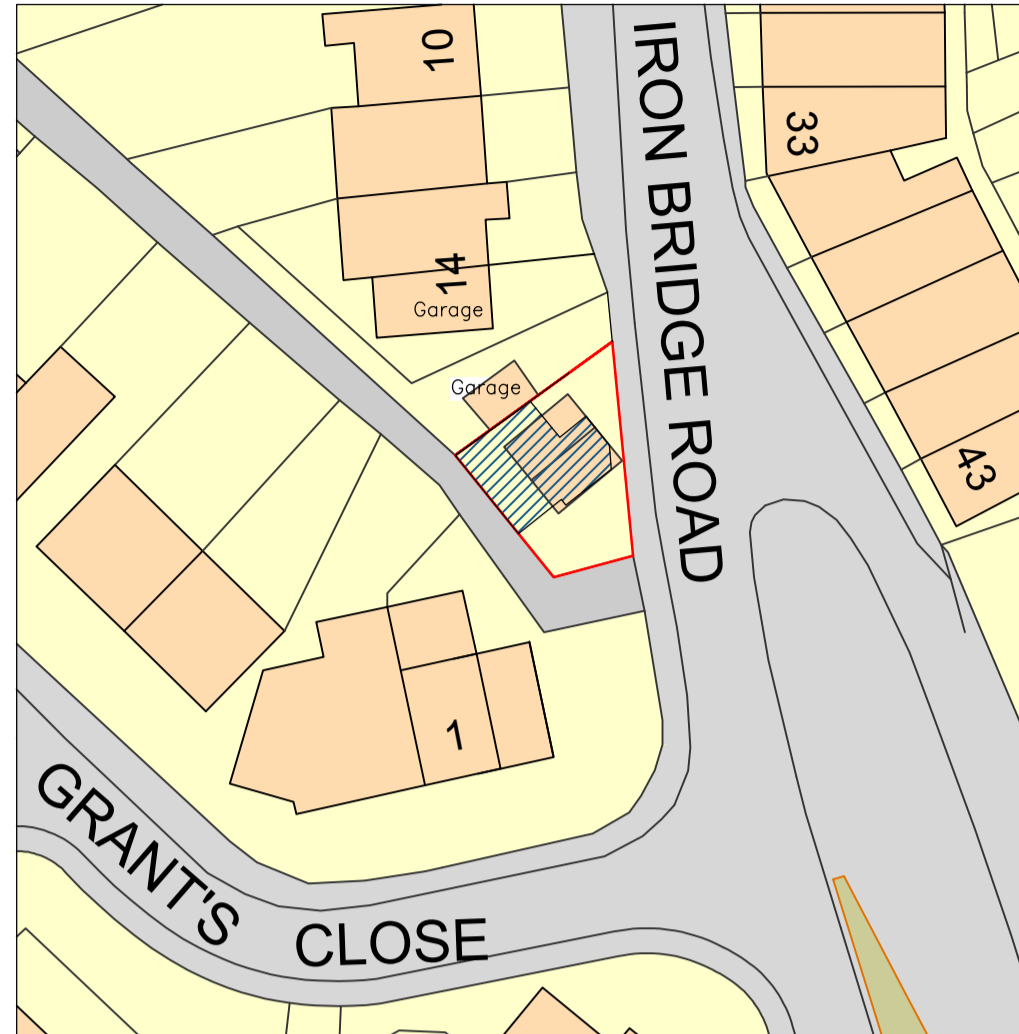
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Amnd

MJP
04/2016
Drawn
Date

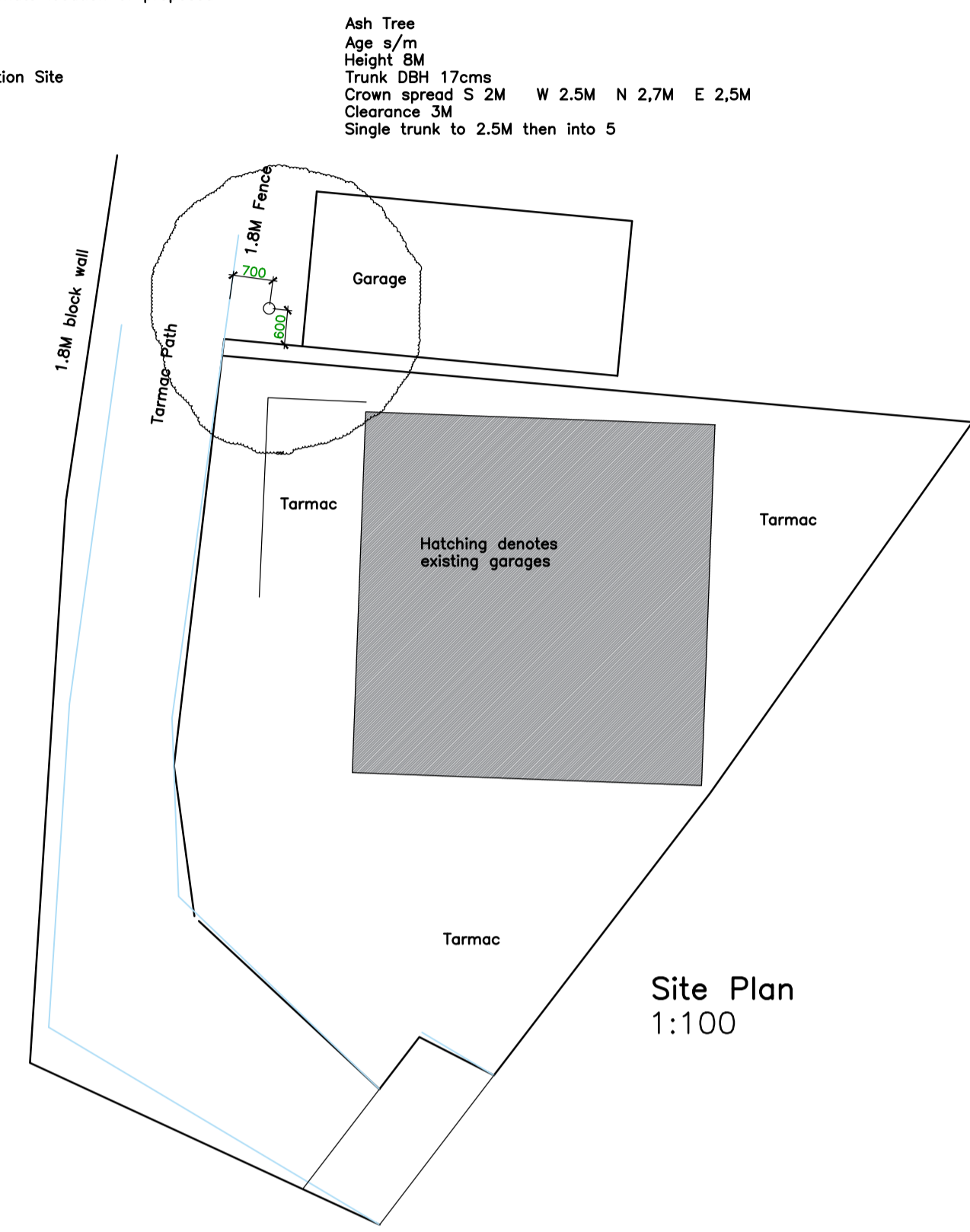
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Scale

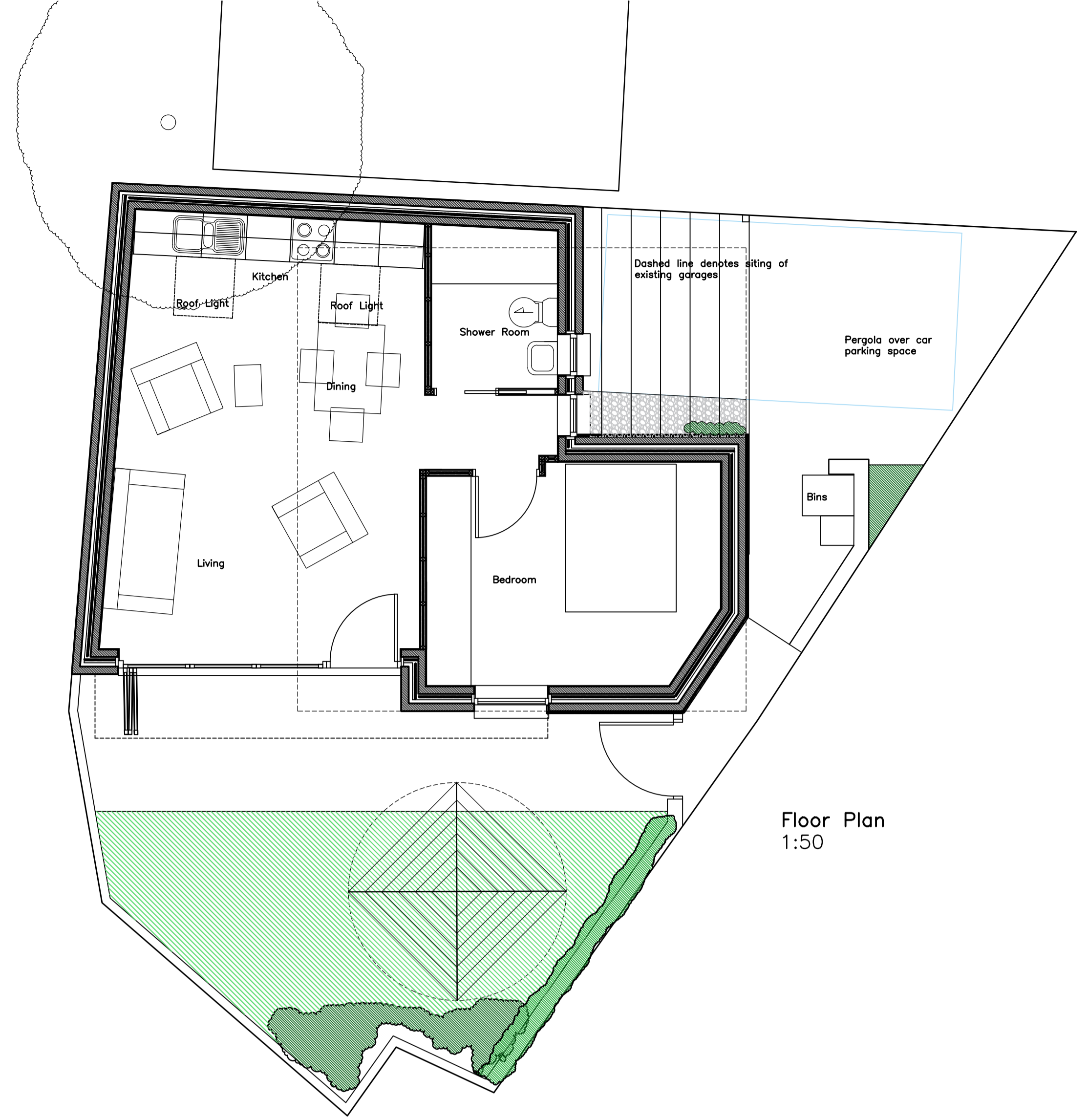


Site Location
1:500

Approximate location of proposed
Application Site



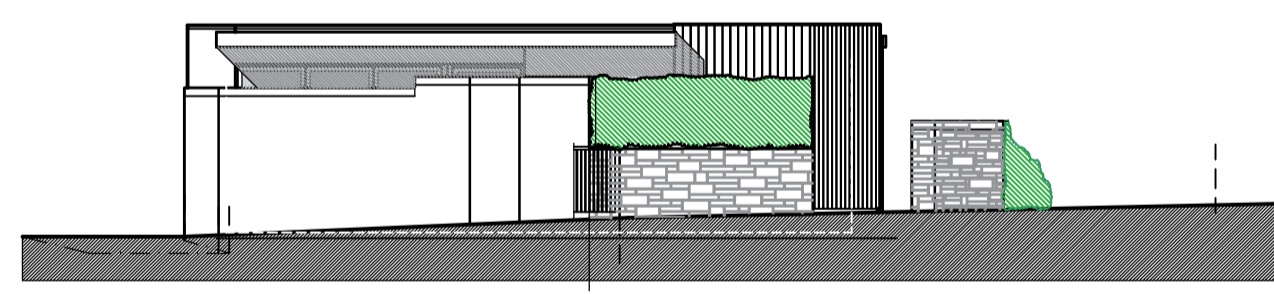
Site Plan
1:100



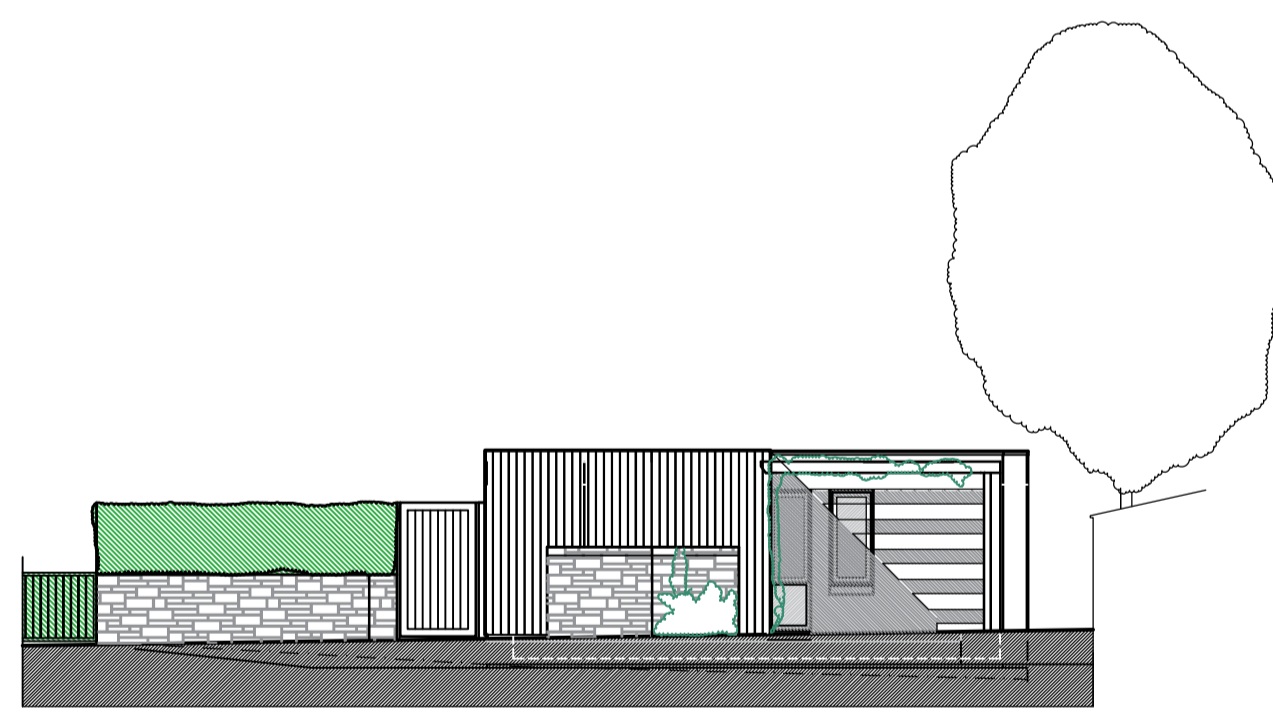
Floor Plan
1:50



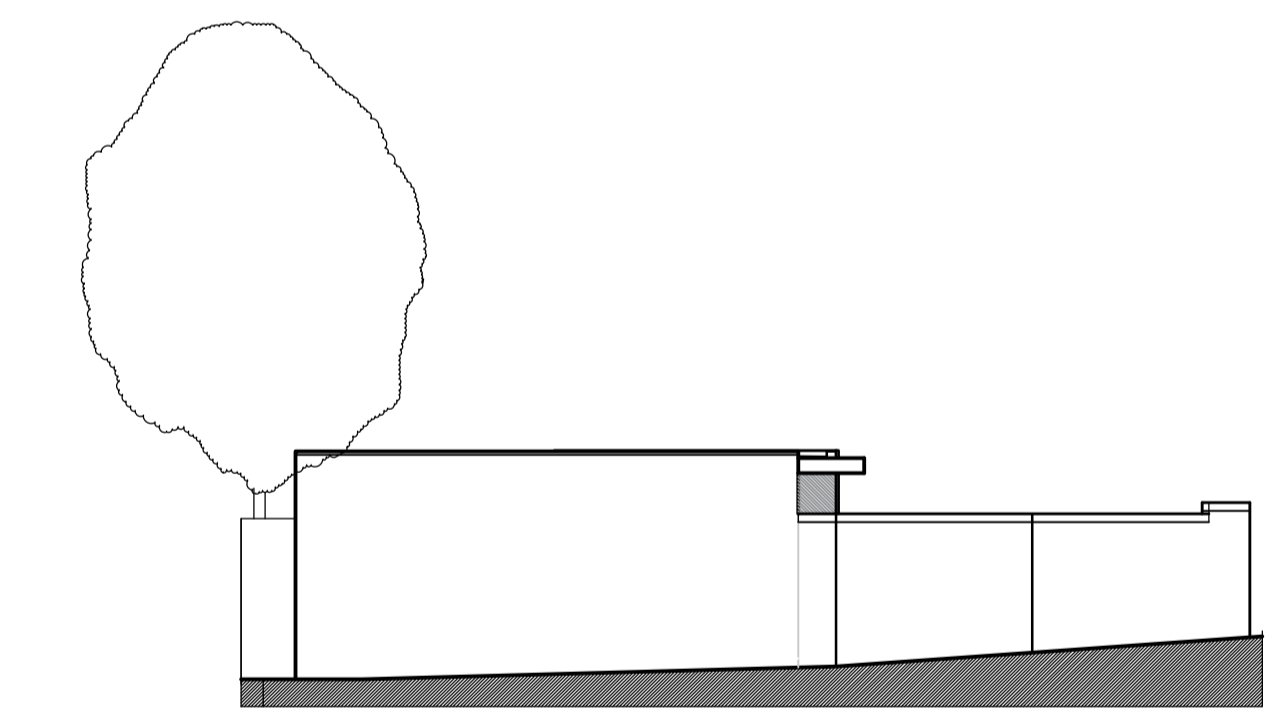
Proposed South East Elevation to Garden
1:100



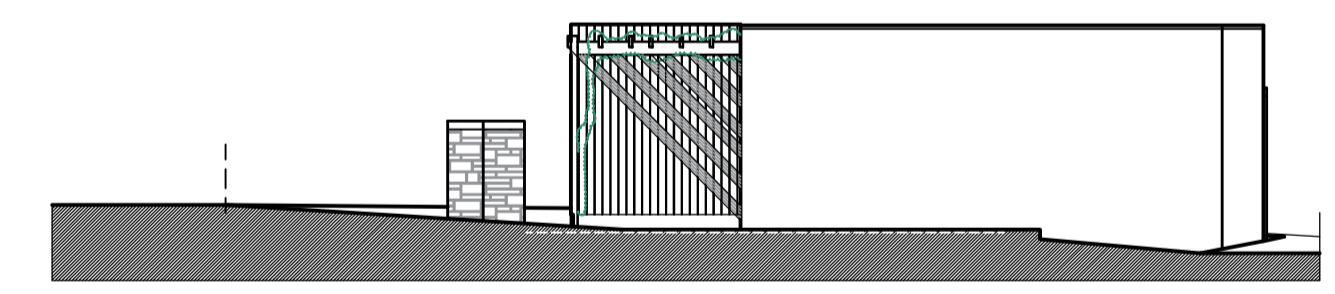
Proposed South East Elevation
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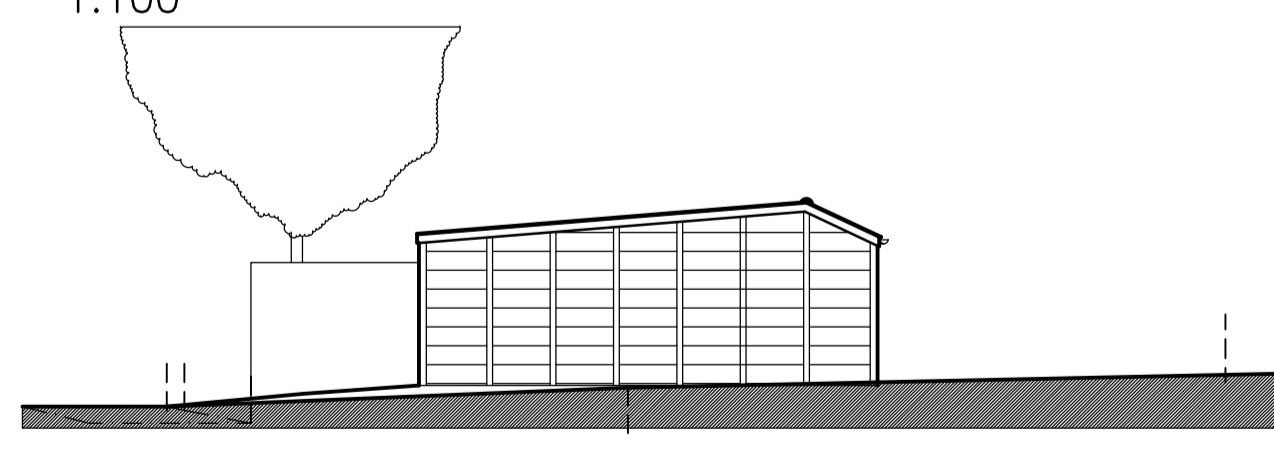
Proposed North East Elevation
1:100
To Ironbridge Road



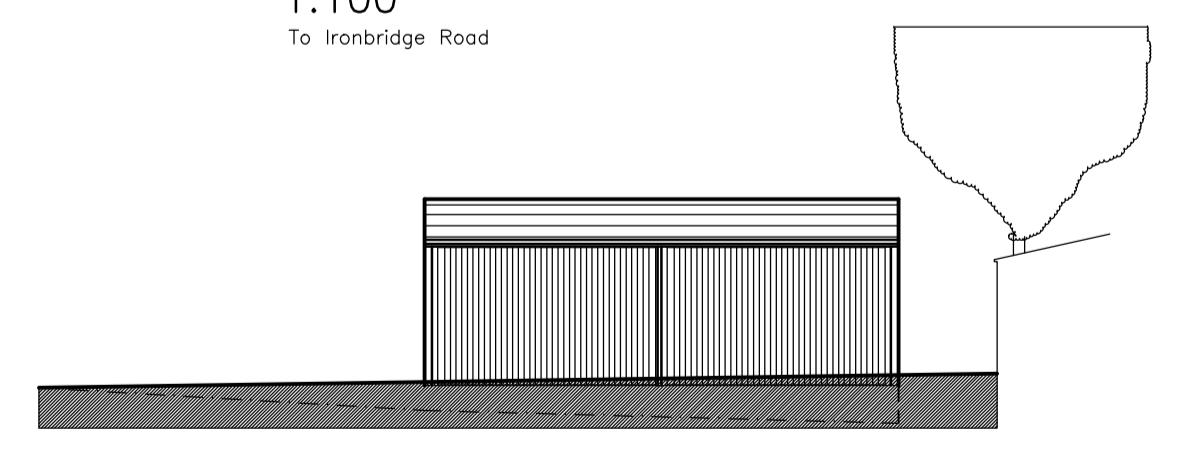
Proposed South West Elevation
1:100
To public footpath



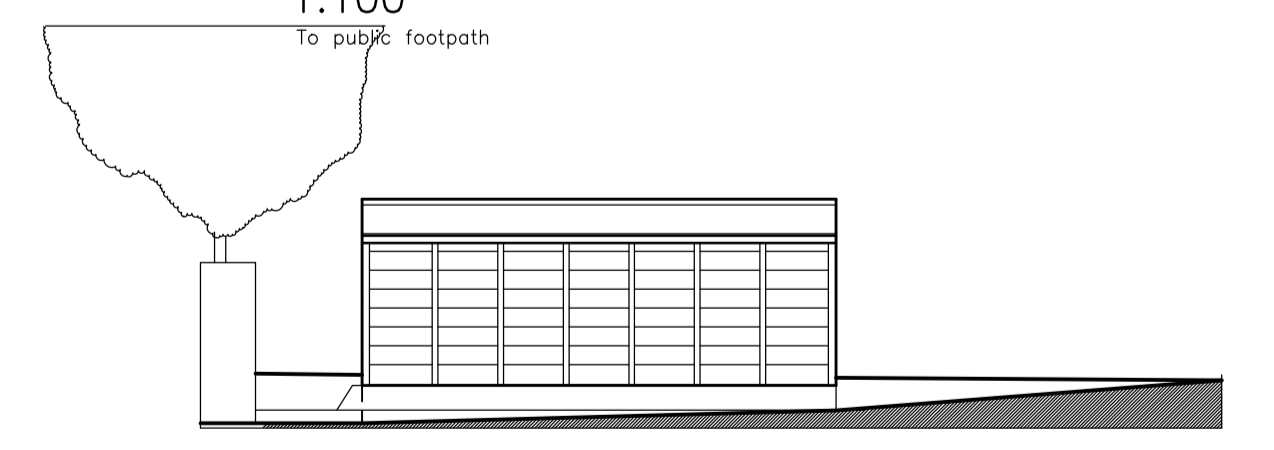
Proposed North West Elevation
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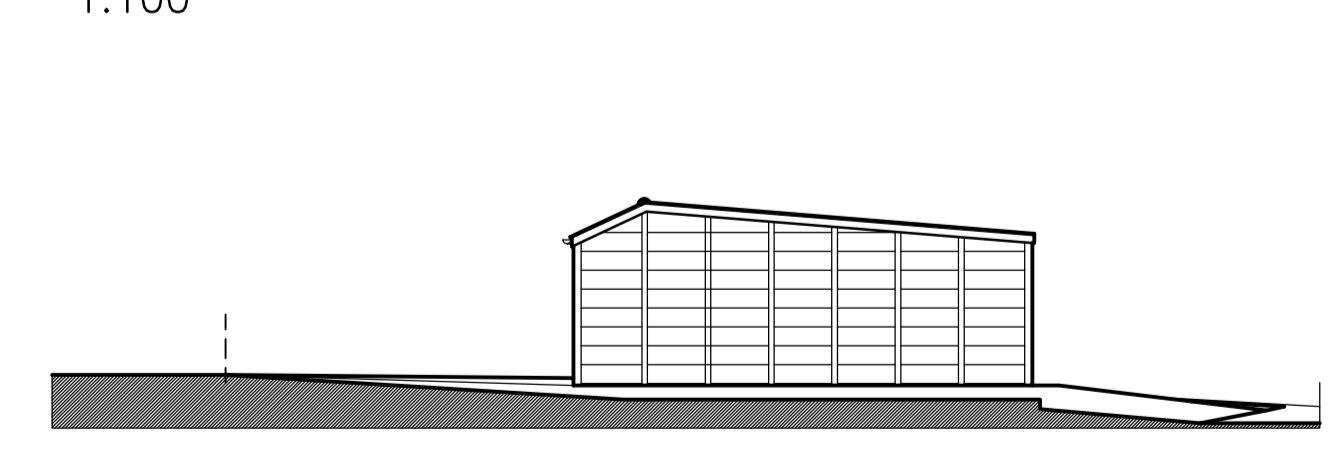
Existing South East Elevation
1:100



Existing North East Elevation
1:100
To Ironbridge Road



Existing South West Elevation
1:100
To public footpath



Existing North West Elevation
1:100

Rev	Date	Revision	Chk
a	03/17	Pergola reduced, boundary treatments altered	

Project:
Garages Plot Ironbridge Road
Adjoining No 14

Title:
Proposed and Existing

@rchitecture
32 Castell Coch View
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02920520800
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5234 02 a MJP 02/2017 1:50
Project Drawing Amend Date Scale

The architect is not responsible for the accuracy of the information provided in this drawing. The architect is not responsible for the accuracy of the information provided in this drawing. The architect is not responsible for the accuracy of the information provided in this drawing.

