

COMMITTEE DATE: 12/07/2017

APPLICATION No. **16/02793/MJR** APPLICATION DATE: 23/11/2016

ED: **CATHAYS**

APP: TYPE: Full Planning Permission

APPLICANT: Gower (Cathays) Ltd

LOCATION: THE GOWER HOTEL, 29 GWENNYTH STREET, CATHAYS, CARDIFF, CF24 4PH

PROPOSAL: DEMOLITION OF FORMER PUBLIC HOUSE AND ERECTION OF 9 NO. 3 BED DWELLINGS AND 1 NO 2 BED DWELLING

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

1. The development permitted shall be begun before the expiration of three years from the date of this planning permission.
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. This consent relates to the following plans and documents:

Plans

DRG001 rev. A; 002 rev. A; 004 rev. A; 006 rev. A; 007; 008 rev. B; 12 rev. A; 020 rev. A; 022 rev. A & 023 rev. B.

Documents

WYG Planning Statement dated November 2016
WYG Design & Access Statement ref: A97197 Gower-DAS_Rev. A
Asbri Transport, Transport Statement dated October 2016
Sylvan ecology Bat Survey report ref: HO39-Bat Report-V1.1
Grashopper Pre-Application Consultation Report dated 22 Nov. 2016
Cardiff Treescapes Arboricultural Report

Reason: For the avoidance of doubt.

3. The refuse storage facilities shown on the approved plans shall provide for a 140 litre general waste bin and shall be provided prior to the beneficial occupation of the development and shall thereafter be retained and maintained.
Reason: To ensure an orderly form of development and protect the

amenities of the area.

4. No part of the development hereby permitted shall be occupied until a scheme of environmental improvements to Gwennyth Street footway in the vicinity of the site has been submitted to and approval in writing by the LPA. The scheme should include as required, but not be limited to, the reconstruction as footway of the existing crossover and resurfacing of the remaining areas of footway; including as required, surfacing, edging, the provision/renewal of street lighting and street furniture as may be required as a consequence of the development. The agreed scheme to be implemented to the satisfaction of the LPA prior to beneficial occupation of the site.
Reason: To ensure the reinstatement of the adjacent public highway in the interests of highway and pedestrian safety and to facilitate access to the proposed development.
5. No part of the development hereby permitted shall be commenced until a scheme of construction management has been submitted to and approved by the Local Planning Authority, to include as required but not limited to the traffic management proposals relating to the demolition of the existing building, details of site hoardings, site access 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.
6. Development shall not begin until an appropriate photographic survey of the existing buildings on the site has been carried out in accordance with details to be submitted to, and approved by, the Local Planning Authority. The resulting photographs should be deposited with National Monuments Record and the Historic Environment Record, operated by the Glamorgan-Gwent Archaeological Trust (Heathfield House, Heathfield Swansea SA1 6EL. Tel: 01792 655208)
Reason: To maintain an accurate historical record of the existing former Public House.
7. No development shall commence (excluding demolition and site clearance), until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.
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.

8. No equipment, plant or materials shall be brought onto the site for the purpose of development (excluding demolition and site clearance), until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include details of paved areas, verges and other open spaces, indications of all existing trees and hedgerows on the land, and details of any to be retained and planted.
Reason: To maintain and improve the appearance of the area and in the interests of visual amenity.
9. Any trees, plants, or hedgerows which within a period of five years from the completion of the development die, are removed, become seriously damaged or diseased, or become (in the opinion of the Local Planning Authority) otherwise defective, shall be replaced in the current planting season or the first two months of the next planting season, whichever is the sooner, unless the Local Planning Authority gives written consent to any variation.
Reason: To maintain and improve the amenity of the area.
10. C20 Architectural Detailing
11. E1B Samples of Materials
12. 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 must be carried out by or under the direction of a suitably qualified competent person * in accordance with BS10175 (2011) Code of Practice for the Investigation of Potentially Contaminated Sites and shall assess any contamination on the site, whether or not it originates on the site.

The report of the findings shall include:

- (i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;
- (ii) 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;
- (iii) an assessment of the potential risks to:
 - human health,
 - groundwaters and surface waters
 - adjoining land,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,

- ecological systems,
 - archaeological sites and ancient monuments; and
 - any other receptors identified at (i)
- (iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

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' (2012), unless the Local Planning Authority agrees to any variation.

* A 'suitably qualified competent person' would normally be expected to be a chartered member of an appropriate professional body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment in accordance with policy EN13 of the Cardiff Local Development Plan.

13. 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.

14. The remediation scheme approved by condition 12 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.

15. 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.

16. Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in

accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused. Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.

17. Unless otherwise agreed with LPA, the applicant is required to undertake a detailed dust assessment which shall quantify the magnitude of risk to surrounding/ nearby sensitive receptors, this being the various residential properties located within 350m to the site boundary, during the demolition and construction phase of the development. A corresponding Construction Environmental Management Plan with sub section outlining mitigation and control measures to suppress dust emissions shall be submitted and approved by Local Authority Personnel before commencement of works.

Reason: To assess air quality and agree any mitigation measures that may be required to safeguard the amenity of nearby residents in the area.

18. Prior to commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority to provide that all habitable rooms exposed to external railway noise shall be subject to sound insulation measures 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. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be provided with acoustically treated active ventilation units. The ventilation method be it mechanical or passive as a minimum should comply with building regulations approved document F.

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.

19. Prior to the commencement of development details of the measures to protect the side elevation of no. 26 Gwennyth Street, exposed by the demolition of the public house, and a scheme of remediation works shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented immediately upon the substantive completion of demolition works.

Reason: To protect the integrity of the adjacent dwelling and in the interests of visual amenity.

20. Samples of the external finishing materials 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.

21. Details of the means of enclosure to the rear elevation separating the application site from the Network Rail land shall be submitted to and approved in writing by the Local Planning Authority. The approved enclosures shall be provided prior to the beneficial occupation of the development.

Reason: To ensure an orderly form of development and to protect the amenities of future occupiers.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking, or re-enacting that Order) no structure or extension shall be placed within the curtilage of any dwelling or alteration to any roof.

Reason: To ensure the orderly development of the area with adequate space about buildings and in the interests of the visual amenity of the area.

23. The dormer bathroom window to the Gwennyth Street frontage of Unit 9 as identified on the approved plans shall be glazed in obscured glass and shall be non-opening below a height of 1.8m above internal floor level and shall thereafter be so retained and maintained.

Reason: To protect the privacy of future and adjacent occupiers.

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

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

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

- (i) determining the extent and effects of such constraints 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:
1. Unprocessed / unsorted demolition wastes.
 2. Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
 3. 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: 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 6: That any developer be made aware of, and act upon as appropriate, the following precautionary measures in respect of the impact of works on bats, a European Protected Species:

4. Timing of works to avoid bats' maternity and hibernation seasons
5. Giving tool-box talks to site operatives such that they are aware that bats may be present
6. Having an ecologist on call in case bats are found during demolition, etc. If bats are found during these works, they should stop immediately and Natural Resources Wales contacted for advice
7. Incorporating enhancement measures for bats, such as bat bricks, bat tiles or providing bat access to roof voids – the applicant's ecologist can provide advice on the appropriate number and location of these features
8. A final pre-demolition internal inspection of the roof void of the building - as is suggested by section 5.4 of the bat survey report
9. Repeat of the bat survey if works do not take place within two years of the most recent survey.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 An application for the demolition of a vacant former public house premises, and the construction of 9no 2-3 storey, 3 bed dwellings and 1no 2 storey, 2 bed dwelling.
- 1.2 The proposed dwellings occupy the entire Gwennyth Street frontage, and are set back off the back edge of the pavement by approx. 1.6m, and set behind dwarf brick walls (with planters behind).
- 1.3 The Gwennyth Street elevations present as being two storey terraced dwellings, finished in red facing brick. Units 1-9 benefit from a pitched roof over, finished in slate. Unit 10, sited at the northernmost corner of the site has a flat roof, and is finished in red facing brick to the ground floor and hanging tiles to the first floor. Unit 9 benefits from a small render finish dormer to the roofslope fronting Gwennyth Street, serving a bathroom.
- 1.4 The rear elevation (facing the railway line) presents as three storeys in height, with a shallow pitched roof over. At ground floor there is a projecting bay, with a flat roof. The bay elevations are finished in white render, with red facing brick to the upper floors.
- 1.5 Units 1-8 benefit from a square shaped rear amenity area of approx. 20sqm. The units also have small yard areas to the Gwennyth Street frontage, where the refuse containers can be stored. Units 9 & 10 have more irregular rear amenity areas, but the amount of space is larger at approx. 25sqm. Units 9 & 10 also have a small area of external space to their frontage with Gwennyth Street.
- 1.6 The plans appear to indicate a 1.8-2.0m enclosure to the railway line, with the existing boundary wall between the application site and the adjacent commercial vehicle garage being retained.
- 1.7 The proposals have been amended so as to reduce the depth and footprint of unit 9 and 10 in order to reduce the impact of unit 9 on future occupiers of unit 8, and to increase the usability of the amenity space to these two units. Unit 10 has also been reduced from a 3 bed to a 2 bed dwelling as a result of the reduced building size.

2. **DESCRIPTION OF SITE**

- 2.1 The site is approx. 810sqm in area, forming the northern end of a terrace of residential properties. The existing building, of predominantly red brick construction, with a pitched roof at two levels, is currently vacant and was formerly a public house.
- 2.2 The adjacent properties on Gwennyth Street are in residential use, being of mainly two storey terrace with some three storey 'Townhouse' styles. To the rear of the site is a local railway line. To the north of the site is an existing vehicle repair garage business, which leads on to further residential properties.

To the opposite side of Gwennyth Street there are is a residential terrace of traditional 2 storey pitched roof construction.

3. **SITE HISTORY**

- 3.1 14/02918/MJR – Demolition of pub and development of 24 residential units – Refused – Dismissed at appeal

4. **POLICY FRAMEWORK**

- 4.1 The relevant Local Development Plan Policies are:

Policy KP5 (Good Quality and Sustainable Design)
Policy H6 (Change of Use or Redevelopment to Residential Use)
Policy T1 (Walking and Cycling)
Policy T5 (Managing Transport Impacts)
Policy W2 (Provision for Waste Management Facilities in Development)

- 4.2 The following Guidance was supplementary to the development Plan, now superseded by the Local Development Plan. However, it is considered consistent with adopted Local Development Plan policies and provides relevance to the consideration of this proposal to help and inform the assessment of relevant matters:

Access, Circulation and Parking Standards 2010
Infill Sites 2011

In addition to the above, the following new Supplementary Planning Guidance is also relevant:

Locating Waste Management Facilities Jan. 2017
Planning Obligations Jan. 2017

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 The Transportation Manager has no objection, making the following comments:

Having considered the results of the car parking survey that was included within the Transport Statement which demonstrated adequate capacity within the existing streets to accommodate the developments parking with minimal impact, I raise no objection to the application subject to the following condition:-

Construction management plan condition – No part of the development hereby permitted shall be commenced until a scheme of construction management has been submitted to and approved by the Local Planning Authority, to include as required but not limited to the traffic management proposals relating to the demolition of the existing building, details of site hoardings, site access 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.

- 5.2 The Highways Drainage Manager has no observations to offer from a drainage viewpoint..
- 5.3 The Waste Manager considers the indicated refuse storage facilities to be acceptable in principle.
- 5.4 The Pollution Control Manager (Contaminated Land) has no objection, subject to a condition in respect of unforeseen contamination, along with contaminated land advice.
- 5.5 The Pollution Control Manager (Noise & Air) has no objection subject to the imposition of a condition relating to railway noise soundproofing.
- 5.6 The Neighbourhood Renewal (Access) Manager has been consulted and no comments have been received.
- 5.7 The Parks Manager has no objection to the proposed change of use, subject to the developer agreeing to a financial contribution of **£25,939** towards the provision of or maintenance of existing open space in the vicinity of the site.
- 5.8 The Neighbourhood Regeneration Manager has been consulted and no comments have been received.
- 5.9 The Housing Strategy Manager has considered the proposals and makes the following comments:

In line with the adopted LDP, an affordable housing contribution of 20% of the 10 units (2 units) is sought on this brown-field site.

Our priority is to deliver on-site affordable housing, in the form of affordable rented accommodation, and this site is suitable intermediate rented accommodation, built to Welsh Government Development Quality Requirements for purchase by a nominated Registered Social Landlord (RSL) partner.

For information, any affordable housing scheme should be appraised on a NIL Social Housing Grant (SHG) basis, and the amounts that a Registered Social Landlord (RSL) would pay for the units is specified below:

Intermediate Rented

3 bed house	£110,000
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Please note that the above price relates to the properties only and any additional service charges for un-adopted roads, public open space, green infrastructure, public realm etc. may not be due by any future residents of the affordable housing units.

The affordable units will be delivered by a Registered Social Landlord (RSL) and the Council will identify a preferred RSL partner.

- 5.10 The Air Quality Manager has no objection, subject to a condition relating to dust suppression.
- 5.11 The council's Ecology Officer has no objection, making the following comments:

I have considered this bat report and noted the conclusions that no evidence of bats was found and that the building has negligible potential for roosting bats. Whilst I do not necessarily disagree with these conclusions, I do have some concerns over the bat survey report, as follows.

The report states in section 1.3 that *'The immediate and surrounding area has low potential for roosting, foraging and commuting bats.'*, and in section 4.1 that *'The vegetation along the railway is predominantly scrub and small trees with no roosting potential.'* In my view, the scrubby vegetation along the adjacent railway embankments provides ideal foraging and commuting habitat, which provides good connectivity to the nearby Cathays Cemetery, where bats are known to occur. Furthermore, there are some mature trees along the railway embankments and adjacent gardens, which could well support bat roosts, including a large, ivy-clad tree immediately adjacent to the back of the property. These habitats are illustrated in the image below, which shows the rear of the Gower Hotel property:-



- The report repeatedly suggests that the building has low bat roost potential due to its urban location, e.g. Section 5.2 *'Due to its location, the building is considered generally unsuitable for roosting bats'*, as well as sections 4.3, 5.1 and 5.4. Whilst it is true that an individual building in an urban area is less likely

to support bats than identical building in a rural area, it is also true that bats occur throughout Cardiff, including in urban areas. Whilst I do not have any bat records in the immediate vicinity of this property, this may simply be due to lack of survey effort in this area rather than absence of bats, and as above, the site has good habitat connectivity to known bat foraging areas. Therefore I do not agree that the location of the building precludes its use by bats

The report points out that no evidence of bats in the form of droppings etc. were found in any of the roof voids or the cellar. However, crevice-dwelling bats such as pipistrelles may not necessarily leave droppings in these locations as they may be roosting in the structure of the roof / walls. External signs of bat use such as fur or urine staining are also not always visible. I note that no flight survey (emergence / re-entry) was undertaken.

Therefore, I propose a number of precautionary mitigation measures to take account of the possibility that bats may not have been detected, or may colonise the building since the last survey was undertaken. These measures should be attached as a **recommendation** to any consent given:-

- Timing of works to avoid bats' maternity and hibernation seasons
- Giving tool-box talks to site operatives such that they are aware that bats may be present
- Having an ecologist on call in case bats are found during demolition, etc. If bats are found during these works, they should stop immediately and Natural Resources Wales contacted for advice
- Incorporating enhancement measures for bats, such as bat bricks, bat tiles or providing bat access to roof voids – the applicant's ecologist can provide advice on the appropriate number and location of these features
- A final pre-demolition internal inspection of the roof void of the building - as is suggested by section 5.4 of the bat survey report
- Repeat of the bat survey if works do not take place within two years of the most recent survey

6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 Dwr Cymru/Welsh Water have no objection subject to conditions in respect of site drainage.
- 6.2 South Wales Police offer comments in respect of crime prevention matters. Their correspondence has been forwarded to the agent.
- 6.3 South Wales Fire & Rescue Service provide advice relating to fire fighting, which have been passed to the agent

7. **REPRESENTATIONS**

- 7.1 Adjacent occupiers have been consulted and the application has been advertised on site and in the press in accordance with adopted procedures. Two letters of objection have been received, with concerns raised in respect of the loss of the existing pub building and the use of slate/tiles to the façade of

unit 9 &10 rather than facing brick.

A further representation, neither objecting to, or supporting the proposal comments that this should be an 8 unit development which would assist in alleviating the current parking issues in the vicinity. It is further commented that the submitted Transport Assessment is 'fundamentally flawed'.

7.2 Local Members have been consulted and no comments have been received.

8. **ANALYSIS**

8.1 An application for the demolition of a vacant former public house premises, and the construction of 9no 2-3 storey, 3 bed dwellings and 1no 2 storey, 2 bed dwelling.

8.2 The site is located in the settlement boundary as defined by the LDP proposals map. The site has no specific designation or allocation but falls within a largely residential area .The premises comprise a vacant public house.

The application is therefore assessed against Policy H6: Change of Use or Redevelopment to Residential Use which 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.

Assessed against this policy framework, given the location of the application site in an established residential area and that the application premises are afforded no policy protection, the application raises no land use policy concerns.

8.3 The existing building, although of some character and local interest, is not Listed (Statutory), and is not on the Council's list of buildings of interest. In this case, there are no sustainable planning policy grounds to prevent its demolition.

Notwithstanding the above, whilst it is noted that the Glamorgan Gwent Archaeological Trust have not commented on this application, under application 14/02918/MJR a photographic survey was recommended and required by condition. In this regard, condition 5 above is considered to be appropriate.

8.4 With regard to the scale and design of the proposed dwellings, the following comments are made:

- The proposal is for a redevelopment of the Gower pub, which has ceased trading as a public house. The existing structure is a characterful red-brick building which it would be preferable to retain and alter, however, it is understood that the adaptation of the existing structure into residential use has been explored by the applicants and is commercially unviable.

- The area is typically characterised by 2-3 storey terraced houses with pitched roofs. It is considered that the current proposals respect to that context. It is noted that units 9 & 10 have a slightly different presentation to Gwennyth Street, caused predominantly by the constrained nature of the site at its northernmost point. These units are set back further from the pavement and slightly back of the front elevations to units 1-8, and are finished in hanging tiles at first floor, and unit 9 benefits from a small dormer window. Whilst this finish and appearance is clearly different to the remainder of the new terrace, it is not considered to cause any unacceptable conflict or discord, given that this is a new development and is not intended (or required) to completely replicate the existing adjacent terrace.
- The design of the pitched roofs presents a steep pitch to the Gwennyth Street frontage, and a shallower pitch to the rear, in order to accommodate the second floor accommodation. This arrangement results in a larger 'first step' in ridge height between no. 26 Gwennyth Street and Unit 1 (to mitigate the sloping site). Given the location of the building in the street and the existing precedent set by the Gower pub, this height is considered acceptable. The submitted elevation plans indicate that the proposed dwellings would sit well in the street scene. The Infill Sites SPG says that:

All development must be of good design and make a positive contribution to the adjacent townscape/landscape; this should come about following a clear vision for the project identified after a detailed analysis of what is appropriate for the context. The design response may be expressed in a number of ways but should always make a positive contribution to the context of the area.

- The building line frontage responds to the existing street scene and the adjacent row of terraces. The proposed boundary treatment similarly reflects the style of the street. Details of the brickwork (banding, coping etc.) should be provided.
- Whilst it is noted that the rear amenity spaces offered fall short of the figures provided as guidance in the Infill Sites SGP, this shortfall is considered in context of existing gardens to many of the dwellings surrounding the site, which also fall below that guidance. The amenity space offered is of a usable size and shape (including unit 9 & 10 as a result of amendment), and will have a relatively open aspect over the potential boundary enclosure, with plenty of 'open' sky over the adjacent railway line. In this case, it is considered, on balance, that the level of amenity space is acceptable. It is also of note, and a material consideration, that there is substantial parkland within easy walking distance of the application site.

In this case, it is considered that the proposed dwellings respect the character and context of the local environment and offer an acceptable form of infill development.

8.5 With regard to the issues raised in representations, not addressed above, the Transport Statement has been reviewed by the Operational Manager Transportation, who has no objection to the proposals. In this case, there would be no reasonable or sustainable grounds to refuse consent in terms of parking provision.

8.6 S106 matters – The following contribution requests have been made, with reference made to the Community Infrastructure Levy tests:

Parks – **£25,939** – Towards the improvement of open space in the vicinity. Details to be agreed in line with the CIL tests.

Affordable Housing – The Housing Strategy Manager has requested a 20% contribution (2 units) be provided on site.

8.7 The application has been the subject of a financial viability appraisal and assessment by the District Valuation Service (DVS). This appraisal was undertaken before the amendments were made to the proposed development that have resulted in a reduction in the number of bedrooms of unit 10 and a re-configuration of units 9 and 10. In preparing their report, the DVS concluded that the development would deliver a surplus of £79,000 on the basis of a wholly market housing scheme. The developer is not contesting this report, however have agreed to make a financial contribution of £49,000 which further recognises the loss in revenues as a consequence of the amended plans. This value is considered reasonable. It is proposed to allocate the financial contribution proportionately between the Parks Service and Affordable Housing which would result in the following financial contributions:

- £5,168 towards the improvement of open space in the vicinity.
- £43,832 towards the provision of affordable housing

The trigger for the receipt of these contributions will be upon first occupation of any residential unit.

8.8 In light of the above, and having regard to adopted planning policy guidance it is recommended that planning permission be granted, subject to a legal agreement and conditions.




Residential Development at the former Gower Hotel, Gwennyth Street, Cathays - Cardiff



Location Plan - 1:1250



Location Plan - 1:500

-  Proposed development
-  Existing building outline
-  Site boundary



1:1250 @ A3
1:500 @ A3

Project: **A097197 The Gower**

Location: 28 Gwynneeth Street
Cathays, Cardiff CF24 4PH

Client: Gower (Cathays) Ltd

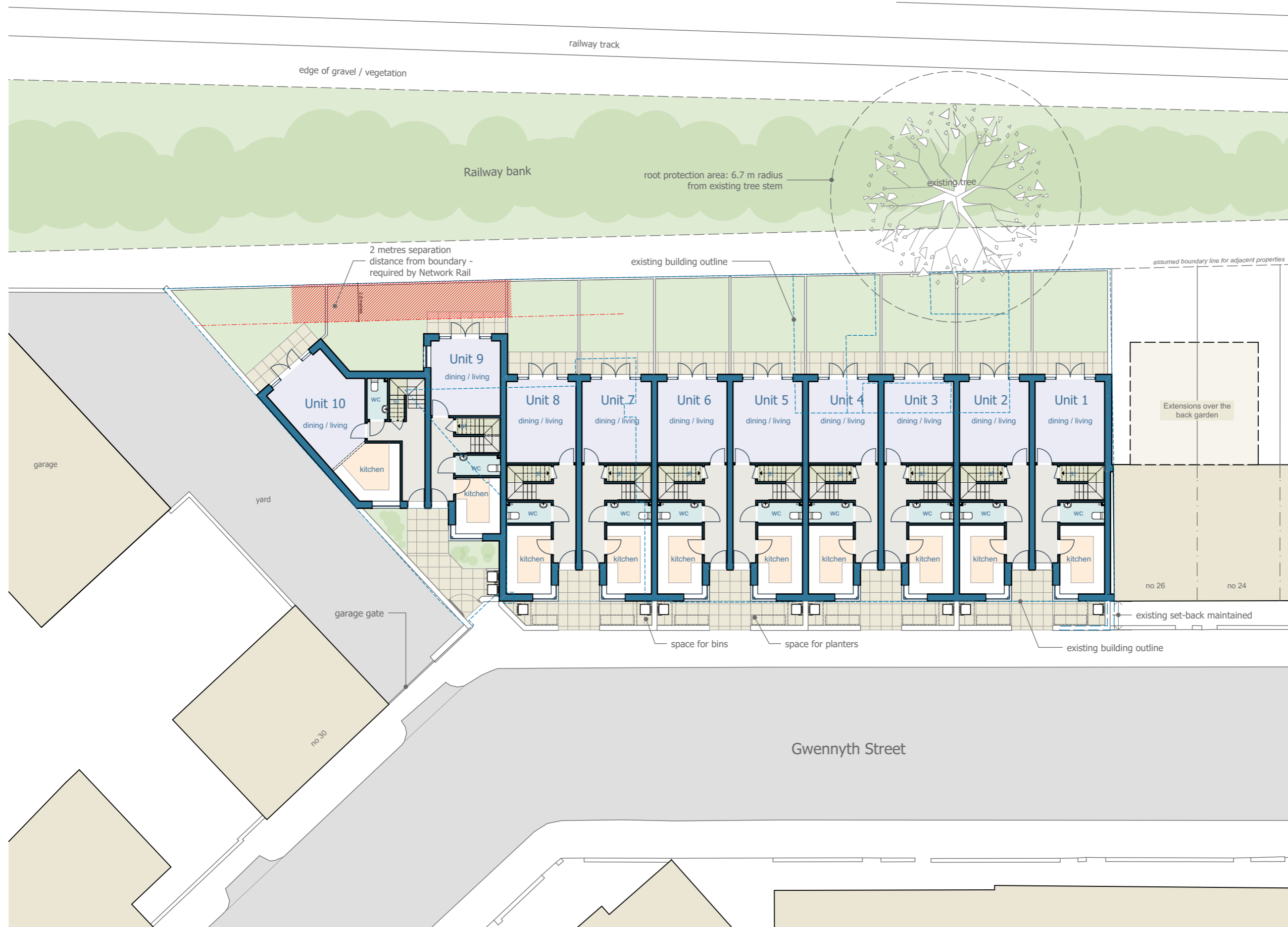
Date: 20 November 2016

Drawing: DRG001
Location Plan

WYG Group
Floor 5, Longcross Court, 47 Newport Road
Cardiff CF24 0AD
Tel +44(0)29 2082 9200
email: planning.cardiff@wyg.com www.wyg.com

WYG Environment Planning Transport Limited 2016

Residential Development at the former Gower Hotel, Gwennyth Street, Cathays - Cardiff



Revision:
A 18.6.16 CEN
 Updated layout for units 9 & 10.



1:200 @ A3

Project: **A097197 The Gower**

Location: 28 Gwennyth Street
 Cathays, Cardiff CF24 4PH

Client: Gower (Cathays) Ltd

Date: 18 June 2017

Drawing: DRG002 Rev.A
 Site Plan & Ground Floor

WYG Group
 Floor 5, Longcross Court, 47 Newport Road
 Cardiff CF24 0AD
 Tel +44(0)29 2082 9200
 email: planning.cardiff@wyg.com www.wyg.com

WYG Environment Planning Transport Limited 2017

Site Plan - 1:200





- 1 - Slate roof
- 2 - Red brick
- 3 - PVCu windows in slate colour
- 4 - Paneled timber doors
- 5 - Slate hanging tiles cladding
- 6 - Polymer render wall
- 7 - Black brick details
- 8 - Sandstone effect concrete sill

Street (West) elevation 1:100

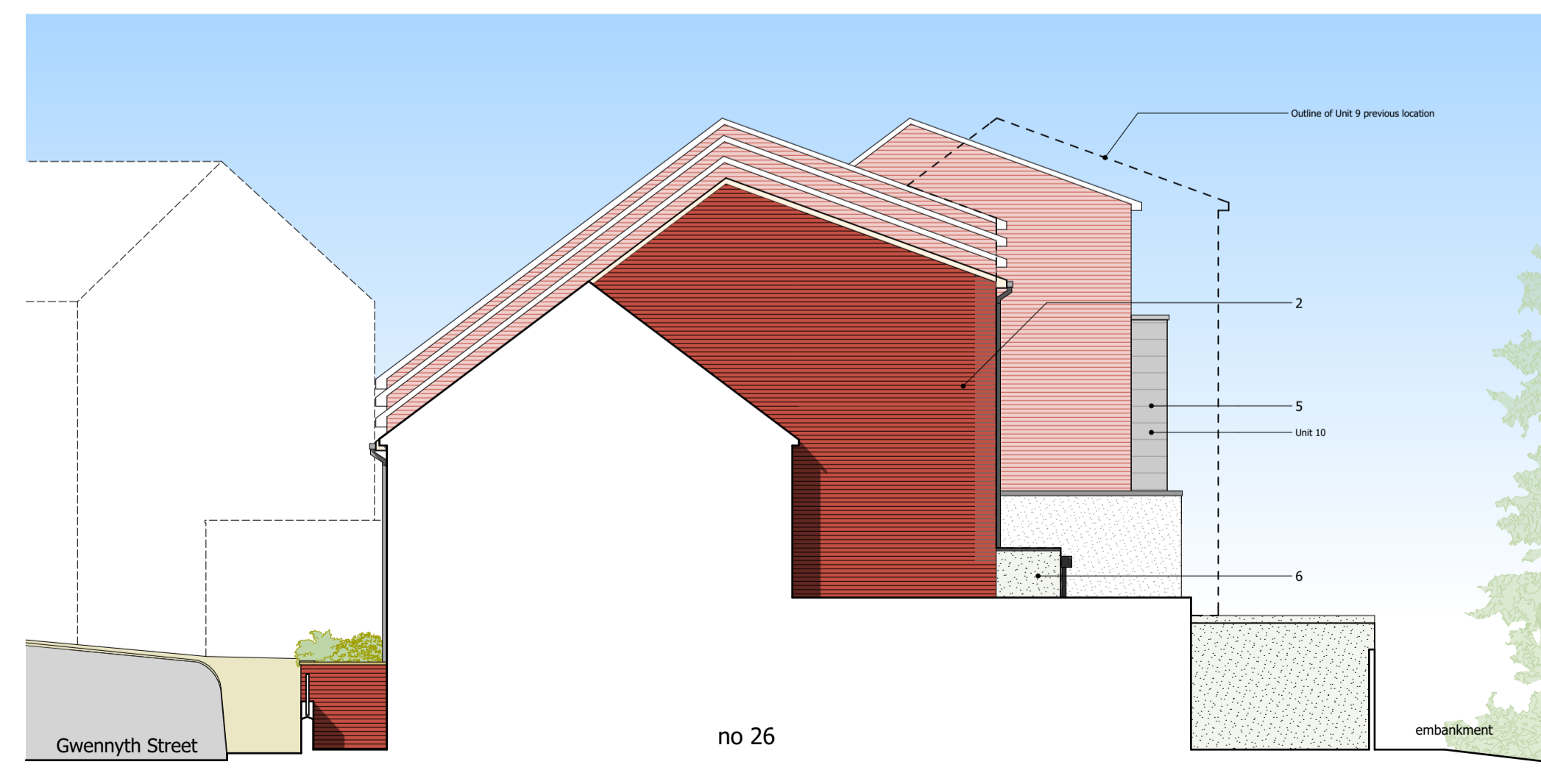


- 1 - Slate roof
- 2 - Red brick
- 3 - PVCu windows in slate colour
- 4 - Aluminium doors in slate colour
- 5 - Slate hanging tiles cladding
- 6 - Polymer render wall
- 7 - Black brick details
- 8 - Sandstone effect concrete sill

Railway (East) elevation 1:100



North elevation 1:100



South elevation 1:100

- 1 - Slate roof
- 2 - Red brick
- 3 - PVCu windows in slate colour
- 4 - Aluminium doors in slate colour
- 5 - Slate effect hanging tiles cladding
- 6 - Polymer render wall
- 7 - Black brick details
- 8 - Sandstone effect concrete sill

Revision:

B 18.6.16 CEN
Updated layout for units 9 & 10.
A 16.12.16 CN
North Elevation - boundary wall to no 30 changed to render

1:100 @ A1



Residential Development at the former Gower Hotel, Gwennyth Street, Cathays - Cardiff
Project: **A097197 The Gower**

Location: 28 Gwynne Street, Cathays, Cardiff CF24 4PH

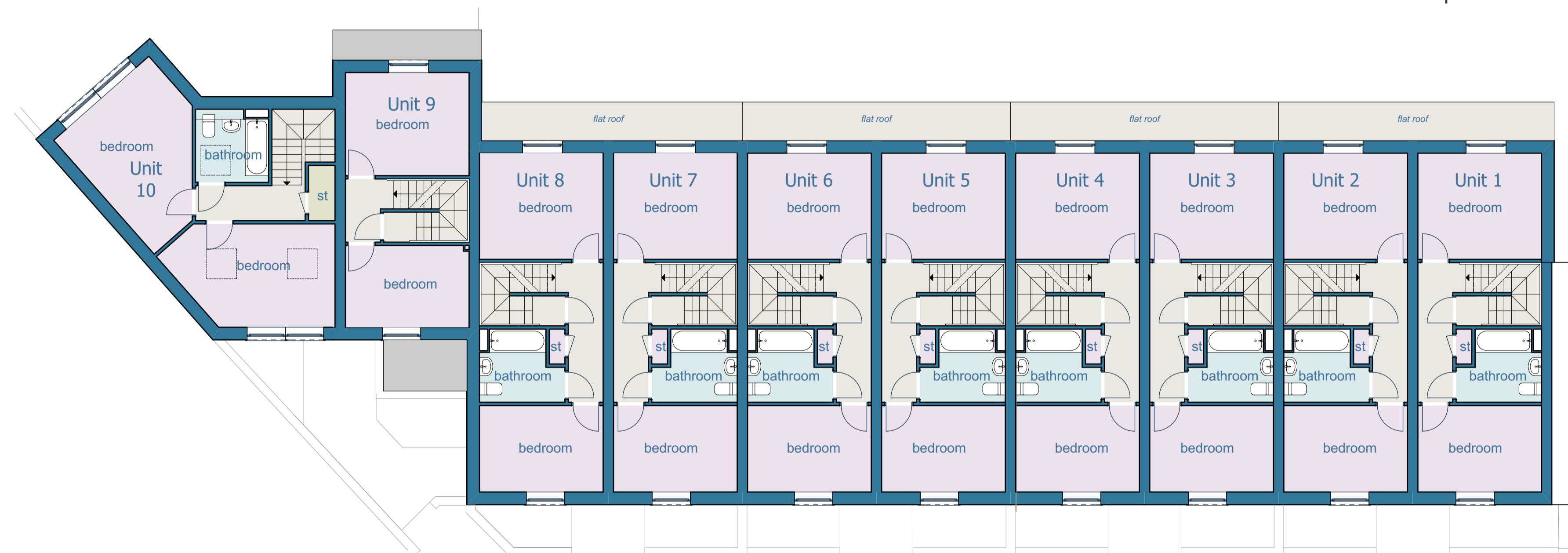
Client: Gower (Cathays) Ltd

Date: 27 June 2017

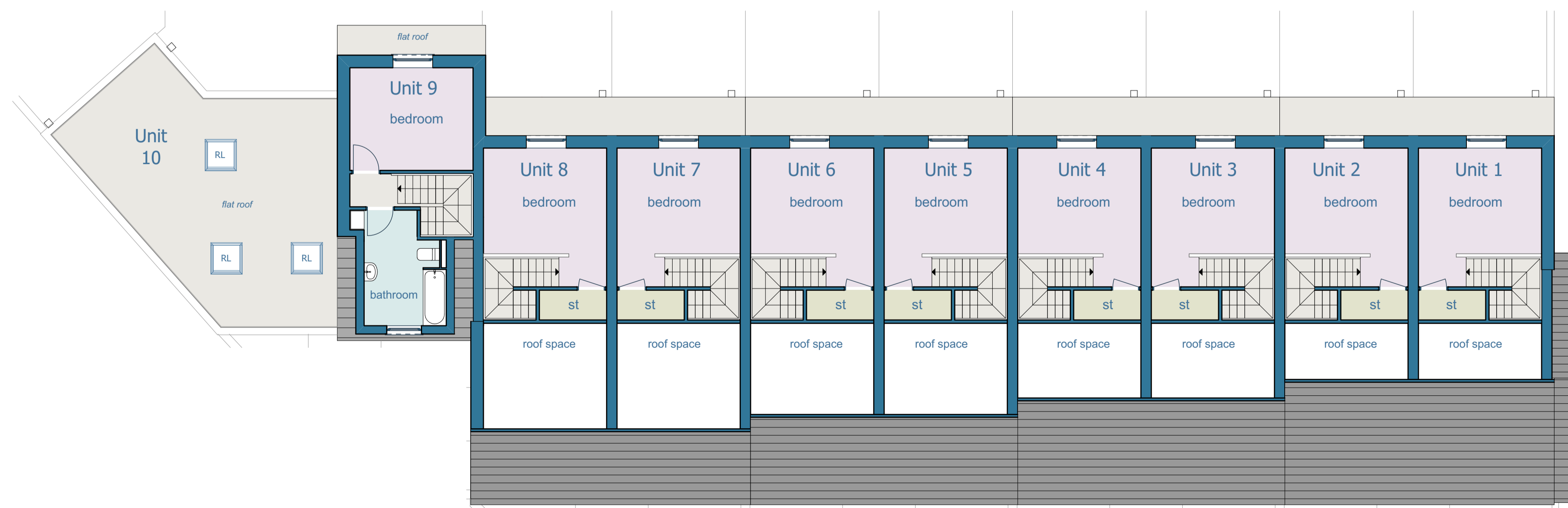
Drawing: DRG023 Rev.B Elevations



Ground floor plan 1:100



First floor plan 1:100



Second floor plan 1:100

Revision:
A 18.6.16 CEN
Updated layout for units 9 & 10.



1:100 @ A1
0 1m 5m
1:100

Residential Development at the
former Gower Hotel,
Gwennyth Street, Cathays - Cardiff

Project: A097197 The Gower

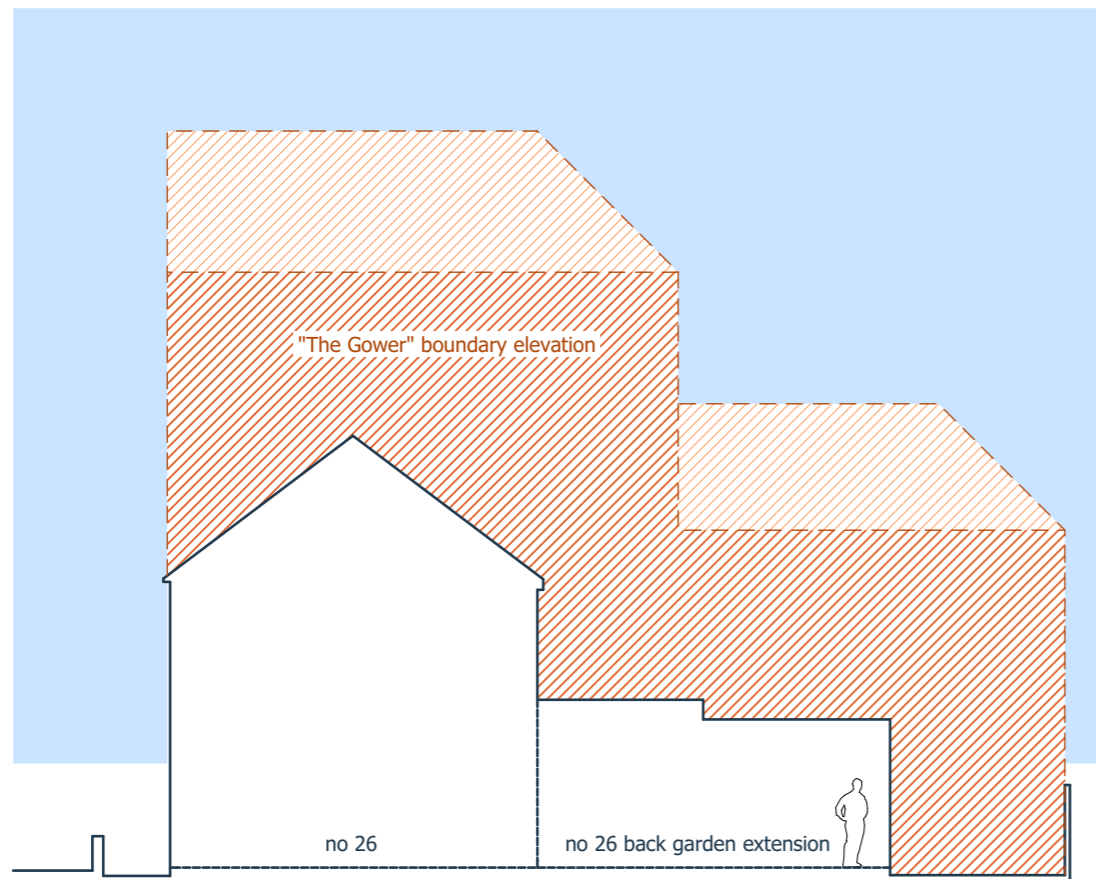
Location: 28 Gwynne Street
Cathays, Cardiff CF24 4PH

Client: Gower (Cathays) Ltd

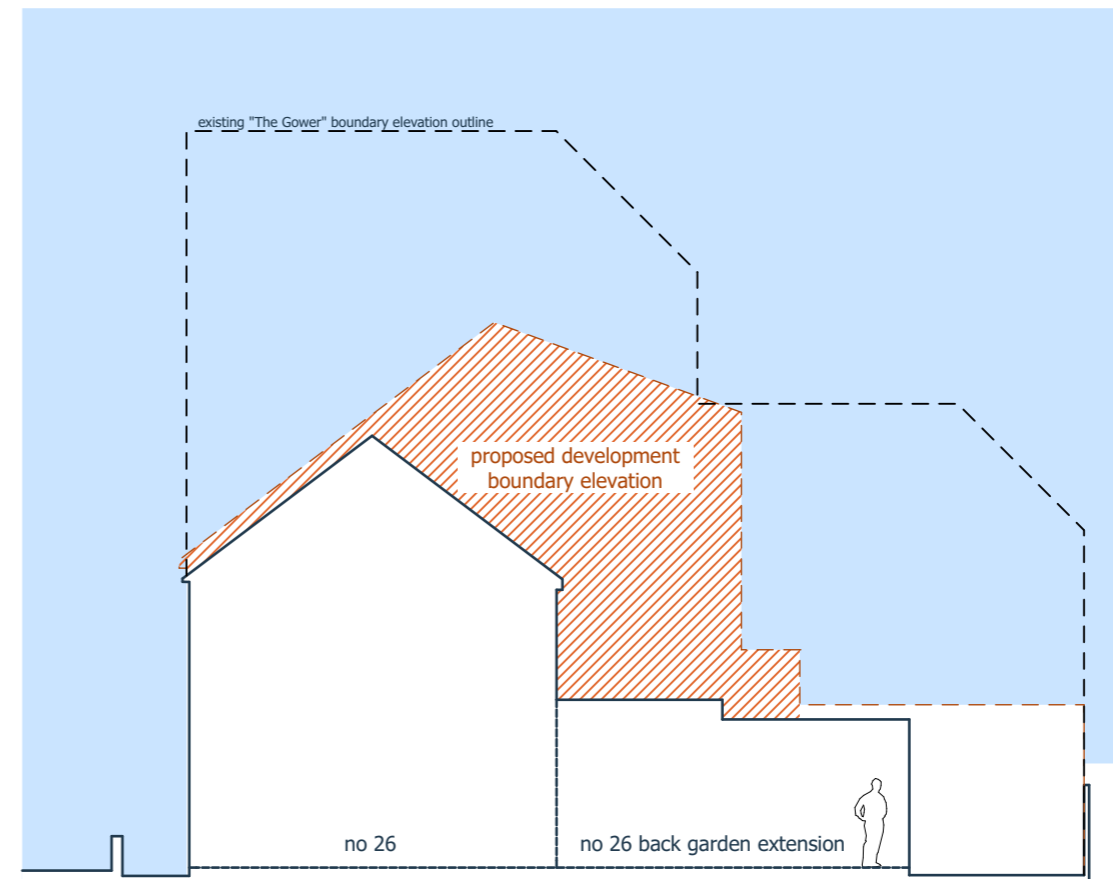
Date: 18 June 2017

Drawing: DRG022 Rev.A
Floor Plans

WYG Group
Floor 5, Langcross Court, 47 Newport Road
Cardiff CF24 0AD
Tel: +44(0)1222 2082 9200
email: planning.cardiff@wyg.com
www.wyg.com
WYG Environment Planning Transport Limited 2016



Schematic Section on #26 - existing boundary elevation - NTS



Schematic Section on #26 - proposed boundary elevation - NTS

Project: **A097197 The Gower**
Location: 28 Gwyneeth Street
Cathays, Cardiff CF24 4PH
Client: Gower (Cathays) Ltd
Date: 18 June 2017
Drawing: DRG007
No 26 boundary conditions
comparison