

COMMITTEE DATE: 16/08/2017

APPLICATION No. **17/00224/MJR** APPLICATION DATE: 03/02/2017

ED: **BUTETOWN**

APP: TYPE: Full Planning Permission

APPLICANT: ABA Holdings Ltd

LOCATION: CARDIFF BAY STATION, BUTE STREET, BUTETOWN

PROPOSAL: REFURBISHMENT OF EXISTING BUILDING FOR OFFICE SPACE AND CONCIERGE, TO INCLUDE FOR REMOVAL OF EXISTING (NON ORIGINAL) CANOPY AND DEVELOPMENT OF A LINKED 4 STOREY BUILDING TO CREATE ADDITIONAL FLOORSPACE INCLUDING RETAIL (A1 / A3), LIVE-WORK UNITS (C3), OFFICE(B1) AND ASSOCIATED WORKS

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 section 9 of this report, planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. The Development Approved is that indicated on the following Drawings
 - A108 D PROPOSED ELEVATIONS
 - A107 C PROPOSED FLOOR PLANS sheet 2
 - A106 C PROPOSED FLOOR PLANS sheet 1
 - A105 C PROPOSED SITE LAYOUT

Reason: For the avoidance of doubt.

3. The restoration works to the existing station building shall be undertaken in accordance with a detailed specification of repair which shall first have been submitted to and approved by the Local Planning Authority in Writing.

Reason: To ensure for a specification of repair and appropriate aesthetic to the restoration in the interests of visual amenity.

4. The restoration works to the existing station building shall be completed prior to the beneficial use of any part of the new building hereby approved.

Reason: To ensure for the restoration of the Listed Building in a timely manner and as the priority element of the development package.

5. No development shall commence 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 (SUDS). 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 or land drainage shall be allowed to connect directly or indirectly with the public sewerage system without the specific approval of the Local Planning Authority.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure for a sustainable drainage solution.

6. 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 then 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 or users is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.

7. 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.

8. 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 2012), 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.

9. The remediation scheme approved by condition x (PC14B above) must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document 'Land Contamination: A guide for Developers' (July 2012), 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.

10. 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.

11. 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.

12. 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.

13. Prior to the construction of the new build element of the scheme, an acoustic report shall be submitted to and approved in writing by the Local Planning Authority which shall confirm and address the impacts of existing and proposed noise sources upon the approved residential accommodation and confirm such mitigating measures as are proposed to overcome any potential noise nuisance. The approved mitigating measures shall thereafter be implemented in full prior to the first beneficial occupation of any residential unit

The acoustic report should consider and address:

1. The existing daytime and night time noise levels from nearby roads at each residential storey of the proposed building;
2. The existing daytime and night time noise levels and vibration from the nearby railway line at each residential storey of the proposed building;
3. Proposed noise levels for any plant associated with the proposed development (including the likes of air conditioning units; refrigeration equipment, fume extraction equipment etc. associated with the retail; office and residential units;

The noise emitted from fixed plant and equipment on the site shall not exceed a rating noise level of background -10dB at the nearest noise sensitive receptor when measured and corrected in accordance with BS 4142: 2014 (or any British Standard amending or superseding that standard).

4. Noise levels impact on the proposed residential accommodation from the proposed A1/A3 retail units; refuse storage area and the cycle storage area (sound insulation);
5. An assessment of the expected impact the noise from the above sources will have upon the future occupiers of the proposed building;
6. Details, including any technical specifications, of any mitigation measures that may be required as a result of the impact assessment;

Reason: to ensure that the living environment of future occupiers and users of the building will be acceptable.

14. No member of the public shall be admitted to or allowed to remain on the A1/A3 premises outside of the hours of 07.30 and 23:00 Monday to Saturday Inclusive or outside of the hours of 08.00 and 22:00 on Sundays.

Reason: To ensure for a satisfactory level of amenity for future residents.

15. There shall be no arrival, departure, loading or unloading of delivery vehicles outside of the hours of 08.00 and 20:00 on any day.

Reason: To ensure that the amenities of residential occupiers at and in proximity of the site are protected.

16. This permission does not extend to any advertisements.

Reason: For the avoidance of doubt.

17. If at any time the operation of the commercial premises will involve the preparation and cooking of food, all fumes from the food preparation areas shall be mechanically extracted, de-odorised, and vented from the premises in accordance with details and specification of equipment which shall first have been submitted to and approved by the local planning authority in writing. No cooking of food shall take place until the approved equipment is installed in full.
Reason: To ensure that the amenities of nearby residents are protected from potential noise and olfactory nuisance and that the equipment will not detract from the visual interest of the Listed Building.
18. The development shall be constructed in accord with a scheme of architectural detailing which shall first have been submitted to and approved by the local planning authority in writing and the development shall not be brought into beneficial use until the approved scheme is implemented in full.
Reason: To ensure a satisfactory finished appearance to the development.
19. The development shall be finished in accordance with a palette of materials which shall first have been submitted to and approved by the Local Planning Authority in writing.
Reason: To ensure that the finished appearance of the development is in keeping with the area.
20. No works to the roof, soffits or fascias of the existing station building shall take place between 1st February and 15th August unless otherwise specifically approved in writing by the Local Planning Authority. This approval will be given if it can be demonstrated that there are no birds nesting in or on the building immediately (48 hrs) before works commence.
Reason: To avoid disturbance to nesting birds which are protected under the Wildlife and Countryside Act 1981: Part 1, 1(1)(b), 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.
21. Should an artificial lighting scheme be proposed to enhance the building, it shall be provided in accordance with a scheme of detail which shall first have been submitted to and approved by the Local Planning Authority in Writing.
Reason: To ensure that the scheme will be designed to reduce disturbance to bats.
22. Prior to beneficial occupation, the development shall accommodate one bat brick, bat tube or bat box with a north-east aspect.
Reason: To enhance the biodiversity potential of the development.
23. The A3 premises hereby approved shall be used for the purpose of a coffee shop/café/restaurant and for no other purpose, including any

other purpose as may otherwise be permitted by Class A3 of the Town and Country Planning Use Classes Order 1987 or any equivalent order amending or superseding that order.

Reason: Other uses in use class A3 have not been considered and may be detrimental to the amenities of nearby residents.

24. Prior to the start of works on site, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority outlining such measures to be undertaken to minimise the impact of the development on nearby residential occupiers, the impact on protected species, and to ensure for the continued safe and unobstructed operation of the highway. The plan should include, but not be limited to the design of site hoarding, plant and materials storage, contractor and vehicle parking, delivery protocols, construction traffic routes, wheel washing facilities, lighting, hours of working, dust suppression and other site protocols. The development shall thereafter be undertaken in accordance with the approved CEMP.

Reason: To ensure for maximum mitigation of any adverse effects of construction.

25. Prior to installation, full details of the commercial and domestic waste storage areas shall be provided to the Local Planning Authority for written approval and shall include for confirmation of materials and finishes, access and ventilation arrangements and presentation and collection protocols. Thereafter wastes and recycling storage and collection shall be undertaken in accordance with the approved details.

Reason: To ensure for a sustainable and effective waste management regime for both residential and commercial operators.

26. Prior to beneficial Occupation, the development shall be provided with a system of CCTV capable of evidential quality recording of all main access and egress points in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of public and resident safety and security.

27. The secure cycle parking spaces shown on approved plans shall be provided prior to first beneficial occupation of any residential unit, and thereafter be so maintained for that purpose.

Reason: To facilitate use of sustainable transport modes.

RECOMMENDATION 2 : That the applicant be advised that 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 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;
- (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.

RECOMMENDATION 5 : The applicant is encouraged to liaise with South Wales Police and to seek accreditation under the Secured by Design scheme.

1. **DESCRIPTION OF DEVELOPMENT**

- 1.1 Planning Permission is sought for the refurbishment of the former Bute Street Station building and the provision of a linked 4 storey building to provide for a mixed use development of retail A1 / A3, (shop / food and drink), 10 live-work units (Use class C3) associated with 19 office rooms (B1) together with a concierge/reception, and associated works.

2. **DESCRIPTION OF THE SITE**

- 2.1 The existing building is located to the western side of the application site. The building is Listed as being of Architectural and Historic Interest and Graded II* as an exceptionally early surviving example of purpose built railway architecture in Wales. However there is little of the interior of the building remaining.
- 2.2 Bute Street station was originally built as offices for the Taff Vale Railway (TVR), and advised to have been first used in 1843. However the southern section is reportedly a later addition of Circa 1860's. Both the original building and extension have stuccoed (render relief) walls; share a hipped slate roof and deeply overhanging eaves and soffits and tall stuccoed chimneys.
- 2.3 The Eastern elevation is somewhat altered with a number of window openings infilled, and until recently has been obscured by a modern profile steel canopy. The North elevation has doubled pilaster strips at ends, but door and window openings have been altered for access to an external metal fire escape. The building has been vacant for many years, and has been subject to vandalism and occupation by squatters, the eastern façade has been subject to graffiti and tagging.
- 2.4 The Western elevation of the building is to the back of pavement on Bute Street. It is on this façade that the variation between the original building and its extension are most obvious in terms of the variance of window position and style. However the finishing of the building in a cream painted render finish has a unifying effect. The building has been subject to substantial render loss on this elevation.
- 2.5 This part of Bute Street is a relatively moderately trafficked highway; a flatted development is located on the opposite side of Bute Street. To the south, the site is bounded by Hemingway road, a traffic island and thereafter commercial office accommodation on Bute Street. To the east is an elevated area which is likely to have previously accommodated the former station platform, however the tracks and the former Cardiff Docks station on the opposite Eastern side of the tracks have been removed and landscaped as part of Lloyd George Avenue, and the remaining single track and platform now terminate some 25m further north of the Bute Street Station.
- 2.6 The northern end of the building still abuts Network Rail Land, but also contains a relatively recent external metal fire escape.
- 2.7 The building has been vacant for a number of decades and although the previous owner did respond to requests to undertake essential repairs, the

building remains in a boarded and dilapidated condition.

- 2.8 The building is Listed Grade II*; is located within the Mount Stuart Square Conservation Area, and the site is Located in Flood Zone C1 of NRW's Development Advice Map.

3. **SITE HISTORY**

Application Number	03/01659/C
Application Type	LISTED BUILDING CONSENT
Proposal	REFURBISHMENT AND EXTENSION OF EXISTING BUILDING TO CREATE ADDITIONAL FLOOR SPACE INCORPORATING DEMOLITION OF EXISTING CANOPY AND NEW BASEMENT CONSTRUCTION. ROOF MATERIAL POLYMERIC MEMBRANE; LIGHT GREY. EXTERIOR WALL FACINGS MASONRY PANELS, SMOOTH RENDER PANELS, PLANAR GLAZING, CURTAIN WALLING; COLOURS TO BE CONFIRMED
	CALLED IN FOR DETERMINATION BY WELSH GOVERNMENT AND GRANTED 05/06/2008

Application Number	03/01660/C
Application Type	FULL PLANNING PERMISSION
Proposal	REFURBISHMENT AND EXTENSION OF EXISTING BUILDING TO CREATE ADDITIONAL FLOORSPACE INCORPORATING DEMOLITIONS OF EXISTING CANOPY AND NEW BASEMENT CONSTRUCTION. CHANGE OF USE TO A3 RESTAURANT AND ASSOCIATED CAFE/BAR
	GRANTED 15/09/2006

Application Number	17/00225/MJR
Application Type	LISTED BUILDING CONSENT
Proposal	REFURBISHMENT OF EXISTING BUILDING (INCLUDING REMOVAL OF EXISTING CANOPY) FOR CONTINUED USE AS (B1) OFFICE.
	UNDETERMINED

4. **POLICY FRAMEWORK**

4.1 Planning Policy Wales Edition 9, November 2016

Chapter 6 - Conserving the Historic Environment

4.2 WG Technical Advice Notes

TAN 11:	Noise (1997)
TAN 12:	Design (2009)
TAN 24	Historic Environment (2017)

4.3 Welsh Office Circular

11/99: Environmental Impact Assessment 30/06/99

4.4 Cardiff Local Development Plan 2006-2026 (Adopted January 2016)

KP5: GOOD QUALITY AND SUSTAINABLE DESIGN
KP6: NEW INFRASTRUCTURE
KP7: PLANNING OBLIGATIONS
KP10: CENTRAL AND BAY BUSINESS AREAS
KP17: BUILT HERITAGE
H2: CONVERSION TO RESIDENTIAL USE
H3: AFFORDABLE HOUSING
H6: CHANGE OF USE OR REDEVELOPMENT TO RESIDENTIAL USE
EN9: CONSERVATION OF THE HISTORIC ENVIRONMENT
EN13: AIR, NOISE, LIGHT POLLUTION AND LAND CONTAMINATION
EN14: FLOOD RISK
T6: IMPACT ON TRANSPORT NETWORKS AND SERVICES
T7: STRATEGIC TRANSPORTATION INFRASTRUCTURE
T9: CARDIFF CITY REGION 'METRO' NETWORK
R6: RETAIL DEVELOPMENT (OUT OF CENTRE)
R8: FOOD AND DRINK USES
C1: COMMUNITY FACILITIES
C5: PROVISION FOR OPEN SPACE, OUTDOOR RECREATION,
CHILDREN'S PLAY AND SPORT
W2: PROVISION FOR WASTE MANAGEMENT FACILITIES IN
DEVELOPMENT

4.5 Supplementary Planning Guidance to Adopted LDP

Planning Obligations Jan 2017

4.6 Other Material Considerations

Mount Stuart Square Conservation Area Appraisal

Supplementary Planning Guidance to former Local Plan which is material in so far as it is the most recently approved guidance and is compliant with National Guidance and Policies.

Access, Circulation and Parking Standards Jan 2010

Biodiversity Part 1 - Approved June 2011

Biodiversity Part 2 - Approved June 2011

Open Space Mar 08 including May 2011 update to Section 106 Baseline Contribution Figure

Restaurants, Takeaways and Other Food & Drink Uses Jun 96

Safeguarding Land for Business and Industry Jun 06

5. **INTERNAL CONSULTEE RESPONSES**

5.1 **Ecology**

The applicant has submitted a bat survey which did not confirm the presence of any bats.

5.2 Traffic and Transportation

Any representations will be reported at Committee.

5.3 Highways (Drainage)

No Comment

5.4 Parks Services

As the development contains 10 residential units the proposal would generate a request for a contribution in lieu of on-site provision of Public Open Space.

A contribution of £14,256 has been calculated.

5.5 Pollution Control - Noise and Air

The Pollution Control Officer is of the opinion that an acoustic report is required in order to establish the potential impacts of existing noise sources upon the development site, and more specifically the residential accommodation proposed. It is suggested that the acoustic report consider the following:

1. The existing daytime and night time noise levels from the nearby roads at each residential storey of the proposed building;
2. The existing daytime and night time noise levels and vibration from the nearby railway line at each residential storey of the proposed building;
3. Proposed noise levels for any plant associated with the proposed development (including the likes of air conditioning units; refrigeration equipment etc. associated with the retail; office and residential units;

For information, ensure the noise emitted from fixed plant and equipment on the site achieves a rating noise level of background -10dB at the nearest noise sensitive premises when measured and corrected in accordance with BS 4142: 2014 (or any British Standard amending or superseding that standard).

4. Noise levels impact on the proposed residential accommodation from the proposed A1/A3 retail units; refuse storage area and the cycle storage area (sound insulation);
5. An assessment of the expected impact the noise from the above sources will have upon the future occupiers of the proposed building;
6. Details of any mitigation measures that may be required as a result of the impact assessment;

Given that the proposal involves the placing of residential units close to transportation noise sources and that noise is a material consideration by paragraph 13.15.1 (Edition 7) of Planning Policy Wales, The Pollution Control Officer suggests that the acoustic report be submitted for consideration and approval by the Pollution Control team prior to the determining of any planning application.

The pollution control officer also suggests the following conditions

PC5 OPENING HOURS

No member of the public shall be admitted to or allowed to remain on the A1/A3 premises between the hours of 23:00 and 08:00 on any day.

Reason: To ensure the amenity of occupiers of other premises in the vicinity are protected.

PC6 DELIVERY TIMES

There shall be no arrival, departure, loading or unloading of delivery vehicles between the hours of 20:00 and 08:00.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

Together with a Construction site noise advisory notification:

The Pollution Control Officer also provides a commentary on the brightness of illuminated signs but as no signs are proposed under this application, the commentary is not repeated here in the interests of brevity.

5.6 **Pollution Control - Contaminated Land**

In reviewing available records and the application for the proposed development, the site has been identified as formerly commercial/industrial. Activities associated with this use may have caused the land to become contaminated and therefore may give rise to potential risks to human health and the environment for the proposed end use.

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

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

Shared Regulatory Services requests the inclusion of the following conditions and informative statement in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan:

Ground gas protection;
Contaminated land measures – assessment
Contaminated land measures – remediation & verification plan
Contaminated land measures - remediation & verification
Contaminated land measures – unforeseen contamination Imported aggregates
Use of site won materials

Together with a contamination and unstable land advisory notice

5.7 Housing

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

On that basis of the above, we would seek a financial contribution of £125,280 (in lieu of 2 units) which is calculated in accordance with the formula in the Affordable Housing – Planning Obligations Supplementary Planning Guidance (SPG) (2017).

5.8 Waste

Domestic Wastes

For a development of 10 live-work units we would recommend the following;

Dry Recyclables:	1 x 1100 litre bulk bin
Food Waste	1 x 660 litre bin
General waste:	1 x 1100 litre bulk bin

In a mixed development, a strict separation of waste is required to ensure commercial waste does not enter the domestic waste stream. I have noted the separate storage areas on the site plans and these are acceptable.

Ideally communal bin stores should have double doors that open outward. Surfaces should be smooth and impervious to permit cleaning and the floor must be laid to create suitable drainage. Adequate lighting must be provided-

natural or artificial, and good natural ventilation if completely enclosed.

The developer is advised; as bulk containers are specified for this development, access paths to the kerbside for collection should be at least 1.5 metres wide, clear of obstruction, of a smooth surface with no steps. Dropped kerbs should also be provided to ensure safe handling of bulk bins to the collection vehicle.

Waste Management will not carry keys or access codes for bin storage areas; so waste must either be presented at the entrance to the development for collection, or the access gates to the site must be left open.

Commercial Wastes

By law (Environmental Protection Act, 1990, section 47) all commercial premises have a duty of care to ensure that their waste is transferred to and disposed of by a registered waste carrier.

Owners or developers of commercial developments/properties who require Cardiff County Council to collect and dispose of their waste can contact to commercial services department on 029 20717500.

All A3 units are required to provide litter bins at the front of the unit in order to prevent littering on the adopted highway. The tenant will be required to provide, service and empty a litter bin to be placed at front of the unit during opening hours and removed from the highway during closing hours. (Please refer the applicant to Paragraph 4.8 of the Restaurants, Takeaways and other Food and Drink Uses Supplementary Planning Guidance: 1996).

Please refer the agent/architect to the Waste Collection and Storage Facilities Supplementary Planning Guidance for further relevant information.

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 **Welsh Water Dwr Cymru**

Recommend the following condition:

“No development shall commence 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.”

6.2 Network Rail

Note that unless the deeds of the property state otherwise, there are no rights granted for fire escape egress onto Network Rail land. Network Rail would not support the use of a fire escape on Network Rail's operational land whereby members of the public would be moving from one position of danger to another. Any means of access into the station or directly onto the platform from the application site will not be supported by Network Rail in the interests of rail passenger safety and operational safety and security.

Network Rail therefore objects to the amended plans and advises that the external fire escape staircase is removed and openings to the listed building on the northern elevation are retained as false openings to retain the integrity and features of the listed building.

Further amended plans now remove these features

6.3 South Wales Police

South Wales Police have no objection to the development but have commented on various elements of the scheme in respect of Lighting; Access Control; Window and door specification; CCTV; Smoke/ Fire/Intruder Alarms; Cycle/Bin Stores; Mail delivery and landscaping which have been passed to the applicant for consideration.

The police commentary recommending coverage of the site and key access points are supported in respect of a planning condition.

6.4 The Association for Industrial Archaeology

Notes that this application includes the demolition of the canopy, the conversion of the station building and for a three storey new build in place of the demolished canopy.

The Association has no objection to the removal of the canopy but does not consider that the new build which replaces it is neither of an appropriate height or design.

It completely obscures and dominates the building from the east. Therefore it has an adverse effect on the setting of this Grade II* listed building.

There is no indication of whether any original features survive in the station building. If they do every effort should be made to retain them, to ensure that the conversion is sympathetic. It is noted that the new partitions appear to be relatively light-weight and so it should be possible to revert to the original layout in the future.

Therefore the Association does not object to the demolition of the canopy but it does object to the new build in its place. It is not sympathetic to the station. It is

also essential that the re-use of the interior of the station retains original features.

6.5 The Victorian Society

The case has been considered by the Society's Southern Buildings Committee, and I write now to convey our response. We object to the application, which would cause a high degree of harm to the building and its setting, and because the quality of the application falls well short of what is required given the Station's II*-listing and the potential impact of the proposals.

The Bute Road Station is one of the oldest and most significant railway structures in Wales. It is one the Society has long been concerned about and only last year was included on our list of the ten most endangered buildings in England and Wales. It should go without saying that we are strongly supportive of the principle of delivering a sensitive scheme of restoration and reuse. However, the present proposal is seriously flawed and fails to represent the sympathetic and high quality scheme a building of such high significance demands.

The application proposes a three-storey extension and the conversion of the building to a mix of office, retail and live-work units. The principle of this mix of uses is not objectionable, although its conversion to a museum - the possibility of which has been widely publicised over the last six months - would surely be more fitting.

We object to the proposed extension on a number of grounds. Firstly, it is too tall, extending above the eaves of the listed building, thereby lending it – particularly with its flat-roof form – an imposing and damaging prominence and bulk. We object also to its architectural treatment, which is aesthetically jarring, disappointingly banal and fails to convey any sense of responsiveness or sensitivity to the listed building and its setting. What is proposed is little more than a relatively mundane commercial block crudely tacked on to one of Wales's most important historic railway structures.

In purely technical terms the application is unacceptably poor. The submitted Planning Statement supposedly includes a Heritage Statement: in reality it includes nothing that might seriously qualify as such. Ultimately it fails to provide anywhere near sufficient information by which to assess the impact of the scheme on the special interest of the building. Very few photographs are included, and none of the interiors; no explanation or justification is provided for the proposed infilling of every single window and door in the Station's eastern elevation (so much for the applicant's aspiration of respecting and maintaining visibility of this aspect; the "*glazed link*" here is in fact a large retail unit, the Station's disfigured eastern wall essentially becoming a party wall between the two); there is no mention of the extension's materials, other than to describe them as "*high quality*"; no information is provided on the detailing and quality of the proposed treatment of the interiors. Without a far greater level of detail we, and indeed the Council, are unable to properly assess this application. Such is the paucity of the submitted documentation that it should simply not have been

validated. In light of the significance of the Bute Road Railway Station the quality of this application – both architecturally and in terms of the information it provides – falls well short of what is required and would entail serious harm to the fabric and setting of a Grade II*-listed building. We therefore recommend that it is refused consent.

6.6 The Ancient Monuments Society

The Ancient Monuments Society (AMS) objects to this application. We have seen the Victorian Society's representations and agree with them that the proposals would cause unacceptable harm to the listed building and its setting.

Significance of the listed building

Bute Road Railway Station is listed Grade II*. The building was previously the headquarters of the Taff Vale Railway Company. It is thought to have been designed by Isambard Kingdom Brunel and was completed in 1843, with an extension added in 1860.

Impact of the three-storey extension

We share the Victorian Society's concerns about the proposed new extension to the station. We accept that the ambition for the project is to provide a "contemporary take rather than a pastiche of the traditional form." This is an acceptable approach. What is proposed, however, is a rather generic building which looks rather incongruous and out of place in this location. If the design concept is to let the listing building 'breathe', then seeking to achieve this through an evocation of utilitarian railway architecture might be a more successful approach.

We also agree that a conversion to use as a museum, which was the focus of previous proposals, would be a more fitting option for the building. We would be happy to be consulted again, should further information be made available.

7. REPRESENTATIONS

A resident of Belmont Walk (also on behalf of 'a number of local residents' (unspecified) has written to object to the proposals on the following grounds:

- The development does not benefit the community and residents living in the area.
- Retail and office units are not ideal and will cause issues in the long run

"more people, more issues and no solutions to the problems we currently face"

- Inadequate parking in the area for the development.
- Construction noise (quoting precedent of other developments in the area)
- Contractor behaviour

- Contractor parking
- Contractor littering

8. **ANALYSIS**

8.1 **Environmental Impact Assessment**

The development is not considered EIA development when assessed against the quantum and criteria of development advised in the Environmental Impact Assessment Regulations and not considered likely to have any significant environmental effects warranting the submission of an Environmental Statement.

8.2 **Land Use**

The application premises fall within the Central and Bay Business Area as defined by the Local Development Plan proposals map. Policy KP10 is therefore of relevance. Policy KP10 considers offices and residential uses appropriate in this location.

Although not a designated centre or in a location allocated or protected for retail use, small scale retail use is considered appropriate as part of the proposed mixed use development and complementary to the operation of the railway station.

8.3 **Housing**

The development provides for 10 units of residential accommodation, and the Housing Officer's request for an affordable housing contribution is noted. However on this occasion it is considered that there are other material considerations which need to be weighed and this request is addressed in Section 9 of this report.

The accommodation proposed comprises 6x 1 bed units in excess of 30m²; and 4x 2 bed units of between 55m² and 73m², consistent with the Council's SPG in respect of an acceptable scale of accommodation. All units are contained within the new build element of the scheme and have principal outlook to Lloyd George Avenue to the east, and secondary windows to Hemmingway road and toward the railway line to South and North respectively. The plans indicate resident access to a communal bin store on the ground floor and to an internal bicycle store. This is considered appropriate. The accommodation raises no privacy concerns and provides for an acceptable level of amenity.

8.4 **Economy**

The former station building has been in a dilapidated condition for many years, however the area has seen a recent upturn in development activity, and the restoration of the station and a clean modern extension will provide betterment to the area. The development is welcomed in this regard.

8.5 Design

The principal issue is to what extent it is reasonable to enable the restoration of the declining Listed Building, and in what manner of design it is appropriate to do so.

The reuse and adaptation of the former railway station has always been contentious. In the last twenty years, the cost of restoration of the existing building has never been viable in itself; and past designs to extend the building have not sat comfortably with those who wished to preserve the building as an entity.

Planning Permission was granted in 2006, along with Listed Building Consent (further to Welsh Government Call In) for a restaurant use with 'glass box' addition in 2008; however this proposal was subject to a market collapse, and a general slowing of development uptake in the area, and ultimately became too great a risk commercially for the applicant to progress. The building has thereafter declined, with only minimal works undertaken to preserve it.

The objections of the amenity bodies are noted but not concurred with.

This proposal as amended has been through an extensive and extended dialogue with officers and is now presented in the form of a four storey building, taller than originally submitted, but concluded to be better proportioned and respectful of the integrity of the former station than any options seen before. The aesthetic of the proposed building is intentionally in distinct contrast to the language of the existing building, but lends from its overall proportion, and proportion of its subdivision to establish the width, height and subdivision division of the new structure. The new building is also connected to the listed structure by means of a much smaller subservient glazed link, which is considered appropriate.

The proposed building will be four storeys in height with a flat roof. A framed composition mirroring the width of the existing building and lending from the height of the bay window banding, eaves, and lower chimney stack heights of the existing station to inform the proportion of the facades. The two structures being provided with a maximum separation between the old and new with a 2.5m planar glazed link set just below the bay parapet height of the station building. At the request of the planning officer the new building has also been foreshortened to both north and south to ensure that it does not over extend as a backdrop to the former station, and will not dominate the existing structure when viewed obliquely from east and west. Given the height of the existing façade and available carriageway width of Bute Street the new building would not be seen against the face of the station from that direction, nor similarly the station building from Lloyd George Avenue. This will ensure that there is no aesthetic competition between the two forms and that neither will dominate the other.

Overall the proposal is considered a positive response to the requirements of

Policy KP5 in providing a new legible building of appropriate scale, form and massing, appropriately respectful of the special interest of the Listed Building and including for its restoration.

The Computer Generated Images of the building convey the character of the new build, and the exact materials palette can be controlled by condition, the images and Design and Access statement confirm a panel specification, with a high level of glazing within an aesthetic frame.

The building is considered to provide a crisp and clean contrast to the more detailed stuccoed render relief of the former station and is considered a preferable alternative to a pastiche extension of that form.

The scheme includes for both A3 and A1 commercial elements within the new build development at ground floor. Residential units will be contained within the three floor levels above. As new build structures the commercial elements will be compliant with Part M of the Building Regulations, and the provisions of the Equality Act in providing equality of access to goods and services. The design detail of the glazed link can be made appropriate to those with sight impairment and Ground Floor doorways and circulation to accommodate the needs of those with impaired mobility. On this basis it is concluded that the proposal results in no apparent abnormal differential impact to those with protected characteristics and to meet the requirements of Section 149 of the Equality Act.

8.6 The Historic Environment

The existing building was originally constructed as offices by the Taff Vale Railway in the 1840s. As well as being located aside the principal Taff Vale lines it was also located just south of a short length of east west track running from the Glamorgan Canal to the Docks. It was originally a shorter building, still visible as the northern end of the whole, but extended in the 1860s and let as 'Consulate Chambers' when Taff Vale moved out to occupy the grander Queen Street Station buildings in 1862.

A waiting room and ticketing office were provided on the ground floor in the southern section and the building was further adapted for station use in 1924 and renamed 'Bute Road Station' by GWR as a consequence of the removal of the former Cardiff Docks Station previously located on the Eastern side of the tracks.

It was refurbished and used as a Railway Museum in the 1980s as a venture between the National Museum of Wales and the Butetown Historical Railway Society; however this was closed in 1997 when that society relocated to the Vale of Glamorgan Railway in Barry Island.

The Bute Street building was subsequently disassociated with the remaining track and now sits some 25m south of the operational track buffers.

'Cardiff Bay Station' as it has become known, is in fact a misnomer, as this title is associated with the waiting shelters and automated ticket machines

provided by Arriva Trains to the platform to the North since 1994.

The building has been in private hands now for many years, and has no association with the railways operations.

The detail of the conversion of the Listed Building, are most properly considered under the parallel application for Listed Building Consent 17/00225. From a planning perspective, the duty placed on the Local Planning Authority when considering a planning application for development affecting a Listed Building is that provided by S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which is to have *special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*. The scheme essentially involves the refurbishment of the external elevations of the station and for its re-roofing; and retains much of the fundamental layout retained in the building. In this respect the proposals are considered to have appropriate regard to the special interest of the building and its preservation as required by Policies KP17 and EN9 of the LDP.

In respect of setting, the objection of the Association for Industrial Archaeology in respect of an earlier version of the proposal is noted, however the principle of retaining a setting to the Eastern side of the building would in effect preclude any substantive development to the east of the building, or any form of enabling development which has previously been accepted. At more detailed level, the eastern elevation of the building has been heavily modified for a very long time with most window openings having been blocked up, and although discernible by the remaining cill projections has until recent times been concealed by a profile steel canopy. As this is the case both the principle and merit of maintaining an eastern view of the building are not considered sustainable, especially as no reference remains to the former context of the building as a trackside railway office/station now all rail tracks have been removed.

It is concluded that this proposal will allow for the refurbishment of the listed building in a respectful manner and that the benefit of restoring three elevations of the building, roof and planform of the structure outweigh the loss of a street view of the building from the east. In terms of physical adaptation, the scheme also provides for a obviously subservient contrasting link between the old and new build elements of the scheme which is both set back from the southern façade and also of a modest height to allow an appreciation of the station as an independent and legible structure by maintaining the upper floor of the station as a visually and physically separated from the new build.

8.7 Pollution

Noise

Planning Policy Wales, (Edition 9 -2016) part 13 (Minimising and managing environmental risks and pollution) confirms that the impact of noise can be a material planning consideration, for example in proposals to use or develop land near an existing source of noise or where a proposed new development is

likely to generate noise. It comments that Local planning authorities should make a careful assessment of likely noise levels and have regard to any relevant Noise Action Plan before determining such planning applications and that in some circumstances it will be necessary for a technical noise assessment to be provided by the developer

There is obviously an element of noise associated with the operation of the railway. Services run approximately every 13 minutes at peak times, and trains stop approximately 25m from the rear of the existing building. Traffic noise and flows on Lloyd George Avenues are low and in Bute Street and Hemingway Road moderate. There are no other obvious noise producers in the immediate area. The operational Dock is some 800m away at closest point with intervening buildings, and dock activity if discernible registers only as a background noise.

The pollution control officer's comments are therefore noted, however there would seem no reason to require an acoustic report ahead of the determination of the application as very many dwellings are constructed adjacent to operational railway tracks, and much busier road networks, and where ultimately the principal issue is to secure adequate sound proofing of the new residential accommodation to mitigate the worst excesses of railway noise. This will need to be achieved by insulation and potentially acoustic ventilation in the new build element of the proposals but would not be a reason to delay determination of the application. The proposal is by no means exceptional or unusual and the planning officer concludes there is no reason why appropriate mitigating measures cannot be achieved by means of planning condition.

The potential for noise nuisance to existing residents to be created by the new element of A3 or A1 operations is accepted, but is considered to be able to be appropriately managed by means of opening hours conditions.

The planning officer notes the suggested 08.00-23.00 opening hours condition proposed for the A1/A3 units, but would extend the morning opening to allow business operators to catch commuter trade during the week; but would curtail Sunday opening until 22.00 in respect of securing greater residential amenity.

There are no objections to the other conditions proposed.

The commentary on signage lighting is acknowledged but this application does not propose any signage.

8.8 Flood Risk

A Flood consequences Assessment has been submitted with the application and properly considers the risks of tidal and fluvial flooding and the consequences of an extreme flooding event on highly vulnerable uses such as residential uses.

The site is located wholly within flooding zone C1 of Natural Resources Wales Development Advice Map (DAM) being an area protected by infrastructure.

The conclusions of the report are that even in recognition of likely tidal rise, and in the potential for extreme flooding events from Taff and Ely rivers that the risks of flooding are low, and that the consequences of flooding can be appropriately managed.

The Planning Officer also notes that the residential accommodation proposed is at first floor level or above, and there are no hazardous or polluting uses proposed at ground floor.

It is therefore concluded that given the staged tidal and fluvial warning system in operation for the area, the position of the buildings adjacent to primary highways with direct linkages to areas above flooring risk, that in the unlikely event of an extreme flood occurring that the risks to human health and property can be appropriately managed.

The proposals are considered to comply with LDP Policy EN14.

8.9 Transport

The building, being located at the end of a railway line, with access to the city centre and to Cardiff Central Station and the rail network beyond, cannot be more sustainably located. The site is also adjacent to principal bus routes; cycle routes, and easily accessible on foot from the city centre. Occupiers of the residential units would also benefit from local shops and amenities in Butetown, and commercial deliveries for the office/creative elements in the building are available within 50m along Bute Street.

The development is therefore considered to be in an entirely sustainable location where 0 car parking provision is acceptable and to be encouraged.

The development is also noted to include for secure cycle parking provision which can be secured by condition.

8.10 The Natural Environment

A bat survey has been submitted which recorded no bats emerging or re-entering into the building during surveys undertaken in June and July, and concluded that no direct impact on roosting bats was to be anticipated.

The report recommends :

- that the programme of works to the building are recommended to avoid bird breeding season (April – September);
- Artificial lighting provisions be designed to reduce disturbance to bats;
- That one bat brick, tube or box is installed within the new building or onto the old building on the north-east aspect where there is less artificial lighting.

These recommendations can be confirmed via conditions and satisfies the Planning Officer and Council's ecologist that the biodiversity interests of the site/building have been appropriately addressed.

8.11 **Community**

The objection on behalf of nearby neighbours that the development does not serve the local community is noted. However the building, as far as the planning officer is aware has never served as a community facility, and has during periods of vacancy been a problem to the community in terms of being used for squatting, as well as drug related activities. As such it is concluded that although some disruption might be expected during the course of construction, that the benefits of the development will far outweigh any short term inconvenience that might be experienced.

8.12 **Waste Management**

Waste storage is indicated on the submitted drawings and appears adequate to the planning officer. The choice of commercial waste collector is within the gift of the business operators. The area shown for domestic wastes would appear sufficient and the detail of the finishes and ventilation plant can be required by condition. The level of submitted detail is considered sufficient to allow the proposal to be determined.

8.13 **Other issues raised by objectors**

The behaviour and attitude of contractors is not something which can be addressed by planning legislation. However a construction management plan can be required by condition which will seek to highlight and minimise any immediate impacts of construction activities on existing neighbours, maintenance of the highway and any environmental implications of development.

8.14 **Public Open Space.**

At ten units of residential accommodation the development would ordinarily be required to provide for an element of on-site open space, or a financial contribution in lieu of such facility. However on this occasion it is considered that there are other material considerations which need to be weighed against this policy and this is addressed in Section 9 of this report.

The site is located very close to the leisure opportunities of Cardiff Bay, The wetlands, and local parkland, as well as the public open space opportunities of the City Centre. It is concluded that the absence of Public Open Space from the scheme would not prejudice the amenity of residents of the development or members of the public unduly in this instance.

9. **SECTION 106 MATTERS**

- 9.1 The request of the Housing Officer for a payment in lieu of Affordable Housing has been considered; as has the appropriateness of requesting a payment in lieu of the provision of on-site public open space for a residential development of more than 8 units of accommodation.

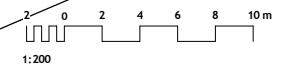
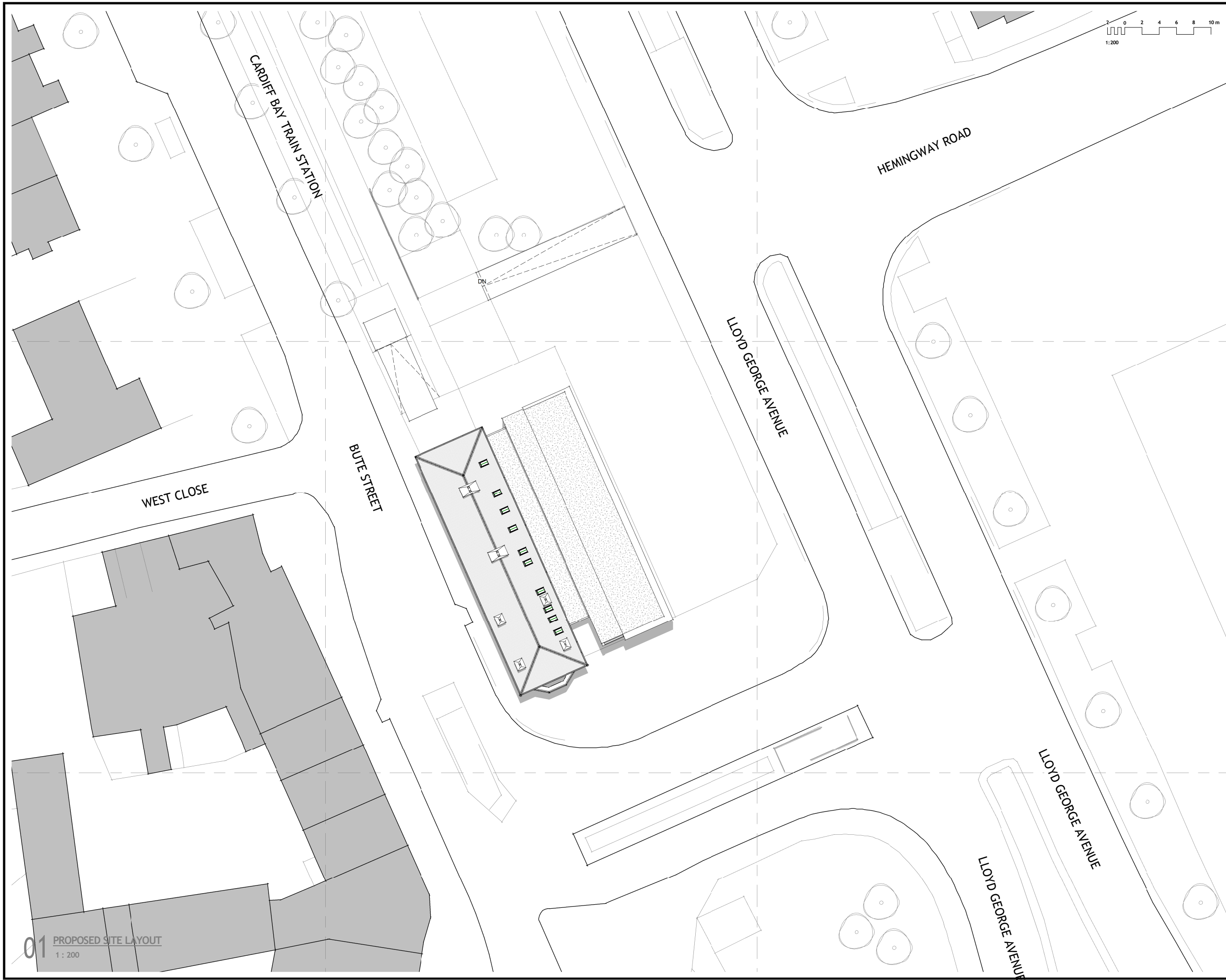
- 9.2 However the condition and level of works necessary to refurbish the station building are obvious and critical and the applicant has indicated that the scheme would not viable if section 106 requests are upheld. Ordinarily where viability is an issue, the LPA would request that the developer commission a viability appraisal, in accordance with a viability model acceptable to the District Valuer and to pay for the Council's fees in referring that viability appraisal for independent review and assessment.
- 9.3 However on this occasion, the refurbishment of a long term vacant Listed Building at Risk is considered material to the determination of the application, and of equal, or greater weight than the policy basis of the requests and criteria/formulae adopted within the Council's supplementary planning guidance.
- 9.4 The Planning Officer concludes therefore, that where the inherent costs of refurbishment of the Listed Building are so evident, that the public interest would be better served by negotiation with the applicant as opposed to requiring the funding of commissioning a viability report and for its assessment.
- 9.5 The applicant has therefore been asked to consider the margins of the scheme and to outline envisaged costs and profit. The applicant has agreed and has suggested that the scheme would be able to realise a maximum financial contribution of £30,000 and still realise a sufficient return to make the development worthwhile (at a generally accepted 20% margin whilst maintaining appropriate residual land values).
- 9.6 The Planning officer has considered the situation, and on this occasion recommends to Planning Committee that on the basis of the long aspired refurbishment of a long term derelict Listed Building at Risk; the qualitative uplift that the development would bring to the area; and stimulation of further development interest in the locality, together with the offered contribution of £30,000 to be used in support of the Council's policies for affordable housing and public open space provision, that Planning Committee accept this lesser contribution and Grant Planning Permission for the proposal as revised.
- 9.7 Planning Committee may assign the contribution as they consider appropriate provided that the contributions would be for the purposes of affordable housing and Public Open Space, not exceeding the amount of the requested contributions.
- 9.8 For information a pro-rata assignment of the contribution would equate to contributions of £26,935 AFH 3,065 POS.

10. **RECOMMENDATION**

- 10.1 It is concluded that the that the conversion of the station for office type purposes is an appropriate use of the building requiring minimal alteration of the building fabric and retention of the buildings special interest, and that the proposed mixed use retail and live-work accommodation is an acceptable and

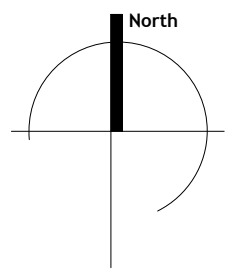
appropriate development, supportive of the beneficial re-use of a long term vacant listed building at risk.

10.2 It is recommended that Planning Permission be Granted.



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C	Amendments to elevations and plans following meeting with planning	PC	20.07.17
B	Class link to existing building removed	PC	19.05.17
A	Drawings issued for planning	PC	31.01.17
Rev	Revision	By	Date

Client:
ABA HOLDINGS LTD

Project:
FORMER CARDIFF BAY TRAIN STATION

Job Number: **L574**
Date: **14.12.16**
Drawn by: **PC**
Dwg No: **A105**

PROPOSED SITE LAYOUT

Revision: **C**
Scale: **1 : 200 @ A1**

Drawing Status:
PLANNING



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01 PROPOSED SITE LAYOUT
1 : 200

20/07/2017 16:25:32

Notes:
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01 PROPOSED FRONT ELEVATION
1 : 100

02 PROPOSED SIDE ELEVATION (BUTE STREET)
1 : 100



03 PROPOSED SIDE ELEVATION (LLOYD GEORGE AVENUE)
1 : 100

04 PROPOSED REAR ELEVATION
1 : 100

Revision	By	Date
A		31.01.17
B		19.05.17
C		10.07.17
D		20.07.17

Client:
ABA HOLDINGS LTD

Project:
FORMER CARDIFF BAY TRAIN STATION

Job Number: **L574**
Date: **14.12.16**
Drawn by: **PC**
Dwg No: **A108**

PROPOSED ELEVATIONS

Revision: **D**
Scale: **1 : 100 @ A1**

Drawing Status:
PLANNING



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