

AM & MP OBJECTION & PETITION

COMMITTEE DATE: 07/02/2018

APPLICATION No. **17/01935/MJR** APPLICATION DATE: 07/08/2017

ED: **ELY**

APP: TYPE: Full Planning Permission

APPLICANT: NRB Properties Ltd

LOCATION: THE MICHAELSTON, 105 MICHAELSTON ROAD, ELY,
CARDIFF, CF5 4SY

PROPOSAL: CHANGE OF USE FROM PUBLIC HOUSE (A3) TO RETAIL
(A1) WITH 'BACK OF HOUSE ' EXTENSION, WITH
REFURBISHMENT OF EXISTING FIRST FLOOR FLAT
NEW BUILD MIXED USE STOREY BLOCK WITH GROUND
FLOOR RETAIL (A3) AND 6 NO. FLATS ABOVE
ALL WITH ASSOCIATED PARKING & LANDSCAPING
ALTERATIONS

BACKGROUND INFORMATION

This application (as originally submitted) was considered by Planning Committee at its meeting of 13 December 2017, where it was resolved to defer a decision in order for Officers to examine potential reasons for refusal of consent, on the grounds of the overbearing and unneighbourly impact of the new building on neighbouring properties due to its excess scale and massing, and the lack of appropriate provision for the safe passage of pedestrians to, from and within the application site (included in paragraph 11.5).

Following the meeting of 13 December 2017, amended plans have been submitted. The amended plans are shown in this report, along with the previous plans. The amended plans were advertised by way of site notices and neighbour/objector notification.

Paragraph 8.2.10 of the Welsh Government's Development Management Manual (Revision 2, May 2017) states: *It is at the LPAs discretion as to whether they should undertake an additional publicity exercise if an application is amended, or additional information is submitted once the publicity and consultation periods have passed but the application has not been determined.*

In this case, despite the reduced impact of the revised proposal on the immediately adjacent occupiers, given the level of local opposition to the proposed development and the reasons for refusal given by the planning committee in the meeting of 13th December, it was considered pertinent to undertake a full re-consultation on the amended plans.

All additional comments received to date are noted in this report. Any further comments received will be reported to Committee.

The Officer report has been updated to reflect the amended plans to be considered by planning committee.

In order to provide full transparency, the original report is also included following the potential reason for refusal (Appendix 1).

RECOMMENDATION 1: That, subject to the relevant parties entering into a binding planning obligation in agreement with the Council under **SECTION 106** of 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 10 of this report, planning permission be **GRANTED** subject to the following conditions and for the following reasons:

1. C01 Statutory Time Limit
2. The Development shall be carried out in accordance with the following approved plans:

- PL 100 – Site Location Plan
- PL 102 – Existing Site Survey
- PL 110 – Existing Ground Floor Plan
- PL 111 – Existing First Floor Plan
- PL 112 – Existing Roof Plan
- PL 113 - Existing Context Elevations - South and West Views
- PL 114 - Existing Context Elevations – North and East Views
- PL 115 - Existing Elevations – Existing Michaelston Public House
- PL 116 - Existing Sections – Section A-A and B-B
- PL 125 – Demolition Plan - Ground Floor
- PL 126 – Demolition Plan – First Floor
- PL 200, Rev B – Proposed Ground Floor Plan
- PL 230, Rev B – Proposed GA First Floor Plan
- PL 231, Rev B – Proposed GA Second Floor Plan
- PL 204, Rev B – Proposed Roof Plan
- PL 301 – Rev C – Proposed Context Elevations – View from South
- PL 302, Rev B – Proposed Context Elevations – View from North
- PL 303 – Rev C – Proposed Context Elevations – View from West
- PL 304, Rev B – Proposed Context Elevations – View from East
- PL 310 – Proposed Elevations – Refurbished Building
- PL 311 – Rev C – Proposed Elevations – New Build
- PL 408 – Proposed Part Section & Part Elevation Details Sheet 4
- PL 409 – Proposed Part Section & Part Elevation Details Sheet 5
- PL 413 – Proposed Part Section Detail Sheet 4 – Section through South Elevation
- PL 414 – Proposed Part Section Detail Sheet 5 – Section through East Elevation
- PL 415 – Proposed Part Section Site Boundary Details Sheet 6

PL 420, Rev B – Proposed Context Section A-A
 PL 421, Rev B – Proposed Context Section B-B
 PL 422 – Proposed Context Section C-C
 PL 1001 – Rev C - Proposed Perspective
 Sun Path Analysis – The Michaelston Inn (January 2018)
 Swept Path Analysis – CC1617 – Drawing 001, Rev E
 Swept Path Analysis – CC1617 – Drawing 003, Rev D
 1165/PL/01 – Rev B - Landscape Proposals
 1165 – Planting Methodology and Five-Year Soft Landscape
 Management - Dated 24th October 2017
 Retail Statement – Dated June 2017
 4440/ENS1 – Environmental Noise Survey – 28th April 2017
 CC1617/REP01/C - Transport Statement (November 2017)
 CC1617 006 Rev A Drainage Strategy
 ESP.6590t.2747 Geotechnical and Geo-environmental Assessment –
 May 2017
 CC1617 001 Rev E - Swept Path Analysis Entering Site
 CC1617 003 Rev D – Swept Path Analysis Exiting Site
 Plan 1 dated 19.10.17 (Public Realm Enhancement Scheme)

Reason: To ensure satisfactory completion of the development and for the avoidance of doubt in line with the aims of Planning Policy Wales to promote an efficient planning system.

3. No development shall take place until samples of the external finishing materials have been 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 in accordance with policy KP5 of the adopted Cardiff Local Development Plan (2006 - 2026).

4. The retail units 1 & 2 as shown on plan ref: PL200 rev A shall be used as coffee shops/restaurants and for no other purpose (including any other purpose in Class A3 of the schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument amending, revoking or re-enacting that Order).

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected in accordance with Policy KP5 of the adopted Cardiff Local Development Plan (2006 - 2026).

5. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any Order amending or revoking and re-enacting that Order) The retail units 1 & 2 as shown on plan number PL200 Rev A June 2017 shall not be used for the sale of hot food for consumption off the premises.

Reason: To ensure that the use of the premises does not prejudice the amenities of the area in accordance with policies KP5, EN13 and R6 of the Cardiff Local Development Plan.

6. No member of the public shall be admitted to or allowed to remain on the A3 hereby approved premises between the hours of 23.00 and 07.00 on any day.
Reason: To ensure the amenity of occupiers of other premises in the vicinity are protected in accordance with policy EN13 of the Cardiff Local Development Plan (2006-2026).
7. No member of the public shall be admitted to or allowed to remain on the A1 hereby approved premises between the hours of 23.00 and 06.00 on any day.
Reason: To ensure the amenity of occupiers of other premises in the vicinity are protected in accordance with policy EN13 of the Cardiff Local Development Plan (2006-2026).
8. There shall be no arrival, departure, loading or unloading of delivery vehicles between the hours of 08:00 - 09:30, 15:00 - 16:00 and 20:00 - 07:00 on Monday to Friday, between the hours of 20.00 and 07.00 on Saturday and no deliveries to take place on a Sunday. There shall be a no idling policy on all delivery vehicles except for temperature controlled deliveries where preservation of food products is required.
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected in accordance with policy EN13 of the Cardiff Local Development Plan (2006-2026).
9. A scheme of sound insulation works to the floor/ceiling structure between the commercial unit and proposed residential shall be submitted to and agreed by the Local Planning Authority in writing and implemented prior to occupation.
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected. Note to applicant this will require a greater level of sound insulation than that stipulated by building regulation approved document E in accordance with Policy EN13 of the adopted Cardiff Local Development Plan (2006 - 2026).
10. Any fixed plant and equipment shall be designed and installed to 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).
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected, in accordance with policy EN13 of the Cardiff Local Development Plan (2006-2026).
11. Notwithstanding the submitted landscaping plan and specification, a finalised plan and specification shall be submitted to and approved in writing by the LPA prior to any site preparation, clearance or development. The finalised documents shall include a landscaping implementation plan and shall be informed by a Soil Resource Survey

and Plan prepared in accordance with the 2009 DEFRA Construction Code of Practice for the Sustainable Use of Soils on Construction Sites. Should the survey identify that imported topsoil and/or subsoil will be required for the proposed landscaping, then this soil shall be of pH 7.0-5.5 on placement unless otherwise agreed in writing with the LPA. Reason: To enable the Local Planning Authority to determine that the proposals will maintain and improve the amenity and environmental value of the area, and to monitor compliance in accordance with policies KP5 and EN8 of the adopted Cardiff Local Development Plan (2006-2026).

12. Any newly planted trees, plants or hedgerows, which within a period of 5 years from the completion of the development die, are removed, become seriously damaged or diseased, or in the opinion of the Local Planning Authority (LPA) otherwise defective, shall be replaced. Replacement planting shall take place during the first available planting season, to the same specification approved in discharge of condition 11, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and improve the amenity and environmental value of the area in accordance with policy EN8 of the adopted Cardiff Local Development Plan (2006-2026).

13. If at any time the use of the premises are to involve the preparation and cooking of hot food, the extraction of all fumes from the food preparation areas shall be mechanically extracted to a point to be agreed with the Local Planning Authority, and the extraction system shall be provided with a de-odorising filter. Details of the above equipment shall be submitted to, and approved by, the Local Planning Authority in writing and the equipment installed prior to the commencement of use for the cooking of food. The equipment shall thereafter be maintained in accordance with the manufacturers' guidelines, such guidelines having previously been agreed by the Local Planning Authority in writing. Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected in accordance with policy EN13 of the Cardiff Local Development Plan (2006-2026).

14. Prior to the commencement of any development works a scheme to investigate and monitor the site for the presence of gases* being generated at the site or land adjoining thereto, including a plan of the area to be monitored, shall be submitted to the Local Planning Authority for its approval.

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

required.

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

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

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

15. 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.

16. 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.

17. The remediation scheme approved by condition 16 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.

18. 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.

19. Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of

its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

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

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

20. 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.

21. 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.

22. 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 in accordance with policy EN10 of the adopted Cardiff Local Development Plan.

23. No development shall take place, including any works of demolition, until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The approved CMP shall be adhered to throughout the construction period. The plan shall provide for:
- (i) access;
 - (ii) the parking of vehicles of site operatives and visitors;
 - (iii) loading and unloading of plant and materials;
 - (iv) storage of plant and materials used in constructing the development;
 - (v) the erection and maintenance of security hoarding;
 - (vi) wheel washing facilities;
 - (vii) measures to control the emission of dust and dirt during construction;
 - (viii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of highway safety, public amenity and to avoid any conflict situations with students and/or staff attending/working on this site in accordance with policies T5, T6 and EN13 of the adopted Cardiff Local Development Plan (2006 - 2026).

24. Notwithstanding the cycle parking facilities shown on the submitted plans, prior to the commencement of development details showing the provision of cycle parking spaces serving the retail element of the proposed scheme and cycle store serving the residential properties shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the development being put into beneficial use. Thereafter the cycle parking spaces shall be maintained and shall not be used for any other purpose.

Reason: To ensure that adequate provision is made for the secure parking of cycles in accordance with policies KP5 and T5 of the Cardiff Local Development Plan.

25. Notwithstanding the car parking and manoeuvring areas shown on the submitted plans, prior to the commencement of development details showing the car parking and manoeuvring areas proposed shall be submitted to and approved in writing by the local planning authority in accordance with Policy T5 of the Cardiff Local Development Plan and the guidance contained in the Access, Circulation and Parking Standards SPG. Details should be provided which demonstrate;

- The appropriate provision of parking spaces for the retail provision;
- The appropriate provision of parking spaces for the residential

properties proposed;

- The appropriate provision of disabled spaces;
- Details regarding the means by which the parking spaces reserved for the residential properties would be differentiated from those associated with the retail offer;
- Details of the ANPR system indicated on the plans

Reason: To make provision for the parking of vehicles clear of the roads so as not to prejudice the safety, convenience and free flow of traffic, in accordance with policy T5 of the adopted Cardiff Local Development Plan.

26. Notwithstanding plan ref: PL 200, Rev B – Proposed Ground Floor Plan, no development shall take place until details of a secondary levelled access within the northeast corner of the site has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the beneficial occupation of the development and thereafter retained.

Reason. To improve the accessibility of the development for all, in accordance with policies KP5, T1 and T5 of the adopted Cardiff Local Development Plan (2006-2026).

27. The means of site enclosures hereby approved shall be constructed in accordance with Plan ref: PL415 – Proposed Part Section Site Boundary Details Sheet 6 prior to the development being put into beneficial use.

Reason: to ensure that the amenities of the area are protected in accordance with policy KP5 of the adopted Cardiff Local Development Plan (2006 – 2026).

28. Prior to the beneficial occupation of the site, a scheme of works to the Michaelston Road and Drope Road footways, as shown in principle on Plan 1 dated 19.10.17, shall be submitted to and approved in writing by the LPA. The footway repaving scheme shall include drainage, signing and lining, renewal of kerbs, channels and edging, and Traffic Regulation Orders as may be required. The agreed scheme to be implemented to the satisfaction of the LPA prior to beneficial occupation.

Reason: To ensure the provision of access to the proposed development, in the interests of highway and pedestrian safety.

Reason: To ensure the provision of access to the proposed development, in the interests of highway and pedestrian safety in accordance with policies KP5, T1, T5 of the adopted Cardiff Local Development Plan.

29. Prior to the beneficial occupation of the site, details of the installation on site a scheme of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be installed and maintained. All external lighting shall be designed to avoid light spill into neighbouring

residential properties. All external lighting shall be installed in accordance with the approved details.

Reason: In the interests of residential amenity in accordance with Policies KP5 and EN13 of the adopted Cardiff Local Development Plan (2006 - 2026).

30. Prior to beneficial occupation of the site, details of any external CCTV system shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed on site and thereafter maintained. Reason: To assist in the prevention of prevention of crime and anti-social behaviour, in accordance with Policies KP5 and C3 of the adopted Cardiff Local Development Plan (2006 - 2026).
31. Notwithstanding the submitted plans, the windows proposed in the western elevation of flat 2 of the new-build block shall be obscurely glazed and non-opening below 1.8m internal height. Reason: To ensure that the privacy of adjoining occupiers is protected in accordance with Policy KP5 of the adopted Cardiff Local Development plan (2006 - 2026).
32. Notwithstanding the submitted plan reference PL200 Rev B, the boundary wall between the application site and Service Lane serving the existing parade of shops to the North shall be retained within the proposed development. Reason: To assist in the prevention of crime and anti-social behaviour, in accordance with Policies KP5 and C3 of the Adopted Cardiff Local Development Plan 2006-2026.
33. Notwithstanding the car parking and manoeuvring areas shown on the submitted plans, prior to the commencement of development details of a dedicated and accessible footpath link running through/adjacent to the car park shall be submitted to and approved in writing by the Local Planning Authority in order to reduce sporadic pedestrian movements across the car park. The approved details shall be implemented prior to the beneficial occupation of any of the commercial units proposed and shall thereafter be retained and maintained. The submitted details shall have regard to wheelchairs, pushchairs and non-able bodied in terms of its width and construction. Reason. To improve the accessibility of the development for all, in accordance with policies KP5, T1 and T5 of the adopted Cardiff Local Development Plan (2006-2026).

RECOMMENDATION 2: 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 licence. The following must not be imported to a development site;
- Unprocessed / unsorted demolition wastes.
 - Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
 - Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and
- (iii) the safe development and secure occupancy of the site rests with the developer.

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

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

RECOMMENDATION 3: This development falls within a radon affected area and may require basic radon protective measures, as recommended for the purposes of the Building Regulations 2010.

RECOMMENDATION 4: The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

A water supply can be made available to serve this proposed development. The developer may be required to contribute, under Sections 40 - 41 of the

Water Industry Act 1991, towards the provision of new off-site and/or on-site water mains and associated infrastructure. The level of contribution can be calculated upon receipt of detailed site layout plans which should be sent to the address above. Part or all of this development site is at a height where mains water cannot be guaranteed at all times. Under the Water Industry Act 1991, we are not obliged to provide mains water to a height greater than that it will flow by gravity from the service reservoir or tank the supply is taken. To ensure an adequate mains water supply to service this development, a booster pump will need to be installed and associated water mains laid to the development site. Costs and the future maintenance will be the developer's responsibility.

RECOMMENDATION 5 : That the developer be advised to have regard to the advice of the Design out Crime Officer, South Wales Police, in his letter dated 17th August, which has been forwarded to the agent. South Wales Police operates the Secure by Design (SBD) initiative and is a National Police Chiefs Council and Home Office scheme which promotes the inclusion of crime prevention measures into developments. A safe and secure environment is the prime objective of the Secured by Design initiative. To achieve this result, equal weight should be given to both environmental design and physical security. For further information on Secured by Design Standards' please visit the website www.securedbydesign.com

RECOMMENDATION 6: The applicant is advised that the proposed 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).

RECOMMENDATION 7: That the applicant / developer should seek the advice of the South Wales Fire and Rescue Service to ensure fire prevention, warning signs and appropriate evacuation policies are in place.

RECOMMENDATION 8: That the applicant /developer is advised that the highway works proposed to the existing adopted public highway, to be undertaken by the developer, will need to be subject to agreement(s) under Section 278 of the Highways Act 1980 between the developer and Council.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 An amended full application for the change of use of the former Michaelston Inn public house from (A3 use) to retail (A1 use) along with a 'back of house' extension and the refurbishment of the existing first floor flat, the erection of a new build mixed use block comprising 2 ground floor retail (A3) units and 6 no. affordable 1 and 2 bedroom flats above, associated parking & landscaping works.
- 1.2 The amended plans show the height of the westernmost 8.5m of the proposed

new building reduced from 3 storeys to 2. The number of affordable residential units contained in this block has for been reduced from 8 to 6 as a consequence of the proposed changes.

- 1.3 Revised sun path analysis diagram have been submitted to demonstrate the impact of the change in the height of the building on the neighbouring properties.

2. **DESCRPTION OF SITE**

- 2.1 The application site is located at the junction of Michaelston Road and Drope Road and currently contains the Michaelston Inn and its associated beer garden and car park. The existing public house is a two storey building containing the pub at ground floor level and associated 3 bedroom residential flat above. The ground floor pub element of the building has been extended over time giving the ground floor of the building a significantly larger floor area than the first floor flat.
- 2.2 The application site measures 0.26 hectares in size and is largely level. Aside from the pub building and a narrow strip of grass running along the Michaelston Road and Drope Road frontages of the site, the site is laid out in macadam.
- 2.3 The application site is bound to the north by an existing parade of shops containing 5 units at ground floor level with residential accommodation above. The existing parade contains a SPAR convenience store, bookmakers, Newsagents, florists and Chinese Takeaway / Fish and Chip Shop. No's. 21 - 23 Barnwood Crescent are also located to the north of the application site on the opposite side of a private access lane currently used by vehicles servicing the existing parade of shops.
- 2.4 The application site is bound to the east by Michaelston Road and Western Cemetery beyond, to the south by Drope Road, Michaelston Community College and the Ely and Caerau Children's Centre. To the west of the site is No. 6 Drope Road, a two storey detached dwelling with detached coach house style annexe to its rear.
- 2.5 The existing pub building is in a poor state of repair and has been vacant for approximately 2 years, though the submitted Design and Access Statement suggests that the pub has been open and closed on numerous occasions over the past 10 years.
- 2.6 The site is not located within a conservation area or flood risk zone, and there are no listed buildings or protected trees affected.

3. **SITE HISTORY**

- 3.1 15/01391/MNR – External alterations to form new children's play area, new floor surface, new smoking shelter, new entrance lobby, new disabled access ramp and alterations to existing windows – Permitted
- 3.2 04/01720/W – Retain play and activity centre for children – Permitted

- 3.3 03/02017/R – Skittle alley extension – Single storey to side and rear of existing building - Permitted
- 3.4 99/01305/R – Form new entrance lobby with bay window to front - Permitted
- 3.5 97/01148/R - Erection of 6 metre column and cameras - Permitted
- 3.6 95/00416/R – Proposed fencing and security lighting/cameras – Permitted

4. **POLICY FRAMEWORK**

4.1 *Cardiff Local Development Plan 2006-2021:*

KP5: Good Quality and Sustainable Design
 KP6: New Infrastructure
 KP7: Planning Obligations
 KP8: Sustainable Transport
 KP13: Responding to Evidenced Social Needs.
 KP14: Healthy Living
 KP15: Climate Change
 H3: Affordable Housing
 EN3: Landscape Protection
 EN10: Water Sensitive Design
 EN8: Trees, Woodlands and Hedgerows
 EN13: Air, Noise, Light Pollution and Land Contamination
 T1: Walking and Cycling
 T5: Managing Transport Impacts
 T6: Impact on Transport Networks and Services
 R1: Retail Hierarchy
 R6: Retail Development – Out of Centre
 W2: Provision for Waste Management Facilities in Development
 C3: Community Safety/Creating Safe Environments
 C5: Provision for Open Space Outdoor Recreation, Children’s Play and Sport

4.2 *Supplementary Planning Guidance:*

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

Access, Circulation and Parking Standards (January 2010);
 Shopfronts and Signage (October 2011);

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

Infill Sites (Nov 2017)
Planning Obligations SPG (January 2017)
Waste Collection and Storage Facilities (October 2016);

4.3 *Planning Policy Wales (November 2016):*

4.4 *Technical Advice Notes*

Technical Advice Note 4 – Retail and Commercial Development (2016).

Technical Advice Note 11 – Noise (1997):

Technical Advice Note 12 - Design (March 2016).

Technical Advice Note 23 – Economic Development (Feb 2014).

5. **INTERNAL CONSULTEE RESPONSES**

5.1 **Original Submission**

5.2 The Operational Manager, Transportation, considers the application to be acceptable in principle subject to the conditions and financial requirements detailed below.

- To provide a construction management plan
- Provision of secure cycle parking in accordance with SPG
- Provision of parking (including disabled) in accordance with SPG
- Any damage to the highway would be rectified to an approved standard.
- Pedestrian access would need to accommodate all (including the mobility impaired).

Given the proximity of the application site to the school and projected flows of traffic, a financial contribution of **£5,000** will be sought in order to extend the existing 20mph speed restriction on to Drope Road beyond the entrance to the application site.

5.3 The Operational Manager (Housing Development) notes that the planning application proposes 9 units of social rented accommodation. Housing Development fully supports the development of this site for affordable housing, given the high levels of need for affordable housing in the area and will be working closely with LINC Housing Association to ensure the successful delivery of the scheme.

In the event that the site and/or units are purchased by LINC Housing Association for social rented accommodation, then no affordable housing contribution would be sought.

5.4 The tree officer raises no objection to the proposed development subject to the implementation of the submitted landscaping scheme and conditions.

5.5 The Operational Manager (Parks and Sport) raises no objection to the proposal subject to an off-site contribution towards existing open space provision.

Based on the information provided on the number and type of units, the additional population generated by the development would be 13.2. This generates an open space requirement of 0.032 ha of on-site open space based on the criteria set for Housing accommodation, or an off-site contribution of **£13,696**.

As no public open space is being provided on-site, the developers will be required to make a financial contribution towards the provision of new open space, or the design, improvement and/or maintenance of existing open space in the locality, given that demand for usage of the existing open spaces would increase in the locality as a result of the development.

The use of S106 contribution from this development will need to satisfy CIL and the current distance requirements set out in the 2017 Planning Obligations SPG – play areas 600m (not applicable to student and sheltered accommodation), informal recreation 1000m, and formal recreation 1500mm, measured from edge of the site.

In the event that the Council is minded to approve the application, it will be necessary for the applicant and the Council to enter into a Section 106 Agreement to secure payment of the contribution.

Consultation will take place with Ward Members to agree use of the contribution, and this will be confirmed at S106 stage. The closest areas of recreational open space are The Drope, Greenway Road Recreation Ground and Parc Hywel Dda

- 5.6 The Waste Strategy and Minimisation Officer, advises that the waste collection and storage arrangements shown on the site plan are acceptable.
- 5.7 Shared Regulatory Services – Pollution Control (Noise and Air) are satisfied with the detail submitted in terms of any road traffic impact on the proposed residential development but suggest that a condition be added to any grant of planning permission covering other noise sources from the proposed development that are likely to have an impact on the surrounding area and the proposed residential units as well.
- 5.8 Shared Regulatory Services – Pollution Control – Contaminated Land have identified the site as formerly commercial – public house with associated parking. In addition part of the site is underlain by an historic landfill. 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 several 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 importation of soils to develop the landscaped areas of the development, or any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use.

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

5.9 Amended Plans - 24 November 2017

- 5.10 The Operational Manager, Transportation, raises no objection to the proposal on the basis of the revised plans and Transport Statement.
- 5.11 The Operational Manager (Housing Development) has no further comments on the application.
- 5.12 The Tree Officer has suggested some changes to the amended landscaping scheme. These will be passed onto the applicant for consideration in discharge of the proposed landscaping condition.
- 5.13 The Operational Manager (Parks and Sport) states that as the number of residential units proposed has been reduced from 9 to 8, the development would no longer generate a contribution towards the provision of open space in accordance with the Planning Obligations SPG or adopted LDP.
- 5.14 The Waste Strategy and Minimisation Officer, has no additional comment on the revised plans.
- 5.15 Shared Regulatory Services – Pollution Control (Noise and Air) has no additional comment on the revised plans.
- 5.16 Shared Regulatory Services – Pollution Control (Contaminated Land) has no additional comment on the revised plans.

5.17 Amended Plans – 08 January 2018

- 5.18 The Operational Manager, Transportation states that following further review, and having considered the concerns raised by the Planning Committee in December, that there is potential to introduce an additional pedestrian crossing facility in the form of a zebra crossing, along Drope Road, near its junction with Michaelston Road. The proposed zebra crossing would improve pedestrian access serving the southern side of Drope Road. The cost of such a facility is estimated to be in the region of £60,000.
- 5.19 The provision of a zebra crossing is suggested given that the proposed

development would generate between 4 and 10 times more pedestrian movements per hour and double the amount of vehicular movements during the peak hours for pedestrians, when compared to the existing public house. The provision of the crossing would subsequently aid in improving pedestrian safety in the area given the anticipated traffic generated. Given the proximity of the site to 3 schools and a nursery, the provision of a dedicated crossing would also be beneficial given the vulnerability of those crossing Drope Road to access the proposed development.

- 5.20 The Operational Manager, Transportation has further requested that a dedicated footpath link be provided between the proposed buildings and Drope Road in order to reduce sporadic pedestrian movements across the car park. Any such link would be required to be accessible for all in terms of its width and construction.
- 5.21 The Operational Manager, Transportation has also verbally requested further controls over the delivery times for the commercial units proposed, particularly to minimise any potential conflict between pedestrians and delivery vehicles during school drop off and pick up periods. As such, it is suggested that deliveries be restricted between the hours of 08:00 - 09:30 and 15:00 - 16:00 from Monday to Friday. This would be in addition to the restrictions previously proposed.
- 5.22 The original financial contribution of **£5,000**, to extend the existing 20mph speed restriction on to Drope Road beyond the entrance to the application site, remains sought as part of a s106 agreement.
- 5.23 The Operational Manager (Housing Development) has no further comments on the application.
- 5.24 The Tree Officer notes that the amended plans are not supported by a revised landscaping plan. As such, the comments made relative to the previous amended plans remain pertinent.
- 5.25 The Operational Manager (Parks and Sport) has no additional comments.
- 5.26 The Waste Strategy and Minimisation Officer, has no additional comments on the revised plans.
- 5.27 Shared Regulatory Services – Pollution Control (Noise and Air) have no further comments on the amended proposal.
- 5.28 Shared Regulatory Services – Pollution Control (Contaminated Land) have no further comments on the amended proposal.

6. **EXTERNAL CONSULTEE RESPONSES**

Original Submission

- 6.1 Dwr Cymru Welsh Water have no objection to the proposed development, subject to drainage conditions.

- 6.2 The Police Crime Prevention Design Advisor: South Wales Police has no objection to the development subject to consideration of recommendations relating to opening hours restrictions for the A3 uses, security specifications for doors, windows and (if necessary) roller shutters, alarm systems, CCTV, lighting, access control systems, mail delivery, dwelling identification cycle/bin storage, utility metres, landscaping and smoke/fire alarms. South Wales Police would advise that the development should be built to a standard to achieve a Secured by Design accreditation.

The hours of business for the ground floor commercial unit (A3) is should be restricted to no later than 23.00 hours in order to minimise noise and disturbance to residents in the student accommodation located above.

With regard to the current car park layout, this includes a rear access into the access lane which serves the rear of the adjacent existing commercial units. Vehicles will be denied using this by bollards. The car park should however have one entry and exit only. Allowing this further entry/exit will make the car park, particularly vehicles and the cycle stores, vulnerable to crime and anti-social behaviour. It is therefore recommended that this rear exit is closed off with a fence at least 2.1m high.

6.3 **Amended Plans - 24 November 2017**

- 6.4 Welsh water have no further comments on the amended plans.

- 6.5 South Wales Police - The comments of 17th August 2017, provided for the original submission, still stand. Additionally, South Wales Police Designing Out Crime officers would welcome a meeting with the applicant to discuss SBD with a view to the development achieving a SBD certificate.

6.6 **Amended Plans – 08 January 2018**

- 6.7 Welsh water have no further comments on the amended plans.

- 6.8 No further comments have been received from South Wales Police. Any additional comments received will be reported to committee.

7. **REPRESENTATIONS**

- 7.1 The application was advertised by site notice and neighbour notification. 127 letters of representation have been received opposing the application. Of the 127 representations, 109 were standardised letters with the remaining 18 letters providing additional comments. The objections received are summarised below;

- The operators of the existing SPAR shop do not wish to relocate into the proposed retail unit as suggested in the submitted Retail Statement. An additional SPAR, would provide direct competition to the existing store.
- The retail market is saturated in the area, current retailers are struggling.
- Traffic in the area at times is severe and therefore the proposed scheme will

further add to existing pressures.

- The additional numbers of delivery vehicles serving the proposed development would be dangerous, especially given the access to the site would be located directly opposite the entrance to the school, nursery and primary school.
- The proposed development will generate increased noise within the area, particularly in the morning through deliveries.
- The development will generate increased litter in the area.
- The provision of four storey building containing social housing flats would be out of keeping with the surrounding, predominantly two storey, semi-detached housing estate.
- The height and location of the proposed new build will block light and views from surrounding properties and allow their gardens and some rooms to be overlooked.
- The proposed access/egress vehicular route via Barnwood Crescent would cause increased traffic and parking problems within an already busy street.
- The provision of fast food outlets on the site would not be welcomed.
- Should any additional retail outlets be necessary, these should be included as part of the probable future re-development of the Michaelston School site and not on this site.
- The local area is predominantly housing, not flats and therefore any development on the site should reflect this.
- Cardiff Council has spent considerable money in recent years regenerating the existing retail outlets. It would look bad on the council if the proposed development was approved and the increased competition led to the potential closure of the existing businesses.
- The proposed development, along with numerous other developments in the area, should collectively necessitate the provision of some community facility for the area.
- The location of the refuse bins would lead to an increase in seagulls and vermin within area if not managed correctly and would be located in close proximity to residential properties.
- The development would bring back past issues of anti-social behaviour to the area.
- There is only enough space for one lorry to unload at a time in the lane serving the existing parade of shops. Other Lorries often have to wait before they can be unloaded creating traffic issues in the area and therefore the development would add to this issue.
- The retailers within the existing parade of shops pay a service charge for the lane and will not allow other Lorries to use the lane.
- The proposed access road will create a 'roundabout' around the adjacent residential property on Drope Road and would be used as a rat run.
- The proposal would block the walkway alongside the existing parade of shops which allows access to the flats above.
- The parking spaces proposed will be used up by the occupiers of residential premises and shop workers so will not help with parking issues in the area.
- The proposal will generate increased demand for vehicles to turn right into Drope road from Michaelston Road which will add to traffic congestion along Michaelston Road.

- The proposed flats would add to the already overpopulated area.
- The existing building should be retained as a public house.
- The proposed development would be of no asset to the community whereas the existing pub use was.
- The applicant's retail statement is factually incorrect as the owners of the existing SPAR have no intention of occupying the proposed store on site. The provision of two adjacent SPAR stores would be unviable.
- The current SPAR shop is the key retail offer in the existing parade, losing this and moving footfall away from the existing businesses in the parade would harm the viability and vitality of the existing retail offer.
- The two A3 units proposed could provide direct competition to the existing SPAR and Chinese/Fish and Chip shop.
- The A1 and A3 uses proposed would open the floodgates allowing large chains/ multinationals to occupy the development which would ruin the offer of the existing shops in the parade. Allowing multinational retailers to occupy the building would outprice the existing retails in the parade potentially leading to their closure.
- The existing retail offer along Michaelston Road already serves the need of the local community and therefore there is no need for the retail offer proposed.
- The planning process requires that existing retail development be explored before developing more and there are plenty of vacant units in the various retail developments less than a mile away.
- The close proximity of a 4 storey building containing flats to a children's centre and bus stop would be dangerous.
- The architecture of the new build block is unimaginative.
- Emergency service vehicles needing to gain access to Barnwood Crescent would be further restricted as a result of the development.
- The upper floor of the proposed new build will be able to look directly into the outdoor play area of the children's nursery.
- There are sufficient shops in the current parade and the proposed outlets will not enhance the shopping area.
- Extra Lorries and cars in the area generated as a result of the proposed development would be dangerous for the school children in the area.
- The increased traffic generated as a result of the proposed will cause increased levels of pollution in the area.

7.2 A petition of 62 signatures has been received objecting to the planning application however no reasons were provided which detailed what the petition specifically objected to.

7.3 A second petition of 36 signatures was submitted on the behalf of the Michaelston Community Group. Their opposition was on the basis that the development would raise health and safety concerns due to its proximity to a school and on the increased pressures which the development would bring to the area in terms of car parking.

7.4 A letter of representation has been received from Watts Morgan on the behalf of their client, Devrow Estates Limited who own the freehold of 105 -115

Michaelston Road, including the service lane to the rear. They stress that no agreement has been entered into to allow for their lane to be accessed via the application site and that no planning notice has been served on their client. As such, they question the validity of the planning application.

- 7.5 A letter of representation has been received from Kevin Brennan, MP for Cardiff West and Mark Drakeford, AM for Cardiff West, on the following grounds;

This application sees the former Michaelston Public House extended towards the rear of the site and also extended to a four storey block. Firstly this is completely out of character for the area and should be rejected on the general principle of bad design. This is covered under KP5 (Good Quality and Sustainable Design), KP8 (Sustainable Transport) & EN9 (Conservation of the Historic Environment)

The property will overhang and will be extremely close to our residents who live on Barnwood Close. The extension upwards would go against the SPG on Tall Buildings which state that "Outside the city centre: Buildings which are double or more than double height of surrounding properties or significantly taller in terms of actual height and number of floors". This proposed development is significantly taller than those properties on Barnwood Close.

Also no traffic survey has been carried out. Nearby is local school and children centre and lorry access to this site on a regular basis and in our opinion this will be hazardous and will have a detrimental effect on the community. We do not believe that imposing conditions on this application can possibly alleviate this. Also the application is actually taking parking space away from the local area. Next door is a parade of shops that are highly populated and Michaelston Road is already a busy place to park. To suggest limiting the amount of parking further and putting retail and residential in place is unrealistic.

We would ask that the Planning Committee look to visit the site and also that Officers recommend refusal on the grounds we have given.

- 7.6 Local Ward Councillors have been consulted on the proposed development with Councillor Goddard addressing the committee, opposing the development.

- 7.7 One letter has been received in support of the planning application on the following grounds;

- The current site is an eyesore and desperately needs redevelopment.
- The Michaelston failed as a public house time after time and even when open was a blight on the area.
- The local community would benefit from additional local retail opportunity, particularly given the additional housing being built in the area.
- The provision of a coffee shop would add to the community facilities.
- There is a danger that the site could be over developed and that the 4 storey building with ground floor retail may be too much for the site and could be better served by a selection of houses more suited to the area.
- Less retail could also help address concerns regarding delivery access.

7.8 Amended Plans - 24 November 2017

7.9 The amended plans were advertised by way site notices, Councillor, AM, MP, neighbour and objector notification. The consultation period for the application ran until 12th December beyond that of the report writing deadline for the application. 6 letters of opposition and 1 letter of support were received prior to this deadline. Those received after this deadline were report via late representation. These are detailed below.

7.10 The objections received to the revised plans are summarised below;

- The local area does not need any more retail space.
- Increased traffic generation in the area.
- The junction between Drope Road and Michaelston Road is dangerous
- The location of the proposed residential bin store will lead to issues of odour.
- The submitted plans don't show No. 6 Drope Road accurately.
- A multi-storey development on this site is not appropriate as existing residential properties in the area have not been allowed to have their ridge levels raised.
- Concerns over delivery hours conflicting with school drop off and pick up periods
- Concerns that the flats would directly overlook the neighbouring Children's Centre.
- The height of the proposed flats remains too high as a 3 storey building is still higher than the 2 storey properties that surround the proposed development.
- By virtue of its height, the proposed height would impact upon local residents light, privacy and personal space and would overlook the adjacent a nursery school.
- The new plans now show one of the retail units to be of greater size than the first proposal. The area is already serviced by a parade of stores that caters for everybody's needs.
- Adding another 3 units will create even more congestion to what is already an over congested bottleneck, given the heavy amount of commuter traffic along Michaelston Road and given that there are 3 schools on Drope Road, 2 of which are opposite the entrance to this proposed development.
- The safety of children, ranging from nursery, primary to secondary age is already seriously at risk without this further development.
- The area has key congestion / safety risks between 8am-9am, 11.30am-12.15pm and between 3pm-4pm Monday - Friday. Hundreds of school children are either entering or leaving the nursery, primary school or secondary school, not to mention the high amount of cars within the area to transport these children.
- The immediate area has 4 public transport bus stops which create great congestion through the day / week. The area also experiences large coaches picking up and dropping off children for Cowbridge, St Nicholas, Bishop of Llandaff and Plasmawr, again all at peak times.
- Lorries will find it very difficult to get onto Drope Road from Michaelston Road.
- Lorries will be dangerous going around the corner as the number of school children and parents using the pavement is very high.

- The development will result in more traffic in the area and cause more parking problems for Michaelston Road, Drope Road and Barnwood Crescent.
- A road survey should be carried out at the busiest times of the day ie 8 - 9.30 and 2.30 - 4 pm to see the hazards and inconveniences caused by traffic along the Michaelston/Drope Roads and Barnwood Crescent.
- Money provided via a s106 agreement to make a 20 MPH limit is a waste of money and not a valid reason to assist with passing this planning application.
- Because of the traffic congestion cars/vans/lorries will continue to park along Michaelston Road on the bus stops and double yellow lines.
- Turning into and out of Michaelston Road will be a nightmare so people will use Barnwood Crescent to get onto the Michaelston Road, especially if they are heading towards St Fagans.
- The Council (along with grants obtained) worked really hard to upgrade the current shops in the parade and to tackle youth annoyance successfully. This now seems to be worthless because no one will police/monitor the new build.
- The current shops will really struggle if the plans go ahead. New retail has again been provided at Culverhouse cross so there really isn't a need for more retail shops here.
- The existing shops have covenants on them which restricts the sale of certain items. If the new shops are allowed this would make very unfair competition.

7.11 Local Ward Councillors have been consulted on the proposed development with Councillor Goddard addressing the committee, opposing the development.

7.12 105 letters of late representation in opposition to the proposed scheme were reported to Planning Committee at the December meeting along with a 156 signature petition on the behalf of the Michaelston Community Action Group. Of the 105 letters, 97 were duplicate letters, 6 were individual letters from local, or formally local, residents, 1 was from Mark Drakeford AM and Kevin Brennan MP.

7.13 A letter of representation was submitted on the behalf of the Michaelston Community Action Group by Reeves Retail Planning Consultancy. This objected to the application on the following basis;

- The Design of the Scheme
 - The design of the new build fails to consider its surroundings,
 - Lack of connections to the existing parade of shops,
 - Poorly considered refuse store locations,
 - Lack of clarity between residents parking and the commercial premises parking,
 - The proposed new building would overshadow neighbouring properties,
 - The lack of private amenity space for the new flats,
 - The finishing materials are inappropriate,
- Retail Policy
 - Lack of justification for the A3 units proposed within the retail statement,
 - Lack of quantitative need demonstrated for the new A1 unit,
 - The retail provision would threaten the commercial premises in the existing parade,

- Compliance with the sequential test has not been demonstrated.
- Access, Parking and Deliveries
 - The submitted TA fails to assess the existing traffic flows on the adjoining road;
 - The TA does not consider the impact of the 2 A3 uses proposed.
 - The TA does not provide details on road safety or accidents in the area.
 - Concerns over increased traffic generation and the conflict this could have with pedestrians.
 - Concerns over the delivery times and the safety of pedestrians in the proposed car park.
 - Concerns over the lack of space for additional delivery Lorries should more than one arrive at once.

7.14 A video showing illegal and inconsiderate parking in the area surrounding the application site was also submitted as a late representation. This was passed onto the Operational Manager Transportation.

7.15 1 letter of support was also reported as a late representation with no reasons given.

7.16 **Amended Plans – 08 January 2018**

7.17 The amended plans were advertised by way site notices, AM, MP, Councillor, neighbour and objector notification.

7.18 106 additional letters of representation have been received in opposition to the proposed development, as amended. Of the representations received 91 were standardised letters. The objections received oppose the development on the following grounds;

- The submitted plans inaccurately represent the neighbouring properties.
- The location of the bins store serving the residential element of the new building.
- The impact on the parking provision in the locality.
- Highway safety given the proximity of 3 schools to the site, the presence of two bus stops along Drope Road.
- The increased traffic generation which would result from the proposed development, particularly delivery vehicles during school drop off and pick up periods.
- The height of the building remain inappropriate.
- Congestion and safety in the proposed car park.
- The potential conflict between pedestrian and delivery vehicles turning in the proposed car park.
- The lack of a bin store being shown on the plans for the proposed A1 unit.
- Increased litter generation.
- Increased noise and pollution generation in the locality
- Inadequate parking provision
- Impact on residential amenity

- The shop entrance has been moved from the Michaelston Road to Drope Road frontage
- Insufficient space for delivery vehicles to turn safely in the site.
- The impact on the development on the existing retail units located in the parade.

7.19 A further letter of representation was received from Mark Drakeford AM and Kevin Brennan MP on the following grounds.

- *The proposed development is completely out of character for the area and should be rejected on the general principle of bad design. This is covered under KP5 (Good Quality and Sustainable Design), KP8 (Sustainable Transport) & EN9 (Conservation of the Historic Environment). Although the application does see amended plans we still aren't happy with the design.*
- *No traffic survey has been carried out. Nearby is local school and children centre and lorry access to this site on a regular basis and in our opinion this will be hazardous and will have a detrimental effect on the community. We do not believe that imposing conditions on this application can possibly alleviate this. Also the application is actually taking parking space away from the local area. Next door is a parade of shops that are highly populated and Michaelston Road is already a busy place to park. To suggest limiting the amount of parking further and putting retail and residential in place is unrealistic.*

7.20 A further letter has been received from Reeves Retail Planning Consultancy, on the behalf of the Michaelston Road Community Action Group, in opposition to the amended proposal. Their objection is on the following basis;

'Having reviewed the revised scheme my client welcomes the proposed reduction in the size of the new build unit, as it will reduce the impact of the scheme on the neighbouring residential properties. However, the impact on these properties remains significant, as is clearly evidenced by a consideration of the effect on daylight/sunlight.

A comparison of the Sunpath Analysis shows that the proximity of the building to the northern site boundary will still result in significant overshadowing of the neighbouring residential properties during the winter months. Indeed the reduction in part of the roof height provides minimal benefit, in this respect.

This illustrates how little effect the latest scheme change will have on residential amenity, which will continue be adversely affected by the proposal, contrary to Policy KP5(i) and KP5(x) of the adopted Cardiff Local Development Plan 2006-2026.

It is also important to recognise that the proposed scheme changes do nothing to address the second recommended reason for refusal. As set out in our previous letter my client has many serious concerns about the design and content of the scheme, including, but not limited to, the

pedestrian/vehicular conflicts that will inevitably arise as a result of the proposed uses within the current scheme layout in this location.

We have major concerns about this aspect of the development and, as previously noted, it is not apparent from the accompanying Transport Assessment (TA) dated June 2017 that all the necessary impacts and issues have been addressed or correctly assessed.

In particular we are concerned that the TA as submitted fails to:

- Provide any assessment of the effect on traffic flows on the adjoining roads;*
- Make any allowance for trip generation for the two A3 units; and*
- Provides no information on road safety and accidents in the area, making it impossible to know if the proposed scheme would have a detrimental effect on the existing road network.*

We have also previously highlighted the failure of the applicants to consider how the significant increase in pedestrian and vehicle movements that they forecast could be safely accommodated during the busy periods of the day, given that the previous use as a public house operated mainly in off-peak (evening) periods.

The applicant has made no effort to address either this lack of information or the unsafe site layout and as such my client's reasons for objecting to the scheme remain unchanged.

Indeed, it has also come to our attention that, in addition to the many pedestrian movements seen in the area as a result of the THREE schools in the immediate vicinity, additional pedestrian movements arise during the same school start and end periods, as Michaelston Road/Drope Road is on the route of a number of bus services serving schools outside the area. Specifically, the following school buses all pick up and drop off at the neighbouring bus stops:

- Routes 807 and 809 to Ysgol Plasmawr and Bishop of Llandaff schools; and*
- Route R099 to Ysgol Coed Y Gof.*

This further increases pedestrian and vehicle movements in the immediate vicinity of the site entrance.

On the basis of the above, we therefore conclude that the proposed change to the application is not sufficient to overcome any of my client's concerns and my client continues to urge the Council to refuse the application.

The impact on the neighbouring residential area is still unacceptable and there are very clear inadequacies with the access, servicing and parking arrangements. The need for the development has not been proven and the sequential and impact assessments are missing/incomplete.

As a result the proposed development is contrary to key development plan policies and should be refused.'

- 7.21 The consultation period for the application runs until 1st February 2018. As such, any comments received beyond the report-writing deadline will be reported to planning committee via late representation or verbally at planning committee.
- 7.22 Local Members were consulted on the amended plans. Any additional comments received will be reported to Committee.

8. **ANALYSIS**

- 8.1. This application was deferred by Planning Committee at its meeting of 8th November 2017 in order to undertake a site visit. The site visit took place on Monday 4th December 2017.
- 8.2. The application was further deferred by planning committee on the 13th December 2017 in order to consider potential reasons for refusal of consent based on the development being overbearing upon neighbouring properties and on highway safety grounds.
- 8.3. Amended plans have since been received for consideration. These are detailed in paragraphs 1.1, 1.2 and 1.3 of this report.
- 8.4. **Original Application**
- 8.5. **Planning Policy** - The application site does not fall within a designated district or local centre identified under Policy R4 or R5 of the Local Development Plan. The application site is located next to an existing retail frontage which provides an important local shopping function.

Policy R6 only allows for retail development outside the Central Shopping Area, District and Local Centres identified on the Proposals Map if the proposal would meet the following criteria:-

- There is a need for the proposed floorspace (with precedence accorded to establishing quantitative need);
- That need cannot satisfactorily be accommodated within or adjacent to the Central Shopping Area, within a District or Local Centre;
- The proposal would not cause unacceptable harm to the vitality, attractiveness or viability of the Central Shopping Area, a District or Local Centre or a proposal or strategy including the Community Strategy, for the protection or enhancement of these centres;
- The site is accessible by a choice of means of transport; and
- The proposal is not on land allocated for other uses. This especially applies to land designated for employment and housing, where retail development can be shown to limit the range and quality of sites for such use.

The agent has submitted a Planning and Retail Statement that provides an

assessment of the proposed development in respect of retail planning policy in relation to the need for the proposal, the sequential approach to site selection and the potential retail impact on the vitality and viability of nearby district/local centres. Given the floorspace equates to 278 sqm, a formal retail impact assessment is not required.

It is considered that the Retail Planning Statement has, on balance, adequately demonstrated that the proposal satisfies the standard retail tests of need, sequential test and impact.

Paragraph 5.282 of the LDP states that in addition to local centres identified on the proposals Map, there are numerous smaller groups of shops and individual 'corner shops' across the county that provide valuable shopping facilities to surrounding communities. The application site adjoins a local parade of shops which would fall under this definition. Furthermore, Planning Policy Wales recognises the important economic and social role of such local shopping facilities to communities.

It is noted that the submitted Retail Statement states that the proposed A1 retail unit would be occupied by SPAR, which would relocate from its existing location in the adjacent parade. The occupiers of the existing SPAR have however confirmed in a letter of representation that it is not their intention to occupy the new store, instead wishing to remain within and continue trading from their existing premises.

Should the existing Spar business move into the new building, it should be noted that its former premises would be vacant and therefore open to a competitor to occupy. Similarly, it should be noted that the existing public house could be converted into an A1 retail unit under permitted development. Whilst the future occupier of the proposed A1 unit remains unknown at this time, this is not a material planning consideration in the determination of this planning application.

The existing spar convenience store provides an important function in meeting the day-to day shopping needs of local residents. Even with the additional A1 unit proposed, it is considered that expenditure would remain localised and will not cause unacceptable harm to the vitality or viability of established Local centres within a mile of the site.

The two additional A3 unit proposed would be assessed against Policy R8: Food and Drink Uses.

Para 5.297 states Local Centres and smaller neighbourhood centres are generally more residential in nature, and do not have the scale or variety of retail and non-retail uses of larger centres. Therefore, A3 proposals may be more difficult to accommodate, and are less likely to be acceptable on amenity grounds (e.g. potential noise and disturbance, anti-social behaviour and litter associated with this type of development proposal). As a consequence more emphasis will be placed on protecting residential amenity within these centres through restricting closing times and the type of A3 premises.

It is suggested that were permission to be granted a condition should be applied to restrict the separate A3 element to a restaurant or coffee shop type use only (with no hot food takeaway function).

Taking the above factors into consideration the proposal does not raise a land use policy objection.

8.6. Opening and Delivery Hours

Shared Regulatory Services – Pollution Control (Noise and Air) have specified opening times between 7am and 11pm for the A1 and A3 units. The applicants have however requested that the opening time for the A1 unit be extended to allow for trading between 6am and 11pm as this earlier opening times reflects that of the existing SPAR. Taking this into consideration it is, on balance, considered that the requested opening hours would be reasonable.

With regard to the delivery hours, Shared Regulatory Services have specified delivery times of between 8am and 8pm Monday to Saturday and no deliveries on a Sunday. The applicants requested that this be extended to allow for deliveries from 7am to 8pm. Given that that the existing public house had no specified delivery times and given the location of the site opposite a school, it is considered that the extra hour proposed in the morning would be both reasonable and would potentially enable deliveries to be undertaken before the morning drop off period for the school thereby reducing any conflict.

8.7. Access and Parking

36 parking spaces were proposed serving both the retail and residential elements of the development. As such, the parking provision would exceed the level set out in the Council's Access, Circulation and Parking SPG, while insufficient provision has been made of disable spaces. It is also unclear from the plans how the residential parking spaces would be differentiated from those of the retail offer. It is therefore considered necessary to condition the parking provision for the development in order to ensure that it would comply with the guidance set out in the councils Access, Circulation and Parking Standards SPG.

The Council's highways officer notes that additional traffic would be generated as a result of the proposed development, beyond that of the former pub, which may cause an additional hazard and potential conflict with pedestrians. It is however considered that this could be controlled by way of increasing speed reduction measures in the vicinity. As such, a financial contribution of £5,000 has subsequently been agreed with the applicants as part of a section 106 agreement to extend the existing 20mph speed limit into Drope Road to an appropriate location past the development and school.

The proposed scheme originally included a vehicular link, for delivery vehicles only, through the application site to the rear servicing lane for the existing parade of shops. This was included to in order to remove the necessity for delivery vehicles having to negotiate the lane via Barnwood Crescent to service the existing parade of shops through being able to enter and exit the lane through the

application site. The owners of the lane have however indicated that they would not wish for their lane to be accessed via the application site. The police (see para 6.2) have also raised concerns over the addition of this access. It should be noted that the provision of this link is not a critical consideration in the determination of this application and would not impact upon the servicing arrangement of the proposed development or servicing arrangement of the units in the existing parade if not provided. It should be noted that the application boundary does not include the lane itself with the applications originally seeking to provide access into it only.

It is recognised that the existing vehicular access to the site from Drope Road would be widened to allow for improved access for delivery vehicles. This is, on balance, considered acceptable.

The Council's transportation department raise no objection to the proposal on highways grounds. However, given the location of the application site adjacent to a school, nursery, parade of shops and busy roads, officers consider it necessary for a construction management plan condition to be imposed in order to minimise potential disruption and conflict during construction.

8.8. Design and Appearance

The existing public house building is neither listed nor located within a conservation area and therefore the building has no statutory protection. The extension proposed to the ground floor of the northwest corner of the building, forming the back of house area, is considered to be of an appropriate scale and massing. The proposed shop front includes glazing on the Michaelston Road and Drope Road frontages, which would create welcome level of interaction between inside and out and providing interest within the street. Aside from potential internal alterations to the existing flat, the upper floor of the building would remain unaltered.

With regard to the scale and massing of the proposed new build block, at 4 storeys the building would be taller than the surrounding residential properties along Barnwood Crescent and Drope Road, which are generally two storey pitched roof dwellings. However, the existing parade of shops and Michaelston Court flats to the north of the parade are both 3 storeys in height, while the buildings within the Michaelston Community College, opposite the site, range from single storey flat roofed to 3 storey pitched roofed buildings. As such, within the context of the surrounding built form, the height of the proposed new building would be broadly consistent and therefore, on balance acceptable. Furthermore, the location of the application site on the corner of Michaelston Road and Drope Road, adjacent to the 3 storey parade of shops, is such that a building of 4 storeys would not be considered unreasonable on this site.

The siting of the 4 storey building has been governed by the requirement to retain and convert the former pub, the desire to extend the number of retail outlets in the parade within a seamless transition between old and new and by the desire to provide car parking to the front of the new retail units where they are most accessible, overlooked and secure. In converting the 2 storey former public

house building, an unusual juxtaposition would be created between the existing parade of shops and new build block given the variation in building heights involved. However, it is considered that the proposed building would be read in conjunction with that of the built form of the existing parade to the east rather than the domestic dwellings to the west. It is therefore, on balance, considered that its addition would not undermine the character of the area

8.9. Residential Amenity

With regard to the conversion of the existing public house building, the alterations proposed to this building are focused on the ground floor. This coupled with the location of the building relative to surrounding residential properties is such that they would not be considered to impact upon the amenity of neighbouring occupiers.

With regard to the new build block, this would be located approximately 15m away from the western boundary of the site with No. 6 Drope Road. The Council's Infill Sites SPG and Residential Design Guide SPG specify that a minimum overlooking distance from a habitable room window to a garden area of a separate dwelling should be 10.5m. As such, an appropriate separation distance would be achieved between the windows proposed in the western elevation of the new building and the boundary with this neighbouring property.

It is not considered that the proposed 4 storey building would unacceptably overlook habitable room windows or private amenity space of No. 23 Barnwood Crescent. The nearest point of the proposed building to the boundary of No. 23 would be approximately 11m while the nearest windows proposed in the building would be approximately 12m and set at oblique angles to the garden of this dwelling, thereby further reducing any potential overlooking possibilities. A distance greater than 21m, the minimum standard set out in the Council's design SPG's, would be achieved between the windows proposed within the new building and the windows in the rear of No. 23. The relative angles between the windows would further reduce any overlooking concerns.

Shadow path analysis diagrams have been submitted which demonstrate that the height and bulk of the proposed new building would not result in the unacceptable overshadowing of any of the neighbouring properties or their associated private amenity spaces.

Amended plans have been received in which the parapet of the proposed new building has been reduced by approximately 0.8m. This reduction in height would further diminish any potential overshadowing issues upon neighbouring properties.

A number of windows originally proposed in the western elevation of the new building have also omitted within the amended plans in order to further reduce any potential overlooking issues upon No. 23 Barnwood Crescent.

It is not considered that the proposed development would unacceptably overlook the children's nursery on the opposite site of Drope Road or its associated play

area given the separation distances involved.

8.10. **Materials**

The finishing material proposed will be secured by way of condition.

8.11. **Affordable Housing**

The provision of 9 units of affordable housing within the proposed new build unit is welcomed given the high levels of need for affordable housing in the area.

8.12. **Amenity Space**

There would be no private amenity space provision for any of the 9 flats proposed nor for the flat above the converted pub. It is however acknowledged that the proposed new build would contain 6 x 1 bedroom flats and 3 x 2 bedroom flats while the flat above the pub would have 2 bedrooms. As such, there is only limited provision for the flats to be occupied by families. Taking this into consideration, that as affordable housing, the provider can control who occupies their 9 units and that there is an area of public open space located approximately 50m away along Drope Road, the lack of amenity space provision would, on balance, be considered acceptable.

A contribution has been agreed to enhance Public Open Space in the vicinity of development site in lieu of on-site provision and will be secured under a S106 planning obligation.

8.13. **Crime and Disorder**

There is no evidence to suggest that the proposed development would result in an increase in anti-social behaviour or crime in the area.

Given that service vehicles would no longer be able to access the rear service lane through the application site within the revised scheme, it is considered necessary for the existing boundary wall to be retained in order to prevent this route being used as a pedestrian "rat run" and in order to prevent potential issues of crime and anti-social behaviour. This will be controlled by way of condition.

The recommendations of the Wales Police are noted and have been considered against the six tests set out in Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management. While the provision of a lighting and CCTV scheme have been conditioned, it is not considered that the other recommendations made would meet the tests set out in the circular such as to form valid planning conditions. However an advisory note has been added to ensure that the applicant is aware of the design considerations suggested by the police.

8.14. **Trees and Landscaping**

The proposed landscaping scheme is considered acceptable, subject to

conditions.

8.15. **Other matters not considered above**

While the proposed new build block is taller than that of the surrounding 2 storey residential dwellings, it would not represent a tall building when considered in the context of the parade of shops, Michaelston Court Flats and school buildings in.

Paragraph 1.14 of the Councils Tall Buildings Supplementary Planning Guidance states that;

'In areas outside the city centre, buildings tend to be far lower. Buildings which are double or more than double height of surrounding properties or significantly taller in terms of actual height and number of floors, would be considered tall in this context. Tall buildings outside the city centre are unlikely to be supported unless they can be demonstrated as meeting all of the criteria outlined in this SPG.'

Given that the existing parade of shops, Michaelston Court flats and various buildings within Michaelston Community College are of 3 storeys or more, it is not considered that new building block would represent a tall building.

With regard to the potential creating of litter, whilst the proposed development may result in increased litter generation in the area, this does not represent a material planning consideration. An advisory note has been added reminding the applicant that the refuse bins should be provided outside of the proposed A3 uses.

With regard to the height of the building and the safety of school children and bus users, it is not considered that the height of the building would have any impact on the safety of the school children or bus users.

8.16. **Amended Plans - 24 November 2017**

- 8.17. The main issue for consideration is the revised scale and massing of the proposed new-build building and any impact upon the neighbouring properties through its increased footprint.
- 8.18. The omission of the third floor of the building from the original submission would bring its overall height down to a level more consistent with that of other buildings in the area. As such, the building would now sit more comfortably within the application site.
- 8.19. The footprint of the proposed building would however be marginally increased through the building being extended to the west by approximately 2m. While this would bring part of the proposed building in closer proximity to No. 6 Drope Road and No. 23 Barnwood Crescent than the previously proposed scheme, this additional 2m would not result in the building having an unacceptable overbearing impact upon these neighbouring properties given its reduced height. The revised footprint, scale and massing of the building is therefore considered

acceptable.

- 8.20. The windows proposed on the first and second floors of the northern elevation of the building would be located a minimum distance of 11m away from the boundary with No. 23 Barnwood Crescent and at an acute angle from the windows in its rear. The windows proposed in the first and second floors of the western elevation of the building would be located approximately 12m from the boundary with No. 6 Drope Road. It is however considered necessary for the window proposed in flats 2 and 6 of this western elevation to be obscurely glazed given the proximity they would have to a habitable room window located in the side elevation of No. 6 Drope Road. As such, the proposal would adhere to the guidance set out in the Councils Design SPG's in term of amenity considerations.
- 8.21. The second retail unit proposed on the ground floor of the new build block would now measure 105m², up from 55m², a result of the increased footprint of this building. This additional size would however raise no land use policy concerns.
- 8.22. The opening hours and delivery times for the proposed development would remain consistent with that originally proposed.
- 8.23. The reduced level of parking provision, which would result from the revised plans, would bring the level of parking provision down to a level more in line with the standard set out on the Access, Circulation and Parking Standards SPG and therefore represents an enhancement on the previous scheme. The level and layout of the parking provision would remain controlled by condition.
- 8.24. The following considerations are made in response to the objection comments, detailed in paragraphs 7.2 – 7.8 and 7.11 of this report, which have not been expressly considered above.
 - The future operators of the proposed A1 and A3 units are not a material planning consideration;
 - The proposed introduction of the commercial units proposed is policy compliant. The existing public house could be converted to an A1 retail unit under permitted development.
 - The operational manager transportation has raised no objection to the application on the basis of any additional vehicular traffic, or additional delivery vehicles, which would be generated by the development.
 - The operation manager transportation raises no objection to the proposal on highways safety grounds subject to a financial contribution of £5000 being made towards extending the area of 20mph speed restriction onto Drope Road.
 - Litter generation is not a material planning consideration. Additionally, there is no evidence to suggest that the development would result in increased litter generation in the local area.
 - Pollution Control (Noise and Air) consider the application acceptable subject to conditions relating to opening and delivery hours to control potential noise disturbance to neighbouring residents.
 - The height of the building has been reduced by 1 storey, bringing it more in line with the scale and form of development in the locality.

- The development would not result in any vehicular access/egress from Barnwood Crescent and not therefore impact upon parking and traffic along this street.
- A condition will be imposed on the 2 A3 units proposed restricting the sale of hot food for consumption off of the premises from these units.
- Numerous flats are located within the vicinity of the application site and therefore those proposed would not be out of character with the area.
- It is acknowledged that the Council has invested money in recent years to update/regenerate the area surrounding the existing parade of shops along Michaelston Road. There is no evidence to suggest that the proposed development would have a detrimental impact upon these works or upon the existing premises within the parade.
- The application proposal is not of a sufficient scale to generate a financial contribution towards community facilities in the area.
- Waste management consider the refuse arrangements proposed acceptable.
- There is no evidence to suggest that the redevelopment of the site would result in the creation of anti-social behaviour in the area. A system of CCTV will be required by way of condition which would also prevent / discourage such behaviour.
- The separation distance between the proposed new building and adjacent children's nursery would be greater than 21m and would not therefore result in the unacceptable overlooking of this facility.
- The proposal would not block any existing pathways to the existing parade of shops or residential properties above.
- There is no statutory protection of the existing public house within the adopted Local Development Plan.
- There is no evidence to suggest that the proposed development would restrict emergency service vehicles from accessing Barnwood Crescent.
- No technical objection has been received from Pollution Control (Air) regarding any pollution which may be created by the development.
- The architecture of the proposed building is considered to be acceptable within the context of the surroundings.
- The Operational Manager transportation raises no objection to the proposal on the basis of the delivery area proposed. Vehicle tracking illustrations have been submitted which demonstrate that articulated Lorries can access and turn within the site acceptably.
- The development would introduce 8 affordable dwelling flats to the area which has a high level of demand. There is no evidence to suggest that the area is overpopulated.
- There is no application currently before the LPA regarding the redevelopment of the Michaelston School site. This application has been considered on its individual merits, having regard to the adopted local plan and other material considerations.
- The Operational Manager, Transportation considers the development is acceptable in highways terms.
- The view that the development would be of no asset to the community whereas the existing pub use was is a private opinion and does not form a material planning consideration in the determination of this application.
- The proposed development is considered to accord with the retail policies set

out in the adopted LDP. The proposal is therefore considered acceptable in land use policy terms.

- There is no evidence to suggest that the proposed development would result in footfall moving away from the existing parade therefore unacceptably harming the viability and vitality of the existing retail offer.
- There is no policy within the adopted LDP to prevent a chain / multinational store to occupy the A1 element of the development or reason to suggest that should one occupy the unit that it would lead to the closures of other premises in the existing parade.
- Whilst it is acknowledged that No. 6 Drope Road has not been accurately drawn on the submitted plans, a full assessment of the impact of the proposed development on No. 6 Drope Road has been undertaken within the analysis section of this report.
- The scale and massing of the proposed scheme has been assessed and is considered acceptable.
- The small increase size of the second A3 unit proposed in the new building would raise no Land Use Policy objection.
- The contribution proposed towards highways improvement in the area has been requested by the operational manager, transportation in order to improve highways safety in the area.
- Any illegal parking being undertaken in the area is not a material planning consideration in the determination of this application. There is no evidence to suggest that the proposed development would lead to an increase in illegal parking within the locality.

8.25. Amended Plans – 08 January 2018

- 8.26. The first issue for consideration is the revised scale and massing of the proposed new building and the resulting impact this would have upon the neighbouring properties.
- 8.27. The revised plans see the height of the new build block reduced from 3 to 2 stories and set back 8.5m. The drop from the three storey element of the proposed building to the two storey element is the nearest point to the rear boundary of the property to 23 Barnwood Crescent. As such, the impact of the proposed development on this neighbouring property would be significantly reduced. The windows proposed serving the bedrooms of flats 3, 4 and 6 would be located a minimum of 10.5m from the boundary of no. 23 Barnwood Crescent and at angle to the garden associated with this property. The separation distances involved would meet the minimum distances set out in the Infill Sites SPG.
- 8.28. The reduced height of would also diminish any overbearing and overshadowing impact upon the properties within Barnwood Crescent.
- 8.29. The revised Sun Path Analysis (January 2018) document demonstrates that the revised form of the new block would only overshadow the properties to the rear of the site during limited periods of the day and in the winter months only. However, in assessing the submitted sun path analysis for the current proposal against the analysis for the site with no building, it is clear that the addition of the building

would only have a very limited additional impact on the neighbouring properties beyond that which already exists through existing buildings and structures. It would therefore be considered unreasonable to sustain a refusal on this basis.

- 8.30. The second issue for consideration is the impact of the proposed development on pedestrian access and movement within and surrounding the application site and the potential conflict between pedestrians and vehicles.
- 8.31. The submitted Transport assessment did not provide an individual breakdown of the proposed trip generation for the A1 and A3 units separately. Instead the figures included in the report were based on the floor area of the three units proposed on site combined and on the assumption of them forming a single A1 (Convenience Store) unit. As the proposed uses of the A3 uses are not known at this time, it would have been difficult to predict the level of trips these would have generated via differing means of travel. As such, it is considered reasonable that the figures used in the Transport Assessment were on the basis of trip generation of an A1 (Convenience Store), as this is likely to generate an equivalent, or higher, level of trip generation than other 'class A' uses. The Operational Manager – Transportation has confirmed that that the Transport Assessment was considered on this basis, with no objection being raised.
- 8.32. It is acknowledged that the submitted Transport Assessment did not include details of accident data in the area surrounding the application site. The applicants have however since indicated that there have been no accidents recorded adjacent to the application site along Michaelston Road or Drope Road in the last five years. The Operational Manager – Transportation has confirmed this, noting that the only recorded incidents in the area between 2014 and 2016 were to the north of the existing parade of shops. It is understood that an accident may have recently occurred along Drope Road. Notwithstanding the above, the Operational Manager – Transportation does not object to the proposed development.
- 8.33. The request of the Operational Manager - Transportation for the provision of an additional financial contribution of £60,000 (as part of the s106 agreement) towards the provision of a zebra crossing along Drope Road was put to the applicant. The applicants contend that their Transport Statement demonstrates that the additional traffic generated by the development would not necessitate this level of contribution. The applicants have also highlighted that there are three pedestrian crossings in the local area which allow pedestrians to safely cross Michaelston Road and Drope Road. They further suggest that the level of additional traffic generated, coupled with the previously agreed contribution of £5,000 towards extending the 20mph speed limit onto Drope Road, is sufficient to overcome any concerns regarding highway safety. The applicants conclude that the provision of a new Zebra crossing is not necessary or justified in the context of the proposed development. Notwithstanding the above, the applicants have however agreed to the provision of £5,000 towards highway safety improvements in the area.
- 8.34. The applicants have also agreed to the proposed introduction of a condition (Condition 33) requiring the provision of a dedicated footpath running from the

proposed buildings to Drope Road, passing through, or adjacent to, the car park. This would reduce sporadic pedestrian movements across the car park thereby improving pedestrian safety within the site, reducing potential conflict with delivery vehicles entering the site. This footpath would be required to be accessible for all and therefore of a suitable width, gradient and finish.

- 8.35. The applicants have agreed to the request of the Operational Manager, Transportation for further control over the delivery hours for the commercial units proposed. Whilst it is acknowledged that the existing public house did not have restricted delivery times, it is considered reasonable to impose controls over deliveries for the commercial premises proposed given the intensified use of the site, particularly during school drop off and pick up hours. As such, it is proposed that deliveries be restricted between the hours of 08:00 - 09:30 and 15:00 - 16:00 Monday to Friday. Condition 8 is subsequently proposed and seeks to control the delivery times for the commercial uses proposed on site in order to minimise potential conflict between pedestrians and delivery vehicles during school drop off and pick up periods as well as protecting the amenity of neighbouring properties.
- 8.36. Taking the above into consideration and given the agreed financial contribution of **£5,000** to extend the existing 20mph speed restriction on to Drope Road beyond the entrance to the application site and a further **£5,000** towards highways safety improvements in the area, as part of a s106 agreement, it is considered that the application proposal would be policy compliant.
- 8.37. With regard to the comments received concerning the location of the bin store serving the A1 retail unit. The Waste Strategy and Minimisation Officer notes that the service yard to the rear of the A1 unit is of a sufficient size to accommodate appropriate bins for the unit. The collection of bins from this unit would also be undertaken via a private contract. It is therefore considered that the refuse storage provision for the commercial units is acceptable.
- 8.38. Pollution Control (Noise and Air) raise no objection to the proposed development subject to the provision of conditions.
- 8.39. With regard to the objections raised Mark Drakeford AM and Kevin Brennan MP to the amended plans, the design of the proposed development has been considered above, in terms of the scale, form, massing, siting and finish of the proposed development and its impact of the neighbouring properties. The proposed, scheme, as amended, is considered to comply with Policy KP5 of the adopted LDP. The existing public house is not listed and the application site is not located within a conservation area. As such Policy EN9 (Conservation of the Historic Environment) would not apply.
- 8.40. With regard to the second objection raised, a Transport Statement was submitted as part of the application proposal and was updated following the receipt of amended plans. The Assessment did consider traffic levels in the area, relative to the existing public house and for the proposed development, for vehicles and pedestrians. The submitted Assessment was considered by the Operational Manager – Transportation and the application considered on the basis of the

information submitted. The impact of the proposed development on highway safety and parking have been considered above.

8.41. With regard to the issues raised in the Letter from Reeves Planning Consultancy, not addressed above,

- Condition 8 (as amended) is proposed in order to prevent deliveries being undertaken to the 3 commercial units proposed during school pick up and drop off periods. This would reduce potential conflict with school children being picked up and dropped off from the bus stops located outside of the site and delivery vehicles serving the development.
- Condition 25 seeks to control the level of car parking provision proposed within the application site to ensure that it would be consistent with the guidance contained in the Council's Access, Circulation and Parking Standards SPG.

8.42. With regard to the public representations to the amended scheme,

- The accuracy of the proposed plans has been addressed in para 8.24 above.
- The Operational Manager – Waste Management has raised no objection to the amended plans on the basis of the location of the bin stores.
- Litter generation is not a material planning consideration in the determination of this planning application. Additionally, there is no evidence that the proposed development would result in an increase in litter locally.
- Pollution Control (Noise and Air) consider the application acceptable subject to conditions controlling opening and delivery hours.
- The level of car parking provision within the application site would be controlled by way of condition. (Condition 25)
- Swept Path Analysis illustrations have been submitted which demonstrate that delivery vehicles can acceptably access and turn within the application site. The introduction of condition 33 is proposed which requires the provision of a dedicated pedestrian route running through/adjacent to the proposed car park. This would reduce the amount of pedestrian movement across the car park thereby reducing potential conflict with vehicles.
- The impact on the development on the existing retail units located in the parade is addressed in paragraph 8.5 of this report.

9. **OTHER CONSIDERATIONS**

9.1. Crime and Disorder Act 1998

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

9.2. Equality Act 2010

The Equality Act 2010 identifies a number of 'protected characteristics',

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

- 9.3. *Well-Being of Future Generations Act 2016* – Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

10. **Planning Obligations - Section 106**

- 10.1. The following planning obligations have been agreed with the applicant to mitigate any significant adverse impact of the proposed development as defined within LDP Policy KP7
- 10.2. Highways and Transportation - **£5,000** towards extending the area of 20mph speed restriction onto Drope Road and **£5,000** towards highways safety improvements in the area.
- 10.3. The restriction of the new build element of the development for affordable housing and for no other residential use.

11. **CONSLUSION**

- 11.1. Having considered that responses received, including those from third party representations, the amended proposal will result in an acceptable development which would bring a redundant site back into beneficial use, whilst adding much needed affordable housing provision to the area and adding to the existing retail offer.
- 11.2. The concerns of local residents regarding building height, scale and impact upon their amenities are considered in paras 8.26 – 8.29 of this report. It is considered that the development is policy compliant in this regard.
- 11.3. Matters relating to potential conflict between pedestrian and vehicles within the application site are addressed by way of conditions requiring the provision of a dedicated footpath within the proposed car park and through controlling delivery hours. A speed restriction would also be put in place along Drope Road in order to reduce highway concerns outside of the site. This would be secured by way of s106 agreement.
- 11.4. The application is therefore recommended for approval, subject to relevant

conditions and the completion of a Section 106 Agreement to secure the financial contributions and obligations summarised in Section 10.

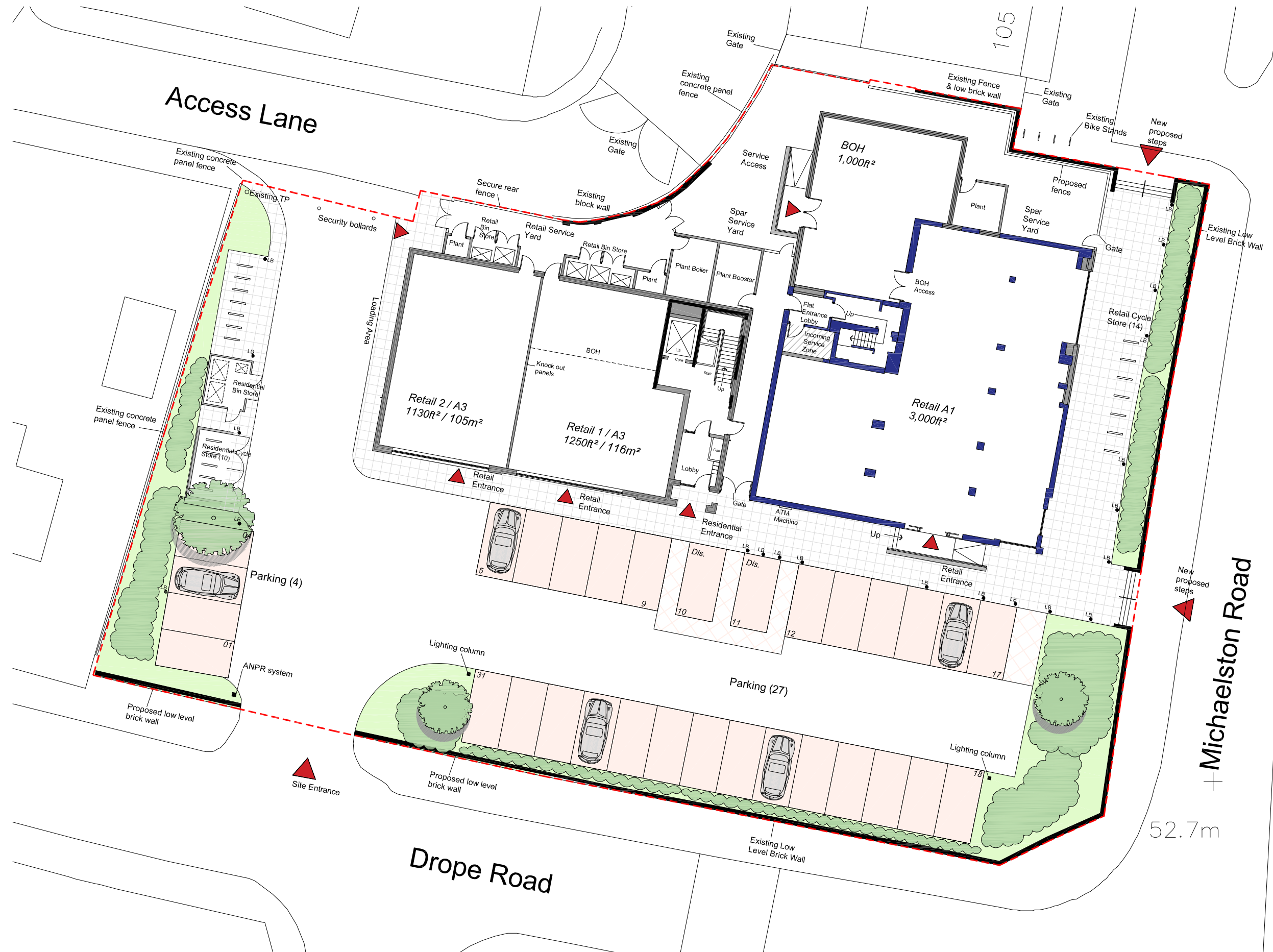
11.5. Should members be minded to refuse planning permission, in accordance with the resolution of the 13th December 2017, the following are offered as a possible reasons:

1. By virtue of its siting and scale, the proposed new building would represent an overbearing form which will have an unacceptable and unneighbourly impact on the amenity of existing adjacent residential occupiers, contrary to the requirements of Policy KP5(i) and KP5(x) of the adopted Cardiff Local Development Plan 2006-2026
2. By virtue of the potential creation of conflict between pedestrian access/movement and vehicular traffic within and surrounding the application site, the development would be contrary to Policies T1 (ii, iv & v), T5 (i, ii, vi & vii), KP5 (iv) and KP8 (vi) of the adopted Cardiff Local Development Plan 2006-2026.

The Michaelston Inn, Cardiff.

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ANY DISCREPANCIES TO BE REPORTED TO THE ARCHITECT
DO NOT SCALE THIS DRAWING

No	By	Description	Date
A	DG	Revised height/mass of building	15.11.17
B	DW	Revised height/mass of building	08.01.18



- Proposed new wall
- Existing walls / structure to be retained
- Site Boundary

Schedule of Accommodation

EXISTING

MICHAELSTON INN GIA

Ground Floor (public House)	4198 ft ²	390 m ²
First Floor (existing apartment)	925 ft ²	86 m ²
Total Existing GIA	5,123 ft²	476m²

PROPOSED RETAIL AREA - NIA

Ground Floor:

Retail A1	3,000ft ²	278m ²
Back of House	1,000ft ²	92m ²
Retail 1/A3	1,250ft ²	116m ²
Retail 2/A3	1,130ft ²	105m ²
Total Retail - NIA	6,380ft²	591m²

PROPOSED RESIDENTIAL UNITS - NIA

FIRST FLOOR: - NIA

3 Number 1 Bed	500ft ²	46m ²
	500ft ²	46m ²
	500ft ²	46m ²
1 Number 2 Bed:	720ft ²	67m ²

SECOND FLOOR: - NIA

1 Number 1 Bed	500ft ²	46m ²
1 Number 2 Bed:	720ft ²	67m ²

Total Residential Units:

4 Number 1 Bed	
2 Number 2 Bed	
Total: 6 units	

EXISTING RESIDENTIAL UNIT - NIA

FIRST FLOOR: - NIA

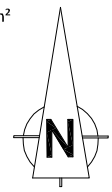
Refurbished existing first floor flat with new access	
1 Number 3 Bed:	830ft ² 77m ²

PARKING

2 disabled parking spaces
29 parking spaces

TBA

TOTAL PARKING 31



Scale: 1: 250 @ A3
1: 125 @ A1

morgan hayman

Chartered Architects Surveyors Urban Designers
16 Columbus Walk, Atlantic Wharf, Cardiff, CF10 4BY
Tel: (029) 2044 7520 Fax: (029) 2045 1813

Project: Michaelston Inn, Cardiff
Client: NRB Properties
Drawing Title: Proposed Ground Floor Plan

Drawn	Checked	Scale	Original	Date
DW	ARM	1:250	A3	June 2017
Job Number	Drawing Number	Revision	Status	
3064	PL	200	B	Planning

Proposed Ground Floor Plan.

The Michaelston Inn, Cardiff.

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morgan hayman
 Chartered Architects Surveyors Urban Designers
 16 Columbus Walk, Atlantic Wharf, Cardiff, CF10 4BY
 Tel: (029) 2044 7520 Fax: (029) 2045 1813

Project: Michaelston Inn, Cardiff
 Client:
 Drawing Title: NRB Properities

Proposed GA First Floor Plan

Drawn: DW Checked: ARM Scale: 1:250 Original: A3 Date: June 2017

Job Number: 3064 Drawing Number: PL Revision: 230 Status: B Planning

Access Lane

105

Michaelston Road

52.7m

Drope Road



Proposed GA First Floor Plan.

The Michaelston Inn, Cardiff.

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No	By	Description	Date
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B	DW	Revised height/mass of building	08.01.18



- Proposed new wall
- Site Boundary

Schedule of Accommodation

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4 Number 1 Bed	
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Total: 6 units	

EXISTING RESIDENTIAL UNIT - NIA

FIRST FLOOR: - NIA

Refurbished existing first floor flat with new access

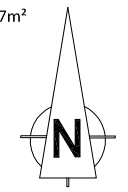
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PARKING

2 disabled parking spaces
 29 parking spaces

TBA

TOTAL PARKING 31



Scale: 1: 250 @ A3
 1: 125 @ A1

morgan hayman

Chartered Architects Surveyors Urban Designers
 16 Columbus Walk, Atlantic Wharf, Cardiff, CF10 4BY
 Tel: (029) 2044 7520 Fax: (029) 2045 1813

Project: Michaelston Inn, Cardiff
 Client: NR Properties
 Drawing Title: Proposed GA Second Floor Plan

Drawn	Checked	Scale	Original	Date
DW	ARM	1:250	A3	June 2017
Job Number	Drawing Number	Revision	Status	
3064	PL	231	B	Planning

Proposed GA Second Floor Plan.

The Michaelston Inn, Cardiff.

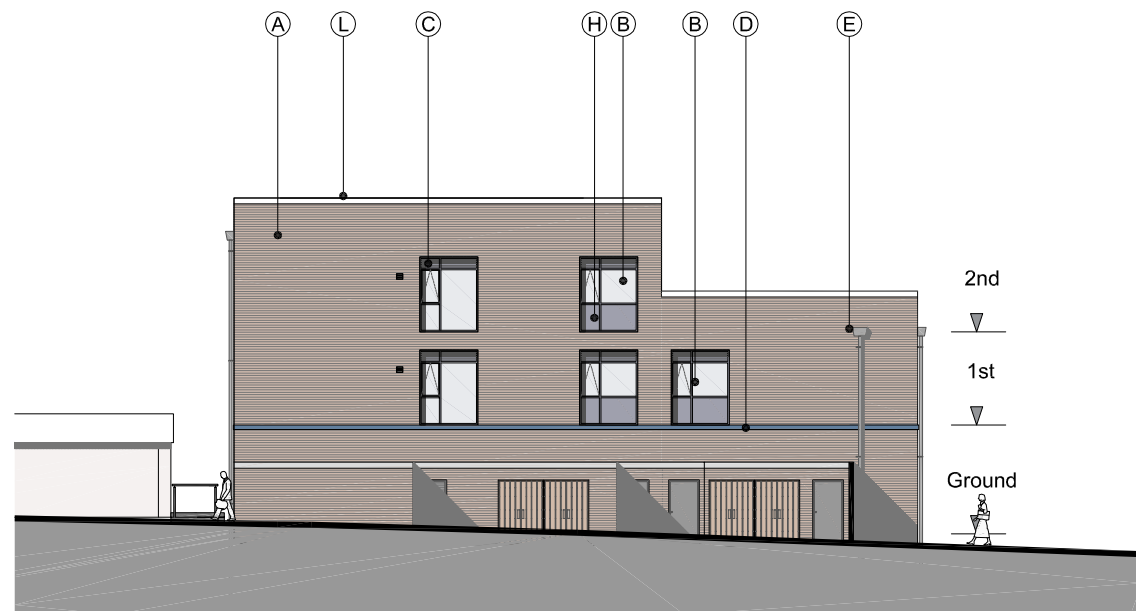
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* ANY DISCREPANCIES TO BE REPORTED TO THE ARCHITECT		
* DO NOT SCALE THIS DRAWING		
REVISIONS		
No	By	Date
A	DG	29.09.17
Parapet height dropped to minimal height and rear corner windows (west ele) removed following meeting with CCC		
B	DG	15.11.17
Revised height/mass of building		
C	DW	08.01.18
Revised height/mass of building		



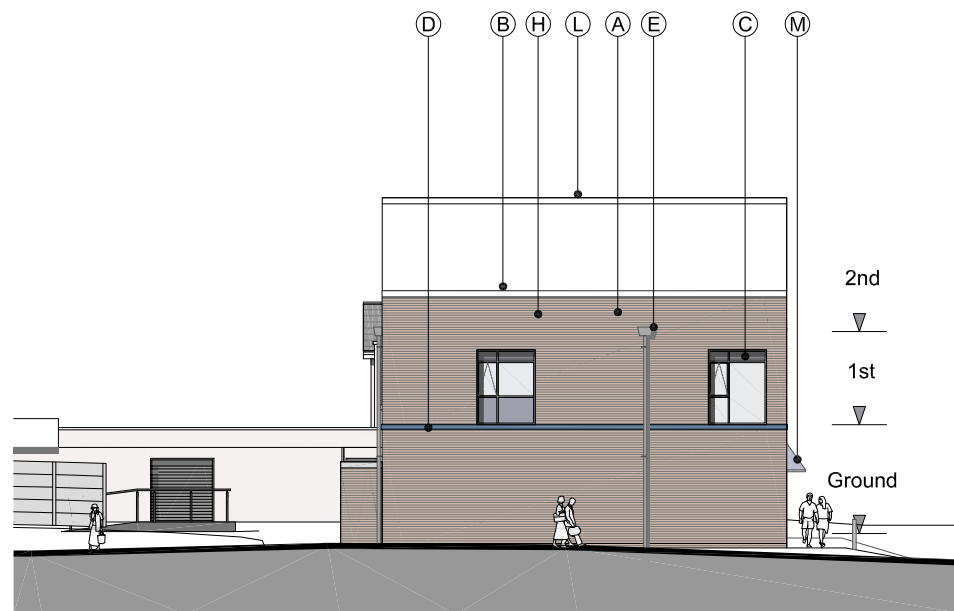
South Elevation



East Elevation



North Elevation



West Elevation

SCHEDULE OF EXTERNAL FINISHES

- | | | |
|--|---|--|
| A - Brick
Proposed brick to match neighboring buildings | E - Rainwater Pipe
Grey to match window frames | J - Signage
Prefabricated parapet signage |
| B - Punched Windows
Grey framed windows with glass/spandrel panels | F - Roof
Single ply flat roofing system | K - External Doors
(residential access) Grey to match curtain walling and windows |
| C - Louvre panels
Louvre to match window frame | G - Curtain Walling
Grey framed curtain wall with glass/infill | L - Roof Parapet
PPC coping to parapet |
| D - Feature Brick Band
Dark blue/grey brick to break up ground floor and floors above | H - Infill Panels (metal)
Colour coated metal panels (colours shown on elevations) | M - Canopy |

Scale: 1: 250 @ A3
1: 125 @ A1

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Chartered Architects Surveyors Urban Designers
16 Columbus Walk, Atlantic Wharf, Cardiff, CF10 4BY
Tel: (029) 2044 7520 Fax: (029) 2045 1813

Project: Michaelston Inn, Cardiff

Client: NRB Properties

Drawing Title: Proposed Elevations

New Build

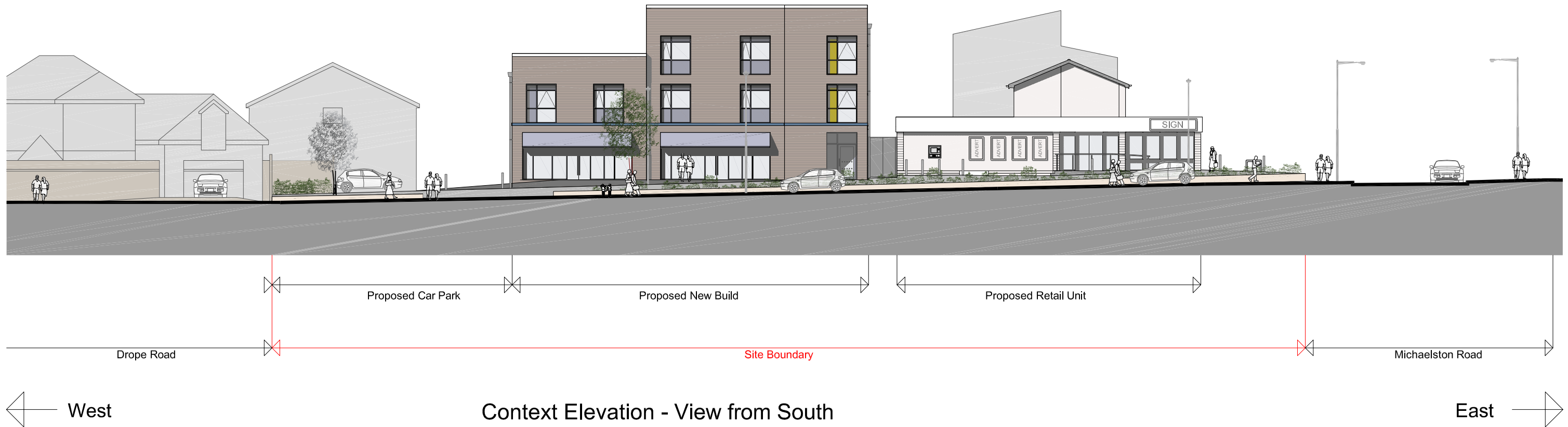
Drawn	Checked	Scale	Original	Date
DW	ARM	1:250	A3	June 2017
Job Number	Drawing Number	Revision	Status	
3064	PL	311	C	Planning

Proposed Elevations - New Build

The Michaelston Inn, Cardiff.

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REVISIONS			
No	By	Description	Date
A	DG	Parapet height dropped to minimal height to reduce following meeting with CCC	29.09.17
B	DW	Revised height/mass of building	20.11.17
C	DW	Revised height/mass of building	08.01.18



Context Elevation - View from South

Scale: 1: 250 @ A3
 1: 125 @ A1

morgan hayman
 Chartered Architects Surveyors Urban Designers
 16 Columbus Walk, Atlantic Wharf, Cardiff, CF10 4BY
 Tel: (029) 2044 7520 Fax: (029) 2045 1813

Project: Michaelston Inn, Cardiff
 Client: NRB Properties

Drawing Title: Proposed Context Elevations
 View from South

Drawn	Checked	Scale	Original	Date
DW	ARM	1:250	A3	June 2017
Job Number	Drawing Number	Revision	Status	
3064	PL	301	C	Planning

Proposed Context Elevations.

The Michaelston Inn, Cardiff.

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REVISIONS		
No	By	Date
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B	DW	20.11.17
Revised height/mass of building.		
C	DW	08.01.18
Revised height/mass of building		



Scale: 1: 250 @ A3
 1: 125 @ A1

morgan hayman

Chartered Architects Surveyors Urban Designers
 16 Columbus Walk, Atlantic Wharf, Cardiff, CF10 4BY
 Tel: (029) 2044 7520 Fax: (029) 2045 1813

Project: Michaelston Inn, Cardiff

Client: NRB Properties

Drawing Title: Proposed Context Elevations

View from West

Drawn	Checked	Scale	Original	Date
DW	ARM	1:250	A3	June 2017
Job Number	Drawing Number	Revision	Status	
3064	PL	303	C	Planning

Proposed Context Elevations.

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REVISIONS		
No	By	Date
A	DG	27.10.17
B	DG	22.11.17
B	DW	08.01.18



View from South East on Michaelston Road

morgan hayman

Chartered Architects Surveyors Urban Designers
 16 Columbus Walk, Atlantic Wharf, Cardiff, CF10 4BY
 Tel: (029) 2044 7520 Fax: (029) 2045 1813

Project: Michaelston Inn, Cardiff

Client: NRB Properties

Drawing Title: Proposed Perspective

Drawn	Checked	Scale	Original	Date
DW	ARM	NTS	A3	June 2017
Job Number	Drawing Number	Revision	Status	
3064	PL	1001	C	Planning

APPENDIX 1
REPORT TO PLANNING COMMITTEE 13 DECEMBER 2017

AM & MP OBJECTION

COMMITTEE DATE: 13/12/2017

APPLICATION No. **17/01935/MJR** APPLICATION DATE: 07/08/2017

ED: **ELY**

APP: TYPE: Full Planning Permission

APPLICANT: NRB Properties Ltd
LOCATION: THE MICHAELSTON, 105 MICHAELSTON ROAD, ELY,
CARDIFF, CF5 4SY

PROPOSAL: CHANGE OF USE FROM PUBLIC HOUSE (A3) TO RETAIL
(A1) WITH 'BACK OF HOUSE ' EXTENSION, WITH
REFURBISHMENT OF EXISTING FIRST FLOOR FLAT
NEW BUILD MIXED USE 4 STOREY BLOCK WITH GROUND
FLOOR RETAIL(A3) AND 9 NO. FLATS ABOVE
ALL WITH ASSOCIATED PARKING & LANDSCAPING
ALTERATIONS

RECOMMENDATION 1 : That, subject to the relevant parties entering into a binding planning obligation in agreement with the Council under **SECTION 106** of 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 10 of this report, planning permission be **GRANTED** subject to the following conditions and for the following reasons:

1. C01 Statutory Time Limit
2. The Development shall be carried out in accordance with the following approved plans:

PL 100 – Site Location Plan
PL 102 – Existing Site Survey
PL 110 – Existing Ground Floor Plan
PL 111 – Existing First Floor Plan
PL 112 – Existing Roof Plan
PL 113 - Existing Context Elevations - South and West Views
PL 114 - Existing Context Elevations – North and East Views
PL 115 - Existing Elevations – Existing Michaelston Public House
PL 116 - Existing Sections – Section A-A and B-B
PL 125 – Demolition Plan - Ground Floor
PL 126 – Demolition Plan – First Floor
PL 200, Rev A – Proposed Ground Floor Plan
PL 230, Rev A – Proposed GA First Floor Plan
PL 231, Rev A – Proposed GA Second Floor Plan
PL 204, Rev A – Proposed Roof Plan
PL 301 – Rev B – Proposed Context Elevations – View from South

PL 302, Rev A – Proposed Context Elevations – View from North
 PL 303 – Rev B – Proposed Context Elevations – View from West
 PL 304, Rev A – Proposed Context Elevations – View from East
 PL 310 – Proposed Elevations – Refurbished Building
 PL 311 – Rev B – Proposed Elevations – New Build
 PL 408 – Proposed Part Section & Part Elevation Details Sheet 4
 PL 409 – Proposed Part Section & Part Elevation Details Sheet 5
 PL 413 – Proposed Part Section Detail Sheet 4 – Section through South Elevation
 PL 414 – Proposed Part Section Detail Sheet 5 – Section through East Elevation
 PL 415 – Proposed Part Section Site Boundary Details Sheet 6
 PL 420, Rev A – Proposed Context Section A-A
 PL 421, Rev A – Proposed Context Section B-B
 PL 422 – Proposed Context Section C-C
 PL 1001 – Rev B - Proposed Perspective
 Sun Path Analysis – The Michaelston Inn (November 2017)
 Swept Path Analysis – CC1617 – Drawing 001, Rev E
 Swept Path Analysis – CC1617 – Drawing 003, Rev D
 1165/PL/01 – Rev B - Landscape Proposals
 Planting Methodology and Five-Year Soft Landscape Management Plan -Project no. 1165 – Dated 24th October 2017
 Plan 1 dated 19.10.17 (Public Realm Enhancement Scheme)

Reason: To ensure satisfactory completion of the development and for the avoidance of doubt in line with the aims of Planning Policy Wales to promote an efficient planning system.

3. No development shall take place until samples of the external finishing materials have been 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 in accordance with policy KP5 of the adopted Cardiff Local Development Plan (2006 - 2026).
4. The retail units 1 & 2 as shown on plan ref: PL200 rev A shall be used as coffee shops/restaurants and for no other purpose (including any other purpose in Class A3 of the schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument amending, revoking or re-enacting that Order).
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected in accordance with Policy KP5 of the adopted Cardiff Local Development Plan (2006 - 2026).
5. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any Order amending or revoking and re-enacting that Order) The retail units 1 & 2 as shown on plan number PL200 Rev A June 2017 shall not be used for the sale of hot food for

consumption off the premises.

Reason: To ensure that the use of the premises does not prejudice the amenities of the area in accordance with policies KP5, EN13 and R6 of the Cardiff Local Development Plan.

6. No member of the public shall be admitted to or allowed to remain on the A3 hereby approved premises between the hours of 23.00 and 07.00 on any day. Reason: To ensure the amenity of occupiers of other premises in the vicinity are protected in accordance with policy EN13 of the Cardiff Local Development Plan (2006-2026).
7. No member of the public shall be admitted to or allowed to remain on the A1 hereby approved premises between the hours of 23.00 and 06.00 on any day. Reason: To ensure the amenity of occupiers of other premises in the vicinity are protected in accordance with policy EN13 of the Cardiff Local Development Plan (2006-2026).
8. There shall be no arrival, departure, loading or unloading of delivery vehicles between the hours of 20.00 and 07.00 on Monday to Saturday and no deliveries to take place on a Sunday. There shall be a no idling policy on all delivery vehicles except for temperature controlled deliveries where preservation of food products is required.
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected in accordance with policy EN13 of the Cardiff Local Development Plan (2006-2026).
9. A scheme of sound insulation works to the floor/ceiling structure between the commercial unit and proposed residential shall be submitted to and agreed by the Local Planning Authority in writing and implemented prior to occupation.
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected. Note to applicant this will require a greater level of sound insulation than that stipulated by building regulation approved document E in accordance with Policy EN13 of the adopted Cardiff Local Development Plan (2006 - 2026).
10. Any fixed plant and equipment shall be designed and installed to 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).
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected, in accordance with policy EN13 of the Cardiff Local Development Plan (2006-2026).
11. Notwithstanding the submitted landscaping plan and specification, a finalised plan and specification shall be submitted to and approved in writing by the LPA prior to any site preparation, clearance or development. The finalised documents shall include a landscaping

implementation plan and shall be informed by a Soil Resource Survey and Plan prepared in accordance with the 2009 DEFRA Construction Code of Practice for the Sustainable Use of Soils on Construction Sites. Should the survey identify that imported topsoil and/or subsoil will be required for the proposed landscaping, then this soil shall be of pH 7.0-5.5 on placement unless otherwise agreed in writing with the LPA. Reason: To enable the Local Planning Authority to determine that the proposals will maintain and improve the amenity and environmental value of the area, and to monitor compliance in accordance with policies KP5 and EN8 of the adopted Cardiff Local Development Plan (2006-2026).

12. Any newly planted trees, plants or hedgerows, which within a period of 5 years from the completion of the development die, are removed, become seriously damaged or diseased, or in the opinion of the Local Planning Authority (LPA) otherwise defective, shall be replaced. Replacement planting shall take place during the first available planting season, to the same specification approved in discharge of condition 13, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and improve the amenity and environmental value of the area in accordance with policy EN8 of the adopted Cardiff Local Development Plan (2006-2026).

13. If at any time the use of the premises are to involve the preparation and cooking of hot food the extraction of all fumes from the food preparation areas shall be mechanically extracted to a point to be agreed with the Local Planning Authority, and the extraction system shall be provided with a de-odorising filter. Details of the above equipment shall be submitted to, and approved by, the Local Planning Authority in writing and the equipment installed prior to the commencement of use for the cooking of food. The equipment shall thereafter be maintained in accordance with the manufacturers' guidelines, such guidelines having previously been agreed by the Local Planning Authority in writing.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected in accordance with policy EN13 of the Cardiff Local Development Plan (2006-2026).

14. Prior to the commencement of any development works a scheme to investigate and monitor the site for the presence of gases* being generated at the site or land adjoining thereto, including a plan of the area to be monitored, shall be submitted to the Local Planning Authority for its approval.

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

required.

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

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

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

15. 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.

16. 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.

17. The remediation scheme approved by condition 16 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.

18. 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.

19. Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of

its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

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

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

20. 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.

21. 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.

22. 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 in accordance with policy EN10 of the adopted Cardiff Local Development Plan.

23. No development shall take place, including any works of demolition, until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The approved CMP shall be adhered to throughout the construction period. The plan shall provide for:
- (i) access;
 - (ii) the parking of vehicles of site operatives and visitors;
 - (iii) loading and unloading of plant and materials;
 - (iv) storage of plant and materials used in constructing the development;
 - (v) the erection and maintenance of security hoarding;
 - (vi) wheel washing facilities;
 - (vii) measures to control the emission of dust and dirt during construction;
 - (viii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of highway safety, public amenity and to avoid any conflict situations with students and/or staff attending/working on this site in accordance with policies T5, T6 and EN13 of the adopted Cardiff Local Development Plan (2006 - 2026).

24. Notwithstanding the cycle parking facilities shown on the submitted plans, prior to the commencement of development details showing the provision of cycle parking spaces serving the retail element of the proposed scheme and cycle store serving the residential properties shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the development being put into beneficial use. Thereafter the cycle parking spaces shall be maintained and shall not be used for any other purpose.

Reason: To ensure that adequate provision is made for the secure parking of cycles in accordance with policies KP5 and T5 of the Cardiff Local Development Plan.

25. Notwithstanding the car parking and manoeuvring areas shown on the submitted plans, prior to the commencement of development details showing the car parking and manoeuvring areas proposed shall be submitted to and approved in writing by the local planning authority in accordance with Policy T5 of the Cardiff Local Development Plan and the guidance contained in the Access, Circulation and Parking Standards SPG. Details should be provided which demonstrate;

- The appropriate provision of parking spaces for the retail provision proposed;
- The appropriate provision of parking spaces for the residential

properties proposed;

- The appropriate provision of disabled spaces;
- Details regarding the means by which the parking spaces reserved for the residential properties would be differentiated from those associated with the retail offer;
- Details of the ANPR system indicated on the plans

Reason: To make provision for the parking of vehicles clear of the roads so as not to prejudice the safety, convenience and free flow of traffic, in accordance with policy T5 of the adopted Cardiff Local Development Plan.

26. Notwithstanding plan ref: PL 200, Rev A – Proposed Ground Floor Plan, no development shall take place until details of a secondary levelled access within the northeast corner of the site has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the beneficial occupation of the development and thereafter retained.

Reason. To improve the accessibility of the development for all, in accordance with policies KP5, T1 and T5 of the adopted Cardiff Local Development Plan (2006-2026).

27. The means of site enclosures hereby approved shall be constructed in accordance with Plan ref: PL415 – Proposed Part Section Site Boundary Details Sheet 6 prior to the development being put into beneficial use.

Reason: to ensure that the amenities of the area are protected in accordance with policy KP5 of the adopted Cardiff Local Development Plan (2006 – 2026).

28. Prior to the beneficial occupation of the site, a scheme of works to the Michaelston Road and Drope Road footways, as shown in principle on Plan 1 dated 19.10.17, shall be submitted to and approved in writing by the LPA. The footway repaving scheme shall include drainage, signing and lining, renewal of kerbs, channels and edging, and Traffic Regulation Orders as may be required. The agreed scheme to be implemented to the satisfaction of the LPA prior to beneficial occupation.

Reason: To ensure the provision of access to the proposed development, in the interests of highway and pedestrian safety.

Reason: To ensure the provision of access to the proposed development, in the interests of highway and pedestrian safety in accordance with policies KP5, T1, T5 of the adopted Cardiff Local Development Plan.

29. Prior to the beneficial occupation of the site, details of the installation on site a scheme of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be installed and maintained. All external lighting shall be designed to avoid light spill into neighbouring

residential properties. All external lighting shall be installed in accordance with the approved details.

Reason: In the interests of residential amenity in accordance with Policies KP5 and EN13 of the adopted Cardiff Local Development Plan (2006 - 2026).

30. Prior to beneficial occupation of the site, details of any external CCTV system shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed on site and thereafter maintained.

Reason: To assist in the prevention of prevention of crime and anti-social behaviour, in accordance with Policies KP5 and C3 of the adopted Cardiff Local Development Plan (2006 - 2026).

31. Notwithstanding the submitted plans, the windows proposed in the western elevation of flats 2 and 6 of the new-build block shall be obscurely glazed and non-opening above 1.8m.

Reason: To ensure that the privacy of adjoining occupiers is protected in accordance with Policy KP5 of the adopted Cardiff Local Development plan (2006 - 2026).

32. Notwithstanding the submitted plan reference PL200 Rev A, the boundary wall between the application site and Service Lane serving the existing parade of shops to the North shall be retained within the proposed development.

Reason : To assist in the prevention of crime and anti-social behaviour, in accordance with Policies KP5 and C3 of the Adopted Cardiff Local Development Plan 2006-2026.

RECOMMENDATION 2 : 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 3: This development falls within a radon affected area and may require basic radon protective measures, as recommended for the purposes of the Building Regulations 2010.

RECOMMENDATION 4: The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

A water supply can be made available to serve this proposed development. The developer may be required to contribute, under Sections 40 - 41 of the Water Industry Act 1991, towards the provision of new off-site and/or on-site water mains and associated infrastructure. The level of contribution can be calculated upon receipt of detailed site layout plans which should be sent to the address above. Part or all of this development site is at a height where mains water cannot be guaranteed at all times. Under the Water Industry Act 1991, we are not obliged to provide mains water to a height greater than that it will flow by gravity from the service reservoir or tank the supply is taken. To ensure an adequate mains water supply to service this development, a booster pump will need to be installed and associated water mains laid to the development site. Costs and the future maintenance will be the developer's responsibility.

RECOMMENDATION 5 : That the developer be advised to have regard to the advice of the Design out Crime Officer, South Wales Police, in his letter dated

17th August, which has been forwarded to the agent. South Wales Police operates the Secure by Design (SBD) initiative and is a National Police Chiefs Council and Home Office scheme which promotes the inclusion of crime prevention measures into developments. A safe and secure environment is the prime objective of the Secured by Design initiative. To achieve this result, equal weight should be given to both environmental design and physical security. For further information on Secured by Design Standards' please visit the website www.securedbydesign.com

RECOMMENDATION 6: The applicant is advised that the proposed 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).

RECOMMENDATION 7: That the applicant / developer should seek the advice of the South Wales Fire and Rescue Service to ensure fire prevention, warning signs and appropriate evacuation policies are in place.

RECOMMENDATION 8: That the applicant /developer is advised that the highway works proposed to the existing adopted public highway, to be undertaken by the developer, will need to be subject to agreement(s) under Section 278 of the Highways Act 1980 between the developer and Council.

1. DESCRIPTION OF PROPOSED DEVELOPMENT

1.1 Original Submission

- 1.2 This application seeks full planning permission for the change of use of the former Michaelston Inn public house from (A3 use) to retail (A1 use) along with a 'back of house' extension and the refurbishment of the existing first floor flat. The application also seeks planning permission for the erection of a new build mixed use 4 storey block comprising 2 ground floor retail (A3) units and 9 no. affordable 1 and 2 bedroom flats above, associated parking & landscaping works.
- 1.3 The new build would have a footprint of approximately 20m x 13.5m and have a maximum height of around 14.5m. The building would be finished in bricks to match neighbouring buildings (this will be controlled by way of condition); grey framed windows and a single ply flat roofing system.
- 1.4 The retail (A1) element of the proposal will have a floor area of approximately 278m² (3000ft²) with a back of house area measuring approximately 92m² (1000ft²). The 2 proposed A3 units would have floors area of 116m² (1250ft²) and 55m² (590ft²) respectively.
- 1.5 The residential element of the new build block would comprise 9 units of affordable housing comprising 3 x 2 bed flats measuring (60m²) and 6 x 1 bed flats measuring (50m²)

- 1.6 36 parking spaces are proposed as part of the development comprising of 9 spaces associated with the residential properties and 27 associated with the retail offer of which 2 spaces would be disabled spaces. The disabled spaces would be located in close proximity to the entrances of the three A1/A3 units proposed.
- 1.7 Amended plans were received in which the parapet wall of the new building has been lowered in order to reduce the height. The arrangement of the windows at the rear of this building were also amended in order to mitigate potential overlooking issues upon the neighbouring properties.
- 1.8 **Amended Plans**
- 1.9 Following the planning committee meeting of 8th November, where determination of this planning application was deferred for a site visit, revised plans have been received.
- 1.10 The main change to the proposed scheme sees the height of the new build block reduced from 4 storeys to 3 along with a small increase in the buildings footprint. The number of affordable units proposed has been reduced from 9 to 8 as a consequence of the proposed changes, with those affordable units remaining now arranged over the slightly larger first and second floors of the building.
- 1.11 The footprint of the new build building would be increased through being extended by an additional 2m to the west within the existing parking and unloading area.
- 1.12 The revised new build building would measure approximately 22.6m by 13.5m and have a maximum height of around 12.2m. The building would be finished in bricks to match neighbouring buildings (this will be controlled by way of condition), grey framed windows and a single ply flat roofing system.
- 1.13 As a result of the increased building footprint, the second A3 retail proposed on the ground floor of the new building would be increased from 55m² to 105m²
- 1.14 The revised scheme sees a reduction of 5 car parking spaces from that of the original submission along with some minor changes to the location of the bicycle and refuses storage facilities.
- 1.15 Swept path analysis diagram have been submitted which demonstrate that articulated delivery lorry can sufficiently access and turn within the application site.
- 1.16 The alterations proposed to the existing public house building remain as originally proposed and are not therefore altered by the revised plans.

2. DESCRIPTION OF SITE

- 2.1 The application site is located at the junction of Michaelston Road and Drope

Road and currently contains the Michaelston Inn and its associated beer garden and car park. The existing public house is a two storey building containing the pub at ground floor level and associated 3 bedroom residential flat above. The ground floor pub element of the building has been extended over time giving the ground floor of the building a significantly larger floor area than the first floor flat.

- 2.2 The application site measures 0.26 hectares in size and is largely level. Aside from the pub building and a narrow strip of grass running along the Michaelston Road and Drope Road frontages of the site, the site is laid out in macadam.
- 2.3 The application site is bound to the north by an existing parade of shops containing 5 units at ground floor level with residential accommodation above. The existing parade contains a SPAR convenience store, bookmakers, Newsagents, florists and Chinese Takeaway / Fish and Chip Shop. No's. 21 - 23 Barnwood Crescent are also located to the north of the application site on the opposite side of a private access lane currently used by vehicles servicing the existing parade of shops.
- 2.4 The application site is bound to the east by Michaelston Road and Western Cemetery beyond, to the south by Drope Road, Michaelston Community College and the Ely and Caerau Children's Centre. To the west of the site is No. 6 Drope Road, a two storey detached dwelling with detached coach house style annexe to its rear.
- 2.5 The existing pub building is in a poor state of repair and has been vacant for approximately 2 years, though the submitted Design and Access Statement suggests that the pub has been open and closed on numerous occasions over the past 10 years.
- 2.6 The site is not located within a conservation area or flood risk zone, and there are no listed buildings or protected trees affected.

3. SITE HISTORY

- 3.1 15/01391/MNR – External alterations to form new children's play area, new floor surface, new smoking shelter, new entrance lobby, new disabled access ramp and alterations to existing windows – Permitted
- 3.2 04/01720/W – Retain play and activity centre for children – Permitted
- 3.3 03/02017/R – Skittle alley extension – Single storey to side and rear of existing building - Permitted
- 3.4 99/01305/R – Form new entrance lobby with bay window to front - Permitted
- 3.5 97/01148/R - Erection of 6 metre column and cameras - Permitted
- 3.6 95/00416/R – Proposed fencing and security lighting/cameras - Permitted

4. POLICY FRAMEWORK

4.1 *Cardiff Local Development Plan 2006-2021:*

KP5: Good Quality and Sustainable Design
KP6: New Infrastructure
KP7: Planning Obligations
KP8: Sustainable Transport
KP13: Responding to Evidenced Social Needs.
KP14: Healthy Living
KP15: Climate Change
H3: Affordable Housing
EN3: Landscape Protection
EN10: Water Sensitive Design
EN8: Trees, Woodlands and Hedgerows
EN13: Air, Noise, Light Pollution and Land Contamination
T1: Walking and Cycling
T5: Managing Transport Impacts
T6: Impact on Transport Networks and Services
R1: Retail Hierarchy
R6: Retail Development – Out of Centre
W2: Provision for Waste Management Facilities in Development
C3: Community Safety/Creating Safe Environments
C5: Provision for Open Space Outdoor Recreation, Children’s Play and Sport

4.2 *Supplementary Planning Guidance:*

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

Access, Circulation and Parking Standards (January 2010);
Shopfronts and Signage (October 2011);

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

Infill Sites Nov 2017
Planning Obligations SPG (January 2017)
Waste Collection and Storage Facilities (October 2016);

4.3 *Planning Policy Wales (November 2016):*

4.4 *Technical Advice Notes*

Technical Advice Note 4 – Retail and Commercial Development (2016).

Technical Advice Note 11 – Noise (1997):
Technical Advice Note 12 - Design (March 2016).
Technical Advice Note 23 – Economic Development (Feb 2014).

5. INTERNAL CONSULTEE RESPONSES

5.1 Original Submission

5.2 The Operational Manager, Transportation, considers the application to be acceptable in principle subject to the conditions and financial requirements detailed below.

- To provide a construction management plan
- Provision of secure cycle parking in accordance with SPG
- Provision of parking (including disabled) in accordance with SPG
- Any damage to the highway would be rectified to an approved standard.
- Pedestrian access would need to accommodate all (including the mobility impaired).

Given the proximity of the application site to the school and projected flows of traffic, a financial contribution of £5,000 will be sought in order to extend the existing 20mph speed restriction on to Drope Road beyond the entrance to the application site. .

5.3 The Operational Manager (Housing Development) notes that the planning application proposes 9 units of social rented accommodation. Housing Development fully supports the development of this site for affordable housing, given the high levels of need for affordable housing in the area and will be working closely with LINC Housing Association to ensure the successful delivery of the scheme.

In the event that the site and/or units are purchased by LINC Housing Association for social rented accommodation, then no affordable housing contribution would be sought.

5.4 The tree officer raises no objection to the proposed development subject to the implementation of the submitted landscaping scheme and conditions.

5.5 The Operational Manager (Parks and Sport) raises no objection to the proposal subject to an off-site contribution towards existing open space provision.

Based on the information provided on the number and type of units, the additional population generated by the development would be 13.2. This generates an open space requirement of 0.032 ha of on-site open space based on the criteria set for Housing accommodation, or an off-site contribution of **£13,696**.

As no public open space is being provided on-site, the developers will be required to make a financial contribution towards the provision of new open

space, or the design, improvement and/or maintenance of existing open space in the locality, given that demand for usage of the existing open spaces would increase in the locality as a result of the development.

The use of S106 contribution from this development will need to satisfy CIL and the current distance requirements set out in the 2017 Planning Obligations SPG – play areas 600m (not applicable to student and sheltered accommodation), informal recreation 1000m, and formal recreation 1500mm, measured from edge of the site.

In the event that the Council is minded to approve the application, it will be necessary for the applicant and the Council to enter into a Section 106 Agreement to secure payment of the contribution.

Consultation will take place with Ward Members to agree use of the contribution, and this will be confirmed at S106 stage. The closest areas of recreational open space are The Drope, Greenway Road Recreation Ground and Parc Hywel Dda

- 5.6 The Waste Strategy and Minimisation Officer, advises that the waste collection and storage arrangements shown on the site plan are acceptable.
- 5.7 Shared Regulatory Services – Pollution Control (Noise and Air) are satisfied with the detail submitted in terms of any road traffic impact on the proposed residential development but suggest that a condition be added to any grant of planning permission covering other noise sources from the proposed development that are likely to have an impact on the surrounding area and the proposed residential units as well.
- 5.8 Shared Regulatory Services – Pollution Control – Contaminated Land have identified the site as formerly commercial – public house with associated parking. In addition part of the site is underlain by an historic landfill. 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 several 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 importation of soils to develop the landscaped areas of the development, or any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use.

Shared Regulatory Services requests the inclusion of and informative statements

in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan:

5.9 Amended Plans

- 5.10 The Operational Manager, Transportation, raises no objection to the proposal on the basis of the revised plans and Transport Statement.
- 5.11 The Operational Manager (Housing Development) has no further comments on the application.
- 5.12 The Tree Officer has suggested some changes to the amended landscaping scheme. These will be passed onto the applicant for consideration in discharge of the proposed landscaping condition.
- 5.13 The Operational Manager (Parks and Sport) states that as the number of residential units proposed has been reduced from 9 to 8, the development would no longer generate a contribution towards the provision of open space in accordance with the Planning Obligations SPG or adopted LDP.
- 5.14 The Waste Strategy and Minimisation Officer, has no additional comment on the revised plans.
- 5.15 Shared Regulatory Services – Pollution Control (Noise and Air) Any additional comments received will be reported to committee.
- 5.16 Shared Regulatory Services – Pollution Control – Contaminated Land. No additional comments have been received.

6. EXTERNAL CONSULTEE RESPONSES

6.1 Original Submission

- 6.2 Dwr Cymru Welsh Water have no objection to the proposed development, subject to drainage conditions.
- 6.3 The Police Crime Prevention Design Advisor: South Wales Police has no objection to the development subject to consideration of recommendations relating to opening hours restrictions for the A3 uses, security specifications for doors, windows and (if necessary) roller shutters, alarm systems, CCTV, lighting, access control systems, mail delivery, dwelling identification cycle/bin storage, utility metres, landscaping and smoke/fire alarms. South Wales Police would advise that the development should be built to a standard to achieve a Secured by Design accreditation.

The hours of business for the ground floor commercial unit (A3) is should be restricted to no later than 23.00 hours in order to minimise noise and disturbance to residents in the student accommodation located above.

With regard to the current car park layout, this includes a rear access into the access lane which serves the rear of the adjacent existing commercial units. Vehicles will be denied using this by bollards. The car park should however have one entry and exit only. Allowing this further entry/exit will make the car park, particularly vehicles and the cycle stores, vulnerable to crime and anti-social behaviour. It is therefore recommended that this rear exit is closed off with a fence at least 2.1m high.

6.4 Revised Plans

6.5 Any additional comments received will be reported to committee.

7. REPRESENTATIONS

7.1 Original Submission

7.2 The application was advertised by site notice and neighbour notification. 127 letters of representation have been received opposing the application. Of the 127 representations, 109 were standardised letters with the remaining 18 letters providing additional comments. The objections received are summarised below;

- The operators of the existing SPAR shop do not wish to relocate into the proposed retail unit as suggested in the submitted Retail Statement. The retail element of the application proposal, if another SPAR, would provide direct competition to the existing store.
- The retail market is saturated in the area, current retailers are struggling.
- Traffic in the area at times is severe and therefore the proposed scheme will further add to existing pressures.
- The additional numbers of delivery vehicles serving the proposed development would be dangerous, especially given the access to the site would be located directly opposite the entrance to the school, nursery and primary school.
- The proposed development will generate increased noise within the area, particularly in the morning through deliveries.
- The development will generated increased litter in the area.
- The provision of four storey social housing flats would be out of keeping with the surrounding, predominantly two storey, semi-detached housing estate.
- The height and location of the proposed new build will block light and views from surrounding properties and allow their gardens and some rooms to be overlooked.
- The proposed access/egress vehicular route via Barnwood Crescent would cause increased traffic and parking problems within an already busy street.
- The provision of fast food outlets on the site would not be welcomed.
- Should any additional retail outlets be necessary, these should be included as part of the probable future re-development of the Michaelston School site and not on this site.
- The local area is predominantly housing, not flats and therefore any

development on the site should reflect this.

- Cardiff Council has spent considerable money in recent years regenerating the existing retail outlets. It would look bad on the council if the proposed development was approved and the increased competition led to the potential closure of the existing businesses.
- The proposed development, along with numerous other developments in the area, should collectively necessitate the provision of some community facility for the area.
- The location of the refuse bins would lead to an increase in seagulls and vermin within area if not managed correctly and would be located in close proximity to residential properties.
- The development would bring back past issues of anti-social behaviour to the area.
- There is only enough space for one lorry to unload at a time in the lane serving the existing parade of shops. Other lorries often have to wait before they can be unloaded creating traffic issues in the area and therefore the development would add to this issue.
- The retailers within the existing parade of shops pay a service charge for the lane and will not allow other lorries to use the lane.
- The proposed access road will create a 'roundabout' around the adjacent residential property on Drope Road and would be used as a rat run.
- The proposal would block the walkway alongside the existing parade of shops which allows access to the flats above.
- The parking spaces proposed will be used up by the occupiers of residential premises and shop workers so will not help with parking issues in the area.
- The proposal will generate increased demand for vehicles to turn right into Drope road from Michaelston Road which will add to traffic congestion along Michaelston Road.
- The proposed flats would add to the already overpopulated area.
- The existing building should be retained as a public house.
- The proposed development would be of no asset to the community whereas the existing pub use was.
- The applicant's retail statement is factually incorrect as the owners of the existing SPAR have no intention of occupying the proposed store on site. The provision of two adjacent SPAR stores would be unviable.
- The current SPAR shop is the key retail offer in the existing parade, losing this and moving footfall away from the existing businesses in the parade would harm the viability and vitality of the existing retail offer.
- The two A3 units proposed could provide direct competition to the existing SPAR and Chinese/Fish and Chip shop.
- The A1 and A3 uses proposed would open the floodgates allowing large chains/ multinationals to occupy the development which would ruin the offer of the existing shops in the parade. Allowing multinational retailers to occupy the building would outprice the existing retails in the parade potentially leading to their closure.
- The existing retail offer along Michaelston Road already serves the need of the local community and therefore there is no need for the retail offer proposed.

- The planning process requires that existing retail development be explored before developing more and there are plenty of vacant units in the various retail developments less than a mile away.
- The close proximity of a 4 storey building containing flats to a children's centre and bus stop would be dangerous.
- The architecture of the new build block is unimaginative.
- Emergency service vehicles needing to gain access to Barnwood Crescent would be further restricted as a result of the development.
- The upper floor of the proposed new build will be able to look directly into the outdoor play area of the children's nursery.
- There are sufficient shops in the current parade and the proposed outlets will not enhance the shopping area.
- Extra lorries and cars in the area generated as a result of the proposed development would be dangerous for the school children in the area.
- The increased traffic generated was a result of the proposed will cause increased levels of pollution in the area.

7.3 A petition of 62 signatures has been received objecting to the planning application however no reasons were provided which detailed what the petition specifically objected to, and neither were the full names and addresses of the signatories provided.

7.4 A second petition of 36 signatures was submitted on the behalf of the Michaelston Community Group. Their opposition was on the basis that the development would raise health and safety concerns due to its proximity to a school and on the increased pressures which the development would bring to the area in terms of car parking.

7.5 A letter of representation has been received from Watts Morgan on the behalf of their client, Devrow Estates Limited who own the freehold of 105 -115 Michaelston Road, including the service lane to the rear. They stress that no agreement has been entered into to allow for their lane to be accessed via the application site and that no planning notice has been served on their client. As such, they question the validity of the planning application.

7.6 A letter of representation has been received from Kevin Brennan, MP for Cardiff West and Mark Drakeford, AM for Cardiff West, on the following grounds;

This application sees the former Michaelston Public House extended towards the rear of the site and also extended to a four storey block. Firstly this is completely out of character for the area and should be rejected on the general principle of bad design. This is covered under KP5 (Good Quality and Sustainable Design), KP8 (Sustainable Transport) & EN9 (Conservation of the Historic Environment)

The property will overhang and will be extremely close to our residents who live on Barnwood Close. The extension upwards would go against the SPG on Tall Buildings which state that "Outside the city centre: Buildings which are double or more than double height of surrounding properties or significantly taller in terms of actual height and number of floors". This proposed

development is significantly taller than those properties on Barnwood Close.

Also no traffic survey has been carried out. Nearby is local school and children centre and lorry access to this site on a regular basis and in our opinion this will be hazardous and will have a detrimental effect on the community. We do not believe that imposing conditions on this application can possibly alleviate this. Also the application is actually taking parking space away from the local area. Next door is a parade of shops that are highly populated and Michaelston Road is already a busy place to park. To suggest limiting the amount of parking further and putting retail and residential in place is unrealistic.

We would ask that the Planning Committee look to visit the site and also that Officers recommend refusal on the grounds we have given.

7.7 Local Ward Councillors have been consulted and any comments received will be reported to committee.

7.8 One letter has been received in support of the planning application on the following grounds;

1. The current site is an eyesore and desperately needs redevelopment.
2. The Michaelston failed as a public house time after time and even when open was a blight on the area.
3. The local community would benefit from additional local retail opportunity, particularly given the additional housing being built in the area.
4. The provision of a coffee shop would add to the community facilities.
5. There is a danger that the site could be over developed and that the 4 storey building with ground floor retail may be too much for the site and could be better served by a selection of houses more suited to the area.
6. Less retail could also help address concerns regarding delivery access.

7.9 Revised Plans

7.10 The revised plans have been advertised by way site notices, neighbour and objector notification. 6 letters have been received opposing the application to date and 1 letter of support. The consultation period for the application runs until 12th December. As such, any comments received beyond the report-writing deadline will be reported to planning committee via late representation or verbally at planning committee.

7.11 The objections received to the revised plans to date are summarised below;

- The local area does not need any more retail space.
- Increased traffic generation in the area.

- The junction between Drope Road and Michaelston Road is dangerous
- The location of the proposed residential bin store will lead to issues of odour.
- The submitted plans don't show No. 6 Drope Road accurately.
- A multi-storey development on this site is not appropriate as existing residential properties in the area have not been allowed to have their ridge levels raised.
- Concerns over delivery hours conflicting with school drop off and pick up periods
- Concerns that the flats would directly overlook the neighbouring Childrens Centre.
- The height of the proposed flats remains too high as a 3 storey building is still higher than the 2 storey properties that surround the proposed development.
- By virtue of its height, the proposed height would impact upon local residents light, privacy and personal space and would overlook the adjacent a nursery school.
- The new plans now show one of the retail units to be of greater size than the first proposal. The area is already serviced by a parade of stores that caters for everybody's needs.
- Adding another 3 units will create even more congestion to what is already an over congested bottleneck, given the heavy amount of commuter traffic along Michaelston Road and given that there are 3 schools on Drope Road, 2 of which are opposite the entrance to this proposed development.
- The safety of these children ranging from nursery, primary to secondary age is already seriously at risk without this further development. This area has key congestion / safety risks between 8am-9am, 11.30am-12.15pm and between 3pm-4pm Monday - Friday. Hundreds of school children are either entering or leaving the nursery, primary school or secondary school, not to mention the high amount of cars within the area to transport these children.
- The immediate area has 4 public transport bus stops which also create great congestion through the day / week. This area also experiences large coaches picking up and dropping off children for Cowbridge, St Nicholas, Bishop of Llandaff and Plasmawr, again all at peak times.
- Lorries will find it very difficult to get onto Drope Road from Michaelston Road.
- Lorries will be dangerous going around the corner as the number of school children and parents using the pavement is very high.
- The development will result in more traffic in the area and cause more parking problems for Michaelston Road, Drope Road and Barnwood Crescent.
- A road survey should be carried out at the busiest times of the day ie 8 - 9.30 and 2.30 - 4 pm to see the hazards and inconveniences caused by traffic along the Michaelston/Drope Roads and Barnwood Crescent.
- Money provided via a s106 agreement to make a 20 MPH limit is a waste of money and not a valid reason to assist with passing this planning application.
- Because of the traffic congestion cars/vans/lorries will continue to park along Michaelston Road on the bus stops and double yellow lines.
Turning into and out of Michaelston Road will be a nightmare so people will use Barnwood Crescent to get onto the Michaelston Road, especially if they are heading towards St Fagans.
- The Council (along with grants obtained) worked really hard to upgrade the current shops in the parade and to tackle youth annoyance successfully. This

now seems to be worthless because no one will police/monitor the new build.

- The current shops will really struggle if the plans go ahead. New retail has again been provided at Culverhouse cross so there really isn't a need for more retail shops here.
- The existing shops have covenants on them which restricts the sale of certain items. If the new shops are allowed this would make very unfair competition.

7.12 Local Ward Councillors have been consulted and any comments received will be reported to committee.

8. ANALYSIS

8.1 This application was deferred by Planning Committee at its meeting of 8th November 2017 in order to undertake a site visit. The site visit took place on Monday 4th December 2017.

8.2 Original Application

8.3 **Planning Policy** - The application site does not fall within a designated district or local centre identified under Policy R4 or R5 of the Local Development Plan. The application site is located next to an existing retail frontage which provides an important local shopping function.

Policy R6 only allows for retail development outside the Central Shopping Area, District and Local Centres identified on the Proposals Map if the proposal would meet the following criteria:-

- (i) There is a need for the proposed floorspace (with precedence accorded to establishing quantitative need);
- (ii) That need cannot satisfactorily be accommodated within or adjacent to the Central Shopping Area, within a District or Local Centre;
- (iii) The proposal would not cause unacceptable harm to the vitality, attractiveness or viability of the Central Shopping Area, a District or Local Centre or a proposal or strategy including the Community Strategy, for the protection or enhancement of these centres;
- (iv) The site is accessible by a choice of means of transport; and
- (v) The proposal is not on land allocated for other uses. This especially applies to land designated for employment and housing, where retail development can be shown to limit the range and quality of sites for such use.

The agent has submitted a Planning and Retail Statement that provides an assessment of the proposed development in respect of retail planning policy in relation to the need for the proposal, the sequential approach to site selection and the potential retail impact on the vitality and viability of nearby district/local centres. Given the floorspace equates to 278 sqm, a formal retail impact assessment is not required.

It is considered that the Retail Planning Statement has, on balance, adequately demonstrated that the proposal satisfies the standard retail tests of need,

sequential test and impact.

Paragraph 5.282 of the LDP states that in addition to local centres identified on the proposals Map, there are numerous smaller groups of shops and individual 'corner shops' across the county that provide valuable shopping facilities to surrounding communities. The application site adjoins a local parade of shops which would fall under this definition. Furthermore, Planning Policy Wales recognises the important economic and social role of such local shopping facilities to communities.

It is noted that the submitted Retail Statement states that the proposed A1 retail unit would be occupied by SPAR, which would relocate from its existing location in the adjacent parade. The occupiers of the existing SPAR have however confirmed in a letter of representation that it is not their intention to occupy the new store, instead wishing to remain within and continue trading from their existing premises.

Should the existing Spar business move into the new building, it should be noted that its former premises would be vacant and therefore open to a competitor to occupy. Similarly, it should be noted that the existing public house could be converted into an A1 retail unit under permitted development. Whilst the future occupier of the proposed A1 unit remains unknown at this time, this is not a material planning consideration in the determination of this planning application.

The existing spar convenience store provides an important function in meeting the day-to day shopping needs of local residents. Even with the additional A1 unit proposed, it is considered that expenditure would remain localised and will not cause unacceptable harm to the vitality or viability of established Local centres within a mile of the site.

The two additional A3 unit proposed would be assessed against Policy R8: Food and Drink Uses.

Para 5.297 states Local Centres and smaller neighbourhood centres are generally more residential in nature, and do not have the scale or variety of retail and non-retail uses of larger centres. Therefore, A3 proposals may be more difficult to accommodate, and are less likely to be acceptable on amenity grounds (e.g. potential noise and disturbance, anti-social behaviour and litter associated with this type of development proposal). As a consequence more emphasis will be placed on protecting residential amenity within these centres through restricting closing times and the type of A3 premises.

It is suggested that were permission to be granted a condition should be applied to restrict the separate A3 element to a restaurant or coffee shop type use only (with no hot food takeaway function).

Taking the above factors into consideration the proposal does not raise a land use policy objection.

8.4 Opening and Delivery Hours

Shared Regulatory Services – Pollution Control (Noise and Air) have specified opening times between 7am and 11pm for the A1 and A3 units. The applicants have however requested that the opening time for the A1 unit be extended to allow for trading between 6am and 11pm as this earlier opening times reflects that of the existing SPAR. Taking this into consideration it is, on balance, considered that the requested opening hours would be reasonable.

With regard to the delivery hours, Shared Regulatory Services have specified delivery times of between 8am and 8pm Monday to Saturday and no deliveries on a Sunday. The applicants requested that this be extended to allow for deliveries from 7am to 8pm. Given that that the existing public house had no specified delivery times and given the location of the site opposite a school, it is considered that the extra hour proposed in the morning would be both reasonable and would potentially enable deliveries to be undertaken before the morning drop off period for the school thereby reducing any conflict.

8.5 Access and Parking

36 parking spaces were proposed serving both the retail and residential elements of the development. As such, the parking provision would exceed the level set out in the Council's Access, Circulation and Parking SPG, while insufficient provision has been made of disable spaces. It is also unclear from the plans how the residential parking spaces would be differentiated from those of the retail offer. It is therefore considered necessary to condition the parking provision for the development in order to ensure that it would comply with the guidance set out in the councils Access, Circulation and Parking Standards SPG.

The Council's highways officer notes that additional traffic would be generated as a result of the proposed development, beyond that of the former pub, which may cause an additional hazard and potential conflict with pedestrians. It is however considered that this could be controlled by way of increasing speed reduction measures in the vicinity. As such, a financial contribution of £5,000 has subsequently been agreed with the applicants as part of a section 106 agreement to extend the existing 20mph speed limit into Drope Road to an appropriate location past the development and school.

The proposed scheme originally included a vehicular link, for delivery vehicles only, through the application site to the rear servicing lane for the existing parade of shops. This was included to in order to remove the necessity for delivery vehicles having to negotiate the lane via Barnwood Crescent to service the existing parade of shops through being able to enter and exit the lane through the application site. The owners of the lane have however indicated that they would not wish for their lane to be accessed via the application site. The police (see para 6.2) have also raised concerns over the addition of this access. It should be noted that the provision of this link is not a critical consideration in the determination of this application and would not impact upon the servicing arrangement of the proposed development or servicing arrangement of the units in the existing parade if not provided. It should be noted that the application boundary does not include the lane itself with the applications originally seeking

to provide access into it only.

It is recognised that the existing vehicular access to the site from Drope Road would be widened to allow for improved access for delivery vehicles. This is, on balance, considered acceptable.

The Council's transportation department raise no objection to the proposal on highways grounds. However, given the location of the application site adjacent to a school, nursery, parade of shops and busy roads, officers consider it necessary for a construction management plan condition to be imposed in order to minimise potential disruption and conflict during construction.

8.6 Design and Appearance

The existing public house building is neither listed nor located within a conservation area and therefore the building has no statutory protection. The extension proposed to the ground floor of the northwest corner of the building, forming the back of house area, is considered to be of an appropriate scale and massing. The proposed shop front includes glazing on the Michaelston Road and Drope Road frontages, which would create welcome level of interaction between inside and out and providing interest within the street. Aside from potential internal alterations to the existing flat, the upper floor of the building would remain unaltered.

With regard to the scale and massing of the proposed new build block, at 4 storeys the building would be taller than the surrounding residential properties along Barnwood Crescent and Drope Road, which are generally two storey pitched roof dwellings. However, the existing parade of shops and Michaelston Court flats to the north of the parade are both 3 storeys in height, while the buildings within the Michaelston Community College, opposite the site, range from single storey flat roofed to 3 storey pitched roofed buildings. As such, within the context of the surrounding built form, the height of the proposed new building would be broadly consistent and therefore, on balance acceptable. Furthermore, the location of the application site on the corner of Michaelston Road and Drope Road, adjacent to the 3 storey parade of shops, is such that a building of 4 storeys would not be considered unreasonable on this site.

The siting of the 4 storey building has been governed by the requirement to retain and convert the former pub, the desire to extend the number of retail outlets in the parade within an seamless transition between old and new and by the desire to provide car parking to the front of the new retail units where they are most accessible, overlooked and secure. In converting the 2 storey former public house building, an unusual juxtaposition would be created between the existing parade of shops and new build block given the variation in building heights involved. However, it is considered that the proposed building would be read in conjunction with that of the built form of the existing parade to the east rather than the domestic dwellings to the west. It is therefore, on balance, considered that its addition would not undermine the character of the area

8.7 Residential Amenity

With regard to the conversion of the existing public house building, the alterations proposed to this building are focused on the ground floor. This coupled with the location of the building relative to surrounding residential properties is such that they would not be considered to impact upon the amenity of neighbouring occupiers.

With regard to the new build block, this would be located approximately 15m away from the western boundary of the site with No. 6 Drope Road. The Council's Infill Sites SPG and Residential Design Guide SPG specify that a minimum overlooking distance from a habitable room window to a garden area of a separate dwelling should be 10.5m. As such, an appropriate separation distance would be achieved between the windows proposed in the western elevation of the new building and the boundary with this neighbouring property.

It is not considered that the proposed 4 storey building would unacceptably overlook habitable room windows or private amenity space of No. 23 Barnwood Crescent. The nearest point of the proposed building to the boundary of No. 23 would be approximately 11m while the nearest windows proposed in the building would be approximately 12m and set at oblique angles to the garden of this dwelling, thereby further reducing any potential overlooking possibilities. A distance greater than 21m, the minimum standard set out in the Councils design SPG's, would be achieved between the windows proposed within the new building and the windows in the rear of No. 23. The relative angles between the windows would further reduce any overlooking concerns.

Shadow path analysis diagrams have been submitted which demonstrate that the height and bulk of the proposed new building would not result in the unacceptable overshadowing of any of the neighbouring properties or their associated private amenity spaces.

Amended plans have been received in which the parapet of the proposed new building has been reduced by approximately 0.8m. This reduction in height would further diminish any potential overshadowing issues upon neighbouring properties.

A number of windows originally proposed in the western elevation of the new building have also omitted within the amended plans in order to further reduce any potential overlooking issues upon No. 23 Barnwood Crescent.

It is not considered that the proposed development would unacceptably overlook the children's nursery on the opposite site of Drope Road or its associated play area given the separation distances involved.

8.8 Materials

The finishing material proposed will be secured by way of condition.

8.9 Affordable Housing

The provision of 9 units of affordable housing within the proposed new build unit is welcomed given the high levels of need for affordable housing in the area.

8.10 Amenity Space

There would be no private amenity space provision for any of the 9 flats proposed nor for the flat above the converted pub. It is however acknowledged that the proposed new build would contain 6 x 1 bedroom flats and 3 x 2 bedroom flats while the flat above the pub would have 2 bedrooms. As such, there is only limited provision for the flats to be occupied by families. Taking this into consideration, that as affordable housing, the provider can control who occupies their 9 units and that there is an area of public open space located approximately 50m away along Drope Road, the lack of amenity space provision would, on balance, be considered acceptable.

A contribution has been agreed to enhance Public Open Space in the vicinity of development site in lieu of on-site provision and will be secured under a S106 planning obligation.

8.11 Crime and Disorder

There is no evidence to suggest that the proposed development would result in an increase in anti-social behaviour or crime in the area.

Given that service vehicles would no longer be able to access the rear service lane through the application site within the revised scheme, it is considered necessary for the existing boundary wall to be retained in order to prevent this route being used as a pedestrian "rat run" and in order to prevent potential issues of crime and anti-social behaviour. This will be controlled by way of condition.

The recommendations of the Wales Police are noted and have been considered against the six tests set out in Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management. While the provision of a lighting and CCTV scheme have been conditioned, it is not considered that the other recommendations made would meet the tests set out in the circular such as to form valid planning conditions. However an advisory note has been added to ensure that the applicant is aware of the design considerations suggested by the police.

8.12 Trees and Landscaping

The proposed landscaping scheme is considered acceptable, subject to conditions.

8.13 Other matters not considered above

While the proposed new build block is taller than that of the surrounding 2 storey residential dwellings, it would not represent a tall building when

considered in the context of the parade of shops, Michaelston Court Flats and school buildings in.

Paragraph 1.14 of the Councils Tall Buildings Supplementary Planning Guidance states that;

'In areas outside the city centre, buildings tend to be far lower. Buildings which are double or more than double height of surrounding properties or significantly taller in terms of actual height and number of floors, would be considered tall in this context. Tall buildings outside the city centre are unlikely to be supported unless they can be demonstrated as meeting all of the criteria outlined in this SPG.'

Given that the existing parade of shops, Michaelston Court flats and various buildings within Michaelston Community College are of 3 storeys or more, it is not considered that new building block would represent a tall building.

With regard to the potential creating of litter, whilst the proposed development may result in increased litter generation in the area, this does not represent a material planning consideration. An advisory note has been added reminding the applicant that the refuse bins should be provided outside of the proposed A3 uses.

With regard to the height of the building and the safety of school children and bus users, it is not considered that the height of the building would have any impact on the safety of the school children or bus users.

8.14 Revised Plans

The main issue for consideration is the revised scale and massing of the proposed new-build building and any impact upon the neighbouring properties through its increased footprint.

The omission of the third floor of the building from the original submission would bring its overall height down to a level more consistent with that of other buildings in the area. As such, the building would now sit more comfortably within the application site.

The footprint of the proposed building would however be marginally increased through the building being extended to the west by approximately 2m. While this would bring part of the proposed building in closer proximity to No. 6 Drope Road and No. 23 Barnwood Crescent than the previously proposed scheme, this additional 2m would not result in the building having an unacceptable overbearing impact upon these neighbouring properties given its reduced height. The revised footprint, scale and massing of the building is therefore considered acceptable.

The windows proposed on the first and second floors of the northern elevation of the building would be located a minimum distance of 11m away from the boundary with No. 23 Barnwood Crescent and at an acute angle from the

windows in its rear. The windows proposed in the first and second floors of the western elevation of the building would be located approximately 12m from the boundary with No. 6 Drope Road. It is however considered necessary for the window proposed in flats 2 and 6 of this western elevation to be obscurely glazed given the proximity they would have to a habitable room window located in the side elevation of No. 6 Drope Road. As such, the proposal would adhere to the guidance set out in the Councils Design SPG's in term of amenity considerations.

The second retail unit proposed on the ground floor of the new build block would now measure 105m², up from 55m², a result of the increased footprint of this building. This additional size would however raise no land use policy concerns.

The opening hours and delivery times for the proposed development would remain consistent with that originally proposed.

The reduced level of parking provision, which would result from the revised plans, would bring the level of parking provision down to a level more in line with the standard set out on the Access, Circulation and Parking Standards SPG and therefore represents an enhancement on the previous scheme. The level and layout of the parking provision would remain controlled by condition.

The following considerations are made in response to the objection comments, detailed in paragraphs 7.2 – 7.8 and 7.11 of this report, which have not been expressly considered above.

- The future operators of the proposed A1 and A3 units are not a material planning consideration;
- The proposed introduction of the commercial units proposed is policy compliant. The existing public house could be converted to an A1 retail unit under permitted development.
- The operational manager transportation has raised no objection to the application on the basis of any additional vehicular traffic, or additional delivery vehicles, which would be generated by the development.
- The operation manager transportation raises no objection to the proposal on highways safety grounds subject to a financial contribution of £5000 being made towards extending the area of 20mph speed restriction onto Drope Road.
- Litter generation is not a material planning consideration. Additionally, there is no evidence to suggest that the development would result in increased litter generation in the local area.
- Pollution Control (Noise and Air) consider the application acceptable subject to conditions relating to opening and delivery hours to control potential noise disturbance to neighbouring residents.
- The height of the building has been reduced by 1 storey, bringing it more in line with the scale and form of development in the locality.
- The development would not result in any vehicular access/egress from Barnwood Crescent and not therefore impact upon parking and traffic along this street.
- A condition will be imposed on the 2 A3 units proposed restricting the sale of hot food for consumption off of the premises from these units.

- Numerous flats are located within the vicinity of the application site and therefore those proposed would not be out of character with the area.
- It is acknowledged that the Council has invested money in recent years to update/regenerate the area surrounding the existing parade of shops along Michaelston Road. There is no evidence to suggest that the proposed development would have a detrimental impact upon these works or upon the existing premises within the parade.
- The application proposal is not of a sufficient scale to generate a financial contribution towards community facilities in the area.
- Waste management consider the refuse arrangements proposed acceptable.
- There is no evidence to suggest that the redevelopment of the site would result in the creation of anti-social behaviour in the area. A system of CCTV will be required by way of condition which would also prevent / discourage such behaviour.
- The separation distance between the proposed new building and adjacent children's nursery would be greater than 21m and would not therefore result in the unacceptable overlooking of this facility.
- The proposal would not block any existing pathways to the existing parade of shops or residential properties above.
- The operational manager transportation considers the level of car parking provision proposed for the development to be policy compliant and therefore acceptable.
- There is no statutory protection of the existing public house within the adopted Local Development Plan.
- There is no evidence to suggest that the proposed development would restrict emergency service vehicles from accessing Barnwood Crescent.
- No technical objection has been received from Pollution Control (Air) regarding any pollution which may be created by the development.
- The architecture of the proposed building is considered to be acceptable within the context of the surroundings.
- The operational Manager transportation raises no objection to the proposal on the basis of the delivery area proposed. Vehicle tracking illustrations have been submitted which demonstrate that articulated Lorries can access and turn within the site acceptably.
- The development would introduce 8 affordable dwelling flats to the area which has a high level of demand. There is no evidence to suggest that the area is overpopulated.
- There is no application currently before the LPA regarding the redevelopment of the Michaelston School site. This application has been determined on its individual merits, having regard to the adopted local plan and other material considerations.
- The Operational Manager, Transportation considers the development is acceptable in highways terms.
- The view that the development would be of no asset to the community whereas the existing pub use was is a private opinion and does not form a material planning consideration in the determination of this application.
- The proposed development is considered to accord with the retail policies set out in the adopted LDP. The proposal is therefore considered

acceptable in land use policy terms.

- There is no evidence to suggest that the proposed development would result in footfall moving away from the existing parade therefore unacceptably harming the viability and vitality of the existing retail offer.
- There is no policy within the adopted LDP to prevent a chain / multinational store to occupy the A1 element of the development or reason to suggest that should one occupy the unit that it would lead to the closures of other premises in the existing parade.
- Whilst it is acknowledged that No. 6 Drope Road has not been accurately drawn on the submitted plans, a full assessment of the impact of the proposed development on No. 6 Drope Road has been undertaken within the analysis section of this report.
- The scale and massing of the proposed scheme has been assessed and is considered acceptable.
- The small increase size of the second A3 unit proposed in the new building would raise no Land Use Policy objection.
- The contribution proposed towards highways improvement in the area has been requested by the operational manager, transportation in order to improve highways safety in the area.
- Any illegal parking being undertaken in the area is not a material planning consideration in the determination of this application. There is no evidence to suggest that the proposed development would lead to an increase in illegal parking within the locality.

9. OTHER CONSIDERATIONS

9.1 Crime and Disorder Act 1998

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

9.2 Equality Act 2010

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

9.3 *Well-Being of Future Generations Act 2016* – Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been

considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

10. Planning Obligations - Section 106

- 10.1 The following planning obligations have been agreed with the applicant to mitigate any significant adverse impact of the proposed development as defined within LDP Policy KP7
- 10.2 Highways and Transportation - £5,000 towards extending the area of 20mph speed restriction onto Drope Road.
- 10.3 The restriction of the new build element of the development for affordable housing and for no other residential use.

11. CONSLUSION

- 11.1 Having considered that responses received, including those from third party representations, the amended proposal will result in an acceptable development which would bring a redundant site back into beneficial use, whilst adding much needed affordable housing provision to the area and adding to the existing retail offer.
- 11.2 The concerns of local residents regarding building height, scale and impact upon their amenities are noted; however it is considered that the development will be policy compliant in this regard.
- 11.3 Through the omission of the third floor previously proposed, the scale of the 'new build' building would now be more consistent with that of the surrounding built form.
- 11.4 The enlarged footprint of the building would see part of its bulk brought closer to No. 6 Drope Road and 23 Barnwood Crescent than originally proposed. However, given the reduced height of the building its impact on these properties would be no greater than was originally the case.
- 11.5 The revised proposal meets the Councils minimum design / amenity standards and would bring a currently redundant site back beneficial use, whilst providing much needed affordable housing in the area.
- 11.6 The application is therefore recommended for approval, subject to relevant conditions and the completion of a Section 106 Agreement to secure the financial contributions and obligations summarised in Section 10.

The Michaelston Inn, Cardiff.

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REVISIONS

No	By	Description	Date
A	DG	Revised height/mass of building	15.11.17



- Proposed new wall
- Existing walls / structure to be retained
- Site Boundary

Schedule of Accommodation

EXISTING

MICHAELSTON INN GIA

Ground Floor (public House)	4198 ft ²	390 m ²
First Floor (existing apartment)	925 ft ²	86 m ²
Total Existing GIA	5,123 ft²	476m²

PROPOSED RETAIL AREA - NIA

Ground Floor:

Retail A1	3,000ft ²	278m ²
Back of House	1,000ft ²	92m ²
Retail 1/A3	1,250ft ²	116m ²
Retail 2/A3	1130ft ²	105m ²
Total Retail - NIA	6,380ft²	591m²

PROPOSED RESIDENTIAL UNITS - NIA

FIRST FLOOR: - NIA

3 Number 1 Bed	500ft ²	46m ²
	500ft ²	46m ²
	500ft ²	46m ²
1 Number 2 Bed:	720ft ²	67m ²

SECOND FLOOR: - NIA

3 Number 1 Bed	500ft ²	46m ²
	500ft ²	46m ²
	500ft ²	46m ²
1 Number 2 Bed:	720ft ²	67m ²

Total Residential Units:

6 Number	1 Bed
2 Number	2 Bed
Total:	8 units

EXISTING RESIDENTIAL UNIT - NIA

FIRST FLOOR: - NIA

Refurbished existing first floor flat with new access

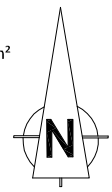
1 Number 3 Bed:	830ft ²	77m ²
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PARKING

2 disabled parking spaces
 29 parking spaces

TBA

TOTAL PARKING 31



Scale: 1: 250 @ A3
 1: 125 @ A1

morgan hayman

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Project: Michaelston Inn, Cardiff
 Client: NRB Properties
 Drawing Title: Proposed Ground Floor Plan

Drawn	Checked	Scale	Original	Date
DW	ARM	1:250	A3	June 2017
Job Number	Drawing Number	Revision	Status	
3064	PL	200	A	Planning

Proposed Ground Floor Plan.

The Michaelston Inn, Cardiff.

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REVISIONS		
No	By	Description
A	DG	Revised height/mass of building
		Date
		15.11.17



- Proposed new wall
- Existing walls / structure to be retained
- Site Boundary

Schedule of Accommodation

EXISTING

MICHAELSTON INN GIA

Ground Floor (public House)	4198 ft ²	390 m ²
First Floor (existing apartment)	925 ft ²	86 m ²
Total Existing GIA	5,123 ft²	476m²

PROPOSED RETAIL AREA - NIA

Ground Floor:

Retail A1	3,000ft ²	278m ²
Back of House	1,000ft ²	92m ²
Retail 1/A3	1,250ft ²	116m ²
Retail 2/A3	1130ft ²	105m ²
Total Retail - NIA	6,380ft²	591m²

PROPOSED RESIDENTIAL UNITS - NIA

FIRST FLOOR: - NIA

3 Number 1 Bed	500ft ²	46m ²
	500ft ²	46m ²
	500ft ²	46m ²
1 Number 2 Bed:	720ft ²	67m ²
SECOND FLOOR: - NIA		
3 Number 1 Bed	500ft ²	46m ²
	500ft ²	46m ²
	500ft ²	46m ²
1 Number 2 Bed:	720ft ²	67m ²

Total Residential Units:

6 Number	1 Bed
2 Number	2 Bed
Total:	8 units

EXISTING RESIDENTIAL UNIT - NIA

FIRST FLOOR: - NIA

Refurbished existing first floor flat with new access

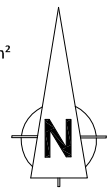
1 Number 3 Bed:	830ft ²	77m ²
-----------------	--------------------	------------------

PARKING

2 disabled parking spaces
29 parking spaces

TBA

TOTAL PARKING 31



Scale: 1: 250 @ A3
1: 125 @ A1

morgan 2 hayman

Chartered Architects Surveyors Urban Designers
16 Columbus Walk, Atlantic Wharf, Cardiff, CF10 4BY
Tel: (029) 2044 7520 Fax: (029) 2045 1813

Project: Michaelston Inn, Cardiff

Client: NRB Properties

Drawing Title: Proposed GA First Floor Plan

Drawn	Checked	Scale	Original	Date
DW	ARM	1:250	A3	June 2017
Job Number	Drawing Number	Revision	Status	
3064	PL	230	A	Planning

Proposed GA First Floor Plan.

The Michaelston Inn, Cardiff.

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* ANY DISCREPANCIES TO BE REPORTED TO THE ARCHITECT		
* DO NOT SCALE THIS DRAWING		
REVISIONS		
No	By	Date
A	DG	Revised height/mass of building



- Proposed new wall
- Site Boundary

Schedule of Accommodation

EXISTING

MICHAELSTON INN GIA

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	500ft ²	46m ²
	500ft ²	46m ²
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Total Residential Units:

6 Number 1 Bed
2 Number 2 Bed

Total: 8 units

EXISTING RESIDENTIAL UNIT - NIA

FIRST FLOOR: - NIA

Refurbished existing first floor flat with new access

1 Number 3 Bed:	830ft ²	77m ²
-----------------	--------------------	------------------

PARKING

2 disabled parking spaces
 29 parking spaces

TBA

TOTAL PARKING 31

Scale: 1: 250 @ A3
 1: 125 @ A1



16 Columbus Walk, Atlantic Wharf, Cardiff, CF10 4BY
 Tel: (029) 2044 7520 Fax: (029) 2045 1813

Project: Michaelston Inn, Cardiff

Client: NRB Properties

Drawing Title: Proposed GA Second Floor Plan

Drawn	Checked	Scale	Original	Date
DW	ARM	1:250	A3	June 2017
Job Number	Drawing Number	Revision	Status	
3064	PL	231	A	Planning

Proposed GA Second Floor Plan.

The Michaelston Inn, Cardiff.

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REVISIONS		
No	By	Date
A	DG	29.09.17
Parapet height dropped to minimal height and rear corner windows (west ele) removed following meeting with CCC		
B	DG	15.11.17
Revised height/mass of building		



South Elevation



East Elevation



North Elevation



West Elevation

SCHEDULE OF EXTERNAL FINISHES

- | | | |
|--|---|--|
| A - Brick
Proposed brick to match neighboring buildings | E - Rainwater Pipe
Grey to match window frames | J - Signage
Prefabricated parapet signage |
| B - Punched Windows
Grey framed windows with glass/spandrel panels | F - Roof
Single ply flat roofing system | K - External Doors
(residential access) Grey to match curtain walling and windows |
| C - Louvre panels
Louvre to match window frame | G - Curtain Walling
Grey framed curtain wall with glass/infill | L - Roof Parapet
PPC coping to parapet |
| D - Feature Brick Band
Dark blue/grey brick to break up ground floor and floors above | H - Infill Panels (metal)
Colour coated metal panels (colours shown on elevations) | M - Canopy |

Scale: 1: 250 @ A3
1: 125 @ A1

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16 Columbus Walk, Atlantic Wharf, Cardiff, CF10 4BY
Tel: (029) 2044 7520 Fax: (029) 2045 1813

Project: Michaelston Inn, Cardiff

Client: NRB Properties

Drawing Title: Proposed Elevations

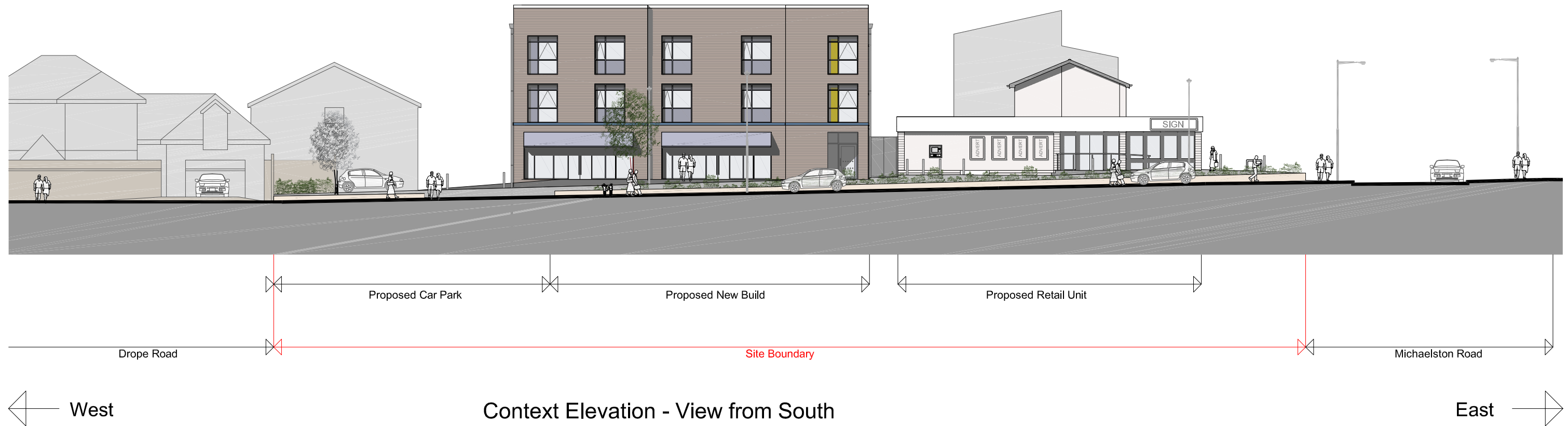
New Build

Drawn	Checked	Scale	Original	Date
DW	ARM	1:250	A3	June 2017
Job Number	Drawing Number	Revision	Status	
3064	PL	311	B	Planning

Proposed Elevations - New Build

The Michaelston Inn, Cardiff.

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REVISIONS			
No	By	Description	Date
A	DG	Parapet height dropped to minimal height to reduce following meeting with CCC	29.09.17
B	DW	Revised height/mass of building	20.11.17



Context Elevation - View from South

Proposed Context Elevations.

Scale: 1: 250 @ A3
1: 125 @ A1

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Tel: (029) 2044 7520 Fax: (029) 2045 1813

Project: Michaelston Inn, Cardiff
Client:

NRB Properties
Drawing Title:

Proposed Context Elevations
View from South

Drawn	Checked	Scale	Original	Date
DW	ARM	1:250	A3	June 2017
Job Number	Drawing Number	Revision	Status	
3064	PL	301	B	Planning

The Michaelston Inn, Cardiff.

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* DO NOT SCALE THIS DRAWING			
REVISIONS			
No	By	Description	Date
A	DG	Parapet height dropped to minimal height and rear corner windows removed following meeting with CCC	29.09.17
B	DW	Revised height/mass of building.	20.11.17



Scale: 1: 250 @ A3
1: 125 @ A1

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16 Columbus Walk, Atlantic Wharf, Cardiff, CF10 4BY
Tel: (029) 2044 7520 Fax: (029) 2045 1813

Project: Michaelston Inn, Cardiff

Client: NRB Properties

Drawing Title: Proposed Context Elevations
View from West

Drawn	Checked	Scale	Original	Date
DW	ARM	1:250	A3	June 2017
Job Number	Drawing Number	Revision	Status	
3064	PL	303	B	Planning

Proposed Context Elevations.

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REVISIONS			
No	By	Date	
A	DG	Parapet dropped to minimal height following planners request	27.10.17
B	DG	Mass of new build block amended to reduce scheme by 1 floor	22.11.17



View from South East on Michaelston Road

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 Tel: (029) 2044 7520 Fax: (029) 2045 1813

Project: Michaelston Inn, Cardiff

Client: NRB Properties

Drawing Title: Proposed Perspective

Drawn	Checked	Scale	Original	Date
DW	ARM	NTS	A3	June 2017
Job Number	Drawing Number	Revision	Status	
3064	PL	1001	B	Planning