

## LOCAL MEMBER OBJECTION

COMMITTEE DATE: 20/03/2019

APPLICATION No. **18/01598/MJR** APPLICATION DATE: 06/07/2018

ED: **CAERAU**

APP: TYPE: Full Planning Permission

APPLICANT: LCB Construction

LOCATION: LAND ADJACENT TO NUMBER 5, CHURCH ROAD, CAERAU

PROPOSAL: PROPOSED DEVELOPMENT OF 17 APARTMENTS AND ASSOCIATED WORKS

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**RECOMMENDATION 1** : That, subject to relevant parties entering into a binding legal agreement with the Council under the provisions of **SECTION 106** of the Town and Country Planning Act 1990, within 6 months of the date of this Resolution unless otherwise agreed by the Council in writing, in respect of matters detailed in paragraph 10 of this report, planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. The development shall be carried out in accordance with the following approved plans and documents:
  - 2267-200-01F GROUND AND FIRST FLOOR PLANS
  - 2267-200-02A SECOND AND THIRD FLOOR
  - 2267-200-07 PROPOSED ELEVATIONS- COLOUR
  - 2267-100-03 PROPOSED SITE PLAN

Reason: For the avoidance of doubt as to the extent of the permission

3. Prior to the construction of the building above foundation level, samples and/or manufacturer's specifications of the external finishing materials and details of the architectural detailing of the building (particularly the window reveals and cills) shall be submitted to and approved in writing 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 Cardiff Local Development Plan (2006-2026).

4. Any windows on the south east elevation facing no. 5 Church Road shall be non opening below a height of 1.8 metres above internal floor level and glazed with obscure glass and thereafter be so maintained.

Reason : To ensure that the privacy of adjoining occupiers is protected in accordance with policy KP5 of the Cardiff Local Development

Plan(2006-2026).

5. No development shall take place until a scheme for the drainage of the site and any connection to the existing drainage system has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the scheme is carried out and completed as approved.

Reason: To ensure an orderly form of development.

6. No development whatsoever shall commence until details of a scheme for the disposal of surface water has been submitted to and agreed in writing by the local planning authority. The scheme shall include an assessment of the potential disposal of surface water via sustainable means. Where a sustainable drainage scheme is to be provided the submitted detail shall:

- i. Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measure taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. Include a period for its implementation; and
- iii. Provide a management and maintenance plan of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To ensure disposal of surface water via possible sustainable means.

7. Prior to development commencing details showing the provision of cycle parking spaces, and appropriate access to them, 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 sheltered and secure parking of cycles in accordance with Policy T5 of the adopted Cardiff Local Development Plan (2006-2026).

8. Notwithstanding the details shown on the approved plans, before the development hereby approved is brought into beneficial use a plan showing details of facilities for the storage of refuse and recycling containers within the site, and details of where they will be presented for collection, shall be submitted to and approved in writing by the Local Planning Authority and thereafter refuse and recycling containers shall be stored in accordance with the approved details.

Reason: To secure an orderly form of development and protect the amenities of the area, in accordance with policy W2 of the Cardiff Local Development Plan.

9. 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 Local Planning Authority. 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.

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the Local Planning Authority within 2 weeks of the discovery of any unsuspected contamination.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to

workers, neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.

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

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

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

12. Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.  
Reason: To ensure that the safety of future occupiers is not prejudiced, in accordance with policy EN13 of the Cardiff Local Development Plan.

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

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

**RECOMMENDATION 2** : To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays

to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays. The applicant is also advised to seek approval for any proposed piling operations.

**RECOMMENDATION 3 :** The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

- (i) determining the extent and effects of such constraints and;
- (ii) aggregates and recycled or manufactured aggregates / soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under section 33 of the environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site:
  - Unprocessed / unsorted demolition wastes.
  - Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
  - Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and
- (iii) the safe development and secure occupancy of the site rests with the developer.

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

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

**RECOMMENDATION 4:** Prior to the commencement of development, the developer shall notify the Local Planning Authority of the commencement of development, and shall display a site notice and plan on, or near the site, in accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

**RECOMMENDATION 5:** 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 watermains and associated infrastructure. The level of contribution can be calculated upon receipt of detailed site layout plans which should be sent to Dwr Cymru Welsh Water Developer Services, PO Box 3146, Cardiff CF39 0EH.

**RECOMMENDATION 6:** In the interests of crime prevention and site security the developer is advised to ensure that the development is built to Secured By Design standards as promoted by South Wales Police (information on these standards is available on the website [www.securedbydesign.com](http://www.securedbydesign.com)).

## **1. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 Full planning permission is sought to erect a building that would house 17 affordable apartments with 5 parking spaces ( 3 within an undercroft and 2 off Church Road) .
- 1.2 The scheme proposes a stepping up from two storeys along the eastern side of the site, to four storeys on the north-western corner. To enable the delivery of this number of affordable dwellings the proposal seeks to increase the massing of the corner element of the proposed structure in comparison to that of the existing consent. The north-western corner of the site is therefore proposed to reach four storeys in height, having stepped up from two, to three storeys from the eastern side of the site. The two-storey side element would sit alongside existing buildings to provide a transition between the various building heights.
- 1.3 The building would be finished in a mix of red brick and cladding.
- 1.4 The submitted design and access statement (DAS) states the configuration of the flats as follows:

The proposal is for the erection of 17 affordable apartments. These will comprise of 13 one-bedroom flats and four two-bedroom flats.  
The suite of accommodation for each dwelling comprises:

  - Flat type A (three person, two bedroom flat) – two bedrooms, kitchen/dining/living room, bathroom and stores;
  - Flat types B-E (two person, one bedroom flat) – one bedroom, kitchen/dining/living room, bathroom and stores;
- 1.5 Vehicular access to the site would be via controlled gates onto Heol Trelai and the main entrance to the flats would also be off Heol Trelai.
- 1.6 The application has been supplemented by a Pre-Application Consultation report (PAC) and Design and Access Statement (DAS)
- 1.7 Since the submission of the application, the agent has confirmed that Hafod Housing Association have been confirmed as the developers of the site.

## **2. DESCRIPTION OF SITE**

- 2.1 The site is a broadly rectangular shaped plot of vacant land with a frontage of around 40m to Heol Trelai and 20m to Church Road. To the south it borders the side boundary of 5 Church Road, a two storey end-of-terrace house which is at a slightly higher level than the application site. To the west, on the opposite side

of the Heol Trelai/Church Road junction, is a social club (an extended, two storey, stone-fronted building). There are two storey semi-detached houses to the east of the site and on the opposite side of Heol Trelai to the north, and immediately to the east is an access road leading to a small three storey block of flats.

2.2 The site is not located within a conservation area or food risk zone. No listed buildings or protected trees are affected by this proposal.

### 3. **SITE HISTORY**

3.1 16/03044/MNR - proposed retail and residential above ( 9 apartments) balconies and amenity roof terrace, rear car parking and associated works - approved

### 4. **POLICY FRAMEWORK**

4.1 Planning Policy Wales, Edition 10

4.2 Technical Advice Notes (TANs):

2	Planning and Affordable Housing
11	Noise
12	Design
18	Transport
21	Waste

4.3 Local Development Plan (January 2016):

KP5	Good Quality and Sustainable Design
KP6	New Infrastructure
KP7	Planning Obligations
KP8	Sustainable Transport
KP12	Waste
KP16	Green Infrastructure
H3	Affordable housing
EN13	Air, Noise, Light Pollution and Land Contamination
T1	Walking and Cycling
T5	Managing Transport Impacts
T6	Impact on Transport Networks and Services
C5	Provision for Open Space, Outdoor Recreation, Children's Play and Sport
W2	Waste provision within development

4.4 Supplementary Planning Guidance:

Waste Collection and Storage Facilities (October 2016)  
Planning Obligations (January 2017)  
Infill sites (2017)

## 5. **INTERNAL CONSULTEES RESPONSES**

- 5.1 The Operational Manager, Transportation states: *“The application relates to 17 affordable flats, and follows a previous consent for 9 flats and retail (16/03044/MNR). The existing site comprises a rough tarmacked area/informal car park, which has vehicle crossovers at its eastern end (onto Heol Trelai westbound) and western end (onto Church Road).*

*It is proposed that the site will gain its highway accesses from the same location as the existing crossovers. The eastern access is proposed to be gated and would lead to three parking spaces, including one of increased size. The western access would be slightly widened to accommodate two off-site spaces directly off Church Road. There would be no vehicular route through the site between the two accesses. The proposed number of parking spaces accords with the SPG, and there are no in-principle issues with the highway proposals. However, it is not clear why the main car park needs to be gated, as this may cause issues for pedestrians using the Heol Trelai footpath, and this should either be amended or further details provided.*

*Whilst the amount of parking is acceptable it is the case that only 5 of the proposed units could have an on-site car parking space, and there is potential for residents of the other units to own a car and park it on nearby roads. In order to reduce the extent of this, and to ensure there are no highway safety issues, we would be seeking an extension of the existing parking restrictions adjacent to the site (on Heol Trelai and Church Road), although this would need to go through the TRO process. It is requested that a sum of £5000 be secured via a s106 agreement to cover the TRO process and works.*

*To the north of the western access, and as far as the tactile crossing, the Church Road footway is of an old concrete type, and this would need replacing and upgrading as part of the access works for the site. The eastern access should add a dropped kerb/tactile crossing on its western side. An appropriate highways agreement would be required to approve and control the highway and footway works.*

*The development will need to provide cycle parking in line with the SPG, and thus 25 spaces (1 per bedroom) are required. The DAS indicates that only 11 spaces are proposed, and the plans show a cycle parking area between the building and the bin store, although dimensions/detail for this area are not shown. The preference is for horizontal cycle parking to be provided, in order to ensure that all users can comfortably access the cycle facilities. Two-tier parking would be acceptable if it involved ramps to allow easy access. Further details of the cycle parking should be provided.*

*There are no controlled pedestrian crossing facilities on Heol Trelai within close proximity to the east of the site. There is a median walkway across Heol Trelai immediately east of the Prendergast Place junction, but this does not benefit from dropped kerbs, and has bollards that are likely to hinder pushchair and wheelchair users. This route would provide users of the site a pedestrian access to the shops and community facilities on Bishopston Road. A Section*



*106 contribution of £10,000 should be provided to make footway/crossing improvements on Heol Trelai, to help maximise sustainable travel mode use from the site.*

*It is recommended that the development provides Welcome Packs to residents setting out the alternative travel options to the site, and making it clear that only a limited amount of on-site car parking will be provided.”*

- 5.2 The Operational Manager, Environment (Contaminated Land), request details of contamination measures
- 5.3 The Operational Manager, Environment (Noise & Air)  
Noise  
Requests an upfront noise assessment due to its location next to a road  
Air  
No observations to make
- 5.4 The Operational Manager, Parks and Sport: These comments relate to the current LDP (C5 Provision for Open Space, Outdoor Recreation, Children’s Play and Sport; KP16 Green Infrastructure), and the 2017 Planning Obligations Supplementary Planning Guidance (SPG), supported by policies set out in the 2008 SPG for Open Space which set the Council’s approach to open space provision.

The Council’s LDP requires provision of a satisfactory level and standard of open space on all new housing/student developments, or an off-site contribution towards existing open space for smaller scale developments where new on-site provision is not applicable.

Based on the information provided on the number and type of units, I have calculated the additional population generated by the development to be **24.1**. This generates an open space requirement of **0.0586 ha** of on-site open space based on the criteria set for **Housing accommodation**, or an off-site contribution of **£25,005**. I enclose a copy of the calculation

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, I assume 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 Heol Trelai Open Space and Church Road Open Space.

- 5.5 The Housing Development (Enabling) Team: This planning application states that the scheme is for 17 units of affordable housing. However, the site does not currently have support to be included within our programme.

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

## 6. **EXTERNAL CONSULTEES RESPONSES**

- 6.1 The South Wales Police Crime Prevention Design Advisor: no objection and welcome the consideration given to boundary treatments, gating and good surveillance

## 7. **REPRESENTATIONS**

- 7.1 The application has been publicised by site/press notices. 7 letters of objection have been received from the owners/ occupiers of 9, 11, 13, 15, 17 and a resident of Church Road, and Glamorgan Home Guard Social Club. The grounds for the objections are:

- Loss of privacy;
- Overdevelopment of the site;
- Out of character with the area and does not accord with policy/SPG
- Insufficient parking;

In addition, the Glamorgan Home Guard social club are also concerned that the future residents will complain about the noise when people are leaving the club.

- 7.2 Local members have been notified. Councillor Bradbury objects to this application on the following grounds:
- The scale of the development
  - The design appears shoehorned within the site;
  - The scheme is an overdevelopment of the site;
  - An unacceptable impact on neighbouring properties;
  - The proposed parking provision is unacceptable in this location.

Given the concerns raised above Councillor Bradbury requests that the Planning Committee visits the site.

## 8. **ANALYSIS**

- 8.1 Key matter planning considerations are:

- I) The Principle of development;
- II) The Impact upon the character of the area;
- III) The Impact upon neighbouring properties
- IV) The Impact upon future occupiers
- V) The Impact upon parking and highway provision
- VI) The Impact upon protected species
- VII) Other matters raised

## 8.2 The Principle of development

The principle of the re-development of this site is supported. The site is located within the settlement boundary as defined in the Adopted Local Development Plan. The site has no specific designation or allocation but falls within a largely residential area, therefore the residential use is considered acceptable in terms of land use policy.

## 8.3 The Impact upon the character of the area

The site is currently a vacant corner plot that abuts Heol Trelai and given its siting it would be visible along this road. The concern of the residents and the Ward Councillor that the scheme would be out character with the area, through its scale, massing and design, is noted but whilst acknowledging that the area is dominated by two storey housing it is also recognised in the Council's design policy and guidance that corner plots can accommodate higher density subject to suitable design and materials, and this was recognised in the extant permission that granted a part 2/3 storey block (planning reference 16/03044/MNR). The proposal before committee is approximately 1 metre higher on the corner of Church Road compared to the approved scheme and 1.3 metres longer. However, Heol Trelai is a long wide road and the site is a corner plot that is lower than the housing along Church Road, with the opposite corner accommodating the Glamorgan Home Guard Social Club which is also slightly higher than the application site. As a result, given this visual reference and context, it is considered that the scale and massing of the scheme before committee would not be detrimental to the character of the area.

The key changes relate to the ground floor where the retail units are lost and replaced by flats. As a result the proposed glazing on the corner of Heol Trelai and Church Road is also lost and replaced with windows and brickwork. The Council's design policies seek to avoid inactive frontages along principal elevations. The amended plans have sought to overcome this concern through the creation of the main entrance fronting onto Heol Trelai (there is also an entrance onto Church Road) and the use of windows, both of which are considered to add visual interest and improve surveillance and activity along Heol Trelai. These changes are supported.

In terms of materials, the proposal would be finished in red brick on the ground floor with render above, combined with window projections finished in different coloured render, and Juliet balconies. These materials are not uncharacteristic within the area (Church Road) and their proposed application is considered to break the mass to ensure that the building would not be visually 'bulky', and

would accentuate its verticality. A condition has been imposed to ensure that the details around the balconies and windows are appropriate to ensure a high quality design.

#### 8.4 The Impact upon neighbouring properties

With regard to the impact of the development on neighbouring occupiers, the main effect will be on the rear garden of no. 5 Church Road as the development will extend almost the full length of its northern side boundary. However, given the siting of the development to the north of this and the other residential properties along Church Road, their elevated position, the degree of separation of these properties from the development (4 metres at its closest point) and the stepping of the height of the proposal so that the main height (11 metres) is in line with the two storey houses, ensure that the proposal would not result in an overbearing or un-neighbourly form of development that would harm the amenities of neighbouring properties, and therefore accords with the Council's design Policy KP5 and advice within the approved 'Infill Sites' SPG.

Concern over the potential loss of privacy is noted. Guidance within the approved 'Infill Sites' SPG recommends a privacy distance of 10.5 metres from a window to a boundary: the proposed windows in the south elevation would be below the recommended minimum standard and therefore a condition has been imposed for these windows to be obscurely glazed and non-opening to ensure the privacy of the adjoining neighbours is protected.

#### 8.5 The Impact upon future occupiers

Both national and local policies seek development that has consideration for the future user. It is considered that the internal configuration provides for an acceptable level of usable space for each flat, combined with balconies that provide an acceptable form of outlook and ventilation. The external amenity space is limited but would provide some functional space, i.e. drying area/sitting out, that is appropriate for the level of accommodation proposed, but this lack of space is compensated for, in part, by the location of the recreational field sited approximately 219 metres to the west of the site. Therefore the proposal is not considered to be an overdevelopment of the site.

The Council's Pollution Control section have requested an upfront noise assessment to ensure the adjoining road does not impact upon the amenity of the future occupiers through excessive noise, but given that there are already existing residential properties sited in a similar location to the proposal, the speed/ frequency of use of the road, and the fact that the site is not within a known "noisy" area, the potential noise from the road would not be considered to be an uncharacteristic feature in a residential area that would harm the amenity of residents and therefore the request, in this context, is considered unreasonable.

#### 8.7 The Impact upon parking and highway provision

National guidance and the Council's policies seek to reduce car use in areas

that can be served by other modes of transport and this is reflected within the Council's approved parking guidelines. The site is well served by bus links as well as cycling and walking provision and therefore meets the criteria above. The proposed 5 parking spaces for the 17 flats would accord with policy. In addition the scheme will, through a S106 agreement, provide infrastructure to support walking within the area.

#### 8.9 Other matters raised

Concern has been raised by the Glamorgan Social Club that the proposal of residential development in close proximity would inhibit their ability to operate. PPW 10 establishes the "agent for change principle". Paragraph 6.75 of PPW explains this process as: a business or person responsible for introducing a change is responsible for managing that change. In practice, this means a developer would have to ensure that solutions to address air quality or noise from nearby pre-existing infrastructure, businesses or venues can be found and implemented as part of ensuring development is acceptable. Given the existing level of housing around the site and that no evidence has been presented to suggest that the club is causing a nuisance, the proposal would not conflict with the agent for change principles or with Policy EN13 of the adopted Local Plan.

- Loss of privacy ( see paragraph 8.4);
- Overdevelopment of the site ( see paragraph 8.5);
- Out of character with the area and does not accord with policy/SPG ( see paragraph 8.3)
- Insufficient parking ( see paragraph 8.7);

#### 9. **CONCLUSIONS**

The proposal would provide 17 affordable units within a residential area where there is high housing need (demand of 1,390 for 1 / 2 bed accommodation) in a highly sustainable area, and as a result there is no land use policy objection to the proposal. The concerns from the objectors and ward councillor have been noted and assessed within the report against national and local policies and it is considered that, on balance, the proposal meets those objectives set within policy.

#### 10 **S.106 PLANNING OBLIGATIONS**

The following requests have been made:

Transportation:

**£10,000** to make footway/crossing improvements on Heol Trelai  
**£5000** for TRO to extend the existing parking restrictions adjacent to the site (on Heol Trelai and Church Road)

Public Open Space:

**£25,005** (compliant with the approved Planning Obligations SPG) towards the

provision of new open space, or the design/improvement of existing open space in the locality (likely to be Heol Trelai Open Space and Church Road Open Space subject to member consultation).

Housing:

Limiting the development to affordable housing tenure only.

The developer has confirmed that they are agreeable to the above.

Having regard to W/O Circular 3/97, the Council's Planning Obligations SPG and legal tests defined in CIL Regulation 122, the above requests are considered to meet the above test.

11. **RECOMMENDATION**

The application is recommended for APPROVAL subject to conditions and Legal Agreement.

12. **OTHER CONSIDERATIONS**

*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.

*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

*Well-Being of Future Generations Act 2016* – In reaching this decision, the council have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. It is considered that this decision is in accordance with the Act's sustainable development principle contribution towards the Welsh Ministers' well-being objective of supporting safe, cohesive and resilient communities as outlined in Planning Policy Wales





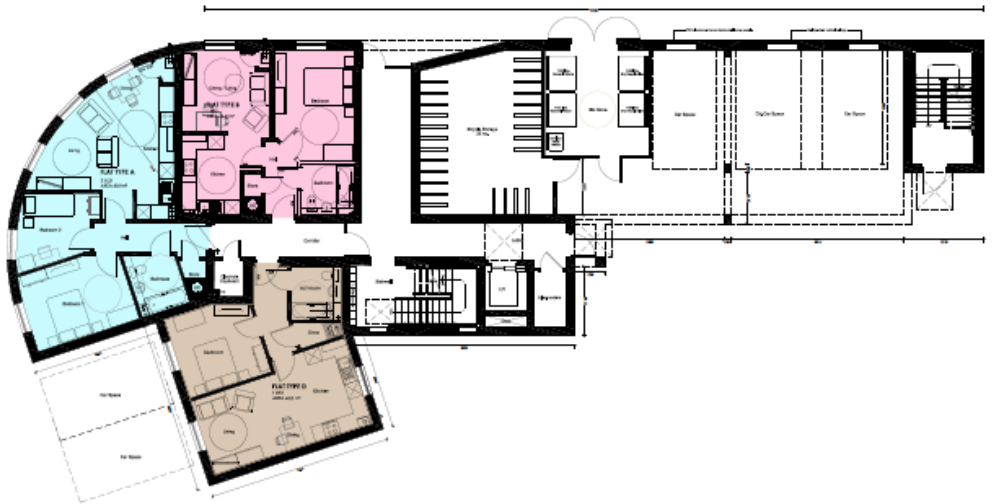




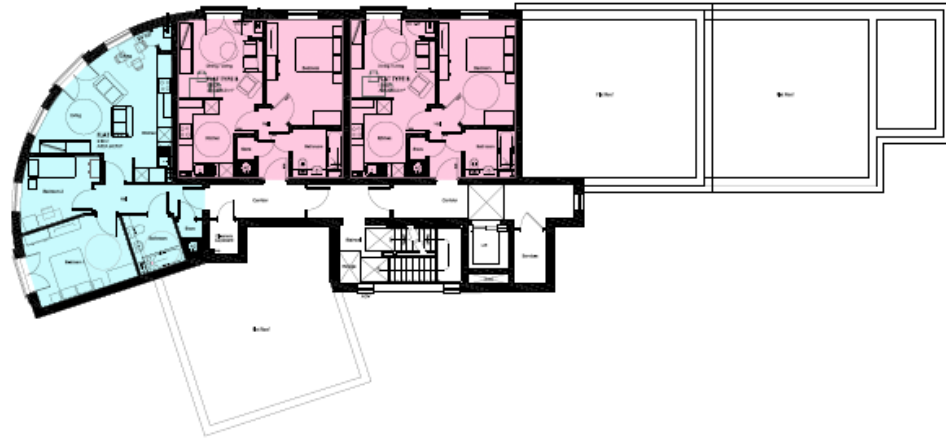


FLAT TYPE	
<span style="color: cyan;">■</span>	Flat type A
<span style="color: pink;">■</span>	Flat type B
<span style="color: purple;">■</span>	Flat type C
<span style="color: brown;">■</span>	Flat type D
<span style="color: olive;">■</span>	Flat type E

FIRST FLOOR PLAN



GROUND FLOOR PLAN



THIRD FLOOR PLAN

FLAT TYPE	
<span style="color: cyan;">■</span>	Flat type A
<span style="color: pink;">■</span>	Flat type B
<span style="color: purple;">■</span>	Flat type C
<span style="color: brown;">■</span>	Flat type D
<span style="color: olive;">■</span>	Flat type E



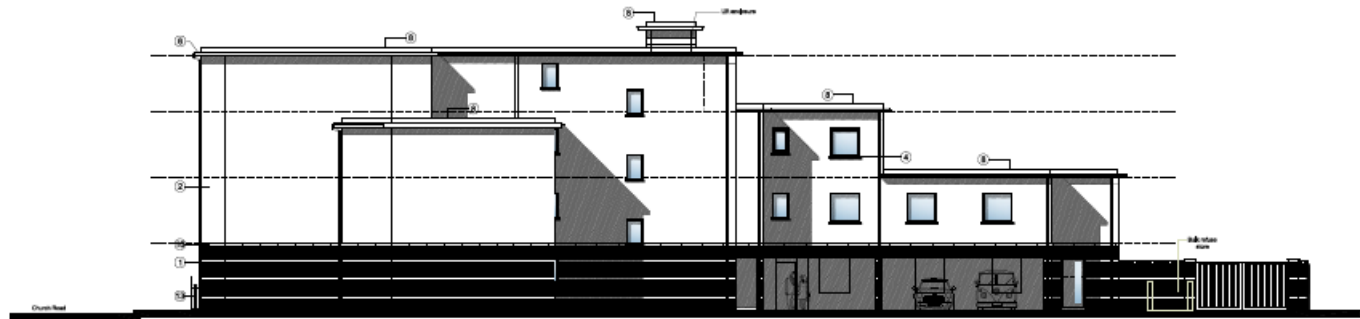
SECOND FLOOR PLAN



ELEVATION TO HEOL TRELAI

**EXTERNAL MATERIAL FINISH SCHEDULE**

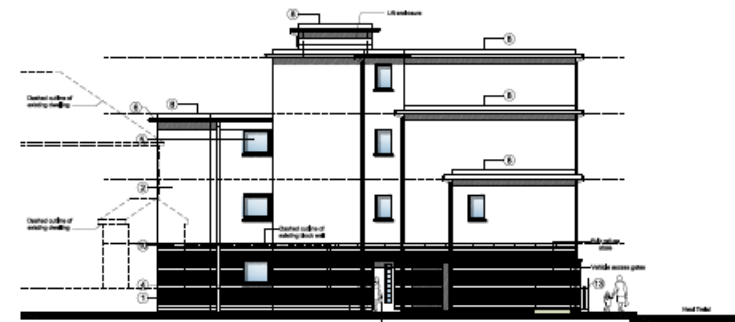
- ① Facing brickwork to main wall. Colour to be agreed.
- ② Smooth render finish.
- ③ Raked smooth render finish. Colour to be confirmed.
- ④ Cast stone sk. Colour to be confirmed.
- ⑤ PPC aluminium windows, screens and door. Colour: Dark grey.
- ⑥ Uprvc fascia and soffits. Colour to be confirmed.
- ⑦ Uprvc Rainwater Goods. Colour to be confirmed.
- ⑧ Single ply flat roof membrane.
- ⑨ Lockable steel juvee doors to bin store.
- ⑩ Cast stone horizontal band course. Colour to be confirmed.
- ⑪ Toughened glass Juliette balconies with proprietary stainless steel balings and handrails.
- ⑫ Cast stone feature bands.
- ⑬ Galv. vertical railings, 1.1m high.
- ⑭ PPC aluminium horizontal baffle panels. Colour to be agreed.
- ⑮ Black pointed glass steel railings, 1.6mm.
- ⑯ Rendered masonry piles.



ELEVATION TO CAR PARK



ELEVATION TO CHURCH ROAD

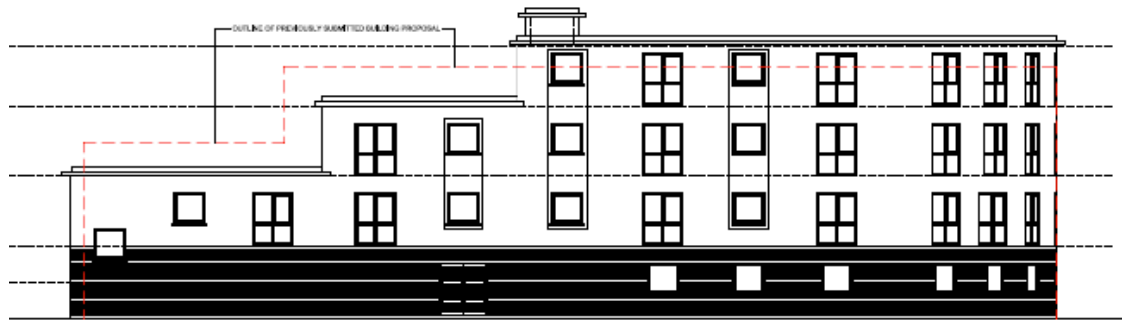


ELEVATION TO SITE ENTRANCE

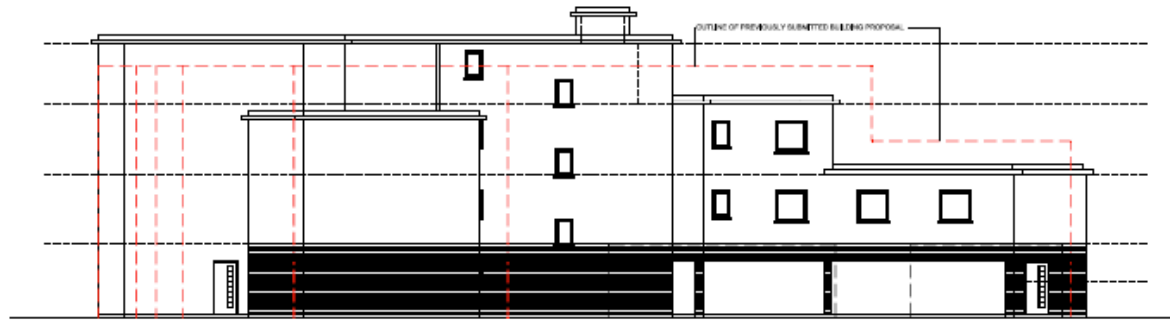


#### EXTERNAL MATERIAL FINISHES SCHEDULE

- ① Facing brickwork to main walls. Colour to be agreed.
- ② Smooth render finish.
- ③ Raked smooth render finish. Colour to be confirmed.
- ④ Cast stone sill. Colour to be confirmed.
- ⑤ PPC aluminium windows, screens and door. Colour: Dark grey.
- ⑥ Upvc fascias and soffits. Colour to be confirmed.
- ⑦ Upvc Rainwater Goods. Colour to be confirmed.
- ⑧ Single ply flat roof membrane.
- ⑨ Lockable steel louvre doors to bin store.
- ⑩ Cast stone horizontal band course. Colour to be confirmed.
- ⑪ Toughened glass Juliette balconies with proprietary stainless steel fixings and handrail.
- ⑫ Cast stone feature band.
- ⑬ Galv. vertical railings. 1.1m high.
- ⑭ PPC aluminium horizontal louvre panels. Colour to be agreed.
- ⑮ Black painted galv. steel railings. 15mm.
- ⑯ Rendered masonry piers



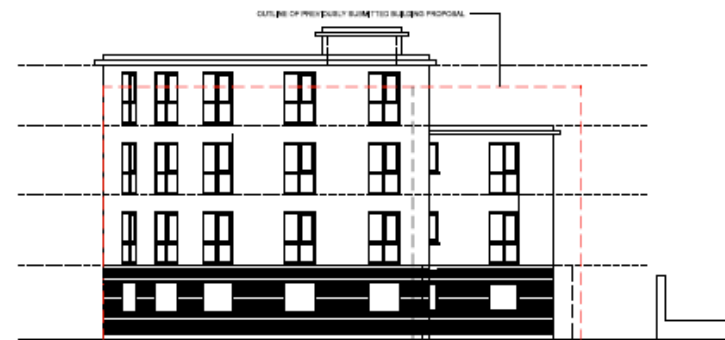
ELEVATION TO HEOL TRELAI



ELEVATION TO CAR PARK



ELEVATION TO CHURCH ROAD



ELEVATION TO CHURCH ROAD

