

PLANNING COMMITTEE

15 APRIL 2015

Present: County Councillor Michael(Chairperson)
County Councillors Lomax, Phillips, Robson, Manzoor Ahmed,
Burfoot, Gordon, Hudson and Hunt

84 : APOLOGIES

Councillor Aubrey

85 : MINUTES

The Minutes of the 10 March 2015 were approved as a correct record.

86 : DECLARATION OF INTEREST

The Chairperson reminded Members of their responsibilities under the Members Code of Conduct to declare interests and complete 'personal interest' forms at the commencement of discussion of the item in question.

COUNCILLOR	ITEM	REASON FOR INTEREST
Hunt	14/01623/DCO	Prejudicial – supporting local resident
Robson	15/00085/MJR	Prejudicial - member of the Glamorgan Archives
Thorne	15/00085/MJR	Personal – partner is an Allotment holder at Sloper Road
Lomax	15/00085/MJR	Prejudicial – member of the Glamorgan Archives

87 : RECORDING OF THE COMMITTEE

Members of the public were made aware that no recordings shall be made of proceedings of meetings of the committee whether audio or visual and by whatever method except with the express authorisation of the meeting. If a person records the proceedings of any meeting (or causes such recordings to be affected) without authorisation then the Chairperson will order their removal from the meeting room and shall not permit them to be admitted to a further meeting of the committee except on a written undertaking to desist from such recordings as may have been made and anything derived from them.

88 : PETITIONS

The Committee received petitions in respect of the following applications. In accordance with Planning Committee meeting Procedure Rule 14.2, the petitioners had been advised of their right to speak and where applicable the applicants/agents had been advised of their right to reply.

- (i) Application no 14/02804/DCH – 104 King George V Drive North, Heath
- (ii) Application no 15/00225/MJR – Clare Road Depot, Clare Road, Grangetown

In respect of (i) the Petitioner spoke and the Applicant responded.
In respect of (ii) the Petitioner spoke and the Applicant responded.

89 : DEVELOPMENT CONTROL APPLICATIONS

The Committee considered the schedule of development control applications submitted in accordance with the Town and Country Planning Act 1990:
RESOLVED: That pursuant to this Committee's delegated powers, the following development control application be determined in accordance with the recommendations as set out in the reports of the Director of Strategic Planning, Highways, Traffic & Transportation, subject to any further amendments as detailed below and notification be given of the decision in accordance with Section 70 of the Town and Country Planning Act 1990 or Section 16 or Section 74 of the Planning (Listed Buildings & Conservation Areas) Act 1990:

(A) APPLICATIONS GRANTED

13/02600/DCO – SPLOTT

LAND AT TRIDENT PARK, GLASS AVENUE

Discharge of Condition 4 (Phase two verification report: Bunker excavation) of planning permission 10/00149/E (The erection of an energy from waste facility to include a combined heat and power plant, pre-treatment/recycling facility, incinerator bottom ash recycling and ancillary offices)

14/01940/DCI – GRANGTOWN

TEMA GROUP, BRINDLEY ROAD

Construction of two-bay paint shops with associated two-storey offices, service areas, car parking and lay-down areas, boundary fencing and drainage facilities, diversion of public footpath from Ely trail to Brindley Road.

14/02001/DCO – LLANISHEN

157 TY GLAS ROAD

Demolition of existing dwelling and erection of proposed development to form three detached houses.

Subject to an amendment to Condition 7 to read:

'Unless written consent is provided by the Local Planning Authority no development shall take place that does not accord with the submitted Cardiff Treescapes Arboricultural Report received on 28 November 2014 and Cardiff Treescapes Arboricultural Impact Assessment and Tree Protection Plan received on 10 April 2015.

Subject to an additional Condition 13 to read:

'Prior to the commencement of development a scheme of construction management shall be submitted to and approved in writing by the Local Planning Authority, to include details of construction traffic routes, details of any temporary site access/parking, the location of compounds for the storage of plant and materials, measures to prevent dust pollution, plant and wheel washing facilities and site hoardings. The scheme shall be carried out in accordance with the approved details. The approved measures shall remain in operation for the duration of the development unless otherwise agreed in writing by the local planning authority'

15/00085/MJR – GRANGETOWN

HOUSE OF SPORT, CLOS PARC MORGANNWG, LECKWITH
Construction of further extension to existing House of Sport facilities.

15/00225/MJR – GRANGETOWN

CLARE ROAD DEPOT, CLARE ROAD

Change of use and conversion of the former Tram Shed to create a mixed use scheme comprising a community store (A1), café/bars (A3), business incubator units (B1), multipurpose studios (D1/D2), residential live/work units (C3), gallery (D1) and performance hall (D2), access and servicing arrangements, sub-station and associated works.

Subject to an amendment to condition 3 to read:

'Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and/ or town and country planning General Permitted Development Order 1995 the buildings and land shall only be used for the purposes specified in the application (community store (A1); café/bar (A3); business incubator units (B1); multi purpose studios (D1/D2); residential live-work units (C3/B1 (a); gallery (D1); and performance hall (D2) potentially used for conferences and exhibitions of a maximum of 1000 person capacity) and for no other purpose (including any other purpose in any provisional equivalent to those Classes in any statutory instrument amending, revoking or re-enacting those Orders or as might otherwise be a permitted change of use in or between relevant classes)

Subject to an amendment to condition 4 to read:

'There shall be no enlargement of subdivision of the floorspace areas approved for each particular uses within the building:

A1 328m²

A3 433m²

B1 324m²

D1 172m2

D2 996m2

(including use specific WCs, ancillary plant and stores, but excluding general WCs, lobby, salon, general circulation and external spaces) and 31 X C3 or C3/B1 (a) 'live work' units. Unless otherwise agreed in writing with the Local Planning Authority.

Subject to an amendment to Condition 5 to read:

'Prior to the beneficial use of the buildings for the purposes hereby approved, full details of the method and effectiveness of the acoustic contaminant of the principle performance space shall be submitted to and approved in writing by the local planning authority and shall thereafter be implemented in accordance with the approved details prior to the approved use commencing.

Subject to an amendment to Condition 6 to read:

'Prior to their implementation, full details of the means of proposed boundary enclosure, including all gates, fencing, walls, new doors, and windows, louvres, roller shutters and additional external; access stairs and platforms and access controls shall be submitted to and approved by the local planning authority in writing and thereafter shall be implemented in full accordance with the approved details prior to the beneficial use of the premises for the purposes hereby approved'

Subject to an amendment to Condition 7 to read:

'The repairs and infilling of external brickwork; new roof covering and any new drainage goods shall accord with a specification of materials, finishes and samples which shall first have been submitted to and approved by the Local Planning Authority in writing'

Subject to an amendment to Condition 8 to read:

'No member of the public shall be admitted to or allowed to remain in the Café/bar/Gallery, outside of the house of 07:00 to 23:00 Monday to Saturday and 07:00 – 22:30 on Sundays'

Subject to an amendment to Condition 9 to read:

'No member of the public shall be admitted to or be allowed to remain in the principal performance venue or ancillary food and drink areas hereby approved outside of the hours of 08:00 – 23:00 Mon – Thurs; 08:00 – 00:30 Fri and Sat, and 10:00 – 22:30 on Sundays'

Subject to an amendment to Condition 10 to read:

'Prior to the beneficial use of the premises for the purposes hereby approved, the development shall be provided with a system of CCTV capable of evidential quality recording in accordance with a scheme of detail which shall first have been submitted to and approved by the Local Planning Authority in writing. No part of the building shall be put to beneficial use such time as the CCTV system is operational'

Subject to an amendment to Condition 17 to read:

'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 submission carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA/ WAG/ EA guidance document 'Land Contamination: A guide for Developers' (July 2006), unless the Local Planning Authority agrees to any variation'

Subject to an amendment to Condition 25 to read:

'No part of the development hereby permitted shall be put to beneficial use until a scheme of environmental improvements to the footway and carriageway adjacent to the site, to continue the improvements completed to the east of the site, has been submitted to and approval in writing by the Local Planning Authority. The works should include as required but not be limited to surfacing, kerbs, edging, drainage, lighting, lining and signing, street furniture, street trees and Traffic Orders as may be required as a consequence of the scheme. The agreed scheme to be implemented to the satisfaction of the Local Planning Authority prior to beneficial use/occupation of the site'

Subject to an additional Condition 26 to read:

'Prior to the beneficial use of the premises for the purpose hereby approved, an emergency flood management plan detailing the measures and procedures to be undertaken by staff at the facilities in the event of an extreme flood warning, shall be submitted to and approved by the Local Planning Authority in writing. The approved document shall thereafter be available to all future businesses, tenants and owners of the premises upon occupation'

Subject to additional Condition 27 to read:

'Prior to the beneficial occupation of any of the residential units hereby proposed, a detailed noise assessment and robust scheme of sound insulation measures shall be submitted to and approved in writing by the Local Planning Authority to provide that all habitable rooms exposed to external road traffic noise in excess of 63 dBA Leq 16 hour [free field] during the day [07.00 to 23.00 hours] or 57 dBA Leq 8 hour [free field] at night [23.00 to 07.00 hours] shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 40 dBA Leq 16 hour during the day and 35 dBA Leq 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be provided with acoustically treated active ventilation units. Each ventilation unit (with air filter in position), by itself or with an integral air supply duct and cowl (or grille), shall be capable of giving variable ventilation rates ranging from –

1) an upper rate of not less than 37 litres per second against a back pressure of 10 newtons per square metre and not less than 31 litres per second against a back pressure of 30 newtons per square metre, to

2) a lower rate of between 10 and 17 litres per second against zero back pressure.

No habitable room shall be occupied until the approved sound insulation and ventilation measures have been installed in that room. Any private open space (excepting terraces or balconies to any apartment) shall be designed to provide an area which is at least 50% of the area for sitting out where the maximum maximum day time noise level does not exceed 55 dBA Leq 16 hour [free field]'

Subject to an additional Condition 28 to read:

'Prior to commencement of works to provide the residential live/work units, a detailed noise assessment and a robust scheme of sound insulation works to the (floor/ceiling) and (party wall) structures between the residential units and commercial units shall be submitted to and agreed by the Local Planning Authority in writing and implemented prior to beneficial occupation'

Subject to an additional Condition 29 to read:

Prior to commencement of works to provide the residential live/work units, a detailed noise assessment and a robust scheme shall be submitted to and approved in writing by the Local Planning Authority to provide that all habitable rooms exposed to external railway noise in excess of 66 dBA Leq 16 hour (free field) during the day (07.00 to 23.00 hours) or 59 dBA Leq 8 hour (free field) at night (23.00 to 07.00 hours) shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 40 dBA Leq 16 hour during the day and 35 dBA Leq 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be provided with acoustically treated active ventilation units. Each ventilation unit (with air filter in position), by itself or with an integral air supply duct and cowl (or grille), shall be capable of giving variable ventilation rates ranging from –

1) an upper rate of not less than 37 litres per second against a back pressure of 10 newtons per square metre and not less than 31 litres per second against a back pressure of 30 newtons per square metre, to

2) a lower rate of between 10 and 17 litres per second against zero back pressure.

No habitable room shall be occupied until the approved sound insulation and ventilation measures have been installed in that room. Any private open space (excepting terraces or balconies to any apartment) shall be designed to provide an area which is at least 50% of the area for sitting out where the maximum day time noise level does not exceed 55 dBA Leq 16 hour [free field]'

Subject to an additional Condition 30 to read:

'Prior to commencement of works to provide the residential live/work units, a detailed vibration assessment and scheme shall be submitted to and approved in writing by the Local Planning Authority to provide that the dwellings are designed and constructed so as to ensure that vibration dose values do not exceed 0.4m/s^{1.75} between 07.00 and 23.00 hours, and 0.26m/s^{1.75} between 23.00 and 07.00 hours, as calculated in accordance with BS 6472:1992, entitled "Guide to Evaluation of Human Exposure to Vibration in Buildings", [1Hz to 80Hz]. The dwellings shall be constructed in accordance with the approved scheme'

Subject to an additional Condition 31 to read:

‘Arrival, departure, loading or unloading of delivery vehicles should only take place between the hours of 08:00 – 16:00 on any day’

Subject to an additional Condition 32 to read:

‘Fixed plant noise shall not realise a noise nuisance or exceed an upper dBA limit to be confirmed by the Local Planning Authority further to the submission and approval of a noise assessment undertaken in accordance with BS 4142: 2014 (or any British Standard amending or superseding that standard)’

Subject to an additional Condition 33 to read:

‘Prior to amplified music being played in or any system of public address being used in the performance space, the cinema or any other areas within the complex, a detailed noise report must be submitted to the Local Planning Authority which will demonstrate a robust scheme of sound insulation to prevent the output of such systems from affecting the amenities of any noise sensitive receptors. The scheme must be submitted and approved in writing by the Local Planning Authority prior to implementation and thereafter implemented as approved prior to the playing of amplified music or use public address within the complex’

Subject to an additional Condition 34 to read:

‘Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification) no sale of hot food for consumption off the premises shall take place from the premises’

Subject to an additional Condition 35 to read:

‘The extraction of all fumes from the food preparation areas shall be mechanically extracted to a point to be agreed in writing by the Local Planning Authority, and the extraction system shall be provided with a de-odorising filter. All equipment shall be so mounted and installed so as not to give rise to any noise nuisance. Details of the above equipment including the chimney 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’

Subject to an additional Condition 36 to read:

‘Prior to beneficial occupation, the development shall be provided with a scheme of secure resident, staff and visitor cycle parking, in accordance with a scheme of detail which shall first have been 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 and thereafter the cycle parking spaces shall be retained and shall not be used for any other purpose’

Subject to an additional Condition 37 to read:

‘No part of the development hereby permitted shall be operated until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals and targets together with a timetable to limit or reduce the number of single occupancy car journeys to/from the site, and to promote travel by sustainable modes that are acceptable to the Local Planning Authority. The Travel Plan shall include the name and contact details of the person who will operate and coordinate the implementation of the plan on behalf of the Owner, and the plan shall be implemented in accordance with the timetable set out therein. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually to the Chief Transportation Officer.’

Subject to an additional Condition 38 to read:

‘The performance venue shall be operated in accordance with an operational management plan, which shall first have been submitted to and approved in writing by the local planning authority. The plan shall thereafter be re-submitted to the Local Planning Authority for review, once every three months within the first year of operation and once every six months for two years thereafter and the venue shall operate in accordance with the most currently approved plan.’

Subject to an additional Condition 39 to read:

‘In situations where doors and ground floor windows are located adjacent to the public footway, such features shall be constructed/installed in such a way that they can only open inwards to the building, not outwards over the adjacent public footway.’

Subject to an additional Condition 40 to read:

‘Prior to commencement of development a scheme of construction management shall be submitted to and approved by the Local Planning Authority, to include details of construction traffic routes, site hoardings, site access, contractor parking and wheel washing facilities. Construction of the development shall be managed strictly in accordance with the scheme so approved.’

Subject to an additional Condition 41 to read

‘Prior to the beneficial use of the building for the purposes hereby approved, the applicant shall provide, and be responsible for the future servicing of, a number of strategically placed litterbins within the demise of the complex, which shall thereafter be retained.’

15/00352/MJR – CATHAYS

109 ST MARY STREET, CITY CENTRE

Proposed redevelopment and change of use to existing offices (vacant) to backpackers hostel to accommodate 67 guests. New shop front.

(B) APPLICATIONS GRANTED ON EXECUTION OF A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990

14/02360/MNR

LAND AT CARDIFF ROAD

Erection of 8 dwellings, access arrangements and associated works.

Subject to an amendment of paragraph 8.1 of the report to read:

‘Planning permission is sought to construct 8 no dwellings on approximately 0.39 hectares of agricultural land at Cardiff’

14/02635/MJR – ADAMSDOWN

ST JAMES’ CHURCH, NEWPORT ROAD

Change of use for a Grade II listed building last used as a church to be converted to 16 residential apartments.

Subject to an additional Condition 12 to read:

‘No development in addition to the show flat under construction shall be commenced until such time as a Bat survey has been undertaken, and submitted to and approved by the local planning authority in writing. The survey shall report on the use that bats make of the building and make recommendations as to appropriate mitigating measures as may be required to ensure the favourable conservation status and for the provision of replacement habitat as may be lost as a consequence of the development hereby approved, together with a timeframe of implementation. The recommendations shall be carried out in accordance with the approved details.

Subject to an additional Condition 13 to read:

‘Should construction be undertaken in a phased manner, the bat survey required by condition 12 shall extend to those elements of the building agreed by the Local Planning Authority prior to the commencement of any particular phase.

14/02770/MJR – FAIRWATER

LAND BETWEEN 53 AND 81 GORSE PLACE

14 no affordable dwelling houses and associated parking

Subject to an amendment to Condition 7 to read:

‘In the event that contamination is found at anytime when carrying out the approved development that was not previously identified it shall 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 shall be undertaken and where remediation is necessary a remediation scheme and verification plan shall 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 shall 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'

Subject to an amendment to Condition 8 to read:

'Ant 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 to 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, verification sampling of the material received at the development site is required to verify that the imported soil is free from contamination and shall be undertaken in accordance with a scheme agreed with in writing by the Local Planning Authority'

Subject to an additional Condition 9 to read:

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

All respective Conditions are now renumbered accordingly.

14/02859/MNR – RIVERSIDE

PARSONS BRINCKERHOFF LIMITED, 27-29 CATHEDRAL ROAD

Proposed conversion of existing offices to provide of 9 no dwellings including the infilling of covered parking area and insertion of new doors at ground floor level.

14/03004/MJR – CATHAYS

CARADOG HOUSE 1-6 ST ANDREW'S PLACE

Change of use and partial re-build of Caradog House to provide 378 student beds consisting of 152 twodios (double occupancy) 40 studios and 17 double occupancy studios with approximately 250M of ancillary communcal student facilities and associated works.

Subject to an additional Condition 23 to read:

'The north-facing windows of the first floor twodio bedroom and the second floor studio bedroom located closest to the Pen and Wig PH shall be non-opening below a height of 1.8m above internal floor level and glazed with obscure glass and thereafter be so maintained'

Subject to an additional Condition 24 to read:

'D9B Amended Plans *0210A; 0211A; 0310A; 0311A*

Subject to an amendment to Recommendation 1 to read:

'The amount requested by Parks based on the Open Space SPG is £178,918'

15/00176/MJR – PENTWYN

PENTWYN COMMUNITY EDUCATION CENTRE, BRYNHEULOG
Construction of 18 no. Two-storey dwellings, access, car parking and associated works.

(C) APPLICATIONS DEFERRED

14/01673/DCO – LLANISHEN

BLAIR ATHOL, LISVANE ROAD
Demolition of existing house and cottage construction of 2 new houses and 6 apartments.

Reason: In order for a site visit to this location to take place

14/02804/DCH – HEATH

104 KING GEORGE V DRIVE NORTH
Two storey rear extension & first floor rear extension on top of existing ground floor rear extension.

Reason: In order for a site visit to this location to take place

(D) APPLICATIONS WITHDRAWN

15/00239/MNR – RUMNEY

PETHERTON VETERINARY SURGERY, 86 WENTLOOG ROAD
Demolition of the existing vacated veterinary surgery and associated accommodation and subsequent re-build and change of use to a new domestic care-home for young adults.

The Committee noted the application was Withdrawn at the request of the applicant.

90 : **APPLICATIONS DECIDED BY DELEGATED POWERS**

The Committee received the report on applications decided under delegated powers for March 2015.

RESOLVED: That the report be noted.

91 : **DATE OF NEXT MEETING**

The next Planning Committee Development Control meeting was scheduled to take place on 13 May 2015 at 2:30pm in Committee Room 4, County Hall.