

COMMITTEE DATE: 26/02/2020

APPLICATION No. **19/03219/MJR** APPLICATION DATE: 12/12/2019

ED: **PENTWYN**

APP: TYPE: Full Planning Permission

APPLICANT: Cardiff Council Housing Development Team
LOCATION: FORMER POLICE STATION, MAELFA, LLANEDEYRN,
CARDIFF, CF23 9PN

PROPOSAL: DEMOLITION OF EXISTING GARAGES AND DEVELOPMENT
OF 41NO. INDEPENDENT LIVING CARE-READY FLATS AND
ASSOCIATED WORKS

RECOMMENDATION 1 : That Planning Permission be **GRANTED** subject to the applicant providing a Unilateral Undertaking under Section 106 for the requirements specified in paragraph 9.1 of this report and subject to the following conditions:

1. C01 Statutory Time Limit

2. This approval is in respect of the following drawings:

| | |
|---|----------------------------------|
| Location Plan | MIL-ASL-00-DR-A-0900 rev. P1 |
| Site Plan | MIL-ASL-00-GF-DR-A-0155 rev. P2 |
| Ground Floor GA Plan | MIL-ASL-00-00-DR-A-0100 rev. P16 |
| First Floor GA Plan | MIL-ASL-00-01-DR-A-0101 rev. P11 |
| Second Floor GA Plan | MIL-ASL-00-02-DR-A-0102 rev. P7 |
| Third to Fourth Floor GA Plan | MIL-ASL-00-03-DR-A-0103 rev. P6 |
| Fifth Floor GA Plan | MIL-ASL-00-05-DR-A-0104 rev. P6 |
| Roof GA Plan | MIL-ASL-00-RF-DR-A-0105 rev. P5 |
| South Elevation | MIL-ASL-00-ZZ-DR-A-0110 rev. P8 |
| West Elevation | MIL-ASL-00-ZZ-DR-A-0111 rev. P8 |
| North Elevation | MIL-ASL-00-ZZ-DR-A-0112 rev. P8 |
| East Elevation | MIL-ASL-00-ZZ-DR-A-0113 rev. P8 |
| Building Section AA | MIL-ASL-00-02-DR-A-0120 rev. P5 |
| Site Sections (West & North Elevations) | MIL-ASL-00-ZZ-DR-A-0125 rev. P3 |

Reason: To avoid any doubt and confusion as to the approved plans

3. Prior to development commencing on the construction of the approved building samples of materials to be used on the exterior of the building shall be submitted for the approval of the local planning authority and the building shall be finished in the approved materials.

Reason: In the interests of the visual amenities of the area (LDP Policy KP5).

4. 2m high railings and matching gates shall be installed from the north east corner of the building to the rear garden of the townhouses to the east along the line of the wall/gates and between the substation and curtilage of adjoining residential units shown on drawing MIL-ASL-00-GF-DR-A-0155 rev. P2
Reason: In the interests of the visual amenities of the area (LDP Policy KP5).
5. Prior to the commencement of development, other than demolition on site, details of the height and external appearance of any retaining walls shall be submitted for the approval of the local planning authority and then constructed as approved.
Reason: In the interests of the visual amenities of the area (LDP Policy KP5).
6. Details of the position and arcs of coverage of CCTV and security lighting shall be submitted to and approved in writing by the Local Planning Authority and then be implemented as approved prior to the school being brought into beneficial use.
Reason: In the interests of the amenities of nearby residential occupants (LDP policy EN 13).
7. Prior to the commencement of this phase of the development a detailed Construction Environment Management Plan for the construction phase of the development and a Construction Code of Practice shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environment Management Plan shall provide details of measures proposed for the storage of all plant, machinery and materials to be used in connection with the construction of the development and for controlling any escape of noise and/or fumes during the works. The development shall be carried out in accordance with the Construction Environment Management Plan.

The scheme shall in particular include:-

- 1) locations for the storage of all plant and machinery to be used in connection with the construction of the development;
- 2) details of all bunds, fences and other physical protective measures to be placed on the site in connection with such storage including the time periods for placing and retaining such bunds, fences and measures (as the case may be);
- 3) provision for the on-going maintenance of any such bunds, fences and other measures;
- 4) the control and removal of spoil and wastes;

and

The Code of Practice shall indicate:-

- a. the proposed hours of operation of construction activities and deliveries;
- b. the frequency, duration and means of operation involving

- demolitions, excavations, drilling, piling, and any concrete production;
- c. sound attenuation measures incorporated to reduce noise at source;
- d.. details of measures to be taken to reduce the generation of dust;
- e. the routes of construction traffic to and from the site including any off site routes for the disposal of excavated material and wheel washing arrangements.

The Code of Practice shall be strictly adhered to during all stages of the construction of the proposed development.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity and future occupiers are protected. (LDP policy EN13)

8. 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 (LDP policy EN13).

9. Prior to implementation a noise assessment shall be carried out and submitted to the Local Planning Authority 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 (LDP policy EN13).

10. In the event that contamination is found at any time 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 shall 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.

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 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 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 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.

13. 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 (LDP policy EN13).

14. No development shall take place, other than demolition, until full details of soft landscaping have been submitted to and approved in writing by

the Local Planning Authority. These details shall include:

- A soft landscaping implementation programme.
- Scaled planting plans prepared by a qualified landscape architect.
- Evidence to demonstrate that existing and proposed services, lighting, CCTV, drainage and visibility splays will not conflict with proposed planting.
- Schedules of plant species, sizes, numbers and densities prepared by a qualified landscape architect.
- Scaled tree pit sectional and plan drawings prepared by a qualified landscape architect that show the Root Available Soil Volume (RASV) for each tree.
- Topsoil and subsoil specification for all planting types, including full details of soil assessment in accordance with the Cardiff Council Soils and Development Technical Guidance Note, soil protection, soil stripping, soil storage, soil handling, soil amelioration, soil remediation and soil placement to ensure it is fit for purpose. Where imported planting soils are proposed, full specification details shall be provided including the parameters for all imported planting soils, a soil scientists interpretive report demonstrating that the planting soil not only meets British Standards, but is suitable for the specific landscape type(s) proposed (the soil scientist shall have access to all landscape plans and specifications). The specification shall be supported by a methodology for storage, handling, amelioration and placement.
- Planting methodology and post-planting aftercare methodology prepared by a qualified landscape architect, including full details of how the landscape architect will oversee landscaping implementation and report to the LPA to confirm compliance with the approved plans and specifications.

The submitted details shall be consistent with other plans submitted in support of the application and the landscaping shall be carried out in accordance with the approved design and implementation programme.

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.

15. 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 14.
Reason: To maintain and improve the amenity and environmental value of the area (LDP Policy KP5).

16. Prior to development commencing on the construction of the approved

building details showing the provision of cycle / mobility scooter 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/scooter 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/mobility scooters (LDP Policy T1).

17. Prior to development commencing details of the access road with Round Wood, and the adjacent pedestrian gate, shall be submitted to and approved in writing by the Local Planning Authority, to include details of the gate mechanisms/orientation, boundary treatment with the adjacent CCHA site, and pedestrian/tactile crossing details. Those details shall be implemented prior to beneficial occupation.

Reason: To ensure that the use of the proposed development ensures appropriate access for pedestrians and cyclists (LDP Policy T1).

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 : No burning of waste or burning of waste materials on site and all waste associated with the construction of the development to be disposed of correctly by suitably licenced waste contractors.

RECOMMENDATION 4 : The contamination assessments and the affects 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 5: The applicant should have regard to the advice provided in consultees' responses.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 The proposal is for a five/six storey residential block on land immediately north of Maelfa tower block. The proposal involves an extension to Maelfa House comprising the demolition of existing garages, the construction of 41 independent living accessible flats comprising 38 one-bedroom flats and 3 two-bedroom flats along with community and ancillary spaces including a new community room, a first floor roof-top garden and upgraded lounge in Maelfa House.
- 1.2 The development is stepped in height reaching six-storeys on its western elevation and five storeys on its eastern elevation. The block will provide a connection to Maelfa House to the south via a first floor garden link. The proposal also includes sustainable drainage proposals, landscape planting, car parking, waste storage facilities and associated infrastructure including a new substation.
- 1.3 A refurbished lounge in Maelfa House is also proposed that will connect to the glazed link, as well as connect to and overlook the proposed roof top garden.
- 1.4 The elevations of the building would be finished in light buff brickwork. The link between the proposed development and the existing residential tower block will comprise of extensive fenestration supported by brickwork.
- 1.5 The proposal seeks to maintain the existing vehicle access to the north of the site from Round Wood. The existing access will remain at a width of approximately 5.5m. The access will lead to the parking court located within the east of the site. 17 car parking spaces are to be provided including three disabled spaces, which seeks to account for the residents of the development.

Ground floor scooter storage is provided, which could also be used for bicycles.

- 1.6 The roof garden above the link is some 250sqm in area. Adjoining the car parking areas are several rain gardens. Each apartment has a balcony varying from 5 to 8sqm in area.
- 1.7 The applicant has confirmed that the majority of downpipes are concealed with only some exposed that are picked up in the elevation drawings indicated by notation 'RWP'.
- 1.8 The intention is to have solid planters on the balconies combined with railing to balance openness and light with privacy and comfort. We have also enhanced the feeling of light by replacing the grey panelling with a paler coloured panel as shown by the revised elevation drawings.

2. **DESCRIPTION OF SITE**

- 2.1 The site forms part of the wider mixed-use regeneration of the former Maelfa shopping centre consisting of shops, terraced housing and apartment blocks, new retail units and community uses.
- 2.2 The site is broadly rectangular in shape, measuring 0.37ha and is located on the junction of Llanedeyrn Drive and Round Wood. The site was formerly home to a police station. There remain a row of garages on the site which are to be demolished.
- 2.3 The site is elevated which increases the site's prominence within the street scene. It lies above Llanedeyrn Drive which bounds the site to the west beyond a small area of grass which slopes down from the site to the road. Round Wood bounds the site along its northern boundary with access into the site available from the northeast corner. Round Wood slopes downward in a westerly direction to its junction with Llanedeyrn Drive. The site will be bound to the east by townhouses which are currently under construction as part of the wider regeneration works. The Maelfa House block of apartments bounds the site to the south, which will be integrated into the scheme.
- 2.4 Just beyond the site boundaries the area forms a mix of uses comprising community facilities, shops and dwellings. The site lies within the Maelfa Local Centre. The newly constructed shopping centre is located just beyond Maelfa House, offering a variety of retail uses. Additionally, the Hub Community Centre (Powerhouse) is located to the north of the site immediately beyond Round Wood. Llanedeyrn Health Centre is currently approximately 100m east of the site but is to be relocated to adjoin the Powerhouse in the near future.
- 2.5 Approximately 100m to the south west of the site are two bus stops which allow access to regular services which operate every 10 minutes throughout the day.

3. **SITE HISTORY**

- 3.1 Planning history on or in close proximity to this site since 2015 comprises the

following:-

15/03158/MJR Demolition of Maelfa Shopping centre and construction of 111 dwellings and 9 commercial units, car park, public square, landscaping, new vehicular routes associated infrastructure and other works - approved 01/09/2016.

3.2 A considerable amount of recent applications followed on, in relation to discharge of conditions and non-material amendments.

4. **POLICY FRAMEWORK**

4.1 It is considered that the following LDP policies are relevant to this development:-

KP3 (B) Within the Settlement Boundary
KP5 Good Quality and Sustainable Design
KP6 New Infrastructure
KP7 Planning obligations
KP8 Sustainable Transport
KP14 Healthy Living
KP15 Climate Change
H3 Affordable Housing
H6 Change of use or redevelopment to residential use
EN8 Trees, Woodlands and Hedgerows
EN12 Renewable Energy and Low Carbon Technologies
EN13 Air, Noise, Light Pollution and Contaminated Land
EN14 Flood Risk
R5 Local Centres
T1 Walking and Cycling
T5 Managing Transport Impacts
T6 Impact on Transport Networks and Services
C1 Community Facilities
C3 Community Safety/Creating Safe Environments;
C5 Provision for Open Space, Outdoor Recreation, Children's Play and Sport
C6 Health
W2 Provision for Waste Management Facilities in Development.

4.2 It is considered that the following SPGs are relevant to this development:-

Green Infrastructure
Managing Transportation Impacts (Including Parking Standards)
Ecology and Biodiversity Technical Guidance Note
Planning Obligations
Planning for Health and Wellbeing
Protection and Provision of Open Space in New Development
Residential Design Guide
Soils and Development
Tall Buildings Design Guide
Trees and Development

Waste Collection and Storage Facilities

5. **INTERNAL CONSULTATIONS**

5.1 (a) The Tree Officer states:

No significant trees will be affected by development.

The indicative proposal to plant new trees is supported and I have suggested possible species and minimum tree pit extents on the attached to enable adequate Root Available Soil Volume (RASV). Adequate RASV is reliant on planting soils being fit for purpose, so if there is any intention to use in-situ, or site won soil for planting, it must first be found fit for purpose via a Soil Resource Survey and Plan prepared in accordance with the Soils and Development TGN. Otherwise, planting soils must be imported in accordance with an approved topsoil and subsoil specification that gives the parameters for all imported soils including chemical, structural and textural characteristics, certification in accordance with British Standards, handling, storage, amelioration and placement. It must be clear that the imported soils will be fit to support the specific landscape function, not just certified in accordance with the Standards. This means that the soil scientist interpretive report must have regard to the specific landscape functions to be supported.

An upfront landscape scheme should be provided with any full or reserved matters application and comprise a scaled planting plan, plant schedule, tree pit section and plan views (including section relevant to planting on steep slopes as per the attached), topsoil and subsoil specification, planting methodology and aftercare methodology. Tree planting should be supported by appropriate companion shrub planting, rather than trees being located within amenity grassland only.

It must be clear that all landscaping has been designed at the same time as and with regard to services, including drainage, existing and proposed, to ensure there is no conflict between the different elements.

(The Tree Officer has made suggestions to the applicant in terms of potentially suitable trees). He notes that the drainage strategy refers to SuDS features with a depth of 300mm and 1 in 3 batters. To secure healthy growth and effective anchorage from trees, a minimum 450mm subsoil depth, but ideally 600mm plus would be required, overlain by 300-400mm topsoil and provided for the full extent of the beds. This soil would need to be designed to support the prevailing hydrological regime without losing structure and fertility or becoming waterlogged or anaerobic. A topsoil and subsoil specification that details the soil types and characteristics, profile depths, handling and placement, amelioration etc., is essential and a soil scientist would need to review the proposed soils in the light of the landscaping functions proposed to determine fitness for purpose. The re-use of site won soil is only acceptable off the back of a Soil Resource Survey and Plan prepared in accordance with the Soils and Development TGN. Excessive compaction of batters may inhibit root growth and trees planted on such slopes would need to be planted in accordance with

the principles shown on the attached.

A detailed landscape scheme should be submitted at the earliest opportunity comprising: -

Scaled planting plan.

Plant schedule.

Topsoil and subsoil specification.

Tree pit section and planter section and plan views.

Planting methodology.

Aftercare methodology.

Implementation programme.

And further states :

(b) I would prefer to see all landscaping details upfront. Unfortunately, case experience has been that when landscaping is left to discharge of condition stage it can suffer degradation by unforeseen problems such as services and costs. If you are content to deal with landscaping by condition, the following should be applied: -

Landscaping Design & Implementation

No development shall take place until full details of soft landscaping have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- A soft landscaping implementation programme.
- Scaled planting plans prepared by a qualified landscape architect.
- Evidence to demonstrate that existing and proposed services, lighting, CCTV, drainage and visibility splays will not conflict with proposed planting.
- Schedules of plant species, sizes, numbers and densities prepared by a qualified landscape architect.
- Scaled tree pit sectional and plan drawings prepared by a qualified landscape architect that show the Root Available Soil Volume (RASV) for each tree.
- Topsoil and subsoil specification for all planting types, including full details of soil assessment in accordance with the Cardiff Council Soils and Development Technical Guidance Note, soil protection, soil stripping, soil storage, soil handling, soil amelioration, soil remediation and soil placement to ensure it is fit for purpose. Where imported planting soils are proposed, full specification details shall be provided including the parameters for all imported planting soils, a soil scientists interpretive report demonstrating that the planting soil not only meets British Standards, but is suitable for the specific landscape type(s) proposed (the soil scientist shall have access to all landscape plans and specifications). The specification shall be supported by a methodology for storage, handling, amelioration and placement.
- Planting methodology and post-planting aftercare methodology prepared by a qualified landscape architect, including full details of how

the landscape architect will oversee landscaping implementation and report to the LPA to confirm compliance with the approved plans and specifications.

The submitted details shall be consistent with other plans submitted in support of the application and the landscaping shall be carried out in accordance with the approved design and implementation programme.

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.

Landscaping Maintenance

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 14, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and improve the amenity and environmental value of the area.

5.2 The Ecologist states:

It seems to me that most of the buildings have been demolished apart from some garages which don't appear to have any bat roost potential, so from what I can see I wouldn't ask for a bat survey.

5.3 The Waste Officer states:

The bin store has been noted and is acceptable.

As the proposed bin store is adjacent to an apartment we strongly recommend that suitable sound proofing is provided.

Communal bin stores should have double doors that open outward with retainers. Surfaces should be smooth and impervious to permit cleaning and the floor must be laid to create suitable drainage. Adequate lighting must be provided- natural or artificial, and good natural ventilation if completely enclosed.

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

Waste Management has no further observations or objections with respect to the above numbered application.

5.4 The Transport Officer states:

Having reviewed the amended submission, additional transport comments/suggested conditions are set out below:

- The layout has been revised to provide a through-pedestrian link from the eastern path across the car park to the building entrance. This has resulted in the loss of 1 parking space (to 13 standard and 3 disabled) and I have no concerns with that.
- The principle of the proposed cycle/mobility scooter parking is acceptable. I am content with a single Sheffield stand being provided in the internal store, and note the external cycle parking, although it is to be decided whether there is merit in those spaces being covered or not. My suggested condition is below.
- I am content in broad terms with the Vehicle Access Strategy plan, but further details on the gating form would be needed in due course, and the drawing needs to be extended to cover the pedestrian gate, and the red-line for it will need to be amended (see below condition).
- A Recommendation should be added relating to the need to progress Highway Adoption and that a PSPO (alley gate) will be processed.

Cycle Parking

Prior to development commencing details showing the provision of cycle/mobility scooter 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/scooter 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/mobility scooters.

Vehicle and Pedestrian Access

Prior to development commencing details of the access road with Round Wood, and the adjacent pedestrian gate, shall be submitted to and approved in writing by the Local Planning Authority, to include details of the gate mechanisms/orientation, boundary treatment with the adjacent CCHA site, and pedestrian/tactile crossing details. Those details shall be implemented prior to beneficial occupation.

Reason: To ensure that the use of the proposed development ensures appropriate access for pedestrians and cyclists.

5.5 Noise Team state:

Noise Comments

PLANT NOISE (2015)

Prior to implementation a noise assessment shall be carried out and submitted

to the Local Planning Authority 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 2.24 of the deposit Unitary Development Plan

R1 CONSTRUCTION SITE NOISE

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.

Dust Comments

Prior to the commencement of development, a Construction Environmental Management Plan (or equivalent) must be submitted to and agreed in writing by the local planning authority which specifies provisions for controls of noise, vibration and dust. The scheme must be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: To protect the amenities of occupiers of other premises in the vicinity.

Waste comments

No burning of waste or burning of waste materials on site and all waste associated with the construction of the development to be disposed of correctly by suitably licenced waste contractors.

Reason: The impact of fires on local air quality and to protect the amenities of occupiers of other premises in the vicinity.

- 5.7 Shared Regulatory Services states:
The following additional information was submitted as part of the above application:

Terra Firma (Wales) Ltd, May 2019; Geotechnical & Geo-environmental Site Investigation Report Final Ref: 15345

The above includes a contamination assessment for the proposed development. No contaminants of concern were identified from the samples tested, indicating that the conditions at the site are suitable for the proposed use without the need for remediation.

However it is also noted that, at the time of reporting the author states that the majority of the development site is in use as a construction compound for works on the ongoing adjacent construction site.

Subject to the developer adhering to advice and recommendations of Section 6 of the above report, any risks associated with the ongoing use can be dealt with via the use of the Unforeseen Contamination condition.

Should there be any importation of soils to develop the garden/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 would request the inclusion of the following conditions 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:

CONDITIONS

PC14D. CONTAMINATED LAND MEASURES – UNFORESEEN CONTAMINATION

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.

PC15A IMPORTED SOIL

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.

PC15B IMPORTED AGGREGATES

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.

PC15C USE OF SITE WON MATERIALS

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.

ADVISORY/INFORMATIVE

R4 CONTAMINATION AND UNSTABLE LAND ADVISORY NOTICE

The contamination assessments and the affects 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.

5.8 The Parks Officer states:

Design Comments

I welcome the roof top garden which is essential given the lack of availability of landscape space around the building. On a sheltered housing / retirement scheme I would always expect to see some on-site provision. The design shown at present appears to be illustrative and the final design will need to consider sun shade and wind patterns taking into account the surrounding taller buildings and road corridor, in order to create a design which is comfortable for residents to use.

Confirmation is required on who would be responsible for maintenance of the SuDS areas and the roof top garden – if the opportunity is there for residents to be involved in maintaining the latter area this could be of significant therapeutic / physical benefit and give an increased sense of ownership.

Open Space Provision

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 54.8

(assuming that 1 bed apartments may be occupied by 1 or 2 people). This generates an open space requirement of 0.07 ha of on-site open space based on the criteria set for Sheltered Housing/Residential Homes, which vary from standard housing, or an off-site contribution of £29,950.

Although a roof garden is shown on plan (which is shared between the retirement development and tower block), as no public open space is being provided on-site, the developers would 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.

The calculation for sheltered housing / residential homes applies a lower rate compared to the full amount required for general purpose housing. This takes into account omission of the play provision element which is not applicable, the reduced use of formal sporting facilities.

Although sheltered housing/residential homes usually provide some garden space available to residents (in this case the roof top garden, which is shared with residents of the tower block), it is reasonable to assume that nearby and large city-wide parks such as Roath Park will be used by residents, so improvements to these will be of benefit. Parks actively try to provide facilities for the older population to encourage use of parks, with the enjoyment and health benefits they can provide.

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 Coed y Gores, Roundwood and Chapelwood.

6. **EXTERNAL CONSULTATIONS**

6.1 Welsh Water states:

Firstly, we note that an element of sustainable drainage principles have been designed into the scheme to collect, pre-treat and attenuate flows, we consider that this proposal will require approval by the SAB under Schedule 3 of the Flood and Water Management Act and therefore suggest that further discussions and amendments to the proposal may arise at that stage. We welcome the introduction of SuDS, however advise in our response to Article 2D mandatory pre planning enquiry that a discharge rate should be limited to

around 5 l/s where possible. IN the absence of a SAB application we request your co-operation to impose sufficient control to ensure that there

Secondly, we note that the intention is to abandon two public sewers which currently service the plot so that porous is no additional flood risk downstream of the proposed development.

Paving can be installed in their place. We have no objection to this proposal in principle subject to a full CCTV of the sewers are undertaken to prove that they do not serve any other buildings nearby and the formal abandonment legal complete before works start on site. Should it be concluded that the public sewers cannot be abandoned then the drainage proposal would need to account for a utility service strip as we would object to porous/permeable [paving being installed over our assets.

In light of the above, we suggest that further work is required to assess the surface water proposal and therefore if you are minded to grant planning permission we request that the following Conditions and Advisory Notes are included within any subsequent consent.

Conditions

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 or detriment to the environment.

Advisory Notes

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.

The planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water industries Act 1991. Any alterations to existing premises resulting in the creation of additional premises or merging of existing premises must also be constructed so that each is separately connected to the Company's water main and can be separately metered. Please contact our new connections team on 0800 917 2652 for further information on water & sewerage connections

Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation. If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrwymru.com. Please quote our reference number in all communications and correspondence.

6.2 NRW state:

We have reviewed the planning application submitted to us, and from the information provided we do not consider that the proposed development affects a matter listed on our Consultation Topics, Development Planning Advisory Service: Consultation Topics (September 2018).

Please note that our decision not to comment does not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance.

We recommend you seek the advice of your in-house ecologist to determine if there is a reasonable likelihood of bats, a European Protected Species, being present within the application site. If so, in accordance with Technical Advice Note 5: Nature Conservation and Planning (paragraph 6.2.2) a bat survey may be required. The survey should be carried out in accordance with 'Bat Surveys; Good Practice Guidelines 3rd Edition' published by the Bat Conservation Trust 2016. Please consult us again if any survey undertaken finds that bats are present at the site and you require further advice from us.

The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

6.3 South Wales Police state:

The Maelfa area has historically suffered with crime and anti-social behaviour problems. South Wales Police have no objection to the proposal and welcome the re development of the site as an opportunity to reduce future problems in the area. South Wales Police have not been consulted specific proposal and having viewed the application can find no detail was what aspects of community

safety have been considered and what measures have been included in the design stage to reduce future problems.

In view of this South Wales Police make the following recommendations:

1. All parking is overlooked by residential dwellings main habitual rooms reason to ensure adequate surveillance and to prevent vehicle related crime.
2. A scheme of work in respect of external lighting to access road, parking and pedestrian routes is submitted to the authority for approval for parking areas we would recommend an average of 10 lux for parking areas and 20 lux for pedestrian access routes reason to enhance public safety.
3. Any communal cycle storage and bin storage areas should be secure and only be accessible by residents reason to prevent theft and damage.
4. The apartment block has audio-visual access control features fitted to the main communal entrance doors reason to prevent unauthorised entry to apartments.
5. All apartment entrance doors comply with PAS24:2016 and are dual certified for fire protection reason to prevent burglary and spread of fire. (Required also by Building regs Wales)
6. Any ground floor or accessible upper windows comply with PAS24:2016 reason to prevent burglary. (Required also by building regs Wales)
7. Any external entrance exit doors have vandal proof external lighting reason to enhance personal safety.
8. Any external communal areas have adequate lighting and there should be a scheme of work submitted to the authority for approval reason to enhance community safety (also required by building regs Wales)
9. There should be adequate internal lighting in all communal areas such as foyer, landing and corridors reason to enhance personal safety.
10. There should be adequate risk assessments carried out in terms of fire prevention, detection and evacuation reason to save life.
11. Any retail areas on the ground floor should be limited by condition in terms of operating times, especially as the flats are designed for older residents to ensure that there is adequate residential amenity reason to reduce potential conflict and demand on public services.
12. South Wales Police would recommend that the development should be built to Secured by Design Gold standards reason this would significantly reduce risks of crime and offer higher levels of safety for residents. Secured by design has been shown to improve quality of life for residents.

South Wales Police would welcome the opportunity to work with developers to achieve Secured by Design (Gold Award) on the proposed development. Secured by Design in Wales is a free service provided to developers by the Police Forces of Wales.

Secured by Design has been shown to reduce crime risks by up to 75% further information can be found on www.securedbydesign.com

South Wales Police would ask that under S17 of the Crime and Disorder Act

the authority consider the placing of appropriate conditions on developers in order to reduce future crime risks.

6.4 GGAT states:

Information in the Historic Environment Record shows no known archaeological features within the area of the proposal. The historic mapping sequences show later 20th century development only.

Given the nature of the proposed development, it is our opinion that the proposals are not likely to encounter any archaeological deposits. Given our understanding of the current information, it is our opinion that there will not be a requirement for archaeological mitigation works.

As the archaeological advisors to your Members, we therefore have no archaeological objection to this application.

- 6.5 Wales and West Utilities provided comments directly to Housing that they could not find any evidence of live gas mains that they own that would impede the proposed demolition. There are live gas mains in the vicinity and caution should be exercised when working in the vicinity.

7. **REPRESENTATIONS**

- 7.1 This application has been advertised on site and in the press. The local members, and nearby residents were notified of the application

- 7.2 No objections have been received in writing from local members, local residents and local businesses.

8. **ANALYSIS**

- 8.1 The application site falls within the Maelfa Local Centre as defined by the Local Development Plan Proposals Map. Policy R5: Local Centres is therefore of relevance. Policy R5 aims to promote and protect the shopping role of Local Centres. As this proposal forms part of the wider comprehensive regeneration programme for the Maelfa Local Centre it would positively contribute to the vitality and viability of the centre.

- 8.2 Policy H6: Change of Use or Redevelopment to Residential Use is also of relevance. Policy H6 permits the change of use of redundant premises or redevelopment of redundant previously developed land for residential use where:

- i. There is no overriding need to retain the existing use of the land or premises and no overriding alternative local land use requirement;
- ii. The resulting residential accommodation and amenity will be satisfactory;
- ii. There will be no unacceptable impact on the operating conditions of existing businesses;

- iv. Necessary community and transportation facilities are accessible or can be readily provided or improved; and
 - v. It can be demonstrated that the change of use to a more sensitive end use has been assessed in terms of land contamination risk and that there are no unacceptable risks to the end users.
- 8.3 The former police station which occupied the site has been demolished and the site has been most recently used as a compound for the associated construction work as part of the wider regeneration of the Maelfa Centre. As such there is no need to retain the existing use of the land as 6 garages. The proposed residential development is compatible with the neighbouring land uses and is within walking distance of the retail and community uses within the local centre and within walking distance of bus stops which provide sustainable transport to and from the city centre.
- 8.4 The proposal raises no land use policy concerns.
- 8.5 Prior to the submission of this planning application a similar scheme was put in front of the Design Commission for Wales (DCfW). Comments were received regarding the surrounding context, with scale of the development adjudged to be acceptable, and the rain gardens in the verges around the building considered to help in providing a buffer from the street. The applicant confirms that these elements of the drainage and landscape schemes have been reinforced to help emphasise the distinction between public and private space. It was suggested by the DCfW to consider using a lighter brickwork for the elevational treatments, which the scheme has responded to by using a paler treatment right to the ground floor. Landscape features are also proposed to the front and rear of the development to help soften the facade. The communal spaces were welcomed with DCfW offering suggestions to help the spaces to become more clearly defined. Similarly, the response to the roof garden and balconies was positive with the DCfW suggesting that it be ensured that the landscape design is sympathetic to the needs of the elderly. A glazed corridor linking the new development to Maelfa House was adapted to offer the opportunity for residents to sit in this area looking out onto the garden. It was stated the development would benefit from carefully considered future proofing to allow people to occupy their homes for as long as possible without the need to move elsewhere.
- 8.6 The applicant states that “The development has been prepared to meet the Council’s ‘Care Ready’ specification that sets out a requirement to meet Welsh Government’s Design Quality Requirements Extra Care standards, Lifetime Homes and the HAPPI guidance. This ensures a development that is accessible to all, can adapt positively when resident’s needs change flats has aimed to incorporate HAPPI design principles including; maximising daylight, providing quality external space directly of the living or/and bedroom space, generous rooms and circulation suited to people of all abilities. Further, it was advised that the energy strategy should be considered early, so that it can be well integrated into the design. Overall the (DCfW) review was very positive, and the written response reflected this”.

(HAPPI is an independent report in respect of future houses and communities that meet the needs and aspirations of an increasingly ageing population).

8.7 The site lies adjacent to a range of facilities and amenities which reduce the need to travel. When traveling further afield is required, the site has good connectivity to public transport links (a bus stop immediately adjoins the site) and also offers walking and cycling routes to those within the development who are able to benefit from these.

8.8 The Tall Buildings SPG says that a building outside the city centre that is double the height of surrounding properties or significantly taller in terms of actual height and number of floors is a tall building. Whilst the proposed building is smaller than Maelfa Tower which is a tall building it is more than double the height of nearby housing and should be considered against the tall building criteria that should be met. Paragraph 2.2 of the SPG identifies the following criteria:

8.9 All tall building proposals must demonstrate that:

- There would be no negative impacts on important views or vistas.
- The character or setting of heritage assets is not harmed.
- The proposal will be a positive feature in skyline & streetscape, either by complementing a cluster of tall buildings or forming a strategic landmark.
- No material harm is caused by overshadowing or overlooking.
- There will be walking and cycling accessibility to sustainable transport and local facilities.

Detailed proposals will:

- Exhibit exceptional architectural standards: elegance in form, silhouette and quality of materials.
- Maximise activity through ground floors uses and fenestration.
- Provide the highest standards of building performance, safety, inclusivity and adaptability.
- Include exemplary cycle storage, low car parking levels and integrated servicing, recycling and waste storage.
- Prove that the development will not create adverse microclimatic effects.
- Deliver significant enhancements to the public realm.

8.10 The proposal would meet most of the above mentioned criteria. The significant enhancements to public realm formed part of the earlier proposal for the redevelopment of the Maelfa retail units.

8.11 Maelfa Tower is 14.8m higher than the highest part of the proposed apartments. The tower is 18m from the nearest part of the apartment block. The Maelfa Tower will overshadow the southern elevation of the proposed building for part of the day and part of the year but the windows to habitable rooms and balconies are orientated to face east and west to mitigate the impact of the existing tower block. The roof top garden would obtain light from the east, west and in part from the south. The proposed apartments would be 6.8m higher than the highest part of the townhouses to the east and 30m distant.

- 8.12 The Residential Design Guide SPG identifies a 25 degree rule where a significant building or structure will be obstructing reasonable light to a relevant window if it breaks a line projecting up from the centre of the relevant window 25 degrees from the horizontal. In this case the proposed building does not break this rule in respect of the apartments in Maelfa Tower to the south and only fractionally by less than one degree to the new housing under construction to the east.
- 8.13 The Residential Design Guide SPG identifies a privacy distance of 21m between facing windows of habitable rooms and this is also met.
- 8.14 The Residential Design Guide SPG says that well-designed shared amenity spaces such as roof gardens, communal gardens and additional areas of play can be suitable in some forms of development. Where these are introduced to a suitable design, we will allow the required garden standard to be mixed between these private and shared amenity spaces, so long as all other standards are met.
- For communal gardens, a minimum area of 75m² should be provided for up to 5 units with an additional 10m² for each additional unit.
 - Communal gardens should be clearly defined, secure and private, accessible to all occupants and integral to the form and character of the development.
 - Balconies will need to be provided for apartments with no direct, safe or convenient access to a communal garden or other suitable public green spaces within their vicinity. They should be a minimum of 5m². They should be located in positions where they receive direct sunlight for some part of the day, and preferably with a southern aspect.
- 8.15 In this case there is a large roof garden, rain gardens and every apartment has a balcony each with a minimum area of 5 sqm. Internally the corridors are 2m wide with an area of 20sqm at the southern end of each floor where residents can sit and enjoy views to the south of the roof garden and beyond through large areas of glazing. The amenity space provisions are considered to comply with the SPG. The Parks Officer comments are considered relevant such that an off-site open space contribution is considered appropriate.
- 8.16 None of the ground floor windows to habitable rooms adjoin car parking spaces. These windows either face rain gardens or have elevated views over Llanedeyrn Drive.
- 8.17 The proposed wall and gates separating the rear parking area from Round Wood are very deadening along this frontage. To produce some inter-visibility the creation of some railings and matching gates is required, so that people can see each other between parking area and street. This would also benefit people in the street who won't feel so isolated, and the impact of the scheme will be a little softer
- 8.18 The development is designed to have a 17% improvement over the requirements of Building Regulations Part L. The proposal will be Code for

Sustainable Homes Level 3 compliant. The scheme will have a Sustainable Urban Drainage system.

- 8.19 The extent of the landscaping area between the proposed building and Llanedeyrn Drive is limited in size and by differences in ground level. Tree planting will take place around the car parking area and will be supplemented by other planting on the western side of the building and in the roof garden. The existing site contains no trees. The applicant has confirmed that he is content to accept landscaping conditions.
- 8.20 The site is not affected by any particular planning designation including ancient monument, listed building, SSSI, Conservation Area, Flooding Zone, Article 4 Direction, Historic Park, SINC, archaeological sensitive area or Tree Preservation Order. There is a SINC to the north at Round Wood but this is separated by a road from this site. It is considered that under the Environmental Assessment Regulations this is not a sensitive site neither does the scale nor nature of the development warrant a future planning application to be accompanied by an Environmental Statement.
- 8.21 The consultees' comments that have been received have been brought to the applicant's attention. No objections have been received from consultees subject to conditions and a Unilateral Undertaking.
- 8.22 In response to the Transport comments the applicant states (and these comments have been shared with Transport):

Ground floor plan updated to show bicycle hoop in the scooter storage.

Potential for bicycles to be stored in each flat.

Sheffield stands for cycles shown outside ground floor stairwell, secluded from view of main road.

Refuse vehicle manoeuvring already shown in Design and Access Statement.

Design and Access Statement updated to show how pedestrians are to navigate the car park.

The scheme is designed to allow refuse vehicles to access and enter the parking area. Access to the parking area will be controlled directly by the scheme's warden and remotely by Cardiff Council's Alarm Receiving Centre (ARC) via audio/ video equipment installed with the gate. On refuse collection days it is envisaged that the warden will be on site to assist with access to the car park and opening the refuse store room for refuse collectors.

Residents of Maelfa House and the new independent living scheme will be able to access the parking area (via vehicular and pedestrian gates) using a fob system. Access to this area will also be controlled by the warden and remotely by the Council's ARC.

- 8.23 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.

- 8.24 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.
- 8.25 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. The Police comments have been forwarded to the applicant. The parking area is gated and overlooked by surrounding dwellings. Community safety is fully addressed in the DAS covering the following topics: perimeter security, CCTV, signage, lighting, landscaping, car parking, bin stores, drainpipes, building shell security, access control, door security, window security and intruder alarm system. Conditions 4 and 5 are relevant to security.
- 8.26 The applicant in response to the Police comments has confirmed that
1. A secure and overlooked parking area is proposed where future parking will be well overlooked by five storeys of living accommodation, including balconies and bedrooms.
 2. Noted and will be complied with.
 3. The bins and resident scooter/bike storage areas are secure within the building and will have controlled access. Each flat also has enough space to accommodate a bicycle. A Sheffield Stand is proposed for visitors to park their bikes in the parking area however this area is gated and secure with access controlled by the residents and Cardiff Council.
 4. These features will be provided to ensure safe and secure access to the building and parking area as part of the scheme and the Council will happily work with South Wales Police to ensure the development meets the Gold Standard in Secure by Design.
 5. These features will be provided to ensure the building meets Building Regulations.
 6. These features will be provided to ensure the building meets Building Regulations.
 7. These features can be provided to ensure the building provides a secure environment.
 8. Noted and will be complied with.
 9. There will be adequate lighting in all communal areas to ensure personal safety and to ensure the scheme is RNIB compliant.
 12. The scheme has been developed alongside the preparation of a Fire Risk Strategy Report to ensure it addresses confidently issues relating to fire risk.

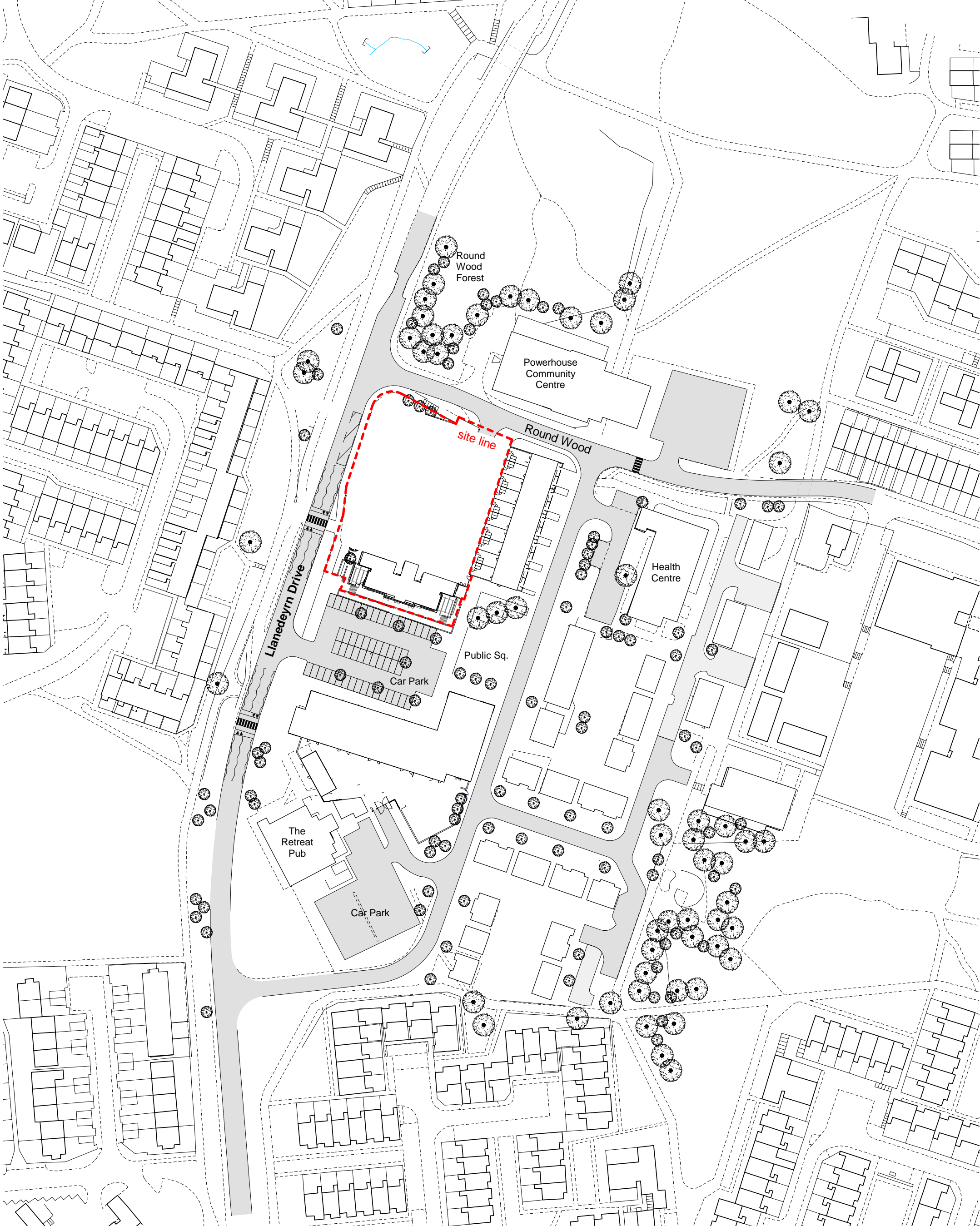
13. There are no retail uses proposed as part of this development.
14. We are happy to work with South Wales Police to obtain the Secured by Design Gold Standard.

(There was no points 10 and 11 in the Police response).

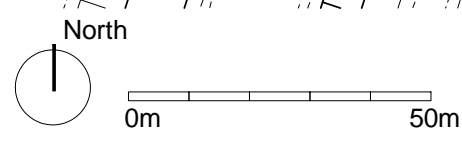
8.27 In conclusion, it is considered that the proposal provides an independent living scheme for older residents and will aid in meeting the housing requirements of the city. The proposal offers a good quality development in a sustainable brownfield location. Through providing care-ready affordable homes to the area, the development is deemed to satisfy a number of the LDP policies

9. **SECTION 106 UNILATERAL AGREEMENT**

9.1 To provide an off-site contribution of £29,950 for open recreational open space at Coed y Gores, Roundwood or Chapelwood.



1 Location Plan
1 : 1250



| Rev | Description | Drn | Chkd | Date Issued |
|-----|----------------|-----|------|-------------|
| P1 | Planning Issue | TS | TS | 26.09.19 |
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Drawn _____ Author _____

Date _____ 20.12.18

Scale @ A3 _____ 1 : 1250

Status _____ Planning

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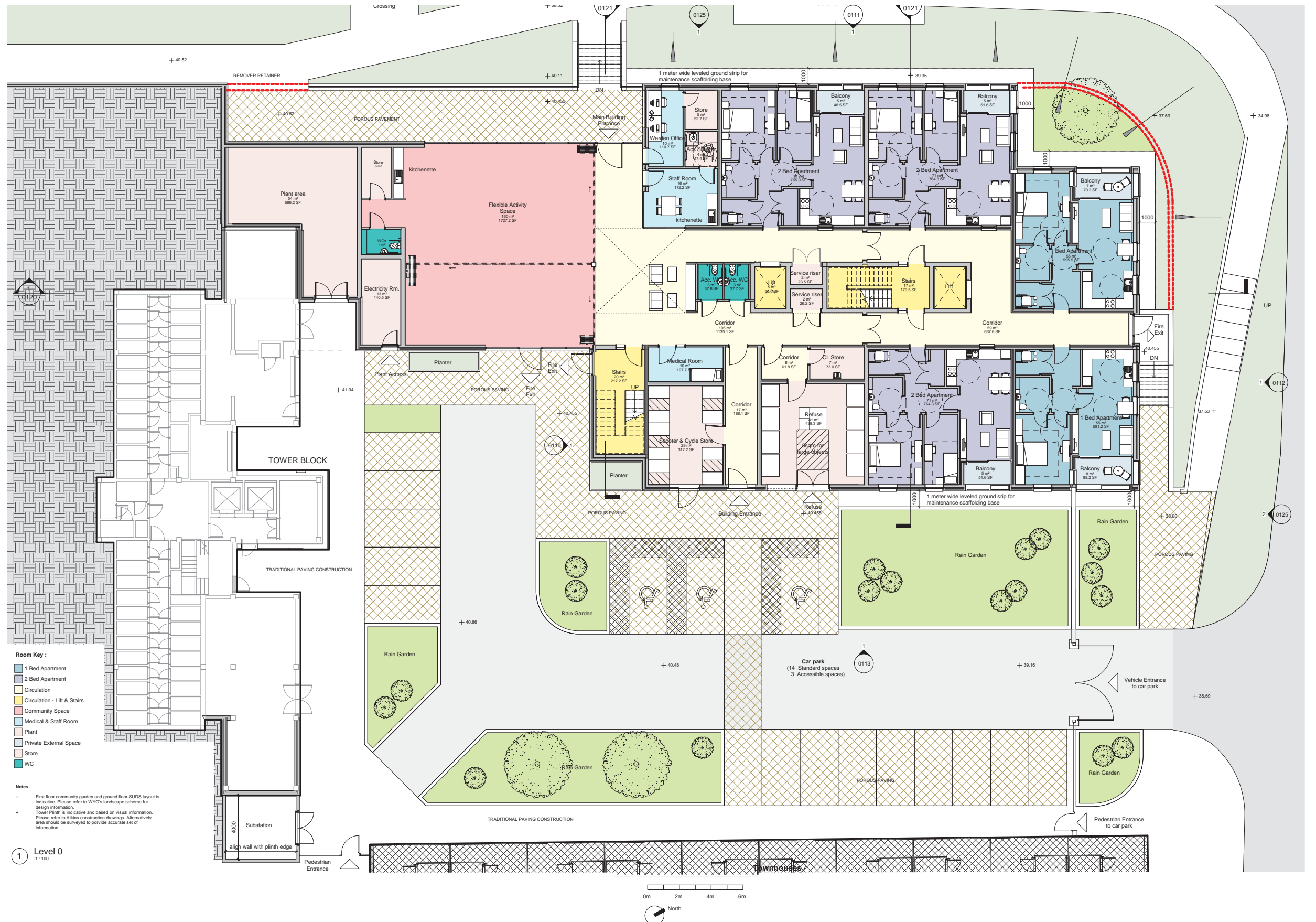
Austin-Smith: Lord

Project Maelfa Independent Living

Description Location Plan

| | | | |
|---------|-------------|----------|----|
| Job No. | Drawing No. | Revision | P1 |
| 316156 | 0900 | | |

GENERAL LAYOUT GROUND FLOOR PLAN



GENERAL LAYOUT

FIRST FLOOR PLAN

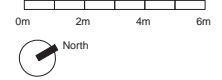


Room Key:

- 1 Bed Apartment
- Circulation
- Circulation - Lift & Stairs
- Community Space
- Medical & Staff Room
- Plant
- Private External Space
- Store

Notes

- + First floor community garden and ground floor SUDS layout is indicative. Please refer to WYG's landscape scheme for design information.
- + Tower Plinth is indicative and based on visual information. Please refer to Atkins construction drawings. Alternatively areas should be surveyed to provide accurate set of information.



GENERAL LAYOUT

WEST ELEVATION



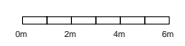
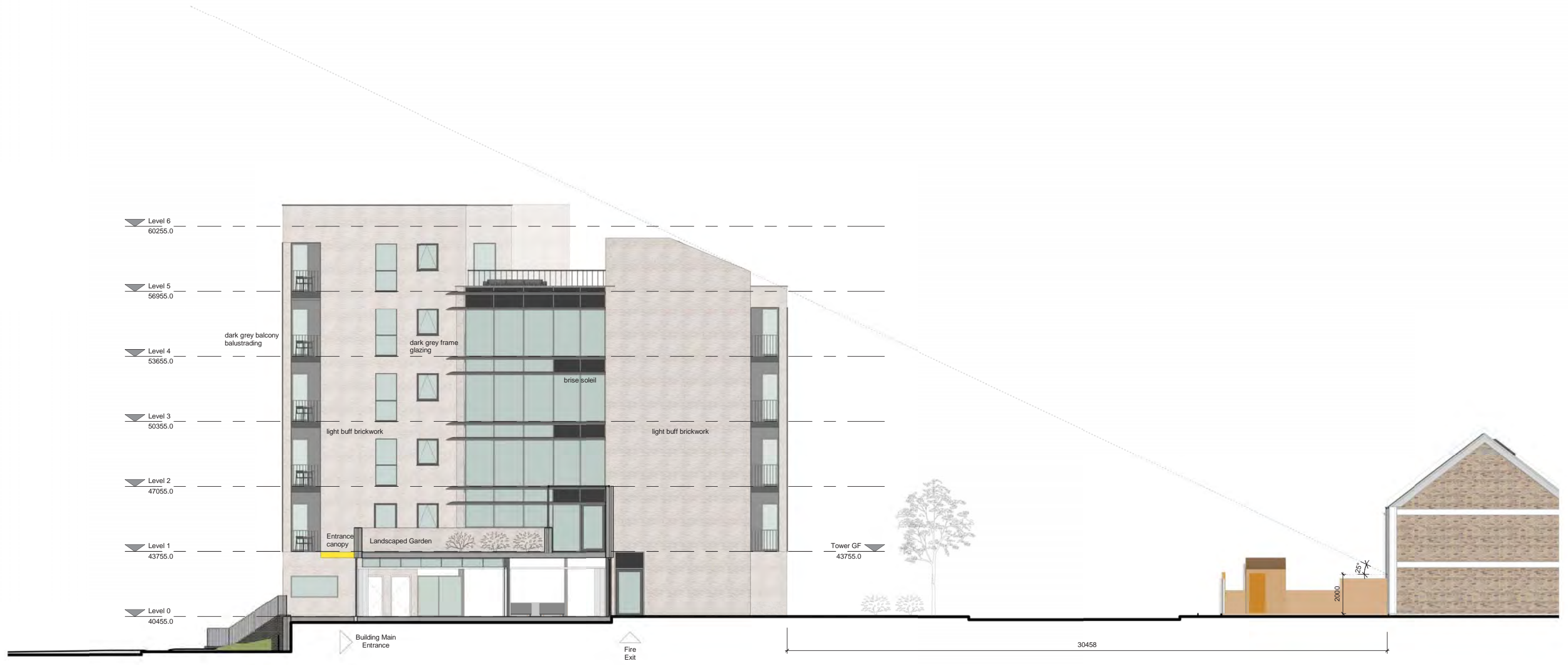
GENERAL LAYOUT

NORTH ELEVATION



GENERAL LAYOUT

SOUTH ELEVATION



GENERAL LAYOUT

SITE ELEVATIONS



1 Site Section (West Elevation)
1:200



2 Site Section (North Elevation)

EXTERNAL VIEWS

VIEW FROM LLANEDEYRN DRIVE SOUTH



AXONOMETRIC VIEW



① View 04 - Axo South west corner