

COMMITTEE DATE: 14/10/2020

APPLICATION No. **20/01306/MJR** APPLICATION DATE: 09/07/2020

ED: **TROWBRIDGE**

APP: TYPE: Full Planning Permission

APPLICANT: Cardiff Council and Wates Residential
LOCATION: LAND AT BROOKFIELD DRIVE, ST MELLONS, CARDIFF
PROPOSAL: RESIDENTIAL DEVELOPMENT, LANDSCAPING AND ASSOCIATED INFRASTRUCTURE WORKS

RECOMMENDATION 1 : That detailed consent be **GRANTED** subject to the applicant entering a **Unilateral Undertaking** to provide a financial contribution of £2260 for bins to serve the houses and apartments and £54,160 as an off-site open space contribution as described in paragraph 9.2 and the following conditions:-

1. C01 Statutory Time Limit

2. That this approval is in respect of the following drawings and documents:

- Site Location Plan 18028 (05) 000
- Site Development Layout 18028 (05) 100T
- Apartment Block Plots 20 - 28 GAs 18028 (05) 110B
- Apartment Block Plots 14-19 GAs 18028 (05) 111A
- A1 - Plans and Elevations 18028 (05) 120C
- A2 - Plans and Elevation 18028 (05) 121B
- Garden Shed Details 18028 (05) 152
- Enclosures A 1.8m Wall Detail 18028 (05) 153
- Enclosure A2 1.2m Wall Detail 18028 (05) 154
- Enclosure B 1.8m Fence Detail 18028 (05) 155
- Enclosure C Low level Wall and Railing Detail 18028 (05) 156
- Enclosure D 2.1m Railing Detail 18028 (05) 157
- Cycle Store SK025
- Metal bike shed (received 22/9/20)
- Landscape Strategy BD LA 100 received 14/9/20
- Soft Landscaping BD LA 101 received 14/9/20
- Details BD LA 102 received 14/9/20
- Soil Volumes for Proposed Trees BD LA 103 received 14/9/20
- Landscape Specifications BD LA 104 received 14/9/20
- Planning, Design and Access Statement
- Pollution Hazard Statement
- Preliminary SW Windes Model
- Green Infrastructure Statement July 2020
- Geotechnical and Geo-environmental Site Investigation
- Transport Statement July 2020
- Tree Survey, Categorisation and Constraints Report updated

9/4/2020

- Preliminary Ecological Appraisal

Reason: To avoid any doubt and confusion as the approved drawings and documents.

3. 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 neighbours and other offsite receptors (LDP policy EN13).

4. 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 (LDP policy EN13).

5. 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 (LDP policy EN13).

6. 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).
7. No clearance of trees, bushes or shrubs to take place between 1st March and 15th August unless it can be demonstrated to the Local Planning Authority that there are no birds nesting in this vegetation immediately (48 hrs) before works commence.
Reason: To avoid disturbance to nesting birds which are protected under the Wildlife and Countryside Act 1981: Part 1, 1(1)(b).
8. Prior to the commencement of any development on site biodiversity enhancement of the development shall be submitted to and approved by the Local Planning Authority. The enhancement shall also include the provision of 4 x bat boxes for crevice-dwelling bats, 4 x Swift nest boxes, 2 x double House Martin cup, and 2 x House Sparrow terrace (LDP Policy EN8).
Reason: In the interests of biodiversity (LDP policy EN 7)
9. 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 water flows and thereafter implemented in accordance with the approved details prior to the occupation of the development.
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 EN11).
10. No development shall commence until a foul water 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 water flows and thereafter implemented in accordance with the approved details prior to the occupation of the development.
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.

11. No development shall take place until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
 - i. The parking of vehicles of site operatives and visitors
 - ii. Loading and unloading of plant and materials
 - iii. Storage of plant and materials used in constructing the development
 - iv. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing
 - v. wheel washing facilities
 - vi. measures to control the emission of dust and dirt during construction
 - vii. a scheme of recycling/disposing of waste resulting from demolition and construction worksReason: In the interests of highway safety and public amenity
12. Prior to the occupation of any of the dwellings on this site the access road serving them shall be finished to final wearing course and include surface water highway drainage in accordance with details to be submitted to and approved by the Local Planning Authority.
Reason: In the interests of the future occupants of this site.
13. No first floor window to a habitable room shall be created in the side elevations of plots 1, 5 and 10.
Reason. In the interests of privacy (LDP policy KP5).
14. Prior to development commencing on any dwelling details of the external materials of construction and their colour shall be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of visual amenities (LDP policy KP5).
15. Prior to development commencing on any house details of the brick wall around the front cycle and bin store, as indicated on drawing SK025 shall be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of visual amenities (LDP policy KP5).
16. Prior to development commencing on any house on plots 9-13 details of the balconies shall be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of visual amenities (LDP policy KP5).
17. Prior to development commencing on any apartment block details of the secured covered cycle store shall be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of visual amenities (LDP Policies KP5 and T1).
18. No development shall take place until the following have been submitted to and approved in writing by the Local Planning Authority (LPA) in accordance with the current British Standard 5837:

- An Arboricultural Method Statement (AMS) detailing the methods to be used to prevent loss of or damage to retained trees within and bounding the site, and existing structural planting or areas designated for new structural planting.

The AMS shall include details of site monitoring of tree protection and tree condition by a qualified arboriculturist, undertaken throughout the development and after its completion, to monitor tree condition. This shall include the preparation of a chronological programme for site monitoring and production of site reports, to be sent to the LPA during the different phases of development and demonstrating how the approved tree protection measures have been complied with.

- A Tree Protection Plan (TPP) in the form of a scale drawing showing the finalised layout and the tree and landscaping protection methods detailed in the AMS that can be shown graphically.

The development shall be carried out in full conformity with the approved AMS and TPP.

Reason: To enable the Local Planning Authority to assess the effects of the proposals on existing trees and landscape; the measures for their protection; to monitor compliance and to make good losses (LDP Policy EN8).

19. Any pruning necessary to implement the planning permission shall be undertaken in accordance with British Standard 3998: 2010 'Tree Work' or any Standard that replaces it.

Reason: The trees are of value in the local environment and should be protected and maintained in good condition (LDP Policy EN8).

In terms of landscaping, suitable conditions are as follows: -

20. Notwithstanding the submitted plans 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. The re-use of site won soil and in-situ soil must be based on a soil scientist assessment of the soil in the full knowledge of the landscape types proposed. 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 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 (LDP Policy EN8).

21. 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 20.

Reason: To maintain and improve the amenity and environmental value of the area (LDP Policy EN8).

22. Prior to development commencing on site details of the means of enclosure along the northern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority and then implemented as approved.

Reason: To safeguard residential amenities (LDP Policy KP5).

23. Prior to development commencing details showing the provision of cycle parking spaces, and appropriate access to them, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development being put into beneficial use. Thereafter the cycle parking spaces shall be maintained

and shall not be used for any other purpose.

Reason: To ensure that adequate provision is made for the sheltered and secure parking of cycles (LDP policy T1).

24. Notwithstanding the submitted plans, prior to development commencing a revised car parking layout plan shall be submitted to and approved in writing by the Local Planning Authority, to include amended details of the parking spaces on the main access road near the apartments' access. The approved details shall be implemented prior to the development being put into beneficial use.

Reason: To ensure the proposed car parking does not result in operational concerns (LDP policy T5).

25. Prior to development commencing details of the proposed access road junction with Brookfield Drive shall be submitted to and approved in writing by the Local Planning Authority, to also include details of amending the vehicle crossover adjacent to Elmfield Gardens into a dropped footway type access. Those details shall be implemented prior to beneficial occupation.

Reason: To ensure that the use of the proposed development does not interfere with the safety of traffic or pedestrian accessibility (LDP policy T5).

26. Prior to development commencing details of the internal roads and footpaths shall be submitted to and approved in writing by the Local Planning Authority, to include details of the type of road/footway/shared surface that is proposed, clarification/details of the proposed footpath route change to the south, and introducing a footway link between the southern path and the access path adjacent to the eastern elevation of the 3 storey apartments block. Those details shall be implemented prior to beneficial occupation.

Reason: To ensure that the use of the proposed development does not interfere with the safety of traffic or pedestrian accessibility (LDP policy T5).

RECOMMENDATION 2 Prior to the commencement of development, the developer shall notify the Local Planning Authority of the commencement of development, and shall display a site notice and plan on, or near the site, in accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure)(Wales)(Amendment) Order 2016

RECOMMENDATION 3 The contamination assessments and the 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 4 : The applicant is advised that section 3.25 of Planning Policy Wales states that the land use planning system should take account of the conditions which are essential to the Welsh language and in so doing contribute to its use and the Thriving Welsh Language well-being goal. In this context and with regard to the Welsh Language (Wales) Measure 2011, it is recommended that: (1) developments adopt a Welsh name that is consistent with the local heritage and history of the area, (2) during the construction phase, on site marketing information (i.e. text on construction hoardings / flags / banners – as consented) be provided bilingually. Where bilingual signage is provided, Welsh text must not be treated less favourably in terms of size, colour, font, prominence, position or location (it is recognised that Welsh translation does not extend to company / business names). Cardiff Council's Bilingual Cardiff team (BilingualCardiff@cardiff.gov.uk) can provide advice on unique and locally appropriate Welsh names for developments, bilingual marketing / branding and bilingual signage.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

1.1 The planning application seeks full planning permission for 28 no. affordable residential dwellings. The development will comprise a mixture of 2 and 3 bedroom apartments and 2 and 3 bedroom houses. The proposed schedule of accommodation is as follows;

- 4no. 2 bedroom 4 person houses
- 9no. 3 bedroom 5 person houses

- 3no. 1 bedroom 2 person (WAH) Apartments
- 6no. 1 bedroom 2 person Apartments
- 6no. 2 bedroom 3 Person Apartments

- 1.2 The proposal has a density of some 30 dwellings per hectare.
- 1.3 The southernmost apartments and house are dual aspect and have incorporated bay windows or balconies to the southern façade as necessary to ensure an active frontage to the development. The houses and apartments would have PV roof tiles with light coloured facing brick walls. Most of the windows to the apartments would be surrounded by contrasting brickwork.
- 1.4 Within the northern part of the site there are two sets of short terraces (4 dwellings and 5 dwellings), with plots 1-5 fronting on to the central road, with their rear gardens backing on to Millfield Close; Plots 10-13 front on to Brookfield Drive and will have an amenity area to the front of the properties. The side walls of the dwellings on plots 1 and 5 are close to the gardens of existing dwellings.
- 1.5 Within the southern part of the site there are two block of apartments (unit 14-19 and unit 20-28) which have a central courtyard that provides access to bin storage, cycle storage and private amenity space, and there is a short row of terraces (plots 6-9) to the south-west of the site. All houses have rear garden lengths of at least 10.5m to the boundaries with adjacent properties and have a separation distance of at least 21m between habitable room windows with existing dwellings.
- 1.6 Houses on plots 9-13 would include balconies and first and second floor apartments would also have balconies. No details of the balconies to houses have been submitted
- 1.7 The layout has active frontage to the dwellings, with the central block of apartments being accessible from both the east and west, and the eastern block of apartments accessible from the north, east and west. The apartments would have a communal drying area and amenity space within the courtyard area.
- 1.8 Vehicular access is proposed via Brookfield Drive, which connects to Willowbrook Drive. The proposed access point is approximately midway along the eastern boundary of the site.
- 1.9 Within the eastern part of the site the existing large trees are to be retained, with no development within the defined RPA. The road is 4.8m wide, with a 1.8m footway along one side and a 1m strip on the opposite side of the road. The roads are intended to be shared surfaces. Despite being a shared surface, the accompanying Transport Statement confirms that a refuse vehicle (as specified in the Waste Collection & Storage Facilities SPG (October 2016)) can enter and egress in forward gear without overrunning the 'safe zones' identified on the plan.
- 1.10 The proposed houses have a combined bin and cycle store to the front of their

properties. The development will be served by 28 parking spaces (1 per unit). 22 covered secure cycle spaces are proposed for the apartments. Each of the houses would also have a shed.

- 1.11 Fifteen new trees, hedgerows and shrubs are to be planted. The three largest trees to the front of the site are to be retained.

2. **DESCRIPTION OF SITE**

- 2.1 The site is irregular in shape and measures approximately 0.93 hectares (1.54 acres). It is largely open with the exception of four trees located within the site boundaries which are subject to TPO. (A category B tree in the centre of the site would have to be removed). There is an area of hardstanding remaining where a play area used to be located, however the vast majority of the land is grassland.
- 2.2 The site lies within flood zone A as defined by Natural Resources Wales' Development Advice Map. (By their definition, the site is considered to be at little or no risk of fluvial or coastal/tidal flooding).
- 2.3 There aren't any listed buildings or scheduled ancient monuments within close proximity of the site, with the nearest listed building being Bethania Evangelical Church, which is over 450m away. The proposals are not considered to affect the setting of the listed building.
- 2.4 The applicant says that the site and its immediate surroundings suffer from instances of anti-social behaviour, with evidence of arson to the TPO trees within the site.
- 2.5 There is a Public Right of Way (PRoW) along the western boundary of the site, albeit, it does not connect to any other footpaths within the vicinity. This PRoW originally connected to Tarwic Drive, but was stopped up by the council. As such, this PRoW is proposed to be extinguished subject to planning approval at the site.
- 2.6 The site is 500m in a straight line from a District Centre to the north east, 250m from Oakfield Primary School to the north, less than 200m from playing fields to the east and less than 100m from children's play facilities to the south west. There is a bus stop on Willowbrook Drive 100m from the entrance to the application site. There is a footpath which runs east-west close to the southern portion of the site.

3. **SITE HISTORY**

- 3.1 No relevant planning history on this site.

4. **POLICY FRAMEWORK**

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

KP3(b) Settlement Boundaries
KP5 Good Quality and Sustainable Design;
KP6 New Infrastructure
KP7 Planning Obligations
KP8 Sustainable Transport
KP13 Responding to Evidenced Social Needs
KP14 Healthy Living
KP15 Climate Change
H3 Affordable Housing
EN8 Trees, Woodlands and Hedgerows
EN11 Protection of Water Resources
EN12 Renewable Energy and Low Carbon Technologies
EN13 Air, Noise, light Pollution and Contaminated Land
T1 Walking and Cycling
T5 Managing Transport Impacts
C2 Community Safety/Creating Safe Environments;
C4 Provision for Open Space, Outdoor Recreation and Sport
C7 Health
W2 Provision for Waste Management Facilities in Development.

4.2 It is considered that the following SPG policies are relevant to this application:-

Green Infrastructure SPG
Managing Transport Impacts
Residential Design Guide
Waste Collections and Storage Facilities
Planning for Health and Wellbeing

5. **INTERNAL CONSULTATIONS**

5.1 The Tree Officer says that following the submission of revised landscaping details that:

I have no objections to the revised landscaping details but note that the *Betula pubescens* will only be appropriate if the planting soils in the rain garden it will be located within are not subject to extremes of dryness or wetness – this tree will tolerate moist but oxygenated soils but will not grow well in soils that are very dry or that are regularly inundated or prone to anaerobism. *Gleditsia triacanthos* var. *inermis* 'Draves' might be appropriate if the soils are likely to be prone to extremes of wetness and dryness. Finalised landscape specifications and tree pit sections are required off the back of a Soil Resource Survey and Plan, so these should be submitted upfront or at discharge of conditions stage, once the SRS and SRP has been prepared.

There remain some outstanding questions concerning tree protection and I understand the project arboriculturist is to comment in this regard? I'm not sure when this commentary will be forthcoming but it should be prior to reaching a recommendation (i.e. it cannot be left to discharge of conditions).

5.2 Shared Regulatory Services states:
I would like to provide comments in relation to potential contamination issues on behalf of SRS: Environment Team:-

Terra Firma (Wales) Ltd, January 2020; Geotechnical and Geoenvironmental Site Investigation Report Ref: 15694.

The above report includes a contamination assessment of the proposed development, including site works. The assessment indicates there are no significant contaminants and the site is suitable for the proposed use. However the potential for contamination cannot be ruled out. I would therefore advise 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 in accordance with policy EN13 of the Cardiff Local Development Plan.

ADVISORY/INFORMATIVE

R4 CONTAMINATION AND UNSTABLE LAND ADVISORY NOTICE

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

- (i) determining the extent and effects of such constraints;
- (ii) ensuring that any imported materials (including, topsoils, subsoils,

aggregates and recycled or manufactured aggregates/ soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site;

- Unprocessed / unsorted demolition wastes.
 - Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
 - Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and
- (iii) the safe development and secure occupancy of the site rests with the developer.

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

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

5.3 (a) The Ecologist states:

This application is supported by a Green Infrastructure Statement, which is welcomed in the light of Policy KP16, and the GI SPG which supports it. However the GI Statement should have been informed by a Preliminary Ecological Appraisal and also an Ecological impact Assessment of the site.

The GI Statement sets out how planting and landscaping will be used to augment the green infrastructure of the site, which as above is to be welcomed, but does not consider the impact of the proposals upon protected species.

I visited the site on 14th July 2020, and have the following concerns.

Bats - Tree T4, which is to be removed, has a number of holes which could support roosting bats (please see attached image for examples), so any trees which are to be removed or have significant limbs or deadwood removed should be surveyed for bats. I recognise that I did not refer to a bat survey in my pre-app comments, but that was before I had the benefit of viewing T4 up-close. Also the Tree Survey Report refers to the removal of broken limbs and of deadwood in the trees on site, and these are features which could harbour bats, so bat surveys should take place if these recommendations are to be implemented.

Reptiles - The grassland has been left uncut this year, and in the west and north of the site it forms an interface with the boundary scrub. Please see attached images. This is an ideal habitat for widespread reptile species such as Slow-

worms, which are protected by the Wildlife and Countryside Act. Having walked over the site I got the impression that this is the first year that the grass had been left uncut, but even so, the south-facing scrubby edge could have rapidly been colonised by Slow-worms from within the scrub and nearby gardens. The fallen tree also forms a features which reptiles could hide under or bask on.

Therefore my advice is that a reptile survey should be undertaken using an appropriate methodology at an appropriate time of year. I made this comment in my pre-app response of 16/01/20. Some guidance in this respect is provided in section 1.5.6 of the Ecology and biodiversity Section of the GI SPG. If reptiles are found on site, they would either need to be accommodated on site or translocated to a suitably-managed site nearby.

Nesting birds – where bramble scrub and trees or branches need to be removed, this may affect nesting birds, so we should attach our usual nesting bird condition:-

Condition: No clearance of trees, bushes or shrubs to take place between 1st March and 15th August unless otherwise approved in writing by the Local Planning Authority. This approval will be given if it can be demonstrated that there are no birds nesting in this vegetation immediately (48 hrs) before works commence.

Reason: To avoid disturbance to nesting birds which are protected under the Wildlife and Countryside Act 1981: Part 1, 1(1)(b), it is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built.

Enhancements

A statutory duty as set out in section 6 of the Environment (Wales) Act 2016 has been introduced which requires public bodies such as Cardiff Council to seek to maintain and enhance biodiversity, and in doing so to promote the resilience of ecosystems, in the exercise of their functions.

Furthermore, section 5.2.8 of Planning Policy Wales states that:- ‘The planning system has an important part to play in meeting biodiversity objectives by promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.’

In his letter to Heads of Planning of 23/10/19, the Chief Planner emphasised this point with the following:-

‘Planning Policy Wales (PPW) 10 sets out that “planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity” (para 6.4.5 refers).’

Any application should demonstrate how this will be the case, based on an understanding of what is present, as referred to in the need for a PEA / EcIA above.

In terms of specific enhancement features, nesting or roosting opportunities for birds and bats should be incorporated into new build in accordance with the advice given in 'Designing for Biodiversity: A Technical Guide for New and Existing Buildings, Second Edition. RIBA Publishing, London. Gunnell, K. et al., 2013', or most recent subsequent edition thereof. More specific details of appropriate levels of provision of nesting/roosting opportunities are given in the TCPA's 'Biodiversity Positive: Eco-towns Biodiversity Worksheet 2009'. With these documents in mind, I would say that an appropriate level of enhancement provision across the whole of this development would be:-

- 4 x bat boxes for crevice-dwelling bats, and
- 4 x Swift nest boxes, and
- 2 x double House Martin cup, and
- 2 x House Sparrow terrace

The applicant's ecologist can advise on the make and model and suitable positioning of these features. Bat / bird boxes such as these are readily available commercially, are inexpensive, and can be tailored to the style and colour of the finish of the buildings. Features which are integrated into the buildings rather than attached to the outside are preferable as they are more secure in the long-term and less prone to interference by the public.

Other enhancements should include using a species-rich wetland grassland seed mix in the SuDS basins.

(b) And (following submission of the Preliminary Ecological Appraisal stated):

I have considered the PEA submitted with this application, and am satisfied with the assessment that the trees on site which need to be removed have negligible bat roost potential.

However, there is an issue with the assessment of impacts upon reptiles, in that the PEA was conducted last year when the majority of the site was tightly mown. This led to a conclusion that the habitats on site were not suitable or extensive enough for these species, and so the site was of negligible value. This contrasts with the situation this year, whereby as shown in the attached images there is scrubby south-facing edge grading into rough grassland, which is ideal reptile habitat on the face of it.

In my previous response I gave the view that this year was the first year that the grass had been left uncut, based upon the absence of grassy tussocks and the lack of a thatch layer. This proved to be the case, so now the question is whether reptile species such as Slow-worms could have colonised or exploited this habitat since it has been left uncut. This would require consideration of adjacent habitats and connectivity.

Therefore we should invite the applicant's ecologist to re-visit the site and make this assessment based upon current conditions and surrounding habitat suitability. If the case is made that a reptile survey is still not justified, then I would ask that a precautionary reptile mitigation strategy is produced, in order to avoid harm to these species during site clearance.

Section 5.2 of the PEA set out a series of mitigation and enhancement measures, which I support. We should use a condition to ensure that the applicant implements them, together with the measures that I have asked for in my previous response.

(c) And further stated:

The submitted outline mitigation strategy dated 15th Sept 2020 is adequate, and we should attach a condition to any consent that a detailed mitigation strategy should be produced based upon the habitat suitability for these species at the time of writing that detailed strategy, rather than the habitat suitability at the time the PEA was undertaken.

5.4 The Public Rights of Way Officer states:

There is a Public Right of Way footpath, St Mellons No.2, which will be built upon. This footpath is not accessible to the north of the proposed development site therefore we would require the section of the footpath within the red line plan to be stopped up by a Legal Order under Section 257 Town and Country Planning Act. There is no reasonable diversion which would be appropriate therefore the stopping up of the path would be deemed necessary. Improvements to path network nearby to compensate for the loss should be considered as part of the development proposals.

If consent to the application is given, the applicant is required to apply for the Legal Order prior to works commencing. Please note Legal Orders take 6-8 months to process.

(The applicant has been advised of the PROW officer's comments).

5.5 The Waste Officer states:

Houses – 13 dwellings

The storage at the front of each property has been noted. Please ensure that these individual storage areas are large to accommodate the following receptacles.

- 1 x 140 litre bin for general waste
- 1 x 240 litre bin for garden waste
- 1 x 25 litre kerbside caddy for food waste
- Green bags for mixed recycling
- 1 x 30 litre bin for glass waste

Apartments – 15

Each bin store will require the following for waste and recycling collections:

- 1x 1100L bin for general waste
- 1 x 1100L bin for recycling

- 1 x 240 litre bin for food waste

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

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

Please note, the collection method utilised by Cardiff Council will likely change in the future which could result in different/more receptacles being required for the storage of waste between collections. In light of this, the bin store areas should allow a degree of flexibility in order to be able to adapt to potential collection changes.

A designated area for the storage of bulky waste is now a compulsory element of all communal bin stores. The City of Cardiff Council offers residents a collection service, for items which are too large to be disposed of in general waste bins (ie fridges, televisions, mattresses etc). There must be a designated area where these items can be left, with appropriate access to allow Council collection crews to remove. This area will prevent unwanted waste being left in the communal bin store or other areas, thereby improving the aesthetics of the site. For a development of this size the recommended storage area is 5m².

Access

Vehicle tracking has been noted and is acceptable.

All road surfacing must have suitable foundations to withstand the weight of a refuse collection vehicle (27 tonnes). Block paving is not appropriate as it can break/sink over time, particularly where vehicles are manoeuvring.

Financial Contributions

The following financial contributions will be required for bins to serve the houses and apartments: £2260

General comments

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

5.6 The Transport Officer states:

Transport comments on this application (additional details) are set out below. I originally gave comments on this scheme at pre-app (PA/19/00109/MJR). Informal comments only were made when this full application was originally submitted, as it became apparent that various design changes were required.

Cycle Parking

Our original concerns with the cycle parking for houses was that it meant the mid-terrace properties had to wheel their bikes through the house, which is not ideal. This has been dealt with by a revised approach regarding cycle parking, involving the provision of a metal cycle shelter (with suitable screening/design) adjacent to the front paths. I have some concerns with this, namely the 'lip' shown at the bottom of the unit meaning bikes have to be lifted, and the size of them is constrained. Given their design it means that to access the furthest bike in the other bikes need to be lifted out, which is not ideal from an accessibility perspective, and this is more of an issue for the 3-bed houses that need to accommodate an extra cycle. With consideration of the changes that have been made from the original housing cycle parking proposal, it is considered that the principle of the revised cycle parking is OK, but changes would subsequently be needed involving the type and dimensions – it is possible that the position of the grass strips the other side of the car parking spaces could be partly amended to enable better cycle parking facilities.

The parking for the flats is located in the secure area between the two blocks that also houses the bin storage and drying area. The plan indicates that 21 spaces need to be provided (22 are marked), although if 9 x 2 beds and 6 x 1 beds are proposed then actually 24 spaces are needed. The current drawing shows 1m spacings for the cycle stands (it is assumed these will be Sheffield type) and it does appear there would be room for an additional space. It would have been good if the design could have incorporated a direct (secure) connection from the path to the south into the cycle parking, to reduce the detour required for cyclists.

The above cycle matters can be dealt with via condition.

Car Parking

The overall amount of car parking proposed is within the SPG maximums. However, I do have issues with the way that parking spaces 19 and 24 (and to a lesser extent 18 and 25) are drawn at a location involving them manoeuvring in/out right on the 'bellmouth' of the parking court. There do therefore need to be some revisions to the car parking, although I see that this can be managed via a condition. In addition, further detailed design matters will be addressed via the Section 38 process.

Highway Access

I am OK with the principle of the new highway access on Brookfield Drive. This would be subject though to a suitable highway agreement (dealt with via a Recommendation) and would also be a planning condition. As set out at pre-app stage, I would like the highway access works to include the introduction of a dropped footway (in place of vehicle crossover) at Elmfield Close to the south-east, in order to maximise pedestrian accessibility.

Internal roads and paths

It is not clear what form of highway/footway split is proposed for the internal roads. The layout is showing a sub-standard 1m 'footway' on the northern side of the main access road, and there are 3 separate private driveway areas at the

end of the estate roads that are marked as shared surface (it may be that all of the internal roads are intended as shared surface?). Whilst some of these matters would be picked up via the Section 38 (likely including that the 'bellmouths' will be dropped footways instead) a planning condition can also deal with some of the detail.

I would like to see a footpath connection leading south from the path at the rear of the 3 storey flats, in order to provide a shorter walk distance from the south for some of those dwellings. It may be this requires a slight amendment to its location to not be immediately adjacent to windows. In addition I am unclear with the labelling to the south of the site indicating that an amended footway route is proposed. These matters can be clarified/addressed by condition.

Conditions

Cycle Parking

Prior to development commencing details showing the provision of cycle parking spaces, and appropriate access to them, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development being put into beneficial use. Thereafter the cycle parking spaces shall be maintained and shall not be used for any other purpose.

Reason: To ensure that adequate provision is made for the sheltered and secure parking of cycles.

Car Parking Spaces

Notwithstanding the submitted plans, prior to development commencing a revised car parking layout plan shall be submitted to and approved in writing by the Local Planning Authority, to include amended details of the parking spaces on the main access road near the apartments access. The approved details shall be implemented prior to the development being put into beneficial use.

Reason: To ensure the proposed car parking does not result in operational concerns.

Access Junction

Prior to development commencing details of the proposed access road junction with Brookfield Drive shall be submitted to and approved in writing by the Local Planning Authority, to also include details of amending the vehicle crossover adjacent to Elmfield Gardens into a dropped footway type access. Those details shall be implemented prior to beneficial occupation.

Reason: To ensure that the use of the proposed development does not interfere with the safety of traffic or pedestrian accessibility.

Internal roads and footpaths

Prior to development commencing details of the internal roads and footpaths shall be submitted to and approved in writing by the Local Planning Authority, to include details of the type of road/footway/shared surface that is proposed, clarification/details of the proposed footpath route change to the south, and consideration of introducing a footway link between the southern path and the access path adjacent to the 3 storey apartments block. Those details shall be

implemented prior to beneficial occupation.

Reason: To ensure that the use of the proposed development does not interfere with the safety of traffic or pedestrian accessibility.

The Transport Officer has no objection subject to conditions and these are included as proposed conditions 22-25(inc).

5.7 The Parks Officer states:

Design Comments

The scheme is largely similar to that previously discussed at a meeting with Housing and Drainage a few months ago. In terms of the existing open space presence of windows on the end face of the properties should provide informal supervision of the area. ABC Park suffers from considerable motorbike nuisance and other antisocial behaviour, partly because many of the existing houses back onto it and offer no informal surveillance.

A strip of open space along the southern edge of will be lost as a result of the development, but the benefits of improved surveillance should outweigh this in an area which is only used as a footpath link, which is retained. The main area occupied by the development was already Council Housing land and although visually forming part of the open space it had no defined use once the play area was relocated to another part of the site, although protection of the trees is of paramount importance. A number of trees had been damaged by arson.

There were concerns about having balconies where they could potentially provide shelter for anti-social behaviour but given the hedge and other planting this should discourage the problem, although I'm unclear from the drawing what hedging species are proposed. The main courtyards are screened from the park by 2.1m walls, but there are sections with lower walls and railings which will allow views through, albeit partly obscured by hedging.

Further details will be needed of the barriers between the development and park.

The previous discussion was that the path may be relocated to enable the suds features to be located between this and the new housing to provide more defensible space. However the current proposals have retained the path in the same location, with the main attenuation features south of this but a narrow Suds feature along the boundary of the development. If Housing consider that this provides adequate protection for the new housing given the problems of anti-social behaviour then Parks would accept this, although following construction Housing and Parks would need to liaise to address any issues.

Detailed designs of the SuDS basins within the open space have yet to be confirmed with Parks. Clarity will be needed on the final design, responsibility for maintenance, and how this will be funded. Details of maintenance operations for the SuDS features will be required should these be adopted and maintained by the Council.

Responsibility for maintenance for landscape within the main development, including boundary planting will also need to be confirmed.

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 52.2. This generates an open space requirement of 0.127 ha of on-site open space based on the criteria set for Housing accommodation, or an off-site contribution of £54,160. I enclose a copy of the calculation

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

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

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

Consultation will take place with Ward Members to agree use of the contribution, and this will be confirmed at S106 stage. The closest areas of recreational open space are ABC Park, Cath Cobb Recreation Ground, Cath Cobb Woods, Heritage Park, Orchard Park, Greenway Road, Caerleon Park and Coleford Drive open space, Heol Maes Eirwg and Hendre Lake Park.

6. **EXTERNAL CONSULTATIONS**

6.1 NRW state:

We have no objection to the proposed development as submitted and provide the following advice.

Flood Risk

We note you consulted NRW for the reason of flood risk. However, according to our maps, the application site is not located in Zone C of the development advice maps contained in TAN15 and/or zones 2 or 3 of NRW Flood Zone Maps. As such we have no comments regarding flood risk.

Land Contamination and Controlled Waters

We consider that the controlled waters at this site are not of the highest environmental sensitivity, therefore we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site.

It is recommended that the requirements of Planning Policy Wales and the Guiding Principles for Land Contamination (GPLC) should be followed.

These comments are based on our assumption that gross contamination is not present at this location. If, during development, gross contamination is found to be present at the site the Local Planning Authority may wish to re-consult Natural Resources Wales.

Natural Resources Wales recommends that developers should:

1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. Refer to the Environment Agency's 'Guiding Principles for Land Contamination' for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Refer to our groundwater protection advice on www.gov.uk

European Protected Species

Since consulting us on the application we note you have uploaded additional information to your website but did not advise us of this. As we were unaware of this information until today, we have not considered it in our response. This additional information relates to ecology. If your ecologist requires our advice on this information please reconsult us.

Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

- 6.2 South Wales Police have no objection to this development and have been involved in pre application discussions with developers.

South Wales Police welcome the fact that the development is to be built to Secured by Design standards which have been shown to reduce crime risk by up to 75%.

Further information on Secured by Design can be found on www.securedbydesign.com

6,3 Welsh Water states:

We would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes provided below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

ASSET PROTECTION

The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. In accordance with the Water Industry Act 1991, Dwr Cymru Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs. However, having regard to the Proposed Site Layout (drawing: 18028 (05) 100 Q, it appears the proposed development would be situated within the protection zone of the public sewer measured 3 metres either side of the centreline. It may be possible to divert the sewer if the developer applies under Section 185 of the Water Industry Act and we request that they contact us to discuss and consider possible solutions. Alternatively, we recommend the proposed development is repositioned to accommodate for the required protection zone. In the first instance, it is recommended that the developer carry out a survey to ascertain the location of this sewer and establish its relationship to the proposed development. Notwithstanding this, if you are minded to grant planning consent prior to the amendment of plans demonstrating how the public sewer will remain protected, we would request that the following Conditions and Advisory Notes are included to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets:

Condition

No development shall commence until a foul water 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 water flows and thereafter implemented in accordance with the approved details prior to the occupation of the development. 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.

SEWERAGE

We can confirm capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development site. Surface Water Drainage As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The

development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with [Council Name], as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

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. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

SEWAGE TREATMENT

Dwr Cymru Welsh Water has no objection to the proposed development.

WATER SUPPLY

A water supply can be made available to serve this proposed development. The developer may be required to contribute, under Sections 40 - 41 of the Water Industry Act 1991, towards the provision of new off-site and/or on-site watermains and associated infrastructure. The level of contribution can be calculated upon receipt of detailed site layout plans which should be sent to the address above.

Our response is based on the information provided by your application. 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.

(This response has been forwarded to the applicant)

6.4 GGAT states:

Information in the Historic Environment Record, curated by this Trust, shows that there are no known archaeologically significant sites within, or in close proximity to, the proposed development. Similarly, a review of historic Ordnance Survey mapping of the area depicts no archaeologically

significant structures or features. Important structures dating to the Roman period have been discovered to the southeast of the proposal, but there is no suggestion they extend into the current development area.

As a result, there is unlikely to be an archaeological restraint to this proposed development and consequently, as the archaeological advisors to your Members, we have no objections to the positive determination of this application. The record is not definitive, however, and features may be disturbed during the course of the work. In this event, please contact this division of this Trust.

7. **REPRESENTATIONS**

- 7.1 Local Members have been consulted. No representations have been received to date but will be reported to the Planning Committee if received prior to the meeting.
- 7.2 The proposal was advertised in the press and by site notices as a major application.
- 7.3 Neighbouring occupiers were consulted by letter.
- 7.4 A resident of Millfield Close has submitted the following comments:
 - 1. From the drawings it seems to be suggested that the houses being built next to our fence will directly overlook our house. As there are going to be windows on the side of the new build, this will definitely affect our privacy.
 - 2. As far as I can see there is no indication on any of the documents about what will happen to the boundary between our house and the new build. Will the existing boundary need to be changed? and if so what will it be?

8. **ANALYSIS**

- 8.1 The application site falls within the settlement boundary as defined by the LDP proposals map and has no specific designation or allocation.
- 8.2 Given the application site's context, located in close proximity to St. Mellons District Centre and surrounded by housing, the application raises no land use policy concerns.
- 8.3 LDP Policy C4 requires the protection of open space unless certain criteria are met such as the open space having no significant functional or amenity value, the open space is of no significant quality, the open space has no significant nature or historic conservation importance. In this case the Parks Officer has submitted no objection to this proposal and the aforementioned criteria are considered to be applicable. The Parks Officer requires a Section 106 contribution.

- 8.4 Concerns were raised with the applicant over certain aspects of the development when originally submitted. The applicant has addressed those issues through the submission of amended plans responding as follows:

Windows on side gable following comments from local resident.

- The elevation plans have been updated to omit the windows on the side gable of plot 10 that were causing concern to the existing adjoining occupier. The window to the ground floor has been retained as the window does not result in any loss of privacy but provides much needed light to the home office which this window serves.

Bathroom windows

- The window width has been increased as requested.

Cycle Store/ Bin Store

- Where required the cycle and bin stores have been relocated to the front of the properties (plots 1-13). The stores have been carefully configured to provide sufficient storage. As such it is considered that the new arrangement will provide adequate bin and cycle storage whilst ensuring the character and appearance of the proposed development.

Boundary Treatment (Flats courtyard adjoining the Park)

- The boundary treatment to the flat courtyard which is adjacent to the Park has also been revisited. The boundary treatment is now a combination of brick wall, railings and hedgerow. The proposals for this aspect of the development have been reconsidered following issues of anti-social behaviour on other sites. It is considered that a combination boundary treatment coupled with landscaping will provide an effective treatment that will ensure the amenity of the new occupiers. Furthermore the courtyard area still has a good level of natural surveillance as the area is overlooked by the flats.

Other comments

- Landscape details have been amended to address the comments originally received from the Council's Tree officer.
- In light of the above the drainage plan has also been amended and is included as part of the resubmission.
- Contact has also been made with the Council's Public Rights of Way Officer and the process for stopping up the public right of way is being reviewed and will be commenced shortly.

- 8.5 The number, size and appearance of the proposed dwellings and their layout now raises no fundamental planning issues and complies with the Residential

Design Guide SPG following amendments to the scheme. Windows have been removed from the side elevations of the proposed houses that would have overlooked existing dwellings to ensure that privacy is protected and this would be further controlled by condition 13. Conditions 14, 15 and 16 would control elements associated with the appearance of the dwellings.

- 8.6 An ecological study submitted with the application recommended 2 bat boxes and 2 nest boxes. No evidence of bats or nesting birds was identified. The report concludes that "Overall, it is assessed that the redevelopment of the site will benefit bats by greening the site with new garden habitats associated with the proposed dwellings and additional landscape planting along the southern and western boundaries." In view of the Council's Ecologist's comments condition 8 is recommended which require further study and more enhancements.
- 8.7 It is acknowledged that a category B tree would need to be removed to facilitate this development of affordable housing but 14 new trees are to be planted with additional hedgerows and shrubs. The applicant has submitted revised landscaping details to address the Tree Officer's initial response nevertheless it is considered that Conditions 18 -21 (inc) are necessary to cover landscaping matters. It should also be noted that the Tree Officer now has no objection.
- 8.8 The Transport Officer has no objection subject to conditions and these are included as proposed conditions 23-26(inc).
- 8.9 Consultees' comments have been incorporated as conditions within Recommendation 1 above and their advisory notes forwarded to the applicant.
- 8.10 There have been no objections from consultees. A local resident queried the means of enclosure and this can be controlled by condition 22 as the full length of the existing means of enclosure to the northern boundary is partly obscured by vegetation.
- 8.11 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. The provision of affordable housing in a sustainable location is considered a positive measure in addressing wellbeing objectives.
- 8.12 Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed

decision. The Police have no objections.

- 8.13 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.

9. **CONCLUSION**

- 9.1 In conclusion, it is considered that the construction of much needed affordable housing in this sustainable location, within walking distance of a range of facilities, and close to a bus route can be granted subject to a Unilateral Undertaking and conditions.
- 9.2 The Unilateral Undertaking contribution is to include £2260 for bins to serve the houses and apartments identified by the Waste Officer and £54,160 as an off-site open space identified by the Parks Officer for use following consultation between the Parks Officer with Ward Members to agree use of the contribution. The closest areas of recreational open space are ABC Park, Cath Cobb Recreation Ground, Cath Cobb Woods, Heritage Park, Orchard Park, Greenway Road, Caerleon Park and Coleford Drive open space, Heol Maes Eirwg and Hendre Lake Park.



This drawing must not be scaled.
 Figured dimensions and levels to be used.
 Any inaccuracies must be notified to the architect.
 Detail drawings and large scale drawings take precedence over smaller drawings.

Rev:	Chk'd:
-	
First Issue for PAC 20.02.19	

THIS DRAWING IS COPYRIGHT ©

Registered Office: Powell Dobson, Suite 1F, Building One, Eastern Business Park, Wern Fawr Lane, Old St. Mellons, Cardiff CF3 5EA. Powell Dobson is a trading name of Powell Dobson Ltd a company registered in England and Wales No 3873802.

PRELIMINARY	<input checked="" type="checkbox"/>
PLANNING	
DESIGN	
TENDER	
CONSTRUCTION	

powelldobson
ARCHITECTS

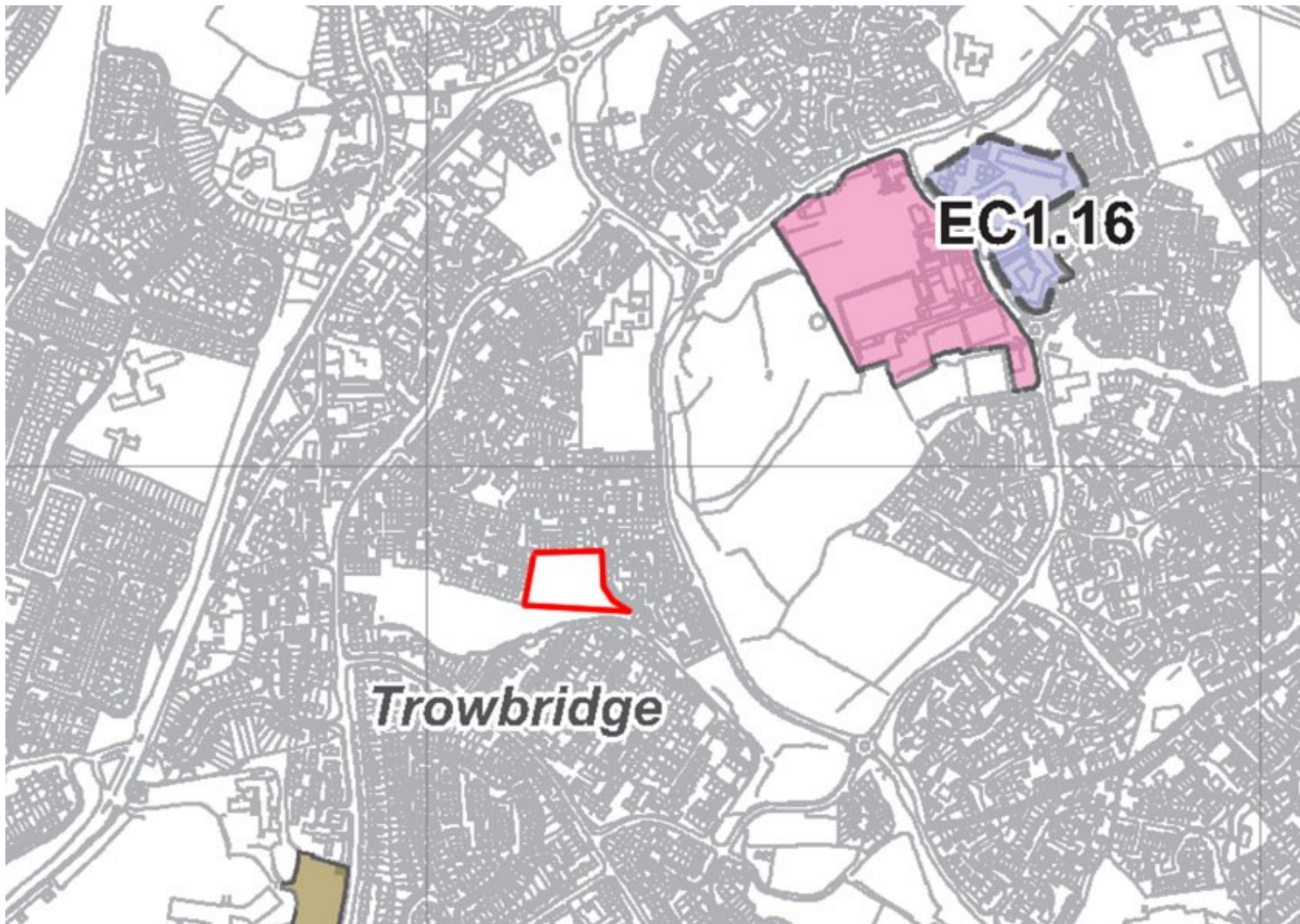
Cardiff Office: Suite 1F, Building One, Eastern Business Park, Wern Fawr Lane, Old St Mellons, Cardiff CF3 5EA
 Tel: +44 (0)33 33 201 001 www.powelldobson.com

Contract: **Cardiff Living**
 Residential Development at Brookfield Drive
 Title: **Site Location Plan**

Drawing No.	Rev.
18028 (05) 000	-

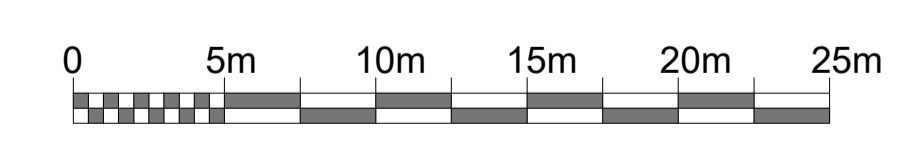
Scale: 1:1250 @ A4
 Date: January 2020
 Drawn: PG
 Checked: -

THE LDP PROPOSALS MAP





- Boundary Treatments**
- Type A - 2100mm high facing brick wall
 - Type A2 - 1200mm high facing brick wall
 - - - Type B - 1800mm high Close Boarded fence
 - Type C - low Railing
 - - - Type D - 2100mm high Railing
 - - - Application Boundary



Figured dimensions and levels to be used. Any inaccuracies must be notified to the architect. Detail drawings and large scale drawings take precedence over smaller drawings.

Rev:	Chk'd:	Rev:	Chk'd:	Rev:	Chk'd:
H	M	M	-	T	
J	N	P			
K	Q	R			
L	S				

PRELIMINARY	✓
PLANNING	
DESIGN	
TENDER	
CONSTRUCTION	

powelldobson
ARCHITECTS

Drawing No.	Rev.
18028 (05) 100	T

Cardiff Office: Suite 1F, Building One, Eastern Business Park, Wern Fawr Lane, Old St Mellons, Cardiff CF3 5EA
Tel: +44 (0)33 23 201 001 www.powelldobson.com

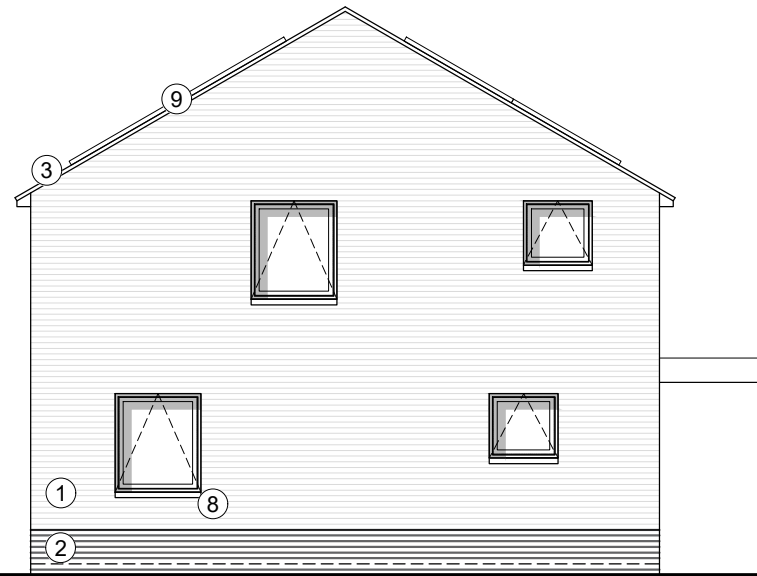
Contract: Cardiff Housing Partnership
Brookfield Drive, Trowbridge

Title: Proposed Site Layout

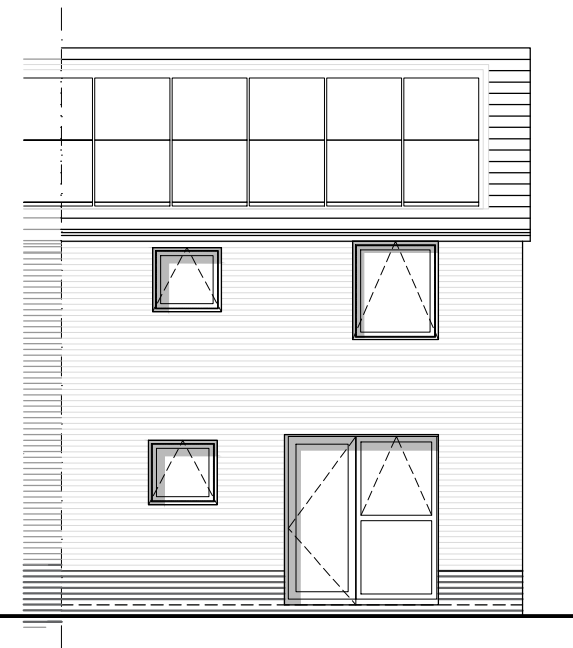
Scale: 1:250 @ A1
Date: Aug. 2019
Drawn: PG
Checked: BK



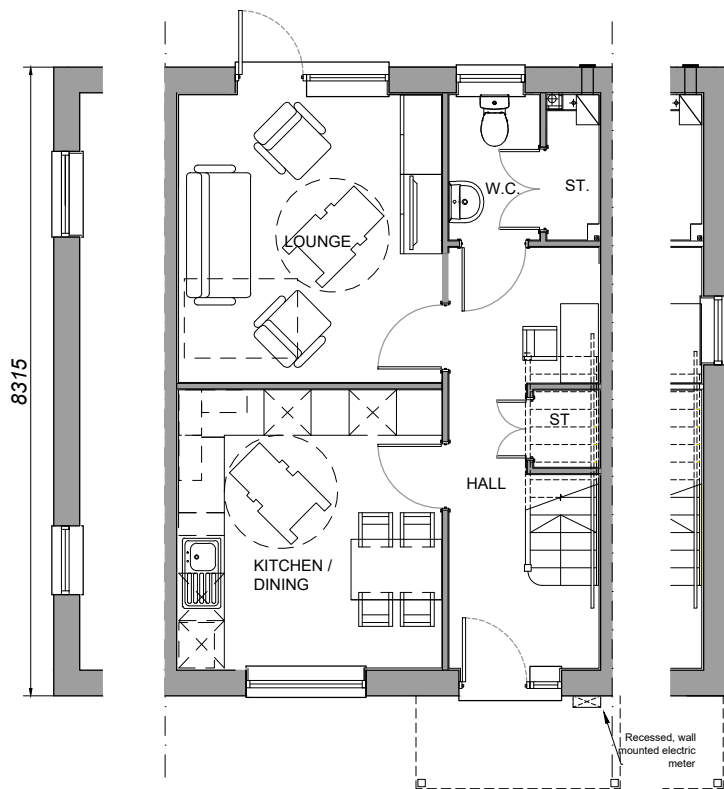
03 Front Elevation



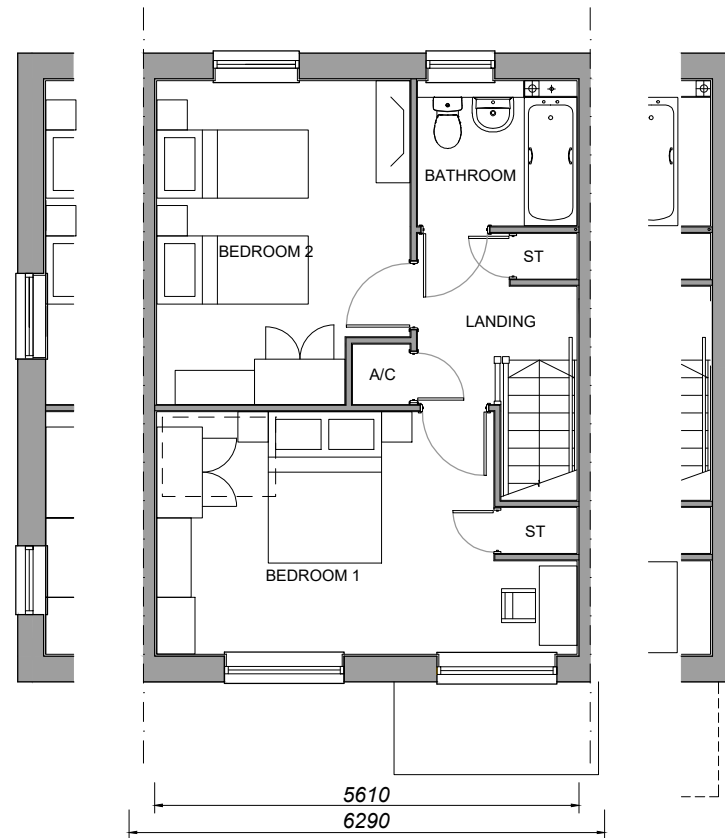
04 Side Elevation



05 Rear Elevation



01 Ground Floor Plan



02 First Floor Plan

Materials Schedule

1. Light Coloured Facing Brickwork (Spec. tbc)
2. Contrasting Facing Brickwork (Spec. tbc)
3. Dry Verge Continuous Profile in colour to match windows
4. UPVC Window System (opening mech. tbc)
5. UPVC Front Door System with Sidelight (colours vary per plot)
6. 'Duo' Format Concrete Tile. Colour: brown or grey (colour varies per plot).
7. Proprietary Balcony/Canopy PPC with steelwork guarding
8. Cast Stone Sill in colour to tone with brickwork
9. PV Roof Tile (TBC)



Figured dimensions and levels to be used. Any inaccuracies must be notified to the architect. Detail drawings and large scale drawings take precedence over smaller drawings.

Rev:	First Issue for PAC. 18.02.20 PG	Rev:	
A	PV added on roof. Issue for planning EB 02.07.20		
B	Adjustment to internal layout and canopy. EB 04.09.20		
C	Balcony removed from front elevation. EB 10.09.20		

THIS DRAWING IS COPYRIGHT ©

Registered Office: Powell Dobson Ltd. Suite 1F, Building One, Eastern Business Park, Wern Fawr Lane, Old St Mellons, Cardiff CF3 5EA. Powell Dobson is a trading name of Powell Dobson Ltd a company registered in England and Wales No 3873802.

PRELIMINARY	✓
PLANNING	
DESIGN	
TENDER	
CONSTRUCTION	

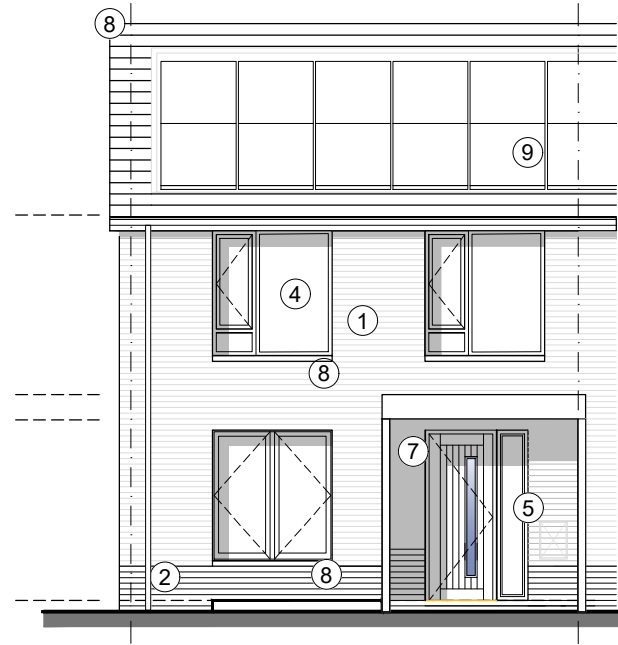
powelldobson
ARCHITECTS

Cardiff Office: Suite 1F, Building One, Eastern Business Park, Wern Fawr Lane, Old St Mellons, Cardiff CF3 5EA
Tel: +44 (0)33 33 201 001 Fax: +44 (0)29 2079 1212 email: cardiff@powelldobson.com

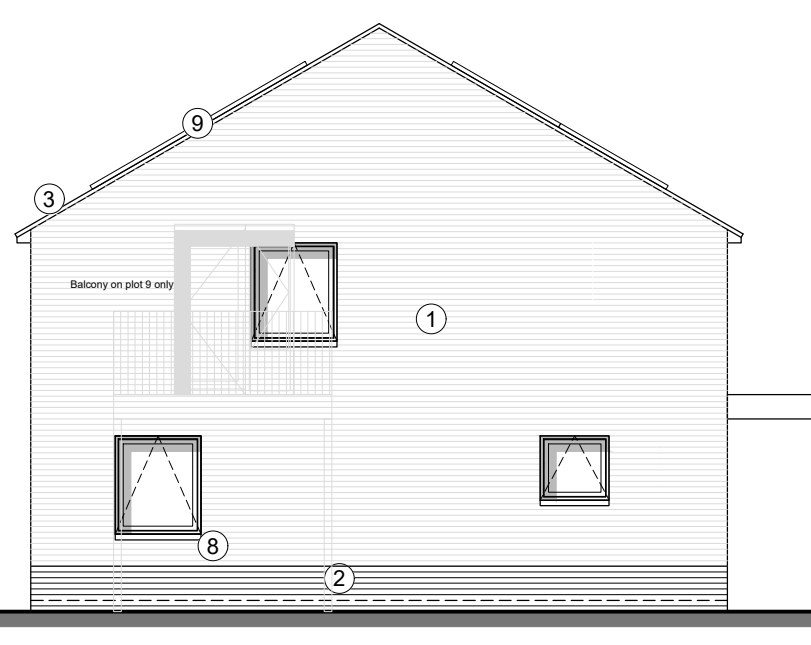
Contract: Cardiff Living
Residential Development at Brookfield Drive
Title: House Type A1 - Plans & Elevations

Drawing No. Rev.
18028 (05) 120 C

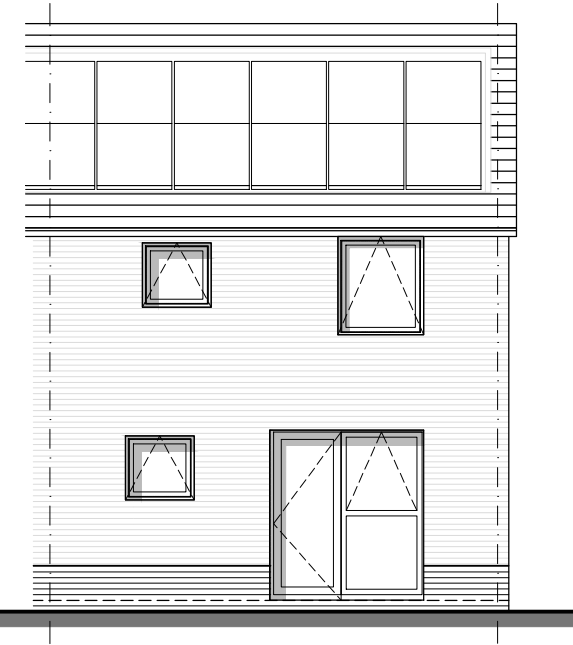
Scale: 1:100 @ A3
Date: Dec 2019
Drawn: MB
Checked: -



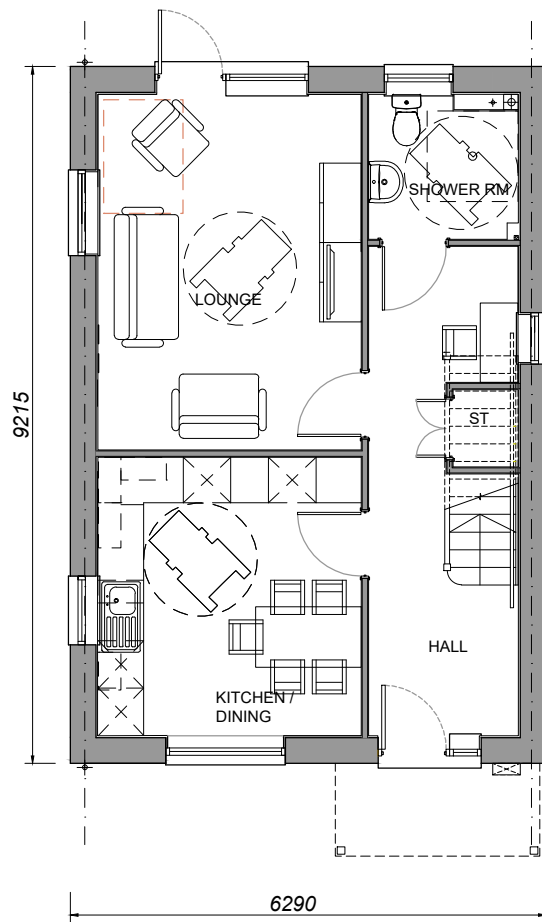
03 Front Elevation



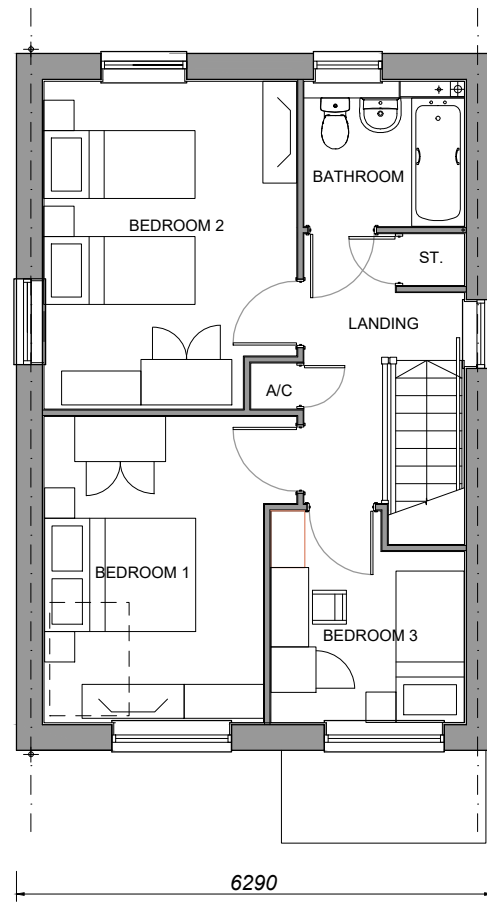
04 Side Elevation



05 Rear Elevation



01 Ground Floor Plan



01 First Floor Plan

Materials Schedule

1. Light Coloured Facing Brickwork (Spec. tbc)
2. Contrasting Facing Brickwork (Spec. tbc)
3. Dry Verge Continuous Profile in colour to match windows
4. UPVC Window System (opening mech. tbc)
5. UPVC Front Door System with Sidelight (colours vary per plot)
6. 'Duo' Format Concrete Tile. Colour: brown or grey (colour varies per plot).
7. Proprietary Balcony/Canopy PPC with steelwork guarding
8. Cast Stone Sill in colour to tone with brickwork
9. PV Roof Tile (TBC)



Figured dimensions and levels to be used. Any inaccuracies must be notified to the architect. Detail drawings and large scale drawings take precedence over smaller drawings.

Rev:	Description
-	First Issue for PAC. 20.02.20 PG
A	PV added on roof. Issue for planning EB 02.07.20
B	Adjustment to internal layout and canopy. EB 04.09.20

THIS DRAWING IS COPYRIGHT ©

Registered Office: Powell Dobson Ltd. Suite 1F, Building One, Eastern Business Park, Wern Fawr Lane, Old St Mellons, Cardiff CF3 5EA. Powell Dobson is a trading name of Powell Dobson Ltd a company registered in England and Wales No 3873802.

PRELIMINARY	✓
PLANNING	
DESIGN	
TENDER	
CONSTRUCTION	

powelldobson
ARCHITECTS

Cardiff Office: Suite 1F, Building One, Eastern Business Park, Wern Fawr Lane, Old St Mellons, Cardiff CF3 5EA
Tel: +44 (0)333 33 201 001 Fax: +44 (0)29 2079 1212 email: cardiff@powelldobson.com

Contract: Cardiff Living
Residential Development at Brookfield Drive
Title: House Type A2 - Plans and Elevations

Drawing No. Rev.
18028 (05) 121 B

Scale: 1: 100 @ A3
Date: Dec 2019
Drawn: MB
Checked: -



03 South Elevation



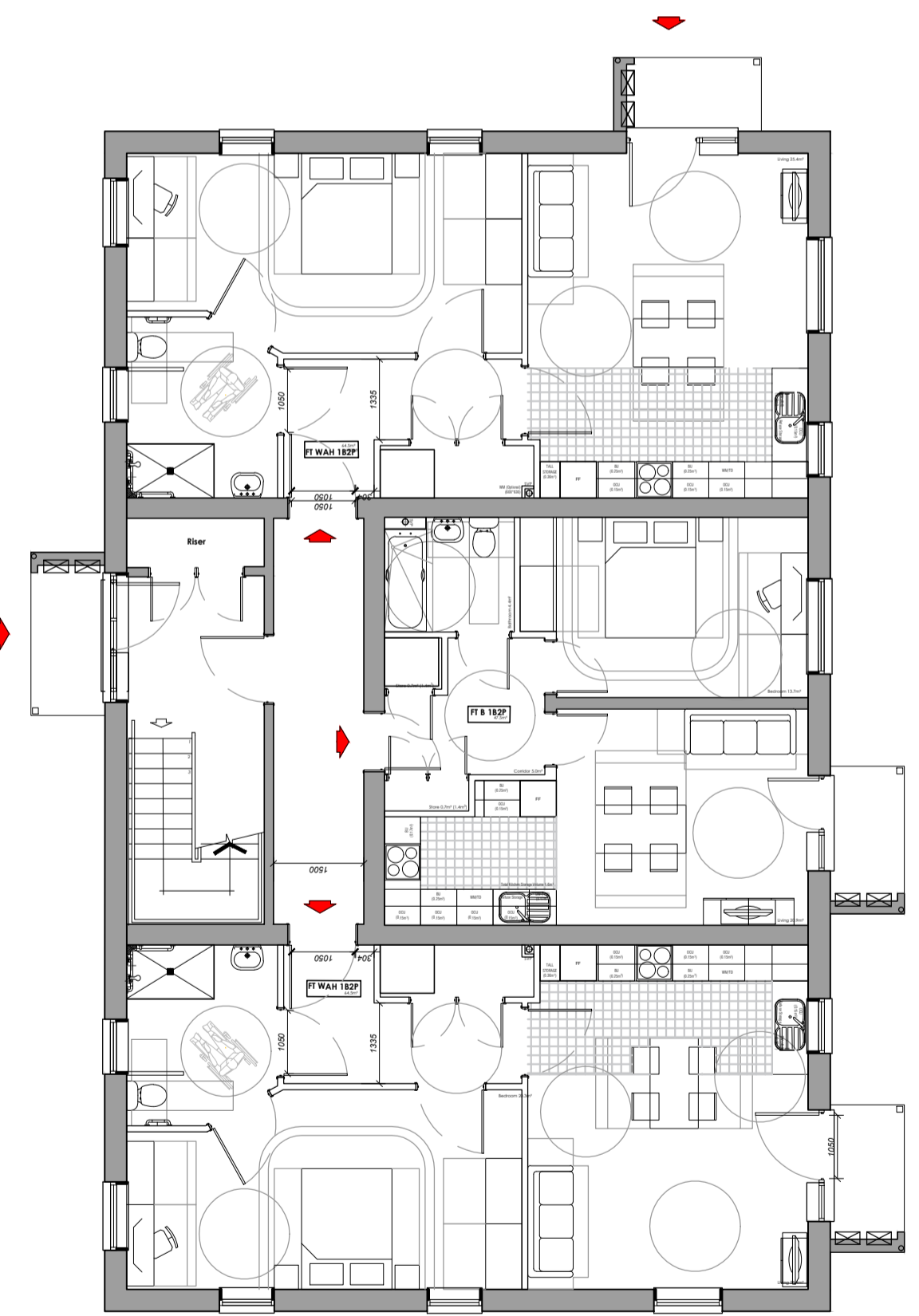
04 North Elevation



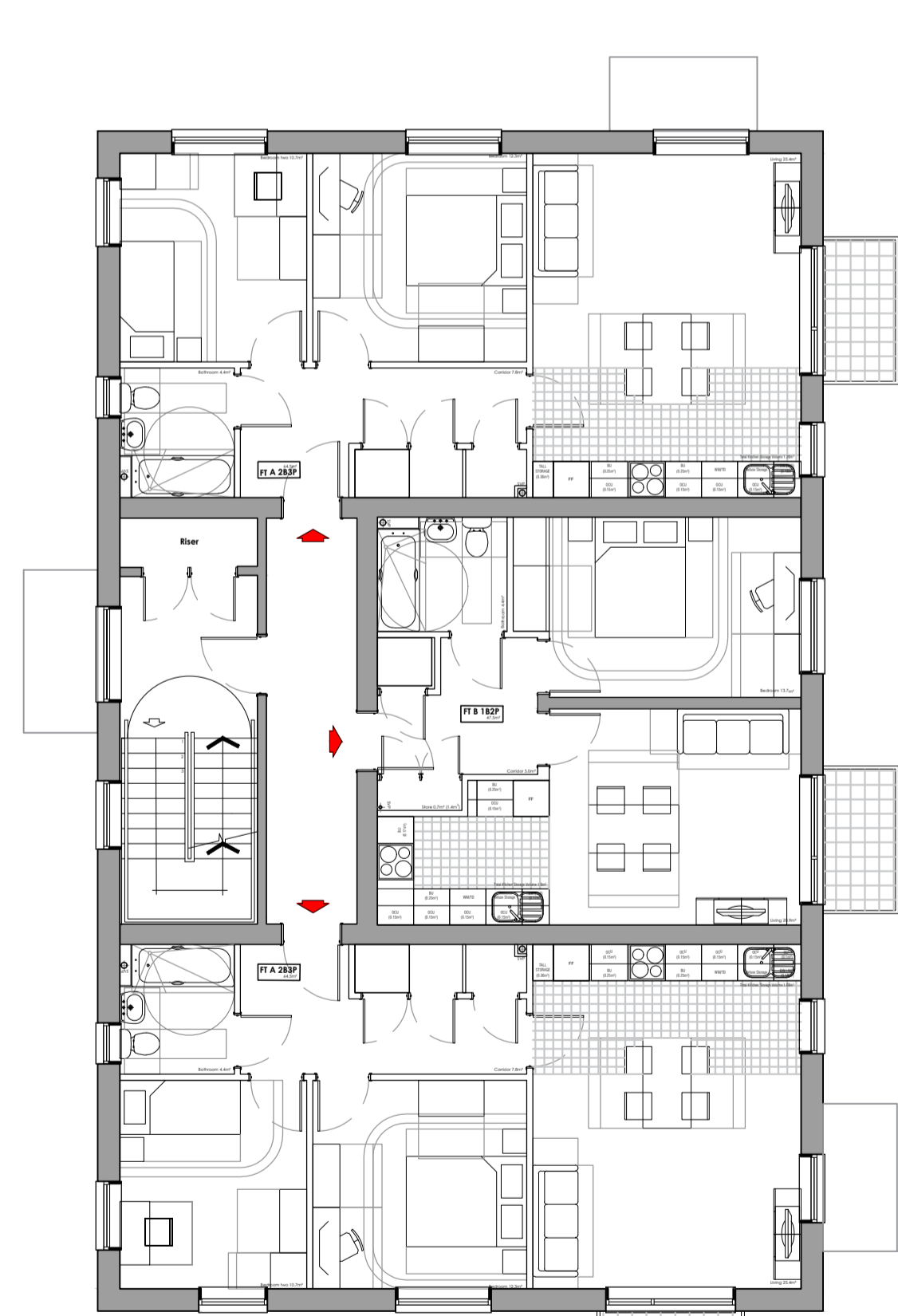
05 West Elevation



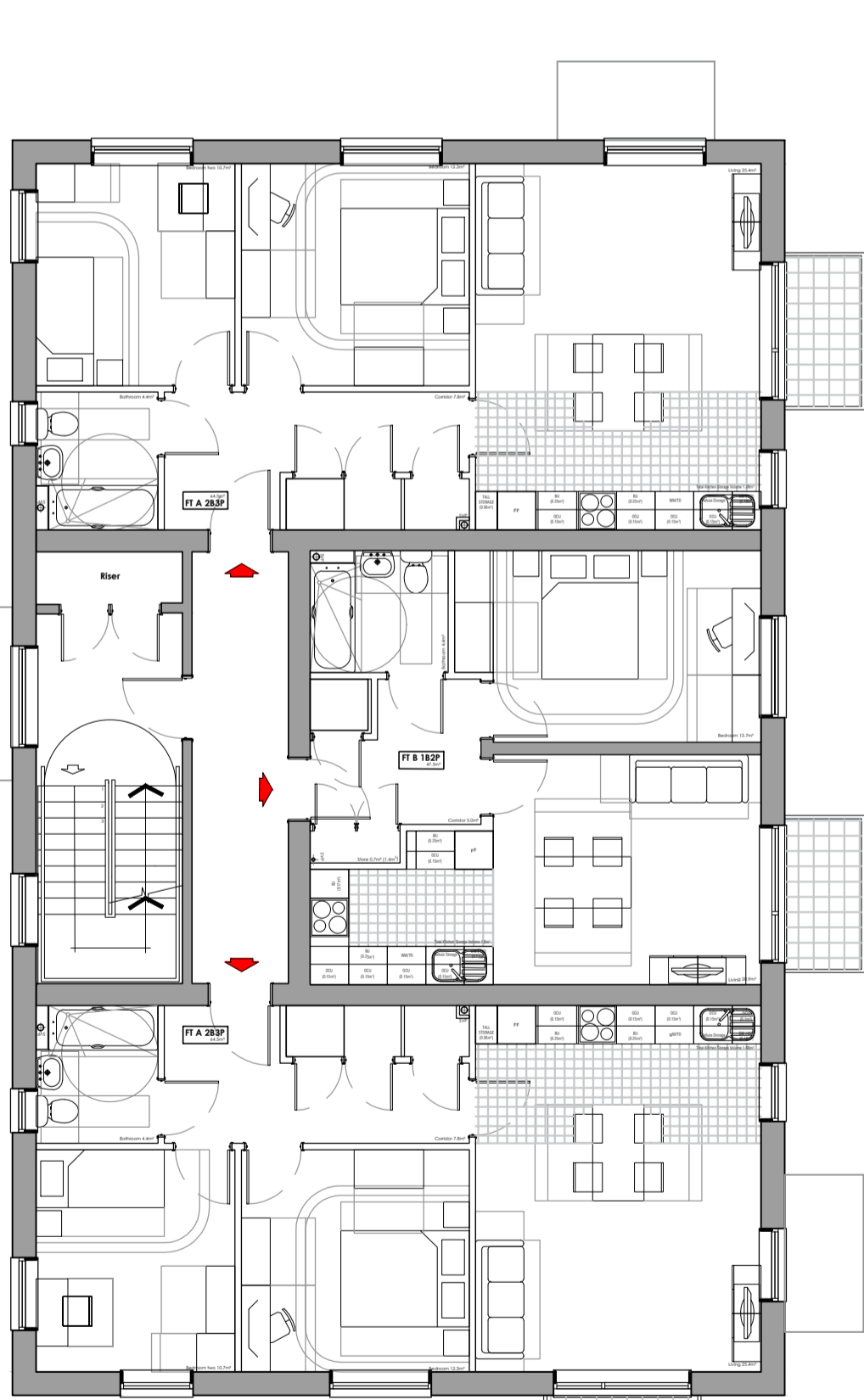
06 East Elevation



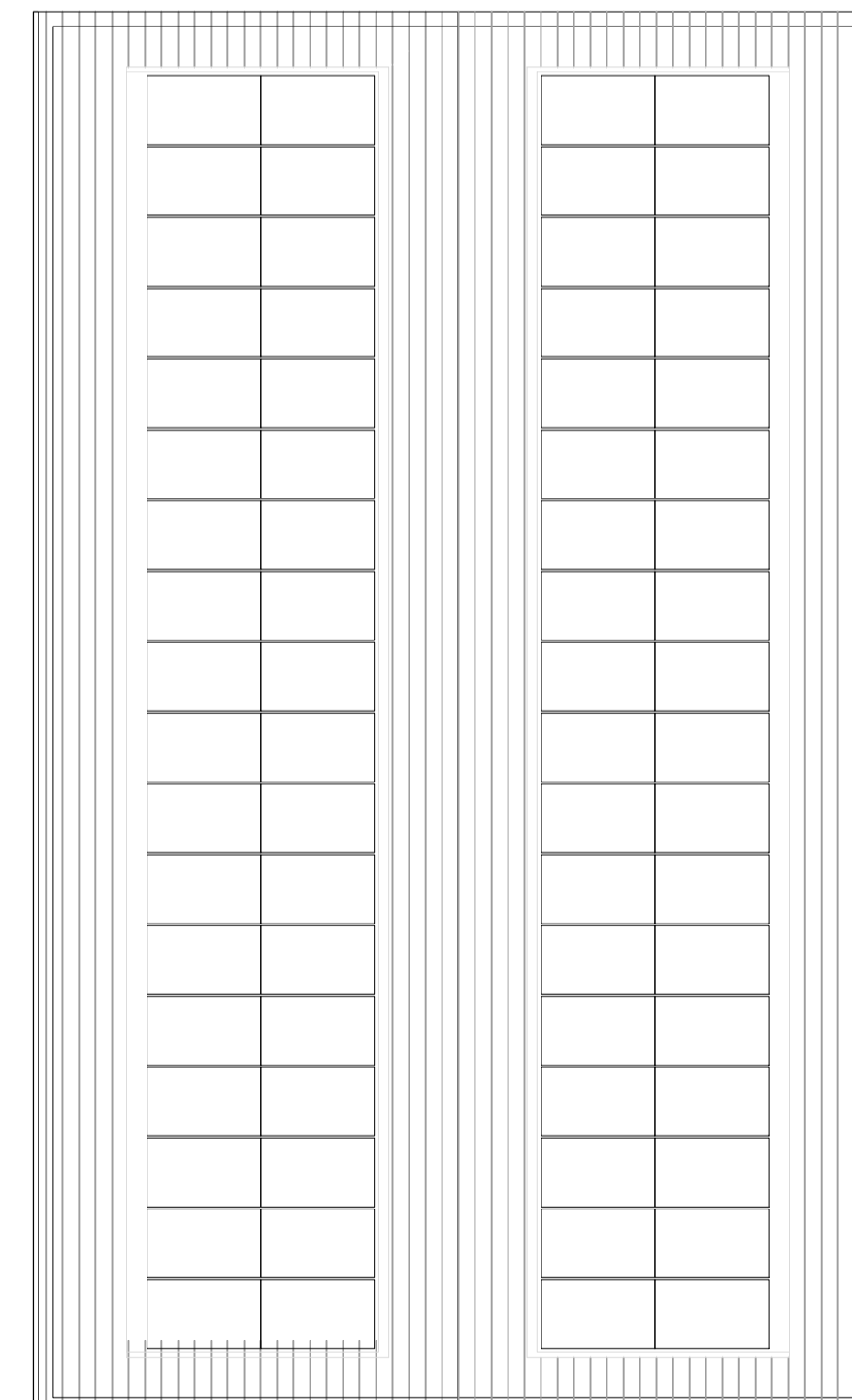
00 Ground Floor Plan



01 First Floor Plan



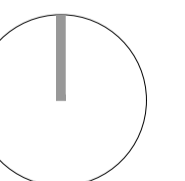
02 Second Floor Plan



07 Roof Plan

- Materials Schedule
1. Light Coloured Facing Brickwork (Spec. tbc)
 2. Dark Colour Rough Cast Render System (Spec. tbc)
 3. Dry Varge Continuous Profile in colour to match windows
 4. UPVC Window System (opening mech. tbc)
 5. UPVC Front Door System with Sidelight (colours vary per plot)
 6. 'Duo' Format Concrete Tile. Colour: brown or grey (colour varies per plot)
 7. Proprietary Balcony/Canopy PPC with steelwork guarding
 8. Cast Stone Sill in colour to tone with brickwork
 9. PV Roof Tile (TBC)
 10. Contrasting Facing Brickwork (spec. tbc)

0 5m



Figured dimensions and levels to be used. Any inaccuracies must be notified to the architect. Detail drawings and large scale drawings take precedence over smaller drawings.

Rev:	Chk'd:	Rev:	Chk'd:
-		First Issue for PAC 20.02.20	
A		Window sizes and position changed EB 08.06.20	
B		PV added on roof. Issue for planning EB 02.07.20	

THIS DRAWING IS COPYRIGHT ©

Registered Office: Powell Dobson, Suite 1F, Building One, Eastern Business Park, Wern Fawr Lane, Old St. Mellons, Cardiff CF3 5EA. Powell Dobson is a trading name of Powell Dobson Architects Ltd a company registered in England and Wales No 3873802.

PRELIMINARY	✓
PLANNING	
DESIGN	
TENDER	
CONSTRUCTION	

powelldobson
ARCHITECTS

Cardiff Office: Suite 1F, Building One, Eastern Business Park, Wern Fawr Lane, Old St Mellons, Cardiff CF3 5EA
Tel: +44 (0)333 23 201 001 www.powelldobson.com

Contract: Cardiff Living

Residential Development at Brookfield Drive

Title: Proposed Apartment Block Plots 20-28 GAs

Drawing No. 18028 (05) 110 Rev. B

Scale: 1:100 @ A1
Date: December 2019
Drawn: CHT
Checked:..



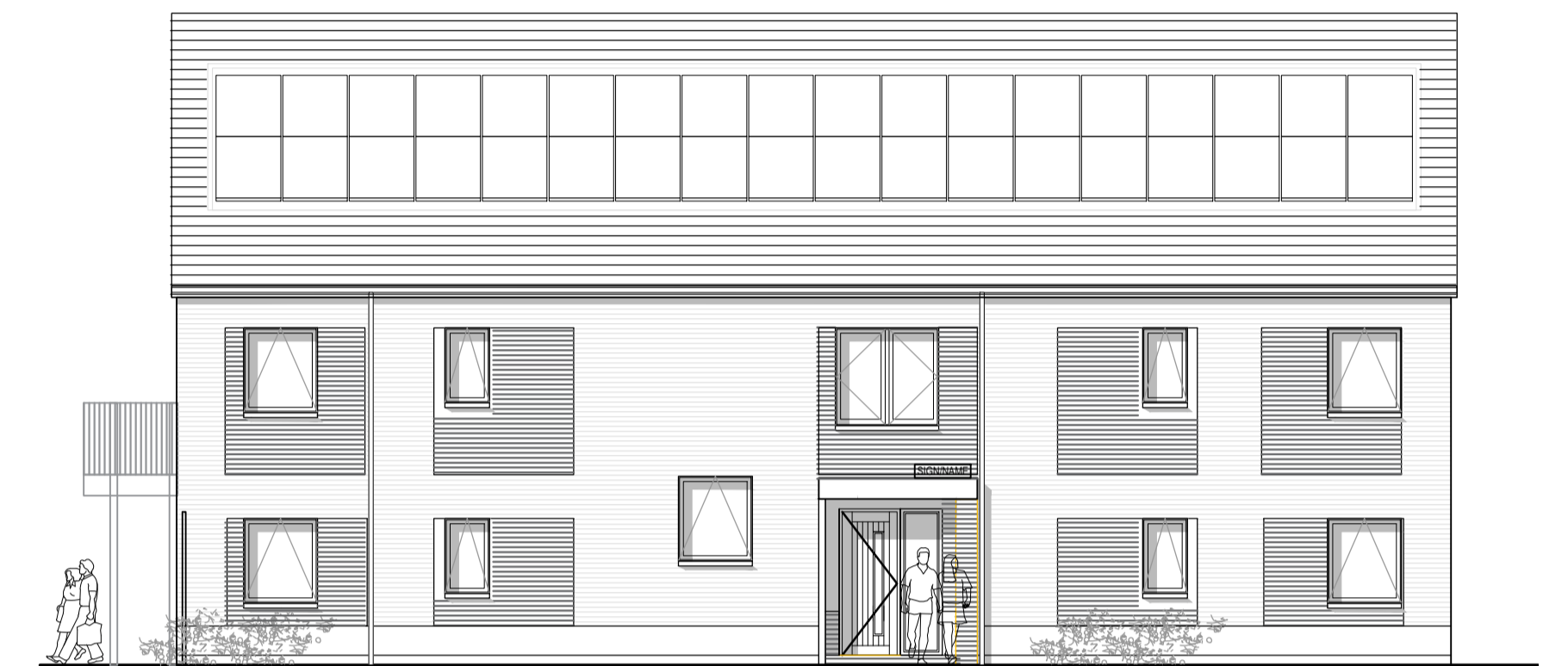
03 South Elevation



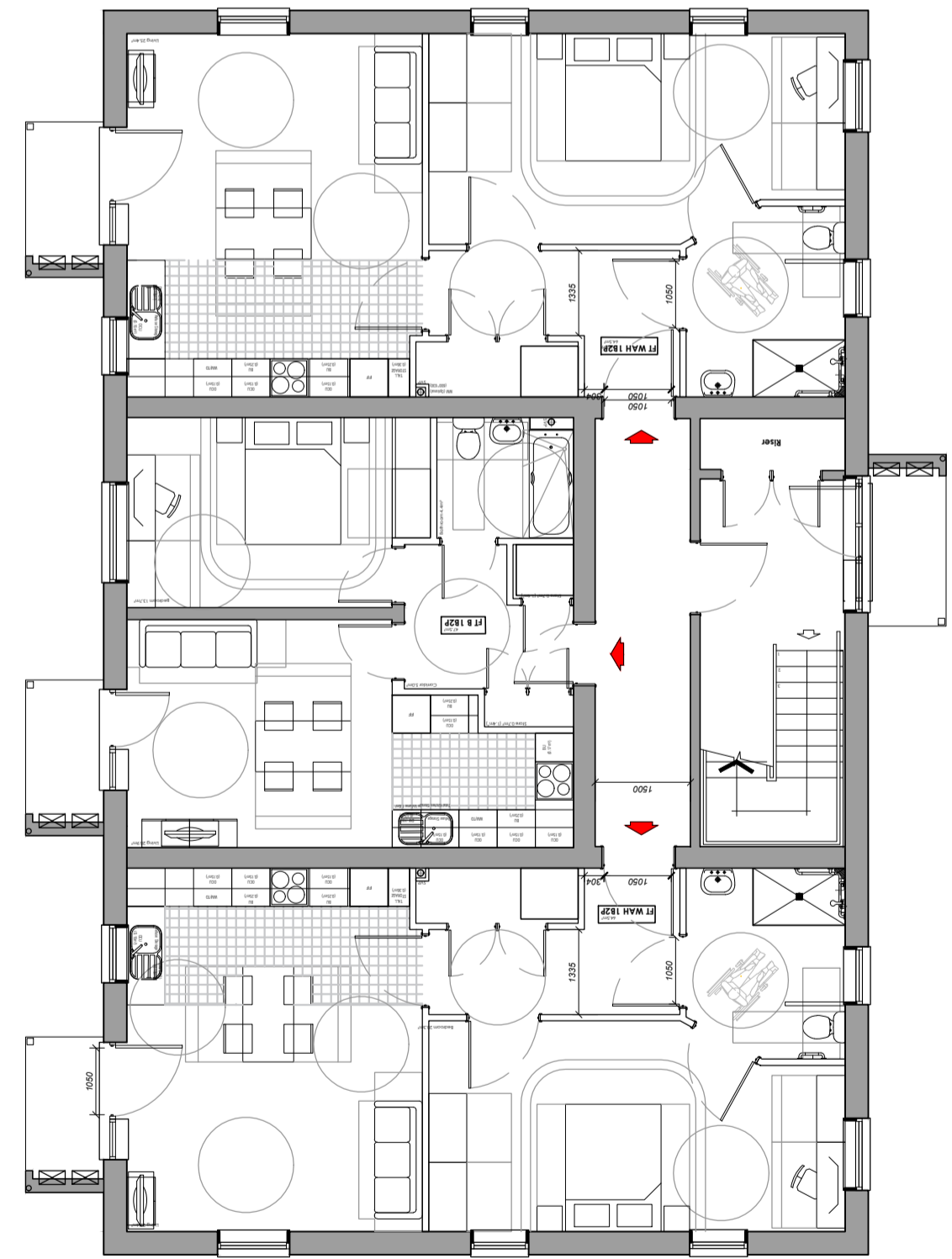
04 North Elevation



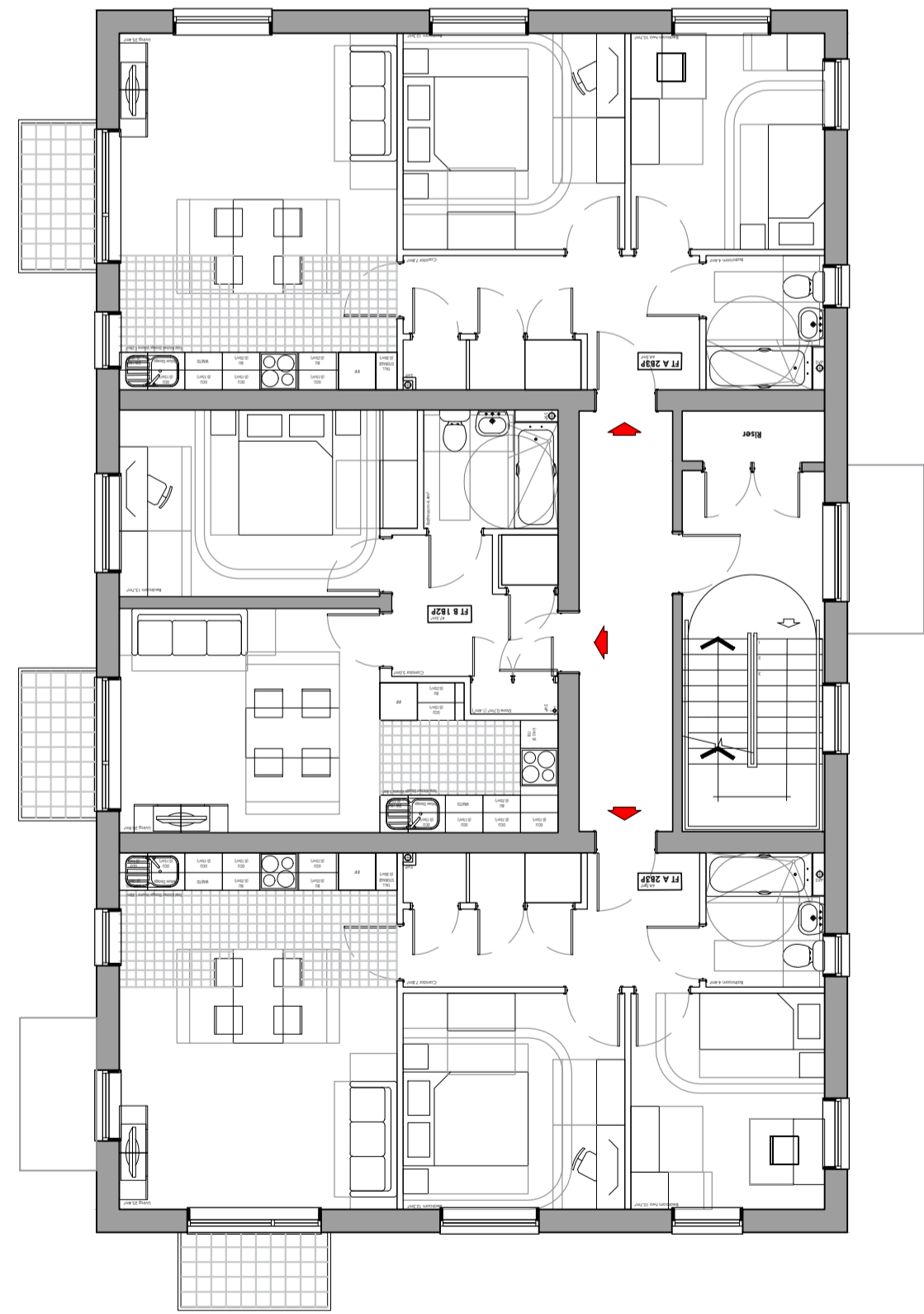
05 West Elevation



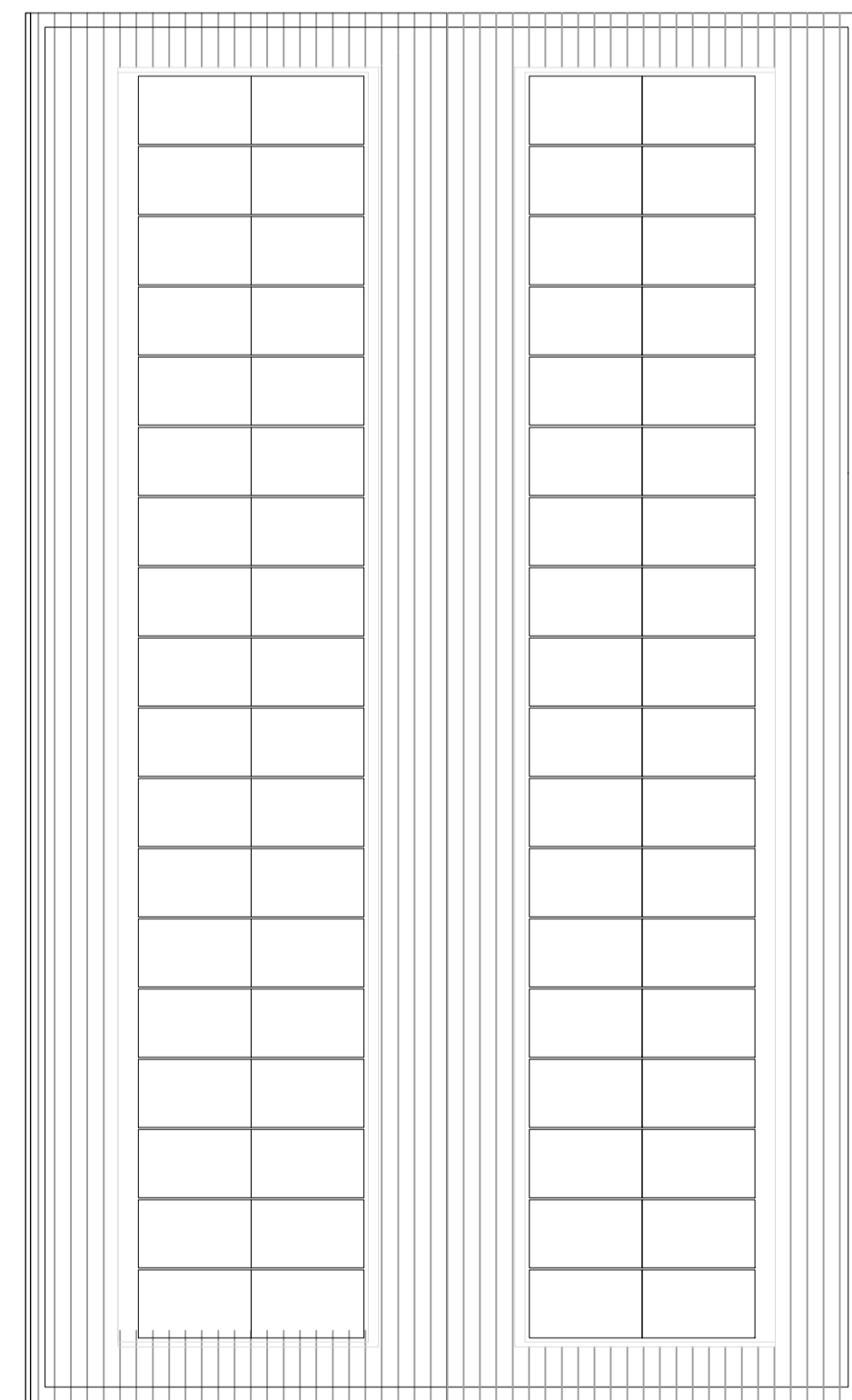
06 East Elevation



00 Ground Floor Plan



01 First Floor Plan

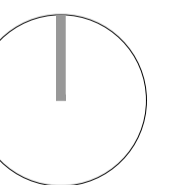


02 Roof Plan

Materials Schedule

1. Light Coloured Facing Brickwork (Spec. tbc)
2. Dark Colour Rough Cast Render System (Spec. tbc)
3. Dry Verge Continuous Profile in colour to match windows
4. UPVC Window System (opening mech. tbc)
5. UPVC Front Door System with Sidelight (colours vary per plot)
6. 'Duo' Format Concrete Tile. Colour: brown or grey (colour varies per plot)
7. Proprietary Balcony/Canopy PPC with steelwork guarding
8. Cast Stone Sill in colour to tone with brickwork
9. PV Roof Tile (TBC)
10. Contrasting Facing Brickwork (spec. tbc)

0 5m



Figured dimensions and levels to be used. Any inaccuracies must be notified to the architect. Detail drawings and large scale drawings take precedence over smaller drawings.

Rev:	Chk'd:	Rev:
-		First Issue for PAC 20.02.20
A		PV added on roof. Issue for planning EB 02.07.20

Chk'd:	Rev:

Chk'd:	Rev:

Chk'd:

PRELIMINARY	✓
PLANNING	
DESIGN	
TENDER	
CONSTRUCTION	

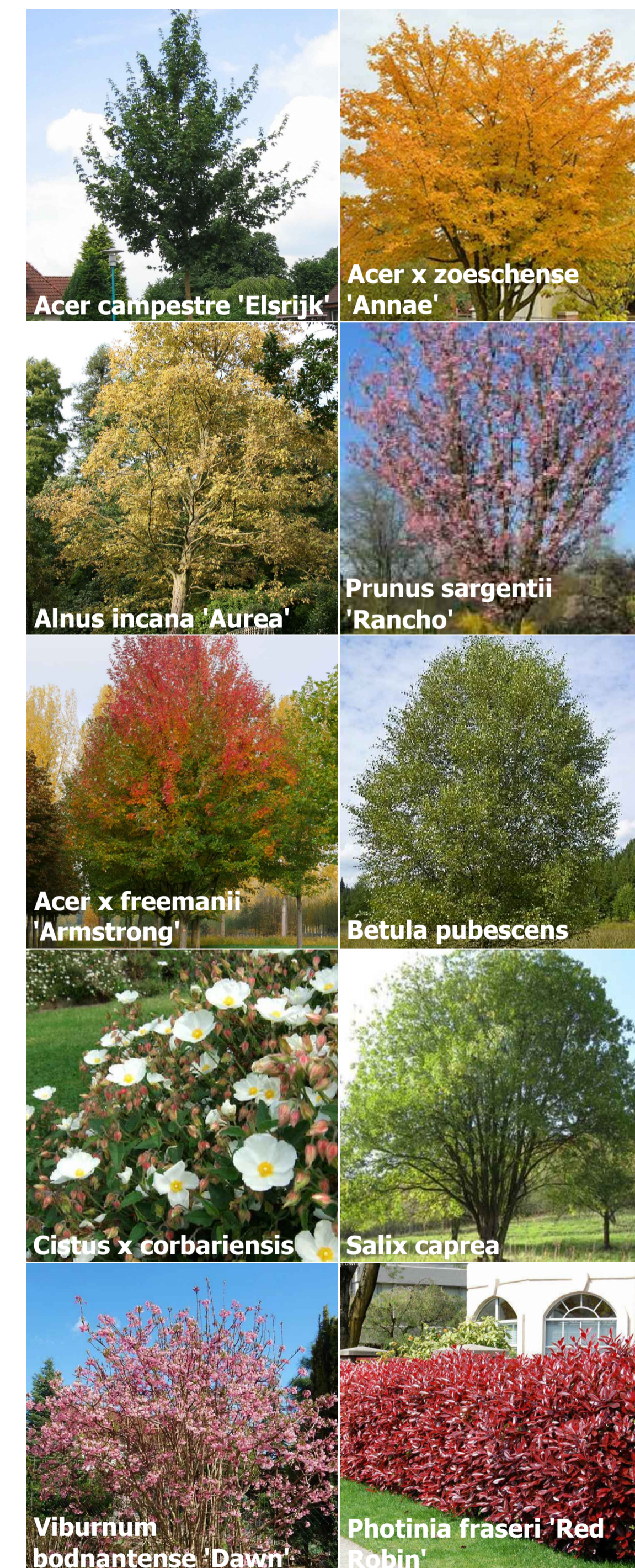
powelldobson
ARCHITECTS

Cardiff Office: Suite 1F, Building One, Eastern Business Park, Wern Fawr Lane, Old St Mellons, Cardiff CF3 5EA
Tel: +44 (0)333 23 201 001 www.powelldobson.com

Drawing No. 18028 (05) 111 Rev. A

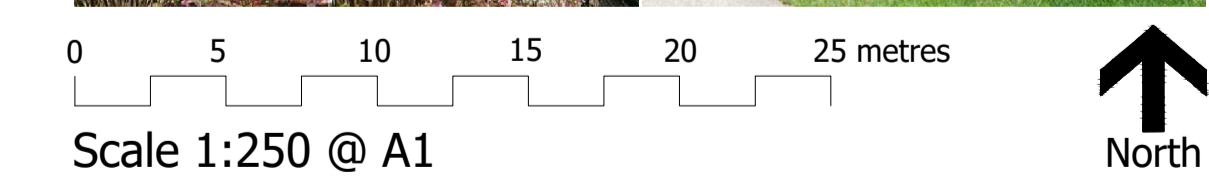
Contract: Cardiff Living
Residential Development at Brookfield Drive
Title: Proposed Apartment Block Plots 14-19 GAS

Scale: 1:100 @ A1
Date: December 2019
Drawn: CHT
Checked:..



Key

<p>Existing</p> <ul style="list-style-type: none"> Existing trees to be retained, showing the tree survey Existing trees/vegetation to be removed 	<p>Soft Landscape Proposals</p> <ul style="list-style-type: none"> Amenity grass Tree planting. Trees in rain gardens subject to engineer's design Hedge planting Ornamental shrub planting area Specimen shrubs Spring flowering bulbs Swales with planting at the base Rain garden with planting Wildflowers / annuals 	<p>Hard landscape proposals</p> <ul style="list-style-type: none"> Highway: tarmac Permeable block paving, ochre colour Private parking: block paving Timber bollard 	<p>Boundaries</p> <ul style="list-style-type: none"> Rear garden boundaries: 1.8m high close boarded fence 2.1m high facing brick wall 1.2m high facing brick wall 2.1m high railing 2.1m high dwarf wall with railing 1.2m high low railing
--	---	---	---



A108991-6 BD.LA 100-104[B].dwg 14 Sept 2020

5th Floor, Longcross Court, 47 Newport Road, Cardiff CF24 0AD
Tel: +44 (0) 29 2082 9200 Fax: +44 (0) 29 2045 5321
Email: info@wyg.com www.wyg.com

Based upon Ordnance Survey data with the permission of Ordnance Survey on behalf of the Controller of her Majesty's Stationery Office, © Crown copyright. WYG Environment Planning Transport Limited 2020. License no: AR 1000 17603

© WYG Environment Planning Transport Limited 2020. Registered in England Number: 3050297

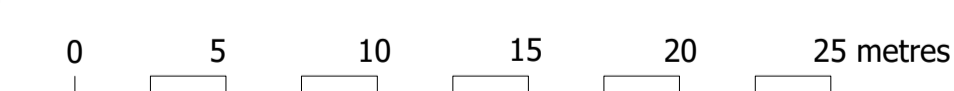
Brookfield Drive Soil volumes for BD.LA.103 proposed trees



Arboriculturalist to confirm how the drainage works will be adapted so as not to result in harm to the tree, through an Arboricultural Impact Assessment

Key

- Tree planting
- Black dash circles: approximate canopy spread of tree
- Pink dash: Soil volumes
- Drainage strategy
- Existing utilities



Scale 1:250 @ A1



A108991-6 BD.LA 100-104[B].dwg 14 Sept 2020

5th Floor, Longcross Court, 47 Newport Road, Cardiff CF24 0AD
Tel: +44 (0) 29 2082 9200 Fax: +44 (0) 29 2045 5321
Email: info@wyg.com www.wyg.com

Based upon Ordnance Survey data with the permission of Ordnance Survey on behalf of the Controller of her Majesty's Stationery Office, © Crown copyright. WYG Environment Planning Transport Limited 2020. License no: AR 1000 17603
© WYG Environment Planning Transport Limited 2020. Registered in England Number: 3050297

6'4 x 2'9 Trimetals Metal Bike Shed - Anthracite (1.95m x 0.88m)

Product code: BSD24813




10 Weeks
Delivery


25 Year
Guarantee

With
build,

- Ext
- Sto
- Bui
- Uni

Acce:

0

0

0

Qty




10 Weeks
Delivery


25 Year
Guarantee

Bike Store Images




10 Weeks
Delivery


25 Year
Guarantee

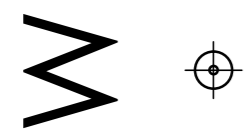



10 Weeks
Delivery


25 Year
Guarantee



A1



P12

Powell Dobson Architects
 18028 Brookfield Drive
 SK025 cycle store
 Layout for planning
 1:20 @ A2
 14/09/20 EB