

LOCAL MEMBER SUPPORT

COMMITTEE DATE: 18/11/2020

APPLICATION No. **20/00262/MNR** APPLICATION DATE: 03/02/2020

ED: **BUTETOWN**

APP: TYPE: Full Planning Permission

APPLICANT: CAVC

LOCATION: PART OF CANAL PARK ADJACENT TO CARDIFF AND VALE COLLEGE, DUMBALLS ROAD, BUTETOWN, CARDIFF

PROPOSAL: CONSTRUCTION OF 3G PITCH WITH FLOODLIGHTING AND SPECTATOR SEATING PLUS CHANGING FACILITIES WITH EXTERNAL PATHWAYS ALL WITHIN FENCED ENCLOSURE

RECOMMENDATION 1 : That planning permission be **GRANTED** subject to the following conditions :

1. The development permitted shall be commenced before the expiration of five years from the date of this planning permission.

Reason: In accordance with the provisions of Sec. 91(1)(b) of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and details unless otherwise expressly required by the ensuing Conditions:

- 3089/3g03/B – Proposed Site Plan
- 3089/3g04 – Changing Facility Plan
- 3089/3g05/C – Changing Facility Elevations
- 3089/3g06 – Proposed Seating
- 5419/NIA1_REV2 – Noise Impact Assessment

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

3. No development shall commence until such time as an Operational Management Plan has been submitted to the Local Planning Authority confirming the details of the arrangements for members of the public and community groups to access and use the development, hereby permitted. The facility shall be operated at all times in accordance with the approved plan and any changes to such plan shall not be implemented prior to the further approval of the Local Planning Authority.

Reason: In order to ensure that the use of the public open space remains accessible for the benefit of the health and well-being of the

local and wider community in accordance with Policies KP5, KP13, KP14, C1, C4 and C6 of the Cardiff Local Development Plan 2006-2026.

4. No development shall take place until full details of soft landscaping, to include mitigation for removed trees and lost soil resource, 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 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 Resource Survey and Plan), soil protection, soil stripping, soil storage, soil handling, soil amelioration, soil remediation and soil placement to ensure it is fit for purpose. Where imported planting soils are proposed, full specification details shall be provided including the parameters for all imported planting soils, a soil scientists interpretive report demonstrating that the planting soil not only meets British Standards, but is suitable for the specific landscape type(s) proposed. The specification shall be supported by a methodology for storage, handling, amelioration and placement. The landscape plan and specification shall be informed by the Soil Resource Survey and Plan.
- 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 in accordance with Policies KP15, KP16, EN6 and EN8 of the Cardiff Local Development Plan 2006-2026.

5. The '3G Pitch', hereby approved, shall only be operated during the hours of 07:00 and 21:30 hours on any day.

Reason: In the interests of the amenities of the area and neighbouring occupiers in accordance with Policies KP5 and EN13 of the Cardiff Local Development Plan 2006-2026.

6. Notwithstanding the approved plans no floodlighting shall be installed until such time as full details of such an installation have been approved by the Local Planning Authority to provide that:

- Light into neighbouring residential windows generated from the floodlights shall not exceed 5 Ev (lux) (vertical illuminance in lux).
- Each floodlight must be aligned to ensure that the upper limit of the main beam does not exceed 70 degrees from its downward vertical.
- The floodlighting shall be designed and operated to have full horizontal cut-off and such that the Upward Waste Light Ratio does not exceed 2.5%.
- The submitted scheme shall include an isolux diagram showing the predicted illuminance in the vertical plane (in lux) at critical locations on the boundary of the site and at adjacent properties.

Any floodlighting shall be installed and operated in accordance with the approved details at all times.

Reason: In the interests of the amenities of the area and neighbouring occupiers in accordance with Policies KP5 and EN13 of the Cardiff Local Development Plan 2006-2026.

7. Any floodlighting installed, in accordance with Condition 6, shall only be operated between the hours of 15:00 and 21:00 hours Monday to Friday and 15:00 and 19:00 hours on Saturday and Sunday.

Reason: In the interests of the amenities of the area and neighbouring occupiers in accordance with Policies KP5 and EN13 of the Cardiff Local Development Plan 2006-2026.

8. No development shall commence until such time as a Noise Impact Assessment has been submitted which demonstrates that the design and installation of the weld mesh fence and any low level boundary retention systems would result in an upper limit of 45dB LAMax not being exceeded, when measured in the first floor bedrooms with window ajar of the nearest noise sensitive premises. The development shall be implemented and operated at all times in accordance with the approved details.

Reason: In the interests of the amenities of the area and neighbouring occupiers in accordance with Policies KP5 and EN13 of the Cardiff Local Development Plan 2006-2026.

9. The noise emitted from fixed plant shall not exceed 40dBA between the hours of 07:00 and 19:00 and 35dbA at any other time at the nearest

noise sensitive premises when measured and corrected in accordance with BS 4142: 2014 + A1: 2019 (or any standard amending or superseding that standard). Reason: In the interests of the amenities of the area and neighbouring occupiers in accordance with Policies KP5 and EN13 of the Cardiff Local Development Plan 2006-2026.

10. Notwithstanding the approved plans, prior to beneficial use of the development, hereby approved, cycle storage facilities shall be provided within the site in accordance with details which shall first be approved by the Local Planning Authority.
Reason: In the interests of promoting sustainable modes of transport in accordance with Policies KP8, T1 and T5 of the Cardiff Local Development Plan 2006-2026.
11. Prior to beneficial use of the development, hereby approved, a scheme of lighting to the eastern perimeter of the site to light the public footpath shall be provided in accordance with details which shall first be approved by the Local Planning Authority. The approved lighting shall remain lit at all times during the hours of sunset and sunrise.
Reason: In the interests of amenity and safety in accordance with Policies KP5 and C3 of the Cardiff Local Development Plan 2006-2026.
12. Prior to beneficial use of the development, hereby approved, litter bins shall be provided within the site in accordance with details which shall first be approved by the Local Planning Authority.
Reason: In the interests of amenity and management of waste in accordance with Policies KP5 and W2 of the Cardiff Local Development Plan 2006-2026.
13. The development, hereby approved, shall not be occupied until such time as a drainage scheme, incorporating where viable sustainable drainage techniques, has been implemented in accordance with details that have been approved by the Local Authority.
Reason: In the interests of water cycle management and averting flood risk in accordance with Policies EN10 and EN14 of the Cardiff Local Development Plan 2006-2026.

RECOMMENDATION 2: To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays.

RECOMMENDATION 3: Welsh Water advise: 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.

1. DESCRIPTION OF THE SITE AND AREA

- 1.1 Canal Park, an area of Open Space, has a northern boundary with Maria Court, an apartment block accessed of Canal Parade and a short walk from the City Centre, and extends southwards to Cardiff Bay incorporating the 'Recreation Ground'. The park incorporates a range of facilities including formal and informal open space including children's play areas and sports pitches.
- 1.2 The application site comprises primarily an existing football pitch to the northern end of the park. The site is bounded by Industrial Estates beyond a treeline, which are allocated for mixed use development proposals including residential, and Cardiff and Vale College (CAVC) to the west. A community centre and continuation of the park lies to the south, an area of park with the afore mentioned apartment block beyond lies to the north and Butetown housing estate lies to the east.
- 1.3 It is suggested that the site is currently subject to instances of anti-social behaviour, drug misuse and crime.
- 1.4 The site is partly within the C1 Flood Zone and a drainage easement runs through the site.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 Planning permission is sought for the provision of a 3G pitch and a changing facility.
- 2.2 The 3G pitch would essentially occupy the footprint of the existing football pitch and be enclosed by a 3m wire/mesh fence with a 2m stopping net above. Access to the enclosure is provided from the north boundary via the changing

facility compound. Four spectator stands would be sited partly along the western boundary, at mid point of the pitch and five floodlights are proposed to both the western and eastern perimeter of the pitch.

- 2.3 The changing facility would sit just north of the 3G pitch compound in its own compound enclosed by a 3m high wire mesh fence. The building would be of contemporary design and a single storey in height measuring approximately 20m(l) x 15m(w) x 3.7m(h). The compound can be accessed via CAVC and the POS to the north.
- 2.4 A footpath will be retained through the park along the eastern perimeter of the proposal measuring 3m in width with total space between the boundaries of the housing estate and proposed fencing being up to 5m. To the south east limit of the footpath, access can be gained to the housing estate and, via an area in front of the community centre, the park.
- 2.5 Three trees are required to be removed to facilitate the pitch and replacement planting is proposed.
- 2.6 The proposal would be provided with Welsh Government funding with Council land transferred and is a collaborative project headed by CAVC with support from the WRU, various community groups, local primary schools, local sports clubs, Cardiff Blues RFC, Cardiff Metropolitan University and Sport Cardiff. It has been detailed that:
 - the four Butetown Primary schools would have access for two free sessions to the facility each week, as would organised community sports and play events;
 - the college would organise free after school sport and play activities, to promote and extend the provision of its Family Learning programmes;
 - local sports clubs would have access to the facility with discounted rates;
 - a Community Stakeholder Group would be established to monitor the community use of the facility and encourage community groups to develop;
 - the College would provide resources to the community including qualified coaches, links to sporting academies and free day to day management;
 - the facility would be chargeable to some groups, note the afore mentioned discounts and exemptions, however, it would not be operated for profit and any fees received would cover only the operational costs, maintenance etc.

The applicant has further verified that the main focus of this facility, and the other recently granted planning permission on the colleges land, will be to increase the participation in sport and the physical activity of the local community to improve both physical health and mental wellbeing. The college's main sporting facilities are at its Cardiff International Sports Campus, Leckwith and the initial plans indicate that the College would utilise this proposed 3G pitch for only 25% of the available hours each week during term time, and less during holidays. The facility would also be largely bookable by the local community after 6pm and all day at weekends during term time.

3. PLANNING HISTORY OF RELEVANCE

- 3.1 17/00159/MJR – Land at Dumballs Road (between Anchor & Canal Park Ind. Est. – Mixed Use Development – Resolved to Grant Subject to Legal Agreement
- 3.2 19/01569/MNR – Part of Canal Park adjacent to CAVC – Construction of 3G Pitch plus Spectators Seating Area – Withdrawn – 29/01/2020
- 3.3 19/01570/MNR – Part of Canal Park adjacent to CAVC – Construction of Enclosed Sports Pitches plus Construction of Changing Facilities – Withdrawn – 29/01/2020
- 3.4 20/00384/MJR – CAVC – Construction of Multi Use Games Area Sports Pitches with Airdome Cover plus Changing Pavilion and Amendments to Parking Layout – Permitted – 17/08/2020
- 3.5 20/01543/MJR – Anchor Ind. Est – Multi Use Development - Undecided

4. POLICY FRAMEWORK

- 4.1 National Planning Policy
 - Planning Policy Wales (10th Ed, 2018)
 - Technical Advice Note 5: Nature Conservation and Planning (2009)
 - Technical Advice Note 11: Noise (1997)
 - Technical Advice Note 12: Design (2016)
 - Technical Advice Note 15: Development and Flood Risk (2004)
 - Technical Advice Note 16: Sport Recreation and Open Space (2009)
- 4.2 Cardiff Local Development Plan 2006-2026
 - Policy KP1: Level of Growth
 - Policy KP3(B): Settlement Boundaries
 - Policy KP5: Good Quality and Sustainable Design
 - Policy KP6: New Infrastructure
 - Policy KP8: Sustainable Transport
 - Policy KP13: Responding to Evidenced Social Needs
 - Policy KP14: Healthy Living
 - Policy KP15: Climate Change
 - Policy KP16: Green Infrastructure
 - Policy EN6: Ecological Networks and Feature of Importance for Biodiversity
 - Policy EN7: Priority Habitats and Species
 - Policy EN8: Trees, Woodlands and Hedgerows
 - Policy EN10: Water Sensitive Design
 - Policy EN11: Protection of Water Resources
 - Policy EN13: Air, Noise, Light Pollution and Land Contamination
 - Policy EN14: Flood Risk
 - Policy T1: Walking and Cycling

- Policy T5: Managing Transport Impacts
- Policy T6: Impact on Transport Networks and Services
- Policy C1: Community Facilities
- Policy C3: Community Safety/Creating Safe Environments
- Policy C4: Protection of Open Space
- Policy C6: Health
- Policy W2: Provision for Waste Management Facilities in Development)

4.3 Supplementary Planning Guidance

- Green Infrastructure (November 2017) incorporating:
- Ecology & Biodiversity TGN
- Trees and Development TGN
- Protection and Provision of Open Space in New Developments TGN
- Soils and Development TGN
- Managing Transportation Impacts (July 2018)
- Planning for Health and Wellbeing (November 2017)
- Waste Collection and Storage (October 2016)

5. INTERNAL CONSULTEE RESPONSES

- 5.1 The Operational Manager (Flood & Coastal Risk Management) advises that insufficient information to determine whether the site can be adequately drained has been submitted, however, confirms that the development will require SAB approval and a review of records confirms the applicant has engaged in the SAB pre-application process
- 5.2 The Operational Manager (SRS – Noise and Air – Neighbourhood Services) advises that the Noise Impact Assessment has been reviewed and no objection is raised to the proposal. It is, however, advised that the use of the facility until 21:30 hours will result in a major impact on the closest residential receivers in the evenings, being between 19:00 and 23:00, the proposed operating time will result in 2.5 hours of major impact, which cannot be supported. Further measures will be required to be introduced to reduce noise resulting from the proposed weld-mesh fencing and any low level boundary retention system as detailed in the Noise Impact Assessment (NIA), a condition is requested in this regard. An operating time of 21:30 can be supported on this basis. Furthermore, the noise emitted from fixed plant should not exceed those detailed within the NIA.
- 5.3 The Operational Manager (Parks Services) confirms that the site is under 'Parks ownership' and is supported. There are currently high levels of anti-social behaviour and drug use within the area. The current grass pitch is used by the local community and 2 local football clubs in addition to providing access between Cardiff Bay and the City Centre. The proposed 3G pitch is considered to equate to 4 grass pitches in terms of the additional use it would encourage by increasing participation, improving standards, eliminating cancellations and would generally raise aspirations of the young people within the local community. The proposal would be a significant benefit to the football club and community and represents investments in assets that may not

otherwise be attainable whilst also deterring anti-social behaviour and drug use. The introduction of the 3G pitch is in line with the 'Playing Pitch Strategy' to increase the number of these facilities in the City and the dual use arrangement for education is critical.

5.4 The Operational Manager (Traffic and Transportation) advises that:

- ideally a 5m, as opposed to 4.5m, width route would be retained along the eastern edge of the proposal through the path. It, however, is recognised this would not appear feasible;
- the path should benefit from appropriate lighting given the change in circumstance;
- the proposed cycle parking is proposed outside of the site and a significant distance and should be relocated.

5.5 The Operational Manager (Waste Management) advises that the location for storage of waste and recycling to serve the development is noted and acceptable. Litter bins should be provided within the site.

5.6 The Councils Planner (Trees & Landscaping) raises concerns with regards to the proposed development and its impact upon 'B' category trees, which should be retained and protected as part of development unless overriding considerations necessitate their removal. Three trees are to be removed along the western boundary and two trees may require pruning to maintain reasonable clearance from the development. Twelve replacement trees are proposed, however, it is not clear what has informed the species selection since no Soil Resource Survey and Plan has been provided and some will be shoe-horned into a corridor that does not link with other green corridors and may conflict with drainage apparatus. Furthermore, some trees are not well suited to their siting. It is considered, however, that more appropriate planting would be acceptable, and advice is provided in this regard, in terms of offsetting the loss of existing green infrastructure, including trees and vegetated soil.

5.7 The Councils Planner (Ecology) advises that there are no specific concerns in respect of the developments impact upon protected species or habitats, however, the proposal would result in the interruption of a green infrastructure corridor. Section 6 of the Environment (Wales) Act require the Local Planning Authority to seek to maintain and enhance biodiversity. The proposed development will also be subject to the requirement for SuDS approval, and to gain this approval the SuDS must meet six standards, one of which is the biodiversity standard. Therefore, any planting associated with SuDS features should demonstrably enhance the biodiversity of the site. In terms of the nature and location of planting and landscaping to deliver requirements under KP16 and EN6 and other policies in relation to climate change advice from the appropriate consultee (Planner (Trees & Landscaping) see para. 5.7) should be sought.

6. EXTERNAL CONSULTEE RESPONSES

6.1 Natural Resources Wales have no objection to the proposed development. It is advised that:

- The site is partially within Flood Zone C1 of the Development Advice Map (DAM) contained in TAN15 and the 0.5% (1 in 200 year) and 0.1% (1 in 1000 year) annual probability tidal flood outlines of the River Taff, a designated main river. The risk of tidal flooding to the proposed development, however, is negligible, as the site benefits from the presence of the Cardiff Bay Barrage. This operates in a flood risk capacity, providing significant protection to Cardiff from tidal flood risk. Therefore, we have no further comment regarding tidal flood risk in this instance;
- The site overlays the Glamorganshire Canal historic landfill site, however, it is considered that the controlled waters at this site are not of the highest environmental sensitivity, therefore we do not have any adverse comments to make with regards to land contamination.

6.2 Welsh Water raise no objection to the proposal, it is advised that surface and land water should be disposed of by sustainable means. General advice is provided including in respect of foul sewerage and public sewer records.

6.3 South Wales Police raise no objection to the proposal, it is advised that:

- The surrounding area offers very little natural surveillance over the proposed spectator stand. Therefore, it is important that unauthorised access is denied into the pitch and stand areas during hours of closure;
- The layout appears to show that the pitch and stand are protected by a fence which is gated at various points. Ensure that the fence follows the contours of the land and prevents persons from entering underneath the fence. The gates should be secured with a suitable locking mechanism and the design of the gates should not include footholds which may assist climbing;
- South Wales Police would be happy to work with developers to achieve Secured by Design (SBD) which can reduced crime risk by 75%.

7. REPRESENTATIONS

7.1 The application was advertised by way of site notices. A single letter of representation has been received. The owner/occupier of 25 Carlotta Way supports the proposal, however, queried the initial lack of access from the community side, as the facility is to support the community and CAVC, such access has now been integrated into the scheme as amended.

7.2 The Local Ward Member, Cllr Ebrahim, has provided a letter supporting the application. Detailing that:

- *'The new 3G pitch is in the heart of Butetown, development of the existing football pitch is long overdue and will greatly benefit the local community.'*

The new pitch will significantly boost participation in sporting activities in what is historically considered a deprived community.

- *The new pitch will encourage more people in Butetown to appreciate the benefits of improved physical health and mental wellbeing that participating in sporting activities generate.*
- *The new pitch, facilities, changing rooms and proposed multi use gaming area will also support Butetown's primary schools, local sports teams and the wider community.'*

8. ANALYSIS

8.1 Introduction

- 8.1.1 The application site falls within the settlement boundary as defined by the Local Development Plan proposals map and is designated as public open space (POS). Principally as formal outdoor sports facilities space, of which there is a deficit in terms of quality and quantity within the area. Whilst a small area of the site is amenity open space, of which there is a significant surplus throughout the area.
- 8.1.2 Policy KP3(B) has purpose of strategically managing the spatial growth of Cardiff and there will be a presumption against development outside of the boundary, however, within the boundary the principle of development is acceptable.
- 8.1.3 Policy KP5 requires that new development should '*make a positive contribution to the creation of distinctive communities*' and generally supports the improvement of community facilities, providing a healthy and convenient environment and connected open spaces.
- 8.1.4 Policy KP13 recognises that '*a key part of the successful progression of the city will be to develop sustainable neighbourhoods, tackle deprivation, and improve the quality of life for all*' through mechanisms including encouraging a range of social, health, leisure and education facilities and community infrastructure for all; supporting the regeneration of deprived communities; encouraging the enhancement of communities and creating places that encourage social interaction and cohesion; and developing new cultural and sporting facilities.
- 8.1.5 Policy KP14 seeks to ensure that '*Cardiff will be made a healthier place to live by seeking to reduce health inequalities through encouraging healthy lifestyles, addressing the social determinants of health*'.
- 8.1.6 Planning Policy Wales recognises the importance of recreational and community facilities *which 'are vital for our health, well-being, amenity and can contribute to an areas green infrastructure'*. Formal and informal open green spaces should be protected from development and all playing fields, notwithstanding public or private ownership, should be protected except where facilities can be retained and enhanced. It is detailed that '*the multiple use of open space and facilities, where appropriate, to increase their effective use*'

should be encouraged. TAN16 also generally supports the enhancement of facilities.

8.1.7 Policy C1 states *'that proposals for new and improved community facilities, health and religious facilities will be encouraged'*. Whilst Policy C4 details development will not be permitted on areas of open space' unless it would not cause or exacerbate a deficiency in open space, the space has no significant functional or amenity value and is of no significant quality.

8.1.8 The proposal seeks to introduce significant enhancements to existing recreational and sporting facilities within a ward that has limited access to such facilities. Provided the development is available for use by the local community it is considered that no open space would be lost, rather enhancements would be provided. Whilst the facility would be managed the applicant has confirmed that local community access would be retained (see para. 2.6), which would be further secured by condition, and the quality of such facilities would, therefore, be a benefit to the community as a whole. With regard to the afore mentioned Key Policies and Policies C1 and C4 it is considered that the proposal is acceptable in principle, with regard to land use considerations, according with the key aims of policy.

8.1.9 The principle matters that remain for consideration, therefore, are the effect of the proposal in terms of:

- Quality of design and impact upon the character of the area;
- the impact upon the amenities of the area and neighbouring occupiers;
- Green Infrastructure and ecology;
- it's transport impact
- Flood risk and water sensitive design.

8.2 **Quality of Design and Impact Upon the Character of the Area**

8.2.1 Policy KP5 requires that all new development should respond *'to the local character and context of the built and landscape setting so that layout, scale, form, massing, height, density, colour, materials, detailing and impact on the built and natural heritage are all addressed within development proposals'* and *'provide legible development which is easy to get around and which ensures a sense of continuity and enclosure'*. Also, in conjunction with Policy C3 community safety is a key consideration.

8.2.2 The site benefits from an open aspect enclosed by buildings to all directions. The proposed buildings are of limited scale and would appear appropriate in views across the park. The proposed means of enclosure, whilst up to 5m in height, are of an open nature that continue to allow views across the park and which would not unduly harm the character of the area.

8.2.3 The proposal incorporates and continues existing access through the park, from the north east and south east, which is legible and an obvious route from the main access and egress points of the park. The width of the route is considered adequate and whilst enclosed on both sides an open aspect is

retained to the west through the proposed development and lighting would be provided, secured by condition, to enhance safety and encourage use. Existing access points to the west, north and south of the pitch, are retained with other north south routes also available through the nearby housing estates, Bute Street and Dumballs Road.

8.2.4 Accordingly it is considered that the proposal has due regard to the context of the area is of high quality design and would not harm its character nor community safety, and, therefore, accords with the principles of Policies KP5 and C3.

8.3 Impact Upon the Amenity of the Area and Neighbouring Occupiers

8.3.1 Policy KP5 seeks to ensure that *'no undue effect on the amenity of neighbouring occupiers'* results from development. Policy EN13 details *'development will not be permitted where it would cause or result in unacceptable harm to health, local amenity, the character and quality of the countryside, or interests of nature conservation, landscape or built heritage importance because of air, noise, light pollution or the presence of unacceptable levels of land contamination'*.

8.3.2 The proposed development in terms of its scale, siting and open aspect would have no adverse impact upon the amenity of neighbouring occupiers being designed with due regard to such constraints and to minimise any overbearing impact, loss of light or otherwise un-neighbourly impact.

8.3.3 The proposal would continue sporting activities upon the site, however, there would be intensification of use and the introduction of structures that, through use, have potential to impact upon the amenity of neighbouring residents. In this regard it is considered any noise or impact from light can be appropriately managed and conditions are recommended in this regard, as referenced at para. 5.2. Subject to the required additional measures and controls, over both the hours of operation and use of floodlighting which accord with similar developments throughout the city, it is considered that there would be no undue impact upon neighbouring amenity relative to the existing use of the land as formal recreational space.

8.3.4 The proposal includes a range of service facilities to allow for the orderly management of the development.

8.3.5 Accordingly, it is considered that the proposal would not have any undue impact upon the general amenity of neighbouring occupiers or the area, and, therefore, accords with the principles of Policies KP5 and EN13.

8.4 Green Infrastructure and Ecology

8.4.1 Policy KP16 details that *'Cardiff's distinctive natural heritage which provides a network of green infrastructure'*, including trees and soil, will be protected, enhanced and managed to ensure the integrity and connectivity of this important resource is maintained. Furthermore, Policy KP15 acknowledges

the benefit of such infrastructure to mitigating against the effects of climate change. Policies EN6 and EN8 further support the principles of the aforementioned key policies in relation to ecological networks, biodiversity and trees.

- 8.4.2 It is acknowledged that three trees (2x Sycamores, 1 x Red Oak) will be removed and two (Norway Maple) will require pruning to facilitate the development, also vegetated soil will be lost. With due regard to the design requirements for the facility to be provided and the constraints of the site it is considered that a development, which provides significant overall benefit, would be otherwise unviable without the aforementioned actions occurring. Subject, however, to planting being provided to mitigate the loss and overall impact of the development it is considered that the development would be acceptable.
- 8.4.3 Whilst a scheme of landscaping has been proposed it is considered insufficient, therefore, conditions are recommended in this regard to ensure an adequate level and quality of planting is undertaken. It should be noted in addition to the site area adjoining land, within Council ownership, offers further potential to enhance landscaping and biodiversity. The relevant consultees, see para. 5.7 & 5.8, have no in principle objection to the proposal subject to appropriate planting being provided.
- 8.4.4 Accordingly, it is considered that the proposal could provide a level of mitigation and enhancement such that accordance with Policies KP15, KP16, EN6 and EN8 will be secured.

8.5 **Transport Impact**

- 8.5.1 Policy KP8 seeks to achieve a 50:50 modal split between journeys by car and other more sustainable means and, therefore, seeks to reduce reliance on the private car as a means of transport in favour of more sustainable methods. Policy T5, supports this key policy, by seeking to ensure *'that all new developments properly address the demand for travel and its impacts, contributes to reducing reliance on the private car and avoids unacceptable harm to safe and efficient operation of the road, public transport and other movement network and routes'*. Whilst Policy KP6 details that *'development will not be permitted which would cause unacceptable harm to the safe and efficient operation of the highway, public transport and other movement networks'*.
- 8.5.2 The proposal is inherently sustainable in nature being located in close proximity to the communities which will use and benefit from it's provision and being accessible by public transport, cyclists and pedestrians through good quality and available networks.
- 8.5.3 Car parking spaces are available for use within the existing facility serving the college.
- 8.5.4 Cycle parking spaces are proposed, however, are considered inadequate in

terms of their siting. Improved facilities are sought through condition.

8.5.5 Accordingly, it is considered, subject to conditions, that the proposal would have no adverse transport impact, have a minimal impact upon the road network and promotes sustainable transport goals according with the principles of Policies KP8, T1, T5 and T6.

8.6 Flood Risk and Water Sensitive Design

8.6.1 Guidance within Technical Advice Note 15 details that development should be directed away from Flood Zone C1 and only less vulnerable development should be permitted subject to a justification test, this guidance is essentially supported by the provisions of Policy EN14.

8.6.2 Policy EN10 details that *'development should apply water sensitive urban design solutions'* the process of integrating water cycle management with the built environment through planning and urban design. Furthermore, the purpose of Policy EN14 *'is to avert development from where it would be at risk from river, ordinary watercourse, coastal, surface water flooding or where it would increase the risk of flooding or additional run off from development elsewhere'*. With regard to Chapter 6 of PPW and guidance within TAN15 surface water drainage is a material planning consideration and consideration to flooding caused by heavy rainfall and runoff from development in areas of known flooding is required to be given on a case by case basis. It should, however, be noted that since January 2019 additional control under the Water Management Act 2010 has been enacted in this regard and the proposed development requires approval under the 'SAB process'.

8.6.3 The risk of flooding within the area is noted to be negligible and the proposal represents less vulnerable development. With regard to the justification tests set out at Sec. 6.2 of TAN 15, the location of development would be necessary to sustain an existing settlement and can be viewed as part of the wider regeneration of the area, the site is within an area of previously developed land and given the nature of the proposal and risk of flooding posed the potential consequences of flooding can be effectively managed. It is, therefore, considered the proposal is unlikely to have any adverse flood risk impact and implementation of adequate surface water drainage, which should incorporate disposal by sustainable means, can be secured. A condition is recommended to ensure that adequate drainage is implemented.

8.6.4 Accordingly, it is considered, subject to conditions, the proposal would have no adverse effect in terms of flood risk and would incorporate sustainable drainage solutions and, therefore, accords with the principles of TAN 15 and Policies EN10 and EN14.

8.7 Other Matters

8.7.1 The Environment (Wales) Act 2016 imposes a duty on the Local Authority to seek to maintain and enhance biodiversity in the proper exercise of its functions and in doing so to promote the resilience of ecosystems. It is

considered that the proposed development would not have any significant implications for, or effect on, biodiversity.

8.7.2 Equality Act 2010 - The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Councils duty under the above Act has been given due consideration in the determination of this application.

8.7.3 Well-Being of Future Generations Act 2016 - Section 3 of this Act imposes a duty on public bodies to carryout 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 on the achievement of wellbeing objectives as a result of the recommended decision.

8.7.4 The works are not a Schedule 2 development for the purposes of assessment under the Environmental Impact Assessment regulations and are not considered to have any significant environmental effects warranting the submission of an Environmental Statement to allow the Local Planning Authority to determine the application.

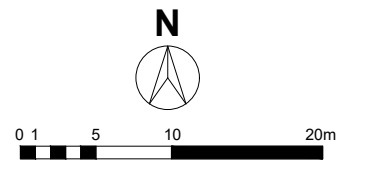
8.8 **Conclusion**

8.8.1 Having regard to the policy context above, the proposal is considered acceptable and it is recommended, subject to conditions, that planning permission be granted.

General Note:
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Project
3g Pitch & Changing Facilities
 Client
Cardiff & Vale College
 Drawing Title
Existing Site Plan

Job Number	Drawing Number	Revision	Scale @A3	Date
3089	3g 02		1:1000	feb 20

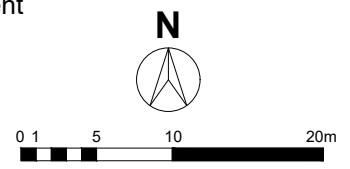
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REVISIONS		
No	DESCRIPTION	DATE
A	Pitch relocated + tree work amended+ floodlights amended	17.04.2020
B	Trees and fence amended	06.07.2020



- Rugby/Football pitch area and in-goal area
- Rugby pitch safety margin
- Grass
- Grass existing
- Hard landscaping
- Additional 12 covered cycle spaces
- Existing trees retained
- Existing trees removed/pruned as tree report
- Proposed trees
- CRATAEGUS MONOGYNA
10l pot size
- QUERCUS RUBRA
15l pot size
- double-staked with pressure treated softwood.
Tree pits 1500x1500x1500 + aeration pipe
- Floodlights
- 64 seat stand
- 3m high fence with 2m ball stop netting above.
- 3m high fence
- Existing fence to be retained
- Drainage Easement



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Project
3g Pitch & Changing Facilities
 Client
Cardiff & Vale College
 Drawing Title
Proposed Site Plan

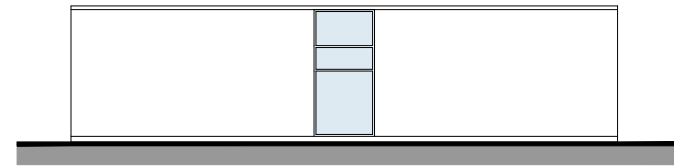
Job Number	Drawing Number	Revision	Scale @A3	Date
3089	3g 03	B	1:1000	feb 20

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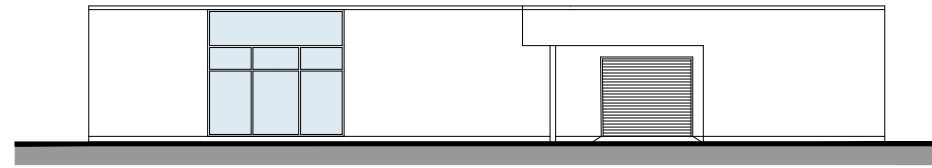
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REVISIONS

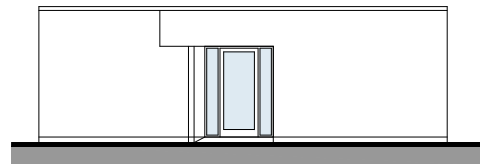
No	DESCRIPTION	DATE
A	Pitch relocated + tree work amended+ floodlights amended	17.04.2020
B	Elevation anomaly corrected	21.04.2020
C	Tree and fence amended	06.07.2020



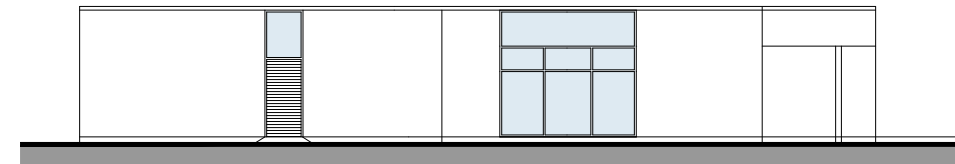
East Elevation



South Elevation



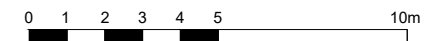
West Elevation



North Elevation

EXTERIOR FINISHES

Buff brickwork to match College Building, with dark brown aluminium door and window frames with dark brown aluminium panels above. Roller shutter door to Maintenance room.



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Project
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 Client
Cardiff & Vale College
 Drawing Title
Changing Facility Elevations

Job Number	Drawing Number	Revision	Scale @A3	Date
3089	3g 05	C	1:200	feb 20

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REVISIONS

No	DESCRIPTION	DATE
A	Pitch relocated + tree work amended + floodlights amended	17.04.2020
B	Trees and fence amended	06.07.2020



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Project
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 Client
Cardiff & Vale College
 Drawing Title
Site Perspectives

Job Number	Drawing Number	Revision	Scale @A3	Date
3089	3g 07	B	NTS	feb 20