

LOCAL MEMBER OBJECTION

COMMITTEE DATE: 19/05/2021

APPLICATION No. **21/00321/MJR** APPLICATION DATE: 09/02/2021

ED: **PENTWYN**

APP: TYPE: Full Planning Permission

APPLICANT: Willis Construction

LOCATION: FORMER MORRISONS, 113 BRYNHEULOG, PENTWYN, CARDIFF, CF23 7JD

PROPOSAL: PROPOSED DEVELOPMENT OF 28 AFFORDABLE HOMES INCLUDING CAR PARKING, SUSTAINABLE DRAINAGE, LANDSCAPING AND ASSOCIATED WORKS

RECOMMENDATION 1 : That, subject to relevant parties entering into a binding legal agreement with the Council under the provisions of a **SECTION 106** of the Town and Country Planning Act 1990, within 6 months of the date of this Resolution unless otherwise agreed by the Council in writing, in respect of matters detailed in Section 9 of this report, planning permission be **GRANTED** subject to the following conditions :

1. C01 Statutory Time Limit
2. This approval is in respect of the following drawings and documents:
 - N225-A110 Rev A
 - N225-A116 Rev H
 - N225-A117 Rev H
 - N225-A118 Rev C
 - N225-A119 Rev B
 - N225-A120 Rev B
 - N225-A121 Rev E
 - N225-A122 Rev D
 - N225-A123 Rev D
 - N225-A124 Rev B
 - N225-A125 Rev B
 - N225-A126 Rev B
 - edp6705-d001e page 1 of 2 and page 2 of 2
 - Design and Access Statement

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

3. No development shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination (LDP Policy EN13).

4. 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 shall stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme and verification plan shall be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the Local Planning Authority within 2 weeks of the discovery of any unsuspected contamination.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.

5. Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance

with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

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

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

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

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

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

7. No development shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:
 - General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
 - Resource Management: details of fuel and chemical storage and containment and wastewater.
 - Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
 - Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details
 - Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

- Wheel Washing
 - Delivery routes and times of delivery vehicles to and from the site.
- Reason: This CEMP is needed to ensure that construction undertaken complies with Pollution Prevention Guidance to prevent silt/sediment pollution to local surface waters. In particular, due to the site's proximity to surface drains that discharge to the Nant Glandulas, residential amenities and road safety (LDP Policies EN11, EN13 and T5).

8. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.
Reason: To prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution (LDP Policy EN11).
9. No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.
Reason: Piling/foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development (LDP Policy EN13).
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 (LDP Policy EN11).
11. Prior to the commencement of above ground works samples of the external materials of the apartments shall be submitted to and approved in writing by the local planning authority and shall then be constructed as approved.
Reason: In the interests of visual amenities (LDP policy KP5)
12. Prior to the commencement of above ground works details of the bin stores and a screen wall on the southern edge of the bin store shall be submitted to and approved in writing by the local planning authority and shall then be constructed as approved prior to any apartment being brought into beneficial use.
Reason: In the interests of visual amenities (LDP policy KP5)

13. Prior to the commencement of above ground works details of the depth of the reveals shall be submitted to and approved in writing by the local planning authority and shall then be constructed as approved.
Reason: In the interests of visual amenities (LDP policy KP5).
14. Prior to above-ground development commencing details showing the provision of cycle parking spaces, appropriate access to and structure to accommodate them, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to a any apartment being brought 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).
15. Prior to occupation of any apartment a Car Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority, to include details of residential car parking allocation, and how this will be controlled and communicated to residents. The approved details shall be implemented prior to any apartment being brought into beneficial use.
Reason: To ensure the proposed car parking does not result in operational concerns and accords with policies (LDP Policy T5).
16. All planting, seeding and turf-laying shown on the approved plans shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is sooner.
Reason: To maintain and improve the amenity and environmental value of the area (LDP Policies KP5 and H6).
17. Any newly planted trees, shrubs, 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 in the first available planting season and to the specification shown on approved plans and in supporting documents.
Reason: To maintain and improve the amenity and environmental value of the area (LDP Policies KP5 and H6).

RECOMMENDATION 2 : 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.

RECOMMENDATION 3 : 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 and (3) for commercial developments, shopfront / premises signage be provided in Welsh or 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.

RECOMMENDATION 4 : Since January 7th 2019, all new developments of more than 1 house, or where the construction area is 100 square metres or more, require sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by the Welsh Ministers.

These systems must be approved by the local authority acting in its SuDS Approving Body (SAB) role before construction work begins. The SAB will have a duty to adopt compliant systems so long as they are built and function in accordance with the approved proposals, including any SAB conditions of

approval.

It is recommended that the developer engage in consultation with the Cardiff Council SAB team as the determining SuDS Approval Body (SAB) in relation to their proposals for SuDS features. To arrange discussion regarding this please contact SAB@cardiff.gov.uk.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 The development proposes 28 apartments in one building, comprised of 20 two-bedroom apartments and 8 one-bedroom apartments. The proposals also include sustainable drainage, landscaping, car parking and associated infrastructure.
- 1.2 Car parking and outdoor amenity space is provided to the eastern portion of the site. Outdoor useable amenity space measures 105sqm with an additional landscaped amenity area of some 450 sqm.
- 1.3 The proposed development is primarily three-storeys stepping down to two-storeys to the north-east.
- 1.4 The building is formed of a three storey-pitched roof structure facing Pentwyn Drive with a gable front either side, which are connected by narrow recessed red brick features. To the rear, a two storey flat roof element extends towards the north-eastern corner.
- 1.5 Pedestrian access to the site will be reinstated from the site frontage onto Pentwyn Drive. Pedestrian access is provided around the entire building, with stepped direct access to the bus stops directly in front and opposite the site.
- 1.6 The existing pedestrian and vehicle access from the south-eastern corner off Brynheulog will be maintained, providing access to the rear of the building and the car parking, cycle store and bin store located to the rear of the site.
- 1.7 Car parking is located within the site confines. A total of four car parking spaces for the development are provided (2 of which are disabled spaces), with two for the takeaway unit adjacent. The four spaces provided will be sited in close proximity and direct view of the apartments.
- 1.8 It is proposed to provide 48 cycle parking spaces within the site, adjacent to the parking area in safe and secure bicycle stores.
- 1.9 The landscaping scheme includes the planting of 13 no. trees to the northern and western boundaries, adjacent to existing neighbours and facing Pentwyn Drive respectively. Shrub planting is also indicated, with large areas to the site's two primary frontages proposed to be planted accordingly. Remaining softscaped areas will comprise amenity grass and flowering lawn mixture and a tree in the centre of the amenity area behind the building.

2. **DESCRIPTION OF SITE**

- 2.1 The site is approximately 6km north-east of Cardiff city centre. The site measures approximately 0.22 hectares and is broadly rectangular in shape. The site formerly comprised a Morrisons convenience store, and was previously in use as a public house and is now demolished. The site is formed of hardstanding/ compacted rubble where the former convenience store once stood, and the tarmacked car parking area that once served the shop.
- 2.2 To the southeast corner of the development site is a Kebab House, accommodated in a single-storey red brick building. The kebab house faces onto Brynheulog, adjacent to the access into the site, and is to remain in situ alongside the proposed development.
- 2.3 The north and west of the site are bounded by red brick boundary wall, separating the site from two- and three-storey terraced and semi-detached dwellings and townhouses of Brynheulog. To the west, the site slopes down a grass verge towards Pentwyn Drive.
- 2.4 The site is located in a predominantly residential area. The local vernacular of the area consists primarily of two- and three-storey terraced, semi-detached and apartment buildings. The houses are built primarily of red brick with some examples of white render, with gable roofs comprising red composite ridged roof tiles. The dwellings include minimal architectural detailing aside from features such as red brick soldier course, cills, and heads to the windows, and flat porches to front doors.
- 2.5 Three-storey apartment buildings are sited to the north along Pentwyn Drive, built of red brick with light render along the ground floor of the western elevation. The three-storey apartment building immediately north of the site is set half a storey above the ground level on Pentwyn Drive to accommodate the rising topography.
- 2.6 Opposite Brynheulog to the south is a two storey red brick building with commercial units on the ground floor and apartments above. The building is located on the corner of Brynheulog and Pentwyn Drive and steps down to one storey along Pentwyn Drive. Commercial units include a One-stop convenience store, a post office, betting shop and two food takeaway units. Beyond these, lies the St David's Medical Centre, consisting of a General Practice, Dental Practice, Veterinary Practice, Opticians and a Pharmacy.
- 2.7 Pedestrian access was historically available to the site via steps located in the centre of the western boundary, since removed. A pavement runs along the western and southern boundaries of the site, allowing access into the site to the south-eastern corner off Brynheulog, for both pedestrians and vehicles.
- 2.8 A south/west bound bus stop is located on the western boundary of the site, with a north/east bound bus stop opposite, both on Pentwyn Drive.
- 2.9 The nearest defined Local Centre is Maelfa, Llanedeyrn, which is identified under the local plan under policy R5.10. It is located approximately 1.8km distance south of the site and has a range of amenities.

- 2.10 The primary schools within catchments are Bryn Celyn Primary School (450m walking distance) and Pen y Groes for Welsh medium education (400m). Secondary education for the area is provided by Llanishen High School (4.7km) and with Welsh language provision at Ysgol Gyfun Gymraeg Bro Edern (2.7km).
- 2.11 Waun Fach recreational field is within 200m walking distance of the site to the west. Parc Coed y Nant, an urban wood surrounded by a leisure centre, sports pitches, bowling green lies 700m to the south.
- 2.12 There are no trees on site. Across Pentwyn Drive to the west of the site is a small woodland containing a cluster of trees covered by Tree Preservation Orders, mainly oak and alder with hedgerow thorns and hazel.

3. **SITE HISTORY**

- 3.1 PRAP/20/00048/MNR Demolition of previous building on site granted 16/109/2020.

4. **POLICY FRAMEWORK**

- 4.1 The following LDP policies are considered relevant :
- KP1 Level of Growth
 - KP5 Good Quality and Sustainable Design
 - KP6 New Infrastructure
 - KP7 Planning Obligations
 - KP8 Sustainable Transport
 - KP12 Waste
 - KP13 Responding to Evidenced Social Needs
 - KP14 Healthy Living
 - KP15 Climate Change
 - KP16 Green Infrastructure
 - H3 Affordable Housing
 - H6 Change of Use or Redevelopment to Residential Use
 - EN8 Trees, Woodlands and Hedgerows
 - EN12 Renewable Energy and Low Carbon Technologies
 - EN13 Air, Noise, Light Pollution and Contaminated Land
 - EN14 Flood Risk
 - T1 Walking and Cycling
 - T5 Managing Transport Impacts
 - T6 Impact on Transport Networks and Services
 - C1 Community Facilities
 - C3 Community Safety / Creating Safe Environments
 - W2 Provision for Waste Management Facilities in Development
- 4.2 In addition to the above policies, the following SPGs are considered to be relevant:

Green Infrastructure (November 2017), comprising of:

Ecology and Biodiversity Technical Guidance Note
Trees and Development
Protection and Provision of Open Space in New Development
Soils and Development
Waste Collection & Storage Facilities (October 2016);
Planning Obligations (January 2017);
Residential Design Guide (January 2017);
Managing Transportation Impacts (Incorporating Parking Standards) (July 2018).

4.3 PPW Wales (edition 11)

4.4 National Development Plan (Feb 2021)

5. **INTERNAL CONSULTEE RESPONSES**

5.1 Contaminated Land state:

The Geoenvironmental Assessment Report includes a detailed assessment of potential contamination and associated risks to human health and the environment. The assessment does not identify any contaminants of concern. However, the potential for contamination cannot be ruled out and the 'unforeseen contamination' condition is requested.

Should there be any importation of soils to develop the garden/landscaped areas of the development, 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 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 requests the inclusion of the following conditions and informative statement 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.

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.

5.2 The Tree Officer states:

I have no objections. You will require a condition along the lines of: -

All planting, seeding and turf-laying shown on the approved plans shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is sooner.

Any newly planted trees, shrubs, 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 in the first available planting season and to the specification shown on approved plans and in supporting documents, unless the LPA gives written consent to any variation.

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

5.3 (a)The Waste Officer states:

The proposed bin storage area has been noted and is acceptable.

The designated area for bulky waste storage needs to be an enclosed storage area where for example a bulky item e.g. a mattress could be left while waiting for it to be collected for disposal. The area shown on the plan does not appear to be enclosed.

The recommended provision for 28 units:

Dry Recyclables: 3 x 1100 litre bulk bin & 1 x 660 litre bulk bin

General waste: 3 x 1100 litre bulk bin & 1 x 660 litre bulk bin

Food Waste 2 x 240 litre bin

Communal bin stores should have double doors that open outward with retainers. Surfaces should be smooth and impervious to permit cleaning and

the floor must be laid to create suitable drainage. Adequate lighting must be provided either natural or artificial, and good natural ventilation if completely enclosed.

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

The bin store needs to be a maximum of 25 metres from where the refuse vehicle is parked. If this is not achievable then a collection point would need to be designated near the entrance to the development.

Please be advised that the developers of all new residential units are required to purchase the bin provision required for each unit. The bins have to meet the Council's specifications. These 660litre/1100 litre wheeled bins can be ordered via our bin order form located at www.cardiff.gov.uk/wasteplanning.

Refuse storage, once implemented, must be retained for future use

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

(b) The Waste Officer further states after the receipt of amended plans that: The waste storage areas have been noted and are now acceptable.

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

5.4 Transport Officer states following the submission of amended plans that:

I'm happy with the revised access arrangement that shows a reduced width and dropped footway crossover. This could be delivered by an appropriate 'highways agreement' Recommendation (see below).

Cycle Parking – I can only see 40 cycle parking spaces marked, whereas there should be 48 no. In addition there is not enough hard-standing room in front of the proposed facilities. This is especially an issue for the 12-cycle store adjacent to the takeaway's car parking bays, and the presence of parked cars would hinder access to the cycle parking. I would prefer that further details on cycle parking are provided now, however with consideration that it is intended this application goes to May committee, and that there is clearly space within the internal area for revised cycle parking (albeit this is currently proposed as car parking/open area), you may wish to place the below cycling condition.

As per other email, we are also seeking a £6000 Section 106 contribution for the introduction of parking restrictions on Bryn Heulog adjacent to the access, to ensure that the development does not otherwise result in traffic safety concerns. This would be delivered via a separate TRO process that would

determine the exact extent/type of restrictions.

CONDITIONS

Cycle Parking

Prior to above-ground 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 Management

Prior to occupation a Car Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority, to include details of residential car parking allocation, and how this will be controlled and communicated to residents. 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 and accords with policies.

HIGHWAYS RECOMMENDATION

The Local Highway Authority are to be contacted with regards to proposed works to the public highway, and the works will be subject to an appropriate Highways Agreement between the developer and Local Highway Authority.

(These comments have been forwarded to the applicant)

5.5 The Regeneration Officer states:

Request for Community Facilities

The Cardiff Planning Obligations SPG 2017 (Section 8 – Community Facilities) states that ‘Growth in population arising from new development generates demand for and increases pressure on community facilities. To meet the needs of future residents, it may be necessary to meet this additional demand through:

- The provision of new facilities,
- The extension to, or upgrading of existing facilities’.

If no onsite provision is proposed, a financial contribution is sought on residential developments containing 25 or more new dwellings where it has been identified that investment in community facilities will be required to meet the needs of the new population.

The formula in the SPG is based on the number of bedrooms and associated occupancy figures per dwelling, and is calculated as follows:

No. of bedrooms Number of Dwellings Contribution per dwelling Totals

1	8	£720.51	£5,764.10
2	20	£997.63	£19,952.64
3		£1,385.60	£0.00
TOTALS:		£25,716.74	

In summary, the following contribution is sought from the developer:

£25,716.74

Community Infrastructure Levy (CIL)

CIL Regulation 122(2) provides:

A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

Comments in respect of the request for contributions towards community facilities are as follows:

(a) Necessary to make the development acceptable in planning terms:

The Cardiff Planning Obligations SPG was formally adopted by Council on 26th January 2017. The SPG was adopted to help to ensure that developments contribute toward the provision of necessary infrastructure and measures required to mitigate their impact. Policy KP6 of the Cardiff Local Development Plan (adopted January 2016) supports the provision of community facilities as part of new residential developments.

It is also in accord with Planning Policy Wales which supports the negotiation of planning obligations and states “Contributions from developers may be used to offset negative consequences of development, to help meet local needs, or to secure benefits which will make development more sustainable”. A development proposing a significant increase in population, such as this, would create pressures on existing local facilities that need to be offset via a financial contribution. It would be unacceptable to grant planning consent in the absence of such provision.

(b) Directly related to the development

Several community facilities are located within proximity to the site and are likely to experience an added pressure as a result of the new population. It is envisaged that a forthcoming community facilities contribution would be directed towards one of these facilities.

(c) Fairly and reasonably related in scale and kind to the proposed development
Contributions towards community facilities are derived using a formula-based calculation which takes into account, amongst other things, the size of the residential development and the projected increase in population.

5.6 The Housing Officer states:

The applicant is looking to provide a 100% Affordable Housing scheme, and Housing Development have no objections, provided the applicant secures an

approved organisation such as a Registered Social Landlord or the Council itself as the end user/owner of these units. The scheme will have to meet the Welsh Government Design Quality Requirements as a minimum, and this 100% affordable housing scheme will be secured in the s106 agreement with the relevant clauses, by a planning obligation.

5.7 The Parks Officer states:

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 46.4. This generates an open space requirement of 0.113 ha of on-site open space based on the criteria set for Housing accommodation, or an off-site contribution of £48,142. I enclose a copy of the calculation

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

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

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

Consultation will take place with Ward Members to agree use of the contribution, and this will be confirmed at S106 stage.

6. **EXTERNAL CONSULTATEE RESPONSES**

6.1 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.

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 the Local Authority, 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.

We note the applicant has not submitted a detailed foul drainage with this application, therefore we request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Conditions 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.

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

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

POTABLE 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.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrwymru.com

6.2 Natural Resources Wales states:

We have previously provided comments on the above proposal during Statutory Preapplication where we recommended conditions for a CEMP and Land Contamination. We have reviewed the current submitted application and provide you with our response which is detailed below. We continue to have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if you attach the following conditions to the permission. Otherwise, we would object to this planning application.

Condition 1: Submission of a Construction Environmental Management Plan (CEMP)

Conditions 2-5: Land Contamination Conditions Construction Environment Management Plan - Surface Water Protection

We note in the Pre-Application Consultation (PAC) report that acknowledgement of this condition has been given, and that no action is required on the applicant's behalf. We include the condition here for your convenience. Due to the sites proximity to the Nant Glandulas watercourse, a Construction Environmental Management Plan (CEMP) is needed to ensure that the watercourse remains free of silt/sediment pollution.

Condition 1: No development shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Resource Management: details of fuel and chemical storage and containment and wastewater.
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of the persons and bodies responsible for activities associated with

- the CEMP and emergency contact details
- Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

Justification: This CEMP is needed to ensure that construction undertaken complies with Pollution Prevention Guidance to prevent silt/sediment pollution to local surface waters. In particular, due to the site's proximity to surface drains that discharge to the Nant Glandulas.

Land Contamination We have reviewed the following documents submitted in support of the planning application:

- Quantitative Risk Assessment, Geotechnical and Geo-environmental Report: Proposed Residential Development Pentwyn Drive, Pentwyn, September 2019;
- Excavations and Formations, Geotechnical and Geo-environmental Report: Proposed Residential Development Pentwyn Drive, Pentwyn, September 2019;
- Foundation and Floor Slab Solution, Geotechnical and Ge-Environmental Report, September 2019;
- Storm Water Drainage, Geotechnical and Ge-Environmental Report, September 2019. Based on the review of the above documents, we can confirm:
- No soil contamination has been found to date based on the chemical analysis of eight (8) Made Ground window samples collected from the proposed development site;
- All substances tested for were found to be present at concentrations below their respective human health threshold levels for a residential setting. No contaminants of concern were identified; Shallow perched water and groundwater flows were not encountered but should be expected;
- It is recommended that for the new development traditional mass concrete strip and trench fill foundations founded within the underlying firm becoming stiff, silty gravelly clay may be used. Based upon the site investigation the depth to the in-situ founding horizon will typically be between 0.29-2.25m depth below the existing ground level;
- It is considered that the infiltration rates observed within the shallow clay and gravel deposits are insufficient for shallow soakaways.

It is further noted that significant areas of landscaping are proposed for the redevelopment of the site based on a review of the Detailed Landscape Design Figure dated 4th February 2021. In light of the above, the following conditions are still considered relevant for inclusion as although the Made Ground samples analysed to date have found no contamination of significance, it is still possible that unsuspected contamination of an unknown nature and extent could be encountered during the proposed site development works and that this contamination could pose risks that would require its remediation. Therefore, we advise the inclusion of the following condition on any permission your authority is minded to grant.

Condition 2: No development of the former Morrisons site in Pentwyn, shall commence until the following components of a scheme to deal with the risks

associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Justification: To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination.

We note that Condition 2 has largely been satisfied as supported by information stated above. However, the potential that contamination of an unknown nature and extent could still be encountered during the proposed development works, requires that clause 4 be maintained: 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Unsuspected Contamination It is possible that unknown contamination (nature and extent) not uncovered by the 2019 limited Site Investigation, may be encountered during site development works. We therefore advise the following is included on any permission your authority is minded to grant.

Condition 3: If, during development, contamination not previously identified is found to be present at the former Morrison's site in Pentwyn then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved. The proposed landscaping and 'soft' borders that are being proposed may require further assessment in terms of the

potential need for some degree of excavation of the Made Ground, and potentially importation of good quality fill to act as a bedding layer for the proposed plants. A geo-membrane break-layer may also be required to identify that Made Ground is located beneath the imported good quality fill.

Justification: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks.

Surface Water Drainage Two infiltration tests were performed at the proposed development site as part of the 2019 site investigation. These tests indicated that the use of soakaways for stormwater management would not be a viable option for the site. However, if this option is revisited through further testing and it is found that the soakaway option is viable, then the Condition applies. This Condition is further reinforced by the presence of Made Ground at the proposed development site. Made Ground is a potential constraint to the use of stormwater soakaways.

Condition 4: No infiltration of surface water drainage into the ground at the former Morrisons site in Pentwyn is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details. The design system and management of operational stormwater at the site are still pending.

Justification: To prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution.

Piling Foundation design for the proposed former Morrisons development site in Pentwyn suggests that some degree of interaction will be required with the Made Ground known to be present at the site.

Condition 5: No development of the former Morrisons site in Pentwyn shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details. The foundation design has not been finalised to date and therefore Condition 5 is still required until it has been agreed with the Local Authority.

Justification: Piling/foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development.

European Protected Species We note that the bat report submitted in support

of the above application (Willis Construction Building Inspection and Bat Report, September 2020) has identified that bats were not using the application site. We therefore have no comments to make on the application as submitted in relation to bats.

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.

7. **REPRESENTATIONS**

7.1 Local Members have been consulted.

7.2 Councillor J Carter states:

I wish to record my objections on the proposed flats at the former Morrisons store in Pentwyn.

I think this is a great site for social housing and although I would prefer houses to flats, I think this would be a great site for flats.

I have however two concerns, the size and parking.

On the size, I worry that it is a lot of flats on a relatively small site and that having the building so tall will lead to overlooking of nearby houses.

I am also worried about the very small number of parking spaces proposed. In the city centre wards with restricted parking, it is possible to build flats with no parking and tell tenants they can't have cars, but in suburban communities with no restricted parking, tenants will just park their cars on the roads competing with people driving to the shops and dropping their children off at school.

I therefore think there should be less flats and one parking space per flat.

7.3 The proposal has been advertised in the press and by site notices as a major application.

7.4 Neighbouring occupiers were consulted by letter.

7.5 Objections have been received from 12 addresses in Brynheulog, 2 in Bryncyn, 1 in Wern Goch West, 1 in Heddfan North, 1 in Coeden Dal , 2 in Pentwyn Drive, 1 Bryn Pinwydden 1 The Hawthorns and 1 no address. A total of 22 objections. (most reside nearby and 7 of the objectors reside some 140m - 700m distant from the site).

- 7.6 The principle objection is lack of car parking to serve the development and takeaway and the consequent pressures this would add to existing parking problems in the area and associated road safety issues. One objector referred to a condition on a 2006 planning application requiring the retention of car parking for the pub and takeaway.
- 7.7 In addition three objectors expressed concerns that their privacy would be adversely affected.
- 7.8 Two objectors queried how waste would be collected.
- 7.9 One objector said that social housing should be located somewhere else as anti-social behaviour will occur.
- 7.10 Some objectors questioned whether the site could be used for a community centre, youth centre or car park.
- 7.11 One objector expressed concern at the lack of library and leisure centre for young and that local doctors, school and dentists are full.
- 7.12 Four Objectors generally supported the proposal other than for lack of parking.
- 7.13 Some of the objectors support fewer flats on this site.
- 7.14 A resident of Bryn Celyn expressed an interest in one of the units when it became available.

8. **ANALYSIS**

Policy

- 8.1 The application site falls within the settlement boundary as defined by the Adopted Local Development Plan proposals map and has no specific land use policy allocation or designation.
- 8.2 The site is located in a predominantly residential area and comprises vacant, previously developed land.
- 8.3 Policy H6 permits the change of use of redundant premises or redevelopment of redundant previously developed land for residential use where:
- i. There is no overriding need to retain the existing use of the land or premises and no overriding alternative local land use requirement;
 - ii. The resulting residential accommodation and amenity will be satisfactory;
 - iii. There will be no unacceptable impact on the operating conditions of existing businesses;
 - iv. Necessary community and transportation facilities are accessible or can be readily provided or improved; and
 - v. It can be demonstrated that the change of use to a more sensitive end

use has been assessed in terms of land contamination risk and that there are no unacceptable risks to the end users.

- 8.4 Assessed against the above policy framework, the site comprises a vacant brownfield site, having been previously occupied by a Morrisons convenience store that suffered long term vacancy and as a consequence was recently demolished.
- 8.5 The site is located in a sustainable location, in close proximity to local shopping and health care facilities and well served by regular bus services providing direct access to the city centre. In addition the site lies within 800m of the A48 which forms part of Cardiff's strategic bus corridor.
- 8.6 Given the application site is set within a residential context, the residential development of the site is considered compatible with the surrounding land uses.
- 8.7 The application raises no land use policy concerns.

Car Parking

- 8.8 Planning Policy Wales edition 11 issued in 2021 states at paragraph 3.12 that: Movement - Good design is about avoiding the creation of car-based developments. It contributes to minimising the need to travel and reliance on the car, whilst maximising opportunities for people to make sustainable and healthy travel choices for their daily journeys. Achieving these objectives requires the selection of sites which can be made easily accessible by sustainable modes as well as incorporating appropriate, safe and sustainable links (including active travel networks) within and between developments using legal agreements where appropriate.
- 8.9 Paragraphs 4.1.49 to 4.1.52 of Planning Policy Wales edition 11 states in respect of car parking that:

4.1.49 Car parking provision is a major influence on how people choose to travel and the pattern of development. Where and how cars are parked can in turn be a major factor in the quality of a place.

4.1.50 A design-led approach to the provision of car parking should be taken, which ensures an appropriate level of car parking is integrated in a way which does not dominate the development. Parking provision should be informed by the local context, including public transport accessibility, urban design principles and the objective of reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport. Planning authorities must support schemes which keep parking levels down, especially off-street parking, when well designed. The needs of disabled people must be recognised and adequate parking provided for them.

4.1.51 Planning authorities must require good standards of car parking design, which do not allow vehicles to dominate the street or inconvenience people walking and cycling. This includes preventing pavement parking through the

design of the street. Car parking should be overlooked by surrounding properties to provide natural surveillance.

4.1.52 Local authorities should develop an integrated strategy on parking to support the overall transport and locational policies of the development plan. Local authorities should consider parking issues on a joint basis with neighbouring authorities. They should jointly establish maximum levels of parking for broad classes of development, together with a threshold size of development above which such levels will apply. These maximum standards should be set in collaboration with interested organisations. Local authorities will need to ensure that their parking standards reflect local transport provision, are adopted by individual authorities as supplementary planning guidance, and are kept under review. Parking standards should be applied flexibly and allow for the provision of lower levels of parking and the creation of high quality places.

8.10 Policy KP8 of the Council's approved Local Development Plan states that:

SUSTAINABLE TRANSPORT - Development in Cardiff will be integrated with transport infrastructure and services in order to:

- i. Achieve the target of a 50:50 modal split between journeys by car and journeys by walking, cycling and public transport.
- ii. Reduce travel demand and dependence on the car;
- iii. Enable and maximise use of sustainable and active modes of transport;
- iv. Integrate travel modes;
- v. Provide for people with particular access and mobility requirements;
- vi. Improve safety for all travellers;
- vii. Maintain and improve the efficiency and reliability of the transport network;
- viii. Support the movement of freight by rail or water; and
- ix. Manage freight movements by road and minimise their impacts.

8.11 LDP Policy T5: MANAGING TRANSPORT IMPACTS and supporting paragraphs 5.230 -5.232 states:

Where necessary, safe and convenient provision will be sought in conjunction with development for:

- i. Pedestrians, including people with prams and/or young children;
- ii. Disabled people with mobility impairments and particular access needs;
- iii. Cyclists;
- iv. Powered two-wheelers;
- v. Public transport;
- vi. Vehicular access and traffic management within the site and its vicinity;
- vii. Car parking and servicing;
- viii. Coach parking; and
- ix. Horse-riders.

5.230 The purpose of this Policy is to ensure that all new developments for which planning permission is required: i. Properly address the demand for travel

and its impacts; ii. Contribute to reducing reliance on the private car, in line with national planning policies and the strategic transport objectives and policies of the LDP; iii. Make satisfactory provision for access, parking and circulation, particularly by pedestrians, cyclists, public transport users and disabled people with mobility impairments and particular access needs; and iv. Avoid unacceptable harm to safe and efficient use and operation of the road, public transport and other movement networks and routes.

5.231 Measures appropriate to a particular development will depend on its scale, location and use(s). They may include providing for and/or improving, as appropriate: The needs of disabled people with mobility impairments and particular access needs; The needs of people with prams and/or young children; Safe and convenient pedestrian access to and movement within the development, including pedestrian priority measures, lighting, security, and weather protection; Walking links to existing pedestrian routes and networks, District and Local centres, open space and other community facilities; (e.g. safe routes to school) - for access and recreational purposes - and designed for use by everyone; The strategic recreational routes; 5 Detailed Policies 170 Cardiff Local Development Plan 2006 - 2026 Adopted Plan Cycling links to existing cycle routes and networks, District and Local centres and community facilities designed for use by everyone; Secure cycle parking and changing facilities in accordance with guidelines set down in SPG; Management of conflict between modes of access, including vehicles, pedestrians and cyclists; Public transport, including bus stops, bus lanes and interchange facilities; Safe vehicular access to the site that does not unreasonably restrict the flow of traffic on the adjoining highway network; Traffic and speed management measures; and Car and coach parking and servicing facilities in accordance with revised guidelines set down in supplementary planning guidance.

5.232 Parking and servicing will be provided, where appropriate in accordance with the Council's adopted standards.

8.12 The Council's SPG Managing Transport Impacts (Incorporating Parking Standards) approved July 2018 states at paragraph 6.1

"The availability of parking spaces and their location can influence travel choices. Excessive provision can serve to stimulate demand for car travel and perpetuate reliance on the car. The application of parking standards to new developments is therefore an important tool in managing demand for travel by car and encouraging a shift to sustainable transport modes. These objectives are balanced against the need to manage pressures on on-street parking space and the negative impacts of oversubscription of space including congestion, hazards, visual intrusion and harm to residential amenity. Reference should also be made to the Council's Parking Strategy for further information on how parking is managed in Cardiff, including residents parking schemes."

8.13 And at paragraph 6.15 states amongst other things that:

"The Residential parking standards do not include a requirement for visitor parking....."

8.14 The SPG says that there is no minimum car parking standards for residential

units but there are minimum cycle parking standards i.e..

Minimum cycle parking - All dwellings 1 per unit 1 per bedroom

- 8.15 There is no objection from the Transportation Officer on grounds of inadequate car parking.
- 8.16 The emphasis of Welsh government guidance, the Council's planning policies and SPG is to minimise car parking and promote sustainable development. In this case the site immediately adjoins bus stops, a small group of retail units including a convenience store and an amenity area. In very close proximity is a GPs and playing field. There are 3 primary schools within 400m (St Davids, St Bernadettes and Bryn Celyn) and Glyncoed Primary school is 500m distant. Whilst there have been a number of objections to the development principally on grounds of inadequate car parking this is a sustainable site. The car parking (including disabled spaces) for the development and the cycle parking is in line with PPW, the LDP and SPG and is therefore considered acceptable. (This is subject to the condition recommended by Transport Officer and required TRO).

Privacy

- 8.17 In most instances, there is sufficient separating distance between proposed and existing dwellings of over 21m. The only exception to this is in respect of the relationship to the north. Two proposed first floor windows would be between 17 and 18m distant from windows to a flat above a garage, however, there is an intervening communal car park serving various dwellings to the north. In addition there is a proposed first floor bedroom window some 16m from the flats to the north that is separated by communal green space and a footpath serving the flats. In view of these circumstances it is considered that the normal privacy standards can be relaxed in this case as the impact on the amenities of the occupants of existing properties would be minimised. The second floor of the proposed building does not include any habitable room windows facing windows to habitable rooms of existing neighbours.

Design

- 8.18 The front of the apartments faces Pentwyn Drive and gives the appearance of three blocks with gable blocks on either side framing a central block connected by flat roof structures. This is a marked improvement on the single block initially proposed at the pre-application stage.
- 8.19 Variation and depth to the apartments will be provided by the two large gables, each punctuated by recessed red brick elements. Balconies also provide visual interest and variety to the streetscene. Large apertures provide more pleasant living environments, solar gain, and more interesting façades.
- 8.20 The mass of the double fronted block is carefully moderated/modulated to create a little variety to the building and roof form, despite its depth. This sits well in the area with the gables picking up on a similar scheme to the north, framed a little by the set back of these façades.
- 8.21 The pattern of fenestration is good and attractive, with Juliette balconies giving good aspect facing the open space to the west.

- 8.22 The appearance of the building would be enhanced if the reveals had a brick depth and condition 13 seeks to address this.
- 8.23 The scale and massing of the building would not result in an overbearing or un-neighbourly form of development. The siting and aspect of the proposed development also means that no unacceptable overshadowing of neighbours' buildings will result.
- 8.24 The site is cleared and devoid of any landscape. The planting proposed will make a positive contribution to the appearance of the development and will also contribute to biodiversity.

Amenity Area and Open Space

- 8.25 There is sufficient amenity space around the building to meet the SPG standards. The requirement for a contribution for Open Space identified by the Parks Officer is covered in Section 9 of this report.

Waste Collection

- 8.26 The Waste Officer's original comments were shared with the applicant who submitted amended plans to address those comments. The Waste Officer now has no objections.

Contamination

- 8.27 There is no objections from NRW and Pollution Control subject to conditions which are included in the Recommendation.

Flooding and Drainage

- 8.28 The Welsh Government Development Advice Maps show the site to be within Flood Zone A. NRW has raised no objection.
- 8.29 Welsh Water has no objection subject to a condition included in the recommendation and their advice has been shared with the applicant.

Heritage context

- 8.30 In relation to heritage assets, the subject site is remote from anything of value. The site is not within a conservation area, nor does it contain or is near any listed buildings. There are no Scheduled Ancient Monuments, Registered Parks and Gardens or other heritage assets within the vicinity of the site which have the potential to be affected by the development proposals.

Representations

- 8.31 The issues of parking and privacy have been addressed earlier in this Section and crime is considered in paragraph 8.35 of this report.
- 8.32 The application has to be assessed as to whether the development the subject of this application is acceptable rather than whether some alternative use may be suitable on this site.

Community Facilities

- 8.33 The Regeneration Officer identifies the need for a contribution towards community facilities and this is covered in Section 9 of this report.

Odours

- 8.34 Air Quality Consultants undertook an odour assessment and their findings are as follows:

The odour effects of the Istanbul Kebab House on a nearby proposed residential development have been assessed using a kitchen odour risk assessment, a field odour survey and a review of odour related complaints data and local meteorological data.

Overall, it is judged that the takeaway outlet will lead to 'not significant' odour effects at the proposed residential properties. It should be noted that this assessment is based upon the current takeaway operating as stated at the time of this assessment. Should operations at the takeaway change, or opening hours increase, it is possible that additional odour abatement measures may be required at the outlet to minimise the risk of adverse odour effects at the proposed development.

Crime and Disorder

- 8.35 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. South Wales Police were consulted but have not commented on this application. There is no evidence that the future occupants would give rise to anti-social behaviour. One of the previous uses of the site was a pub which could have given rise to concerns about anti-social behaviour or noise and disturbance.

Equalities Act

- 8.36 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.

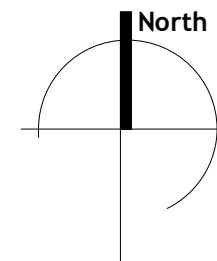
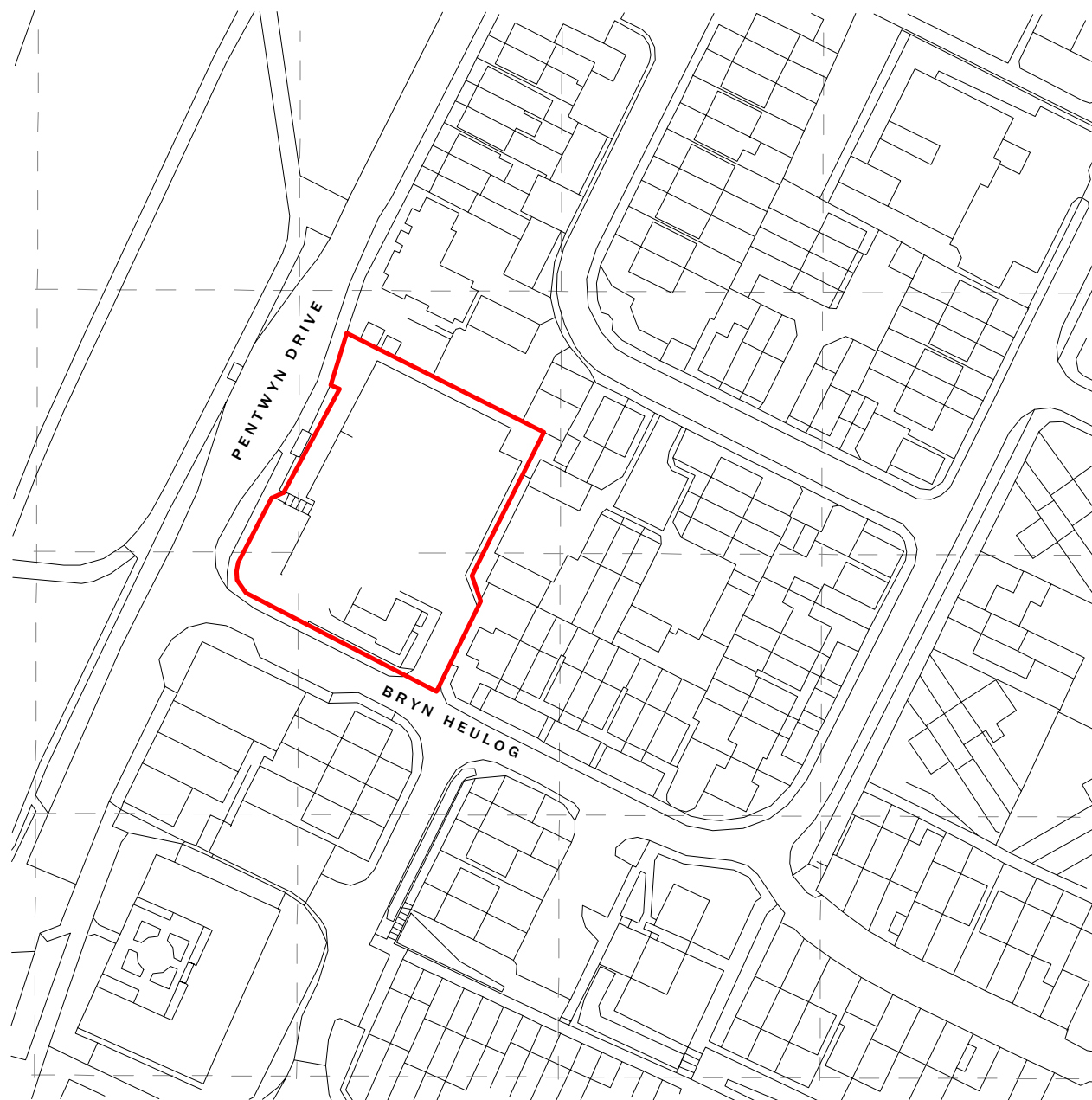
Wellbeing

- 8.37 Section 3 of the Well-Being of Future Generations Act 2016 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 proposed affordable housing will help promote wellbeing by the provision of good quality homes for future occupants in need of such accommodation. This is covered in Section 9

of this report.

9. **SECTION 106**

- 9.1 The developer will be required to enter a Section 106 Agreement that:
- i) the accommodation be for affordable housing only
 - ii) provide £25,716.74 towards community facilities within the local area
 - iii) provide £48,142 towards the provision of new open space, or the design, improvement and/or maintenance of existing open space in the locality.
 - iv) provide £6,000 towards a TRO for parking restrictions.
- 9.2 The agent has confirmed that the applicant is willing to enter into a S106 to cover the following.
- Development will provide 100% affordable housing.
 - Payment of £48,142 towards Public Open Space.
 - Payment of £25,716.74 towards Community Facilities.
 - Payment of approx. £6,000 towards Sustainable Transport.
 - Total (subject to transport figure) = £79,858.74



01 SITE LOCATION PLAN
1 : 1250

Notes

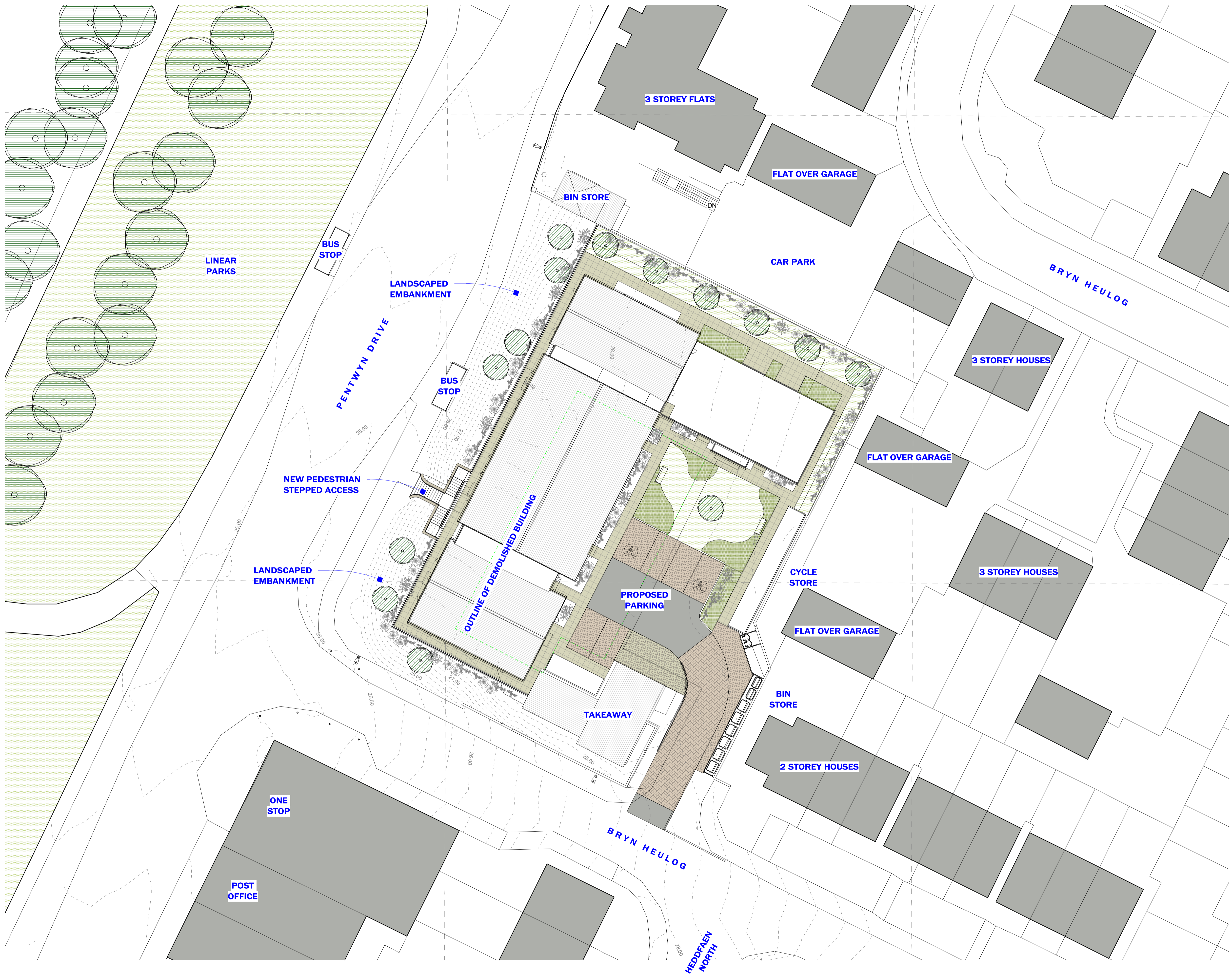
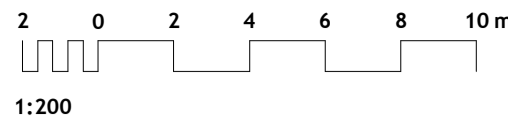
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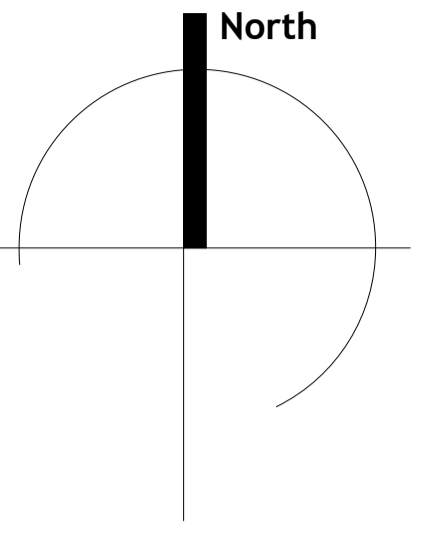
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Project	LAND AT PENTWYN DRIVE, CARDIFF
Project number	N225
Client	WILLIS CONSTRUCTION
Title	SITE LOCATION PLAN
Drawing number	A110
Scale	1 : 1250 at A3
Revision	A
Status	PAC SUBMISSION
Drawn	PC
Date	24.11.20



Revisions

A	07.12.20	Minor amendments
B	09.12.20	Additional amendments following client review
C	29.01.21	12 additional cycles spaces added
D	29.01.21	Disabled bays added
E	02.03.21	Amendments following planning design comments
F	25.03.21	Sub-station removed
G	27.04.21	Bin store, stepped access and site entrance amended
H	03.05.21	Minor amendments



ACCOMMODATION

8 X 1B 2P FLATS
 20 X 2B 3P FLATS
TOTAL 28 UNITS

PARKING - 4 SPACES
CYCLES - 40 SPACES

SITE AREA -

Notes

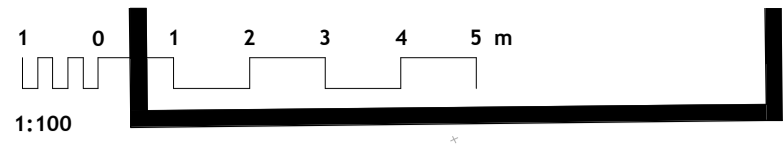
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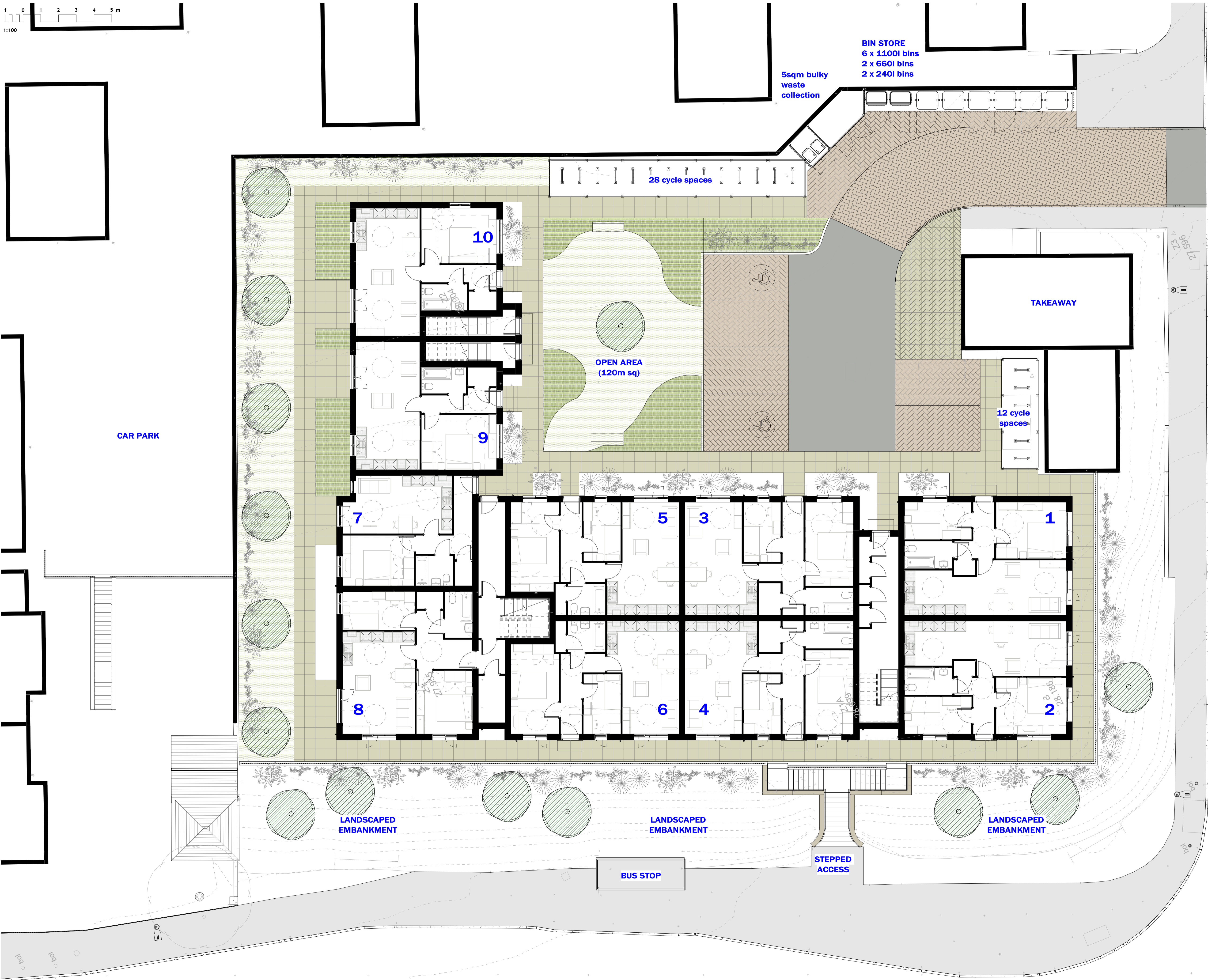
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Project	LAND AT PENTWYN DRIVE, CARDIFF
Project number	N225
Client	WILLIS CONSTRUCTION
Title	PROPOSED SITE LAYOUT
Drawing number	A116
Scale	1 : 200 at A1
Revision	H
Status	PAC SUBMISSION
Drawn	PC
Date	24.11.20



Revisions

A	07.12.20	Minor amendments
B	09.12.20	Additional amendments following client review
C	29.01.21	12 additional cycles spaces added
D	29.01.21	Disabled bays added
E	02.03.21	Amendments following planning design comments
F	25.03.21	Sub-station removed
G	27.04.21	Bin store, stepped access and site entrance amended
H	03.05.21	Minor amendments



Notes

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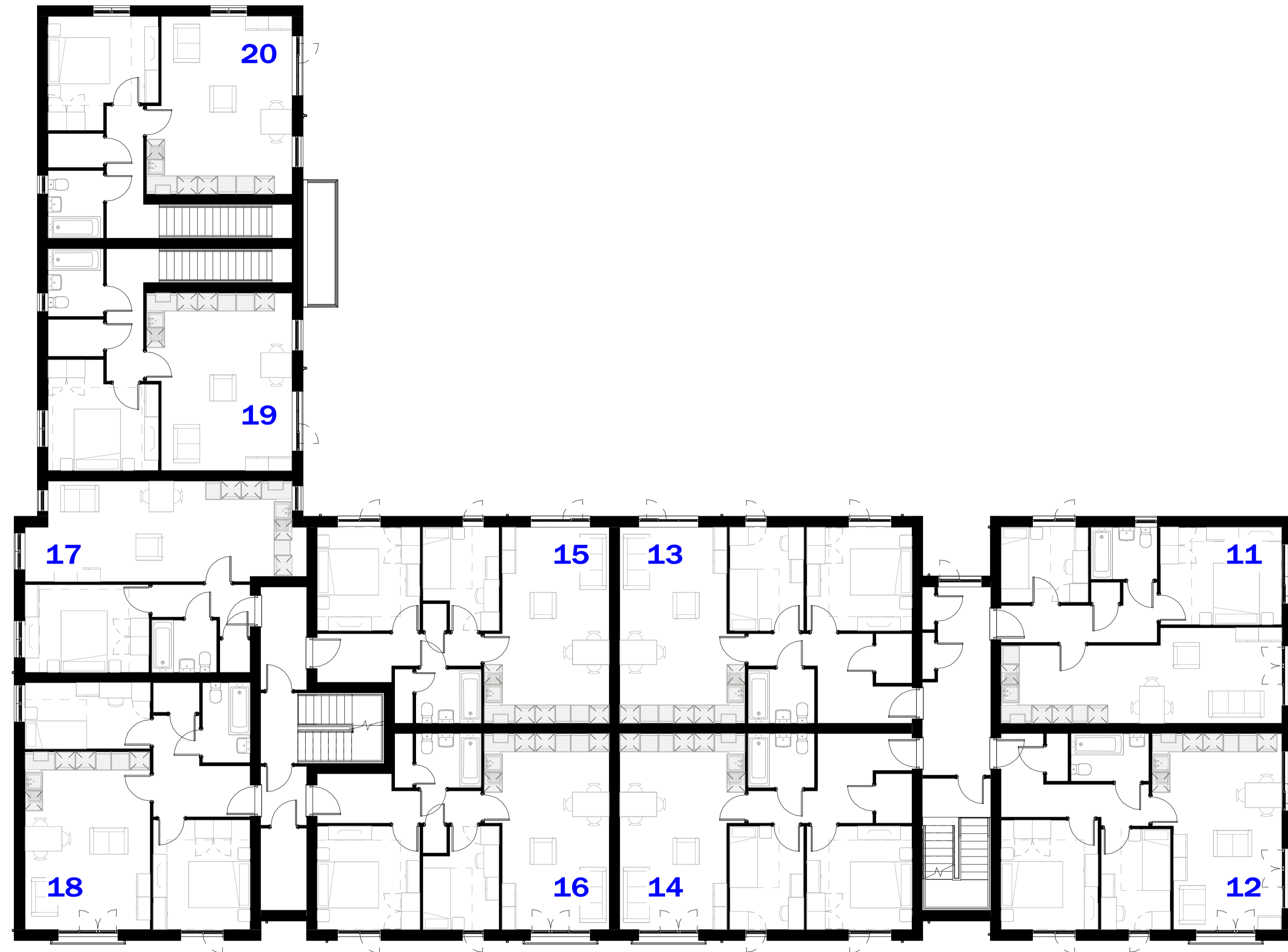
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Project	LAND AT PENTWYN DRIVE, CARDIFF
Project number	N225
Client	WILLIS CONSTRUCTION
Title	PROPOSED GROUND FLOOR PLAN
Drawing number	A117
Scale	1 : 100 at A1
Revision	H
Status	PAC SUBMISSION
Drawn	PC
Date	24.11.20

Revisions		
A	07.12.20	Minor amendments
B	09.12.20	Additional amendments following client review
C	02.03.21	Amendments following planning design comments



01 PROPOSED FIRST FLOOR PLAN
1 : 100

Notes

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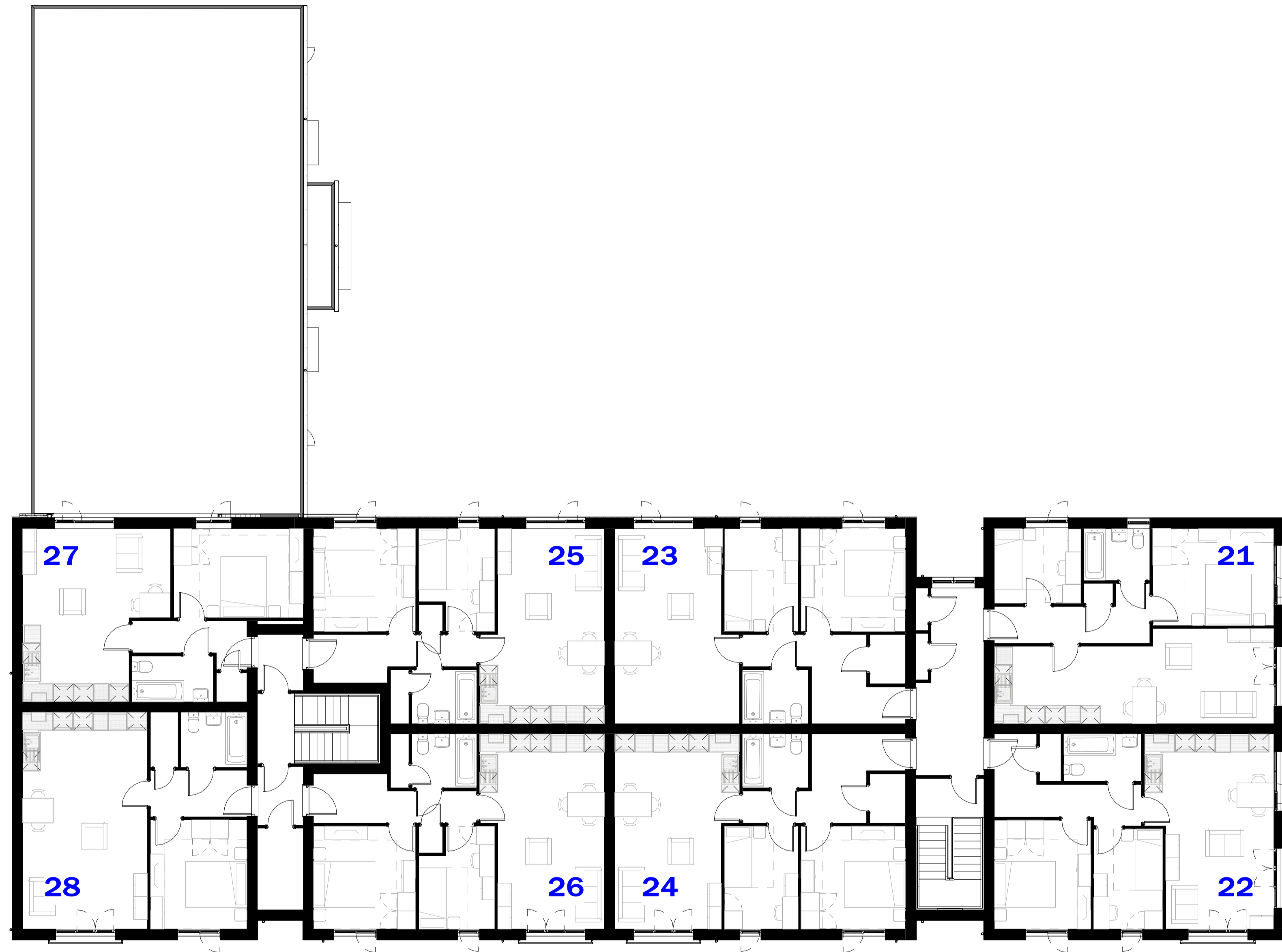
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Project	LAND AT PENTWYN DRIVE, CARDIFF
Project number	N225
Client	WILLIS CONSTRUCTION
Title	PROPOSED FIRST FLOOR PLAN
Drawing number	A118
Scale	1 : 100 at A1
Revision	C
Status	PAC SUBMISSION
Drawn	PC
Date	24.11.20

Revisions		
A	07.12.20	Minor amendments
B	09.12.20	Additional amendments following client review



01 PROPOSED SECOND FLOOR PLAN
1 : 100

Notes

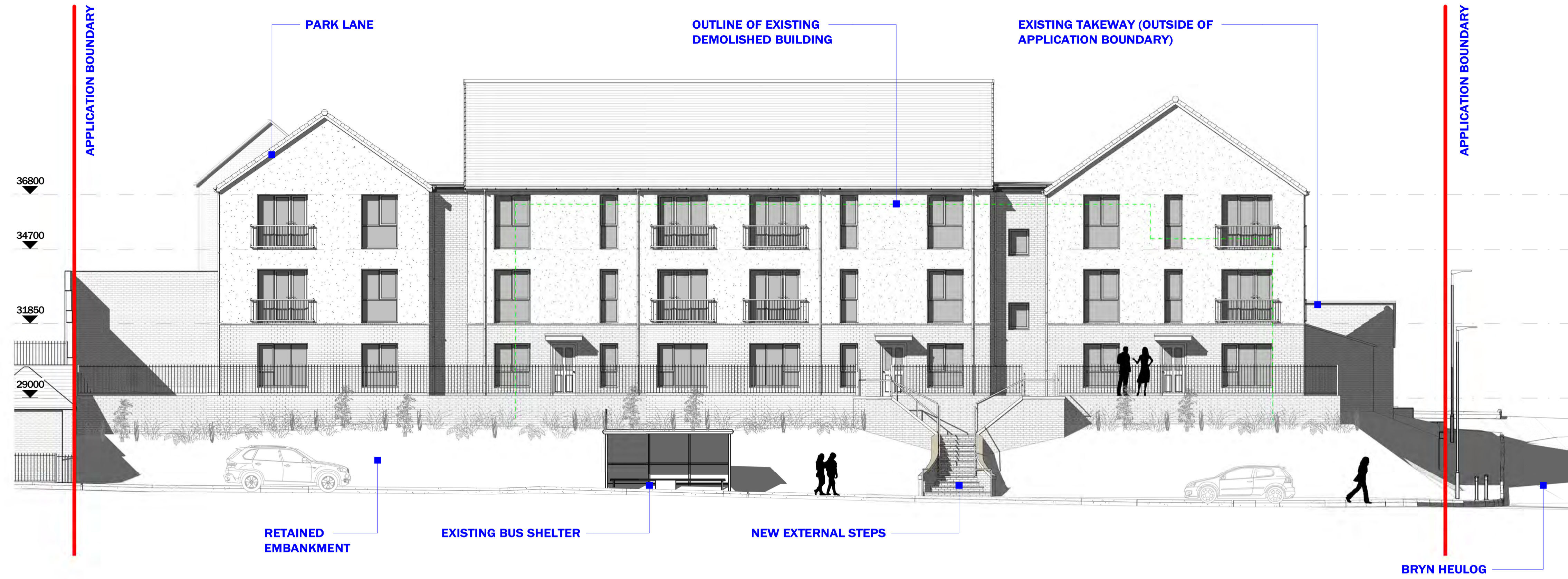
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Project	LAND AT PENTWYN DRIVE, CARDIFF
Project number	N225
Client	WILLIS CONSTRUCTION
Title	PROPOSED SECOND FLOOR PLAN
Drawing number	A119
Scale	1 : 100 at A1
Revision	B
Status	PAC SUBMISSION
Drawn	PC
Date	24.11.20

Revisions	
A	07.12.20 Minor amendments
B	09.12.20 Additional amendments following client review
C	02.03.21 Amendments following planning design comments
D	25.03.21 Sub-station removed
E	27.04.21 Bin store, stepped access and site entrance amended



01 PROPOSED ELEVATION A - PENTWYN DRIVE
1 : 100



02 PROPOSED ELEVATION C - BRYN HEULOG
1 : 100

Notes

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Project	LAND AT PENTWYN DRIVE, CARDIFF
Project number	N225
Client	WILLIS CONSTRUCTION
Title	PROPOSED ELEVATIONS SHEET 1
Drawing number	A121
Scale	1 : 100 at A1
Revision	E
Status	PAC SUBMISSION
Drawn	PC
Date	24.11.20

Revisions	
A	07.12.20 Minor amendments
B	09.12.20 Additional amendments following client review
C	02.03.21 Amendments following planning design comments
D	25.03.21 Sub-station removed



01 PROPOSED ELEVATION B - REAR PARKING COURTYARD
1 : 100



02 PROPOSED ELEVATION D
1 : 100

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Project	LAND AT PENTWYN DRIVE, CARDIFF
Project number	N225
Client	WILLIS CONSTRUCTION
Title	PROPOSED ELEVATIONS SHEET 2
Drawing number	A122
Scale	1 : 100 at A1
Revision	D
Status	PAC SUBMISSION
Drawn	PC
Date	24.11.20

Revisions	
A	07.12.20 Minor amendments
B	09.12.20 Additional amendments following client review
C	25.03.21 Sub-station removed
D	27.04.21 Bin store, stepped access and site entrance amended



01 PROPOSED CONTEXT ELEVATION (PENTWYN DRIVE)
1 : 200



02 PROPOSED CONTEXT ELEVATION C - BRYN HEULOG
1 : 200



03 PROPOSED CONTEXT ELEVATION
1 : 200

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Project	LAND AT PENTWYN DRIVE, CARDIFF
Project number	N225
Client	WILLIS CONSTRUCTION
Title	PROPOSED CONTEXT ELEVATION
Drawing number	A123
Scale	1 : 200 at A1
Revision	D
Status	PAC SUBMISSION
Drawn	PC
Date	24.11.20

Revisions

A	Minor amendments	PC	07.12.20
B	Additional amendments following client review	PC	09.12.20



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Project LAND AT PENTWYN DRIVE, CARDIFF

Project number N225

Client WILLIS CONSTRUCTION

Title PERSPECTIVE VIEW 1

Drawing number A124

Scale at A3

Revision B

Status PAC SUBMISSION

Drawn PC

Date 24.11.20

Revisions

A	Minor amendments	PC	07.12.20
B	Additional amendments following client review	PC	09.12.20



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Project	LAND AT PENTWYN DRIVE, CARDIFF
Project number	N225
Client	WILLIS CONSTRUCTION
Title	PERSPECTIVE VIEW 2
Drawing number	A125
Scale	at A3
Revision	B
Status	PAC SUBMISSION
Drawn	PC
Date	24.11.20

Revisions

A	Minor amendments	PC	07.12.20
B	Additional amendments following client review	PC	09.12.20



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Project	LAND AT PENTWYN DRIVE, CARDIFF
Project number	N225
Client	WILLIS CONSTRUCTION
Title	PERSPECTIVE VIEW 3
Drawing number	A126
Scale	at A3
Revision	B
Status	PAC SUBMISSION
Drawn	PC
Date	24.11.20

Planting Schedule

Trees	Number	Common Name	Species	Birth	Height	Specification	Density
	1	Common Maple	Acer campestre	12-14cm	350-425cm	Heavy Standard: 5 brks: 3x: RB: Clear Stem 175-200cm	Counted
	3	Dowry Birch	Betula pubescens	12-14cm	350-425cm	Heavy Standard: 5 brks: C: Clear Stem 175-200cm	Counted
	4	Common Hawthorn	Crataegus monogyna	12-14cm	350-425cm	Heavy Standard: 5 brks: 3x: RB: Clear Stem 175-200cm	Counted
	2	Common Hawthorn	Crataegus monogyna	12-14cm	350-425cm	Heavy Standard: 5 brks: C: Clear Stem 175-200cm	Counted
	1	Sweet Gum 'Slender Silhouette'	Liquidambar styraciflua 'Slender Silhouette'			RB: Clear Stem 175-200: Standard	Counted
	2	Lebanese Wild Apple	Malus trilobata	10-12cm	300-350cm	Selected Standard: 4 brks: 2x: B: Clear Stem 175-200cm	Counted
	1	Goat Willow	Salix caprea	12-14cm	350-425cm	Heavy Standard: 5 brks: 3x: RB: Clear Stem 175-200cm	Counted
	Total :14						

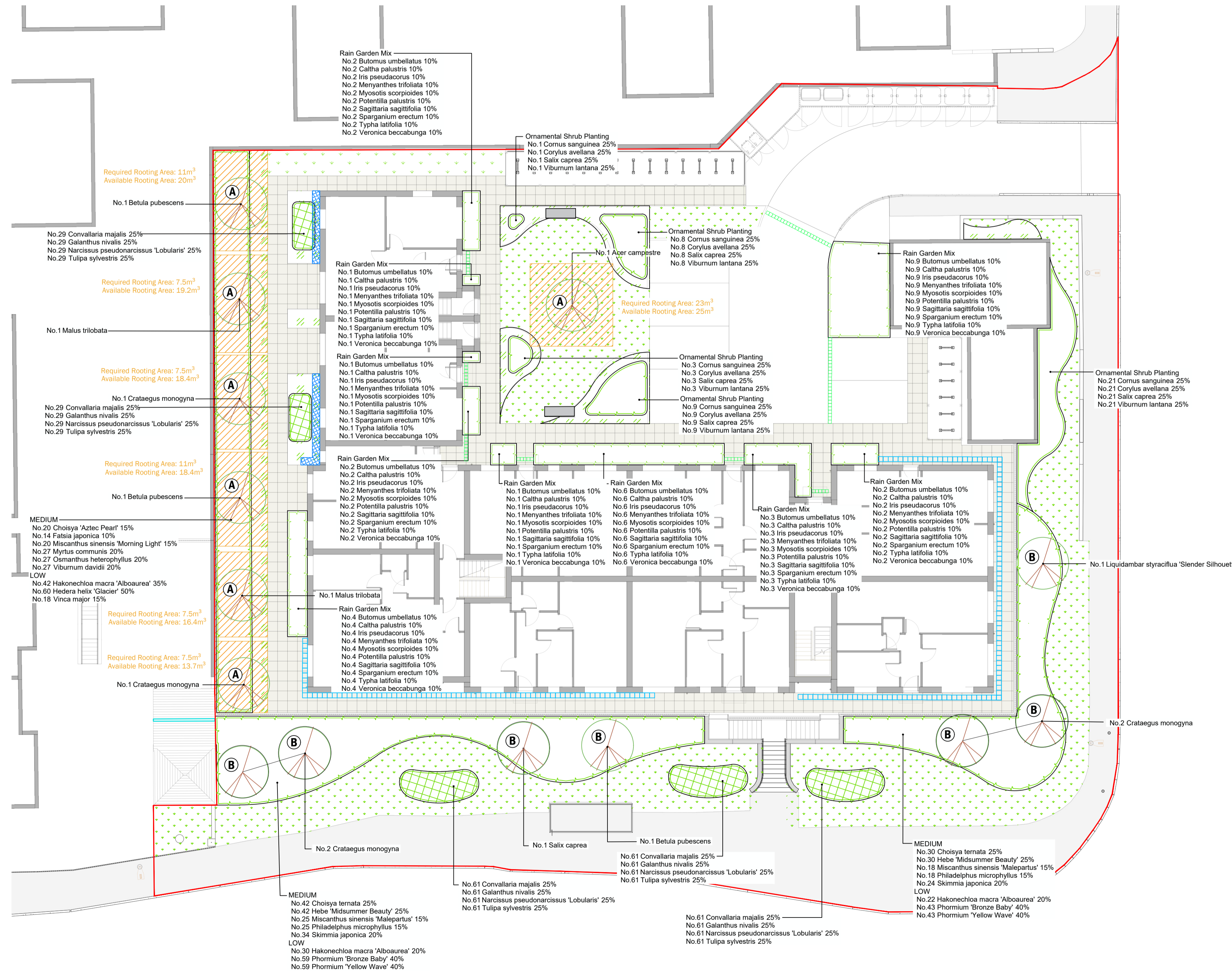
Shrubs	Number	Common Name	Species	Height	Pot Size	Specification	Density
	20	Mexican Orange Blossom 'Aztec Pearl'	Choisya 'Aztec Pearl'		3L	C: Bushy	3/m ²
	72	Mexican Orange Blossom	Choisya ternata		3L	C: Bushy	3/m ²
	42	Common Dogwood	Cornus sanguinea	40-60cm	3L	BR	4/m ²
	42	Common Hazel	Corylus avellana	40-60cm	3L	C	4/m ²
	14	Japanese aralia	Fatsia japonica		3L	C: Bushy	3/m ²
	72	Shrubby Veronica 'Midsummer Beauty'	Hebe 'Midsummer Beauty'		3L	C: Bushy	3/m ²
	27	Common Myrtle	Myrtus communis		3L	C: Bushy	3/m ²
	27	False Holly	Osmanthus heterophyllus		3L	C: Bushy	3/m ²
	43	Phladelphus microphyllus	Phladelphus microphyllus		3L	C: Bushy	3/m ²
	102		Phormium 'Bronze Baby'		3L	C: 7 leaves	4/m ²
	102	New Zealand Flax 'Yellow Wave'	Phormium 'Yellow Wave'		3L	C: 7 leaves	4/m ²
	42	Goat willow	Salix caprea	40-60cm	3L	BR	4/m ²
	58	Skimmia	Skimmia japonica		3L	C: Bushy	3/m ²
	27	Viburnum	Viburnum davidii		3L	C: Bushy	3/m ²
	42	Wayfaring tree	Viburnum lantana	40-60cm	3L	BR	4/m ²
	18	Big periwinkle	Vinca major		3L	C: Bushy	4/m ²
	Total :750						

Climbers	Number	Common Name	Species	Pot Size	Specification	Density
	50	Ivy 'Glacier'	Hedera helix 'Glacier'	3L	Several Shoots	4/m ²
	Total :50					

Bulbs	Number	Common Name	Species	Bulb Size	Specification	Density
	241		Convallaria majalis	Grade 10+	30mm ²	
	241	Common Snowdrop	Galanthus nivalis	Grade 10+	30mm ²	4/m ²
	241	Lent Lily 'Lobularis'	Narcissus pseudonarcissus 'Lobularis'	Grade 10+	30mm ²	4/m ²
	241		Tulipa sylvestris	Grade 10+	30mm ²	4/m ²
	Total :964					

Marginal / Aquatics	Number	Common Name	Species	Specification	Density
	31	Flowering Rush	Butomus umbellatus	Full Pot: C	4/m ²
	31	Marsh Marigold	Caltha palustris	Plug: Established Root min. 2-3 Months: Sept to April planting: British Native-origin: C	4/m ²
	31	Yellow Flag Iris	Iris pseudacorus	Plug: Established Root min. 2-3 Months: Sept to April planting: British Native-origin: C	4/m ²
	31	Bogbean	Menyanthes trifoliata	Full Pot: C	4/m ²
	31	Water Forget-me-not	Myosotis scorpioides	Plug: Established Root min. 2-3 Months: Sept to April planting: British Native-origin: C	4/m ²
	31	Marsh Cinqfeol	Potentilla palustris	Plug: Established Root min. 2-3 Months: Sept to April planting: British Native-origin: C	4/m ²
	31	Japanese Arrowhead	Sagittaria sagittifolia	Full Pot: Sept to April planting: British Native-origin: C	4/m ²
	31	Branched Bur-reed	Sparganium erectum	Full Pot: Sept to April planting: British Native-origin: C	4/m ²
	31	Bulrush	Typha latifolia	Plug: Established Root min. 2-3 Months: June to Sept planting: British Native-origin: C	4/m ²
	31	Brooklime	Veronica beccabunga	Plug: Established Root min. 2-3 Months: Sept to April planting: British Native-origin: C	4/m ²
	Total :310				

Grasses	Number	Common Name	Species	Specification	Density
	94	Golden Hakonechloa	Hakonechloa macra 'Albaurea'	Full Pot	4/m ²
	43		Miscanthus sinensis 'Malepartus'	Full Pot	3/m ²
	20		Miscanthus sinensis 'Morning Light'	Full Pot	3/m ²
	Total :157				



- Site Boundary
- Proposed Specimen Trees
Planted in tree pits, fixed as follows: 300mm soil depth formed of 300mm topsoil over 600mm subsoil. Soil cells used where appropriate.
- Tree Pit Specification Type
- Proposed Hedgerow
600mm soil depth formed of 300mm topsoil over 300mm subsoil
- Proposed Amenity Grass
300mm soil depth formed of 150mm topsoil over 150mm subsoil
- Proposed Flowering Lawn Mixture
Product: ELS Flowering Lawn Mixture
Supplier: Emerald Seeds
Sowing rate: 4g/m²
300mm soil depth formed of 150mm topsoil over 150mm subsoil
- Proposed Bulb Planting
300mm soil depth formed of 150mm topsoil over 150mm subsoil
- Proposed Shrub Planting
600mm soil depth formed of 300mm topsoil over 300mm subsoil
- Proposed Bench
Based upon 4.5m depth
- Root Available Soil Volume
Hatched zones to use tree cell system
- ACO Channel (or similar approved)
See engineering layout for further info
- Channel Block
See engineering layout for further info
- Filter Drain
See engineering layout for further info

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purpose of issue	PLANNING	06/05/2021	JH
f	Rain garden adjacent to Takeaway amended to provide walkway		
e	Amendments to tree, shrub species, layout and tree pit details	04-05-2021	JH
-	Original	15-12-2020	JH
rev	description	date	by

client
Willis Construction Ltd

project title
Former Morrisons Site, Pentwyn Drive

drawing title
Detailed Landscape Design

date **06 APRIL 2021** drawn by **JH**
drawing number **edp6705_d001f** checked **EB**
scale **1:150 @ A1** QA **DL**