

5th August 2015

22330800

To: Members of the Council

Dear Councillor

Planning Committee

Wednesday 12th August 2015 in Committee Room 4, County Hall, Atlantic Wharf, Cardiff (meeting starts at 2.30.p.m.)

I attach a copy of the schedule of Development Control Applications which will be considered at this meeting of the Planning Committee.

The plans relating to the applications will be available for inspection at the County Hall, during the whole of Tuesday and Wednesday morning preceding the Committee.

Unless otherwise stated in the report, Planning Committee has delegated powers to determine the applications in the schedule. Planning Committee (but not an individual member) can also refer a matter to another committee or to the Council for a resolution. However, Council cannot move an amendment to a recommendation relating to a planning application or make a recommendation relating to a planning application and can only refer a matter back to Planning Committee on one occasion, after which Planning Committee shall decide the matter.

Please now note that if any requests for site visits are acceded to by the meeting, such site visits will take place during the afternoon of Wednesday 2nd September 2015. If you submit a request for a site visit, you must include in your submission -

(a) a choice of at least two starting times for the site visit that you are requesting, each of which must be at least 45 minutes apart; and (b) the reasons why you believe that such a site visit is necessary.

If you fail to provide any choices of starting times for the site visit that you've requested, it will be assumed that you will be available to attend such a site visit at any time of the day, regardless of what time it starts.

The Clerk to the Council will circulate the Agenda for the meeting to the Members of the Planning Committee separately.

Yours sincerely



Head of Planning

**CARDIFF COUNTY COUNCIL
PLANNING COMMITTEE**

**THE REPORTS OF THE CHIEF STRATEGIC PLANNING AND ENVIRONMENT
OFFICER**

**LIST OF DEVELOPMENT APPLICATIONS FOR CONSIDERATION BY THE
PLANNING COMMITTEE ON 12th AUGUST 2015 AT 2.30PM**

AREA	PAGES
STRATEGIC	1 - 66
NON STRATEGIC	THERE ARE NO NON STRATEGIC APPLICATIONS ON THE AUGUST AGENDA
HOUSEHOLDER	THERE ARE NO HOUSEHOLDER APPLICATIONS ON THE AUGUST AGENDA



CARDIFF LOCAL DEVELOPMENT PLAN

When regard is to be had to the Development Plan the Council's decision must be made in accordance with the Plan unless material considerations indicate otherwise.

The Development Plan for the administrative area of Cardiff remains the City of Cardiff Local Plan (1996), the South Glamorgan (Cardiff Area) Replacement Structure Plan (1997) and the South Glamorgan (Cardiff Area) Minerals Local Plan together with the approved Mid Glamorgan County structure Plan incorporating Proposed Alterations No.1 (September 1989)

In accordance with statutory procedures, the Council prepared and placed on deposit a Unitary Development Plan (to 2016) in October 2003. It has never been formally abandoned but agreement was reached with the Welsh Assembly Government in May 2005 to cease work on the UDP and commence work on a new Local Development Plan prepared under the provisions of the Planning and Compulsory Purchase Act 2004.

On the 28 April 2009 Cardiff Council placed the Cardiff Local Development Plan 2006-2021 on deposit for public consultation. On the 30th November 2009, following consideration of the responses to consultation, the submission draft was submitted to the Welsh Assembly Government for examination.

However, in the light of the significant reservations expressed at an Exploratory Meeting by the Inspectors appointed to carry out the examination and their recommendation that the Local Development Plan be withdrawn from the examination, the Council duly withdrew the LDP on the 12 April 2010.

Cardiff Council is currently preparing a new Local Development Plan. The Cardiff Local Development Plan 2006 -2026 was placed on deposit for public consultation on 15 October 2013. Policy on the weight to be attached to policies in emerging plans is contained in paragraph 2.6.2 of Planning Policy Wales Edition 5 November 2012 as follows:

'In development management decisions the weight to be attached to an emerging draft LDP will in general depend on the stage it has reached, but does not simply increase as the plan progresses towards adoption. When conducting the examination, the appointed Inspector is required to consider the soundness of the whole plan in the context of national policy and all other matters which are material to it. Consequently, policies could ultimately be amended or deleted from the plan even though they may not have been the subject of a representation at

deposit stage (or be retained despite generating substantial objection). Certainty regarding the content of the plan will only be achieved when the Inspector publishes the binding report. Thus in considering what weight to give to the specific policies in an emerging LDP that apply to a particular proposal, local planning authorities will need to consider carefully the underlying evidence and background to the policies. National planning policy can also be a material consideration in these circumstances.'

Unless a draft policy or proposal is a material consideration it should not be taken into account when making decisions: it is strictly irrelevant and if it is given weight in reaching a decision, that decision may be successfully quashed in the High Court.

Since the deposited UDP has not been abandoned, its policies and proposals may be a material consideration in a given case, but the weight which can be attached to the UDP, and any statement of policy including the statutory Development Plan should be determined in the light of the following principal considerations:-

- The degree to which later statements of national planning policy and the Wales Spatial Plan make the policy out of date and suggest a decision should be taken otherwise than in accordance with it;
- The degree to which the policy is out of date or has been superseded by other material considerations;
- The level and nature of any objection to a UDP or other draft policy.

Table 1.1: Existing Development Plans covering the Cardiff County Area	
Cardiff County Area	
Cardiff Deposit Unitary Development Plan (to 2016)	<i>The Plan was placed on deposit in October 2003 and agreement was reached with Welsh Assembly Government in May 2005 to cease work on the plan and commence work on a new Local Development Plan.</i>
City of Cardiff Area (part of the County of South Glamorgan until April 1996)	
South Glamorgan (Cardiff Area) Replacement Structure plan 1991-2011	<i>Adopted April 1997</i>
City of Cardiff Local Plan (including Waste Policies)	<i>Adopted January 1996</i>
South Glamorgan (Cardiff Area) Minerals Local Plan	<i>Adopted June 1997</i>
Pentyrch Community Area (part of the County of Mid Glamorgan and Borough of Taff Ely until April 1996)	
Mid Glamorgan County Structure Plan incorporating Proposed Alterations No. 1	<i>Approved September 1989</i>
Mid Glamorgan Replacement Structure Plan	<i>Modifications to the Plan including recommendations of the EIP Panel approved by Mid Glamorgan County Council in January 1996 but not adopted in respect of the Pentyrch Community Area.</i>
Glamorgan County Development Plan (Area No. 2)	<i>Approved March 1963</i>
Mid Glamorgan Minerals Local Plan for Limestone Quarrying	<i>In June 1996 Cardiff County Council resolved to approve the Plan as modified by the Inspector's Report, for development control and other planning purposes, but the Plan was not adopted in respect of the Pentyrch Community Area.</i>

PLANNING COMMITTEE - 12th AUGUST 2015

Page No.	App No.	Location	Description	Decision	Officer
1	14/01659/DCI	97-103 NEWPORT ROAD, ROATH, CARDIFF, CF24 0AG	DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT TO PROVIDE 40 FLATS WITH ASSOCIATED AMENITY SPACE, PARKING AND INFRASTRUCTURE.	106	LAD
25	15/00867/MJR	149 HEATHWOOD ROAD, HEATH, CARDIFF, CF14 4BL	DEMOLITION OF EXISTING HOUSE CONSTRUCTION OF 9 NO SELF CONTAINED FLATS, WITH PARKING AND LANDSCAPED AREAS	REF	CJE
50	15/01303/MJR	NEW DEVELOPMENT AT, ST ANDREW'S LANE, CITY CENTRE	STUDENT ACCOMMODATION COMPRISING 84 APARTMENTS AND ASSOCIATED COMMUNAL FACILITIES	106	LAD

COMMITTEE DATE: 12/08/2015

APPLICATION No. 14/01659/DCI APPLICATION DATE: 10/07/2014

ED: **PLASNEWYDD**

APP: TYPE: Full Planning Permission

APPLICANT: Sammi Developments Ltd

LOCATION: 97-103 NEWPORT ROAD, ROATH, CARDIFF, CF24 0AG

PROPOSAL: DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT TO PROVIDE 40 FLATS WITH ASSOCIATED AMENITY SPACE, PARKING AND INFRASTRUCTURE

RECOMMENDATION 1 : That, subject to relevant parties entering into a binding planning obligation in agreement with the Council under **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 paragraph 9.2 of this report, planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. The consent relates to the application plans numbered:
 - 274.200.01 Proposed site and roof plan
 - 274.201.01 Proposed site and ground floor plans
 - 274.202.01 Proposed first and second floor plans
 - 274.203.01 Proposed third and fourth floor plans
 - 274.204.01 Proposed street scenes
 - 274.205.01 Proposed elevations
 - 274.207.01 Proposed block planReason: the plans form part of the application.
3. No development shall take place until samples of the external finishing materials have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: To ensure a satisfactory finished appearance to the development.
4. No development shall take place until details of the boundary treatment have been submitted to and approved by the Local Planning Authority. The boundary treatment shall be constructed in accordance with the approved details prior to the development being put into beneficial use.
Reason: To ensure that the amenities of the area are protected.
5. No development shall take place until details showing the provision of 40no. cycle parking spaces have been submitted to and approved in

writing by the Local Planning Authority. The approved details shall be implemented prior to the development being put into beneficial use. 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 secure parking of cycles.

6. E3D Retain Parking Within Site
7. C3F Details of Access Road Junction
8. No development shall take place until a scheme of construction management has been submitted to and approved by the Local Planning Authority, to include details of site hoardings, site access and wheel washing facilities. Construction of the development shall be managed strictly in accordance with the scheme so approved.
Reason: In the interests of highway safety and public amenity.
9. No part of the development hereby permitted shall be commenced until a scheme of environmental improvements to the footways on Newport Road and Wordsworth Avenue adjacent to the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but not be limited to the resurfacing of the footways, including as required the renewal or resetting of sunken or damaged kerbs, channels and edging as may be required. The agreed scheme to be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation of the site.
Reason: To ensure the reinstatement of the adjacent public highway in the interests of highway and pedestrian safety and to facilitate access to the proposed development.
10. No part of the development hereby permitted shall be occupied until details of how the available car park spaces will be allocated to incoming residents has been submitted to and agreed in writing with the Local Planning Authority.
Reason: To ensure the residents are aware/informed of their parking allocation, to avoid conflict/confusion.
11. No development shall take place until an air quality assessment, including any mitigation measures that may be necessary, has been submitted to and approved in writing by the Local Planning Authority. The agreed mitigation measures shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation.
Reason: In the interests of the health of future occupiers.
12. Prior to commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority to provide that all habitable rooms exposed to external road traffic noise in excess of 63 dBA Leq 16 hour [free field] during the day [07.00 to 23.00 hours] or 57

dBA Leq 8 hour [free field] at night [23.00 to 07.00 hours] shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 40 dBA Leq 16 hour during the day and 35 dBA Leq 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be provided with acoustically treated active ventilation units. Each ventilation unit (with air filter in position), by itself or with an integral air supply duct and cowl (or grille), shall be capable of giving variable ventilation rates ranging from –

- 1) an upper rate of not less than 37 litres per second against a back pressure of 10 newtons per square metre and not less than 31 litres per second against a back pressure of 30 newtons per square metre, to
- 2) a lower rate of between 10 and 17 litres per second against zero back pressure.

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

Reason: To ensure that the amenities of future occupiers are protected.

13. Prior to the commencement of the development an assessment of the nature and extent of contamination shall be submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person * in accordance with BS10175 (2011) Code of Practice for the Investigation of Potentially Contaminated Sites and shall assess any contamination on the site, whether or not it originates on the site.

The report of the findings shall include:

- (i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;
- (ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;
- (iii) an assessment of the potential risks to:
 - human health,
 - groundwaters and surface waters
 - adjoining land,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - ecological systems,
 - archaeological sites and ancient monuments; and
 - any other receptors identified at (i)
- (iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document ' Land Contamination: A guide for Developers' (2012), unless the Local Planning Authority agrees to any variation.

* A 'suitably qualified competent person' would normally be expected to be a chartered member of an appropriate professional body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment in accordance with policy 2.63 of the Cardiff Unitary Development Plan.

14. Prior to the commencement of the development a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

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 2.63 of the Cardiff Unitary Development Plan

15. The remediation scheme approved by condition x (2 above) must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates

the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

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

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 2.63 of the Cardiff Unitary Development Plan

16. 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 in accordance with the requirements of condition 1 (above), and where remediation is necessary a remediation scheme and verification plan must be prepared in accordance with the requirements of condition 2 (above) 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 in accordance with condition 3 (above).

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 2.63 of the Cardiff Unitary Development Plan

17. D7Z Contaminated materials

18. E7Z Imported Aggregates

19. Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy 2.63 of the Cardiff Unitary Development Plan.

20. C2N Drainage details
21. C7S Details of Refuse Storage
22. C4P Landscaping Design & Implementation Pro
23. C4R Landscaping Implementation
24. No demolition, site preparation or development shall take place until the following have been submitted to and approved in writing by the Local Planning Authority (LPA) in accordance with the current British Standard 5837:
 - An Arboricultural Method Statement (AMS) detailing the methods to be used to prevent loss of or damage to retained street trees bounding the site, and existing structural planting or areas designated for new structural planting. The AMS shall include details of site monitoring of tree protection and tree condition by a qualified arboriculturist, undertaken throughout the development and after its completion, to monitor tree condition. This shall include the preparation of a chronological programme for site monitoring and production of site reports, to be sent to the LPA during the different phases of development and demonstrating compliance with the approved tree protection measures.
 - A Tree Protection Plan (TPP) in the form of a scale drawing showing the finalised layout and the tree and landscaping protection methods detailed in the AMS that can be shown graphically.
Unless written consent is obtained from the LPA, the development shall be carried out in full conformity with the approved AMS and TPP. Reason: To enable the Local Planning Authority to assess the effects of the proposals on existing trees and landscape; the measures for their protection; to monitor compliance and to make good losses.

RECOMMENDATION 2: The highway works condition and any other works to existing or proposed adopted public highway are to be subject to an agreement under Section 38 and/or Section 278 Highways Act 1980 between the developer and Local Highway Authority.

RECOMMENDATION 3 : The contamination assessments and the affects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

- (i) determining the extent and effects of such constraints and;
- (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates / soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under section 33

of the environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site:

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

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

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

RECOMMENDATION 4: To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays. The applicant is also advised to seek approval for any proposed piling operations.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 The detailed application is for the demolition of existing buildings and the construction of 40 apartments in an L-shaped block fronting Newport Road and Wordsworth Avenue.
- 1.2 The wing facing Newport Road is 4 storeys in height, the wing facing Wordsworth Avenue is staggered to respect the Wordsworth Avenue building line and steps down to 3 storeys in height. Both wings are traditional design in render and brick with bay windows and pitched roofs with accommodation to the roof space.
- 1.3 There are front gardens to both wings of the block and an area of communal open space to the rear.
- 1.4 The access makes use of the existing access from Wordsworth Avenue and there are 20 on-site parking spaces.
- 1.5 The application is supported by the following additional information:

- Planning Statement, April 2015
- Design and Access Statement, April 2015
- Affordable Housing and Economic Viability Assessment
- Code for Sustainable Homes Pre-Assessment
- Transport Statement
- Drainage Statement
- Protected species surveys – Bats
- Pre-Development Tree Survey
- CG Image showing the development in context

2. **DESCRIPTION OF SITE**

- 2.1 The application site is 0.20 hectares in area and located on the corner of Newport Road and Wordsworth Avenue. The site is occupied by a number of vacant buildings, some trees and an area of hardstanding for parking. Access is from Wordsworth Avenue.
- 2.2 Previous uses on the site were the former Cardiff Sixth Form College building at 97-99 Newport Road, and the Four Elms Medical Centre and adjacent residential unit at 101-103 Newport Road. The surgery has relocated to the renovated Cardiff Royal Infirmary building.
- 2.3 The site is bounded to the east by the grounds of St. Peters Primary School and to the north by a lane serving the school and the former Doctor's Surgery, and by traditional 2 storey housing. To the west on the other side of Wordsworth Avenue is Stephenson Court, a 4 and 3 storey traditional brick residential block with pitched roof.
- 2.4 The Wordsworth Avenue Conservation Area lies immediately to the north of the site.

3. **PLANNING HISTORY**

- 10/1271/DCI PP granted Aug 2010 at 97-99 Newport Road for erection of additional classrooms
- 03/2523/C Application at 101-103 Newport Road for 10 apartments in 2 blocks, subsequently withdrawn.

4. **POLICY FRAMEWORK**

- 4.1 Adopted City of Cardiff Local Plan
 Policy 11 Design and Aesthetic Quality
 Policy 17 Parking and Servicing Facilities
 Policy 31 Residential Open Space Requirements
- 4.2 Deposit Cardiff Unitary Development Plan (2003)
 Policy 2.20 Good Design
 Policy 2.24 Residential Amenity

- 4.3 Supplementary Planning Guidance
 - Open Space Supplementary Planning Guidance (2008)
 - Affordable Housing (2007)
 - Affordable Housing Delivery Statement (2010)
 - Community Facilities and Residential Development (2007)
 - Access, Circulation & Parking Standards (2010)
 - Developer Contributions for School Facilities (2007)
 - Trees and Development (2007)
 - Residential Design Guide (2008)
 - Wordsworth Ave Conservation Area Appraisal (2008)

- 4.4 TAN 12 Design

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 Transportation: The Council's Transportation Officer confirms that the application is considered acceptable in principle subject to standard cycle parking, retention and allocation of parking, and access junction and highway works conditions, and a 106 contribution to junction improvements, and makes the following observations:
 - 5.2 The proposed access from Wordsworth Avenue is to be designed and constructed as a residential crossover, rather than kerbed entrance as currently shown in the submission, and be a minimum width of 4.5m for a minimum of 5m from the back edge of the footway.
 - 5.3 The Access, Circulation and Parking Standards SPG identifies a car parking requirement of half to one or two spaces per dwelling for one and two bedroom units, and one to three spaces per three bedroom dwelling, a cycle parking requirement of one space per unit also applies in this instance. In accordance with the SPG the proposed development should provide a minimum of 22 car parking and 40 cycle parking spaces.
 - 5.4 The submission makes provision for some 20 parking spaces in the proposed courtyard car park and may therefore be considered substandard by two car parking spaces. However in considering the matter I must take into account that the former uses as a Sixth Form College, dwelling house and Doctors Surgery also had a car parking requirement that was similarly below standard. The combined on-plot parking for the former Sixth Form College, dwelling house and Doctors Surgery appears to have amounted to circa 26 spaces.
 - 5.5 As identified in the submitted Transport Statement, it must also be noted that the proposed wholly residential development is calculated to generate significantly fewer vehicle trips than the former uses. The Doctors Surgery in particular, is calculated to generate in excess of four times the number of AM and PM peak trips when compared to the proposed residential use. The proposed development may therefore be considered to generate less comparative parking demand than the proposed use, along with significantly fewer trips, and consequently a reduced overall impact on the highway network.

- 5.6 The proposed 40 cycle parking spaces are considered to be in accordance with applicable standards and therefore acceptable subject to details of the proposed cycle store to be submitted in accordance with the requested condition.
- 5.7 There are a number of objections to the application that mention traffic and car parking as a concern/reason for objection. However as noted the proposals are considered to be acceptable in parking terms, subject to the requested conditions, and are calculated to result in reduced vehicle trips. I must also take into account that the site is within an easy, level walking distance of shops and services locally; less than 100m from inbound and outbound bus stops/shelters, served by high frequency services; and is easily accessible by bicycle. The site is therefore considered to be in an extremely sustainable location in transport terms and given its nature (predominantly one and two bed apartments) is more likely to attract residents who economically or consciously choose not to own a car than would be the case for traditional dwelling houses.
- 5.8 I would further confirm that incoming residents of the development will not be eligible for resident parking permits and as such not add to parking pressure on the existing bays. Therefore while acknowledging that parking demand may well exceed existing uncontrolled on-street provision at certain times of the day/week, as is the case in the majority of areas where traditional terraced housing predominates, a positive determination of this application will not itself add to pressure on existing resident permit bays.
- 5.9 I must therefore conclude that an objection on parking grounds would be unsustainable and that any reason for refusal on this basis would not withstand challenge.
- 5.10 It is also noted that there are a number of representations that make reference to illegal turns, contravention of one-way orders and accidents/traffic safety at the Newport Road/Wordsworth Avenue junction. In respect of the first two points I would confirm that the enforcement of moving traffic offences, such as those mentioned, is a matter for the Police and in this case not material in terms of the proposed development. In relation to the reported safety concerns, I would reiterate that the calculated moving traffic associated with the site will be reduced as a result of the proposed development and should therefore result in a corresponding reduction in the likely incidence of collisions. Notwithstanding, a contribution is sought towards the implementation of improvements to the traffic management signing and lining at the Newport Road/Wordsworth Avenue junction.
- 5.11 In conclusion and while acknowledging that there may well be times when parking demand exceeds supply in the area, the site is considered to be policy compliant, is in an extremely sustainable location in transport terms and given its nature likely to attract residents who are more likely not to own/use a car than otherwise might be the case. I must therefore reiterate that I consider an objection on traffic or parking grounds would be unsustainable and that any reason for refusal on this basis would not withstand challenge.
- 5.12 Parks Services: Under current policy the proposed development is subject to Policy 31 of the Local Plan (Provision of open space on new residential

developments), which requires the provision of open space for recreational activity.

- 5.13 The Council's Supplementary Planning Guidance - Open Space requires provision of a satisfactory level and standard of open space on all new housing developments (2.43 hectares per 1000 projected population), or an off-site contribution towards existing open space for smaller scale developments where new on-site provision is not applicable.
- 5.14 As no public open space is being provided on-site, the developers will be required to make a financial contribution towards the provision of open space off-site, or the improvement (including design and maintenance) of existing open space in the locality.
- 5.15 Based on the information given the contribution will be £55,875. Contributions towards open space provision 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.
- 5.16 Demand for usage of the existing open spaces would increase in the locality as a result of the development and therefore the Council considers it appropriate that an off-site contribution is made, calculated in accordance with the guidelines set out in the SPG.
- 5.17 The Public Open Space Contribution shall be used by the Council towards the design, improvement and/or maintenance of public open space within the locality of the development site. The closest recreational open spaces are Shelley Gardens, Roath Pleasure Gardens and Roath Recreation Ground.
- 5.18 Based on the 2009 Cardiff Council Open Space Survey the Plasnewydd Ward, in which the development is situated, is deficient in opens space provision by 32.93 hectares (measured by the Fields in Trust recommended standard of 2.43 hectares per 1000 population). The quality and facilities of existing open spaces also require improvement, with additional capacity to take into account the increased residential population resulting from the development.
- 5.19 The final decision on expenditure of the contribution at the time of receipt would be determined by the requirements for improving any individual open space in the locality at that time. This would involve local consultation with various parties and be subject to Member approval.
- 5.20 The Parks Officer makes the following additional design comments: Overall I welcome the presence of a reasonable sized community space on site, although currently this has little detail as to design. A detailed upfront landscape scheme including a scaled planting plan, plant schedule, aftercare methodology and detailed hard landscape scheme prepared by a landscape architect is required in order to comment further. Parks seek to encourage high quality provision on site as this provides significant amenity for residents.

- 5.21 I welcome the tree survey, arboricultural method statement and tree protection plan submitted with the application. I share Ed Bakers comments regarding the potential effect on the five street trees. There is potential for root damage but I agree that this could be managed if sufficient grass areas are provided in front of the buildings and paths are of no dig construction.
- 5.22 The potential crown spread is I agree more of an issue with the limes and particularly maples having the potential to reach a large size, which will conflict with the building, leading to a requirement for major pruning and causing shading of the windows & rooflights. Setting the building line slightly further back into the site, with larger front gardens (to follow the lines of the existing buildings) would reduce some of this conflict with street trees, reduce the impact the development has on the surrounding properties, and provide a greater buffer for residents from the adjacent busy roads. I've asked Parks tree officers if further details of the highway trees are available and likely crown spread.
- 5.23 If building work proceeds protection of the trees during construction should be in line with that used on Marlborough Road with plywood boxing placed around the trunks.
- 5.24 Trees: The Tree Officer makes the following comments: The loss of trees within this site is not a concern, but I am concerned about the potential for harm to x5 'B' (moderate quality) street trees in the short and long term. I agree with the arboricultural report in that roots from T1 and T2 are likely to extend into the site from the highway verge. Case experience suggests that both limes and larger maple species are capable of extending roots beneath wall foundations. The roots then typically divert upwards where they proliferate if conditions are suitable (or they find a route into drains). One would expect existing tarmac or concrete slabs to restrict the extent of rooting, but I have observed lime roots proliferating directly beneath a continuous concrete slab over 6 inches in depth. A thin strip of grass appears to be present opposite T2 before the existing building is encountered, and although the Root Protection Area is not shown to extend into this area, conditions could be ideal for tree roots.
- 5.25 Subject to the precautions detailed in the submitted Arboricultural Method Statement, root damage to street trees within the site should be negligible, but I note the presence of paved pathways proposed to cut through the narrow soft landscape strips where roots may be present. The construction of these paths must not require excavation or compaction in areas where tree roots are identified, and they must allow for free water percolation and gaseous diffusion.
- 5.26 Of perhaps greater concern than root damage is conflict between the current and likely future branch spreads of the street trees and the proposed building line. T1 and T2 will require pruning simply to accommodate development, but given their 40+ life expectancy, I foresee significant future conflict between the trees and building resulting in repeated requests and a regular requirement for unsuitable pruning. Whilst trees T3-T5 are not currently a concern in this respect, their likely future crown spread will be similar to T1 and T2, leading to conflicts of the same nature. Given this and the probability of conflict with roots, I would like to see a significant increase in the set-back from the highway to provide improved above

and below ground growing space for the street trees. It is reasonable to suggest that these street trees could attain 10m radial branch spreads, and therefore a minimum 10m set-back should be provided for. The frontage area should be given over to soft landscape and minimal hard landscaping constructed to minimise root damage and maximise water percolation and gaseous diffusion.

- 5.27 A detailed upfront landscaping scheme incorporating appropriate tree planting, preferably within soft landscape, should be submitted. The scheme should comprise a scaled planting plan, plant schedule and planting and aftercare methodology (including tree pit sections) prepared by a qualified Landscape Architect.
- 5.28 Neighbourhood Regeneration: The officer makes the following observations: Supplementary Planning Guidance (SPG) on Community Facilities and Residential Development states that ‘the Council will seek a financial contribution for improvements to existing community facilities or the provision of additional community facilities on all significant developments because the increased population will result in increased demand for local community 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 habitable rooms per dwellings. In summary a contribution of £24,807 is requested.
- 5.29 The SPG for ‘Community Facilities and Residential Development’ was formally adopted by Council on 22nd March 2007. The SPG was adopted to provide guidance on national and local planning policy which highlights the importance of the planning system in ensuring that the infrastructure on which communities depend is adequate to accommodate proposed development. Policy 21 of the City of Cardiff Local Plan (adopted January 1996) supports the provision of community facilities as part of new residential developments.
- 5.30 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.
- 5.31 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 these facilities. While the Community Hall in Shakespeare St is currently the subject of a Community Asset Transfer any funding could continue to be utilised at this facility in order to comply with Community requirements as agreed by the Council who will retain the freehold.

- 5.32 In addition, enhancements to City Road shopping area may be appropriate depending on determined need at the time of the development.
- 5.33 Education: The Education Officer confirms that there is sufficient capacity in local schools and does not seek a Section 106 financial contribution.
- 5.34 Housing Strategy: Robust negotiations have now taken place around this scheme application, as the applicant informed the Council that in their opinion, the scheme was unable to provide an affordable housing contribution on the basis of the economic viability of the overall scheme.
- 5.35 The economic viability of this proposed scheme was considered fully by the Council's Valuation Department. The Council's Valuer advised that in the current market conditions it is not viable for the scheme to provide the full policy affordable housing contribution, and that a financial contribution of **£274,656** is the viable amount that can be provided. This amount calculates out at c. 12.5% affordable housing contribution.
- 5.36 On that basis we accept the financial contribution of £274,656 as advised by our Valuation Department.
- 5.37 Drainage Management: No comments have been received.
- 5.38 Waste Management: The Waste Strategy Officer has no objection in principle to the application plans subject to details. Consultation response on the amended plans will be reported to committee.
- 5.39 Pollution Control (Contaminated Land): The Contaminated Land Officer makes the following observations: In reviewing available records and the application for the proposed development, the site has been identified as formerly a college, residential house, and doctors' surgery with car parking areas to the rear of the main buildings. Formerly, there were minor outbuildings/ domestic garage(s) in the car parking area. In addition there is a history of localised fly-tipping on site.
- 5.40 Activities associated with the above may have caused the land to become contaminated and therefore may give rise to potential risks to human health and the environment for the proposed end use. Pollution Control therefore requests standard contamination, remediation, and imported soils and aggregates conditions.
- 5.41 Pollution Control (Noise & Air): The Pollution Control Officer makes the following comments and recommendations:
- 5.42 I note the submission of a noise report with the application documentation and agree with the conclusions as to the ambient noise levels at the site. I note that, according to Planning Guidance (Wales) TAN 11, ambient noise levels place the site in "Category C" for the Newport Road façade and "Category B" for the Wordsworth Avenue façade.

- 5.43 TAN11 states that for sites falling into Exposure Category C planning consent should not normally be granted. However, I am mindful that this applies only to proposed dwellings on the Newport Road façade. I am also mindful that there is existing residential accommodation on the opposite side of Wordsworth Avenue.
- 5.44 Accordingly a standard road traffic noise condition and construction site noise advisory is recommended.
- 5.45 In relation to air quality the site of the proposed development is immediately adjacent to the Stephenson Court Air Quality Management Area (AQMA). The AQMA was declared due to concentrations of nitrogen dioxide in the area exceeding the National Air Quality Standard (NAQS) set for the protection of human health.
- 5.46 The development site is not included within the AQMA solely because of the current lack of relevant exposure at the site, i.e. no one currently lives there. It is very likely that the NAQS is being exceeded at the site and I am therefore concerned to note the plan to introduce relevant exposure to the site and the risks to human health that this introduces. I am also concerned because, should consent be granted, the development will place additional burdens and costs upon the Council should consent be granted as a result of the Council's statutory obligations in respect of air quality.
- 5.47 I note that there is no air quality assessment submitted with the application documentation. I therefore recommend that an air quality assessment be submitted before consent is granted to allow an informed consideration of the application and any remedial measures that the assessment may identify as being needed to ensure the protection of future residents.
- 5.48 Ecology: No comments have been received.

6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 DCWW: No objection subject to standard conditions on separation of foul and surface water, and discharge of surface and land drainage run-off to the public sewer, and submission of a comprehensive drainage scheme for approval by the LPA.

7. **REPRESENTATIONS**

- 7.1 The application was advertised on site and in the press as a major application. Neighbours and local members were notified. A valid petition of objection from the Wordsworth Avenue Residents Association with 65 signatures has been received. Letters of objection have been received from local members Cllrs. McGarry, Lent, Javed, & De'Ath, former MP Jenny Willott, AM Jenny Rathbone, and 10 local residents.
- 7.2 The petition objects on the following grounds:
- There is insufficient parking proposed, which will result in additional parking on adjoining streets which are already parked to capacity.

- The scale and bulk of the building is over-dominant and will have an adverse effect on properties in the immediate vicinity and the wider Wordsworth Ave. Conservation Area.
- The development does not address the effect of development of an additional 40 households at the dangerous Wordsworth Ave/ Newport Road junction.

7.3 Cllrs. McGarry, Lent, Javed, & De'Ath object on the following grounds:

- Scale of the building out of keeping with the conservation area.
- Building overshadows and blocks light to the elderly persons' flats in Stephenson Court and the neighbouring property at 1A Wordsworth Avenue.
- Increased traffic and impact on Oxford lane/ Wordsworth Ave/ Newport road junction which is already has safety issues arising from vehicles turning right from Newport Road into Wordsworth Ave and traffic using Oxford Street and Wordsworth Ave as a short cut into and out of City Road. These safety issues are heightened because Wordsworth Ave serves St Peters School (pick-up and drop-off). Also parking provision is inadequate.

7.4 The Cllrs will be requesting a site visit.

7.5 On behalf of local residents former MP Jenny Willott objects on the following grounds:

- Impact of increased traffic on motorist and pedestrian safety
- Insufficient parking
- Detrimental effect on daylighting for neighbouring properties arising from height of proposals
- Noise and disruption during construction
- Not in keeping with the conservation area
- More flats not needed in the area
- Those affected by the development, particularly residents of Stephenson Court not notified of the application

7.6 AM Jenny Rathbone raises concerns regarding traffic issues that will be exacerbated by the development, and by the impact of the scale of the building on neighbours and the conservation area. The concerns are:

- Increased parking pressures
- Local one way streets (Clifton Street and Oxford Lane) cause drivers to make illegal U-turns on Newport Road outside the application site and to travel the wrong way down Oxford Lane to bypass the Newport Road traffic lights. Additional traffic movements generated by the development will increase the potential for more accidents at the Wordsworth Ave/ Newport Road junction. She requests the Council to review the one way system on Clifton Street.
- Increased height impacting adversely on the amenity of residents of Stephenson Court and 1A Wordsworth Ave.
- Scale not appropriate for its location on the edge of a conservation area
- She supports the local Cllrs. intention to request a site visit.

- 7.7 Local residents object on the following grounds
- Inadequate on-site parking provision resulting in increased pressure on limited uncontrolled on-street parking which is already heavily parked during the day by commuters.
 - Increased traffic and impact on Oxford lane/ Wordsworth Ave/ Newport road junction which is already has safety issues arising from vehicles turning right from Newport Road into Wordsworth Ave and traffic using Oxford Street and Wordsworth Ave as a short cut into and out of City Road. These safety issues heightened because Wordsworth Ave serves St Peters School (pick-up and drop-off), elderly persons' flats and a nursing home.
 - Design not in keeping with conservation area. Scale of development has negative impact on setting of con area.
 - Overdevelopment of site
 - Too big in relation to neighbouring 2 storey terrace on Wordsworth Ave. Should be max 3 storeys – overbearing impact
 - Reduction in daylighting and overshadowing of neighbouring properties on Wordsworth Ave
 - Additional waste generated by development and not collected by Council
 - Possible antisocial behaviour
 - Negative impact on market values/ compensation for reduction in daylighting
 - Misleading information on plans
 - Noise and disruption during construction period.
- 7.8 In summary, the main grounds for objection relate to inadequate levels of parking provision, traffic safety concerns at the Wordsworth Ave/ Newport Road junction, negative impact of the height and bulk of the building on daylighting levels enjoyed by neighbouring residents in Stephenson Court and 1A Wordsworth Ave., and scale out of keeping with the adjacent conservation area.

8. **ANALYSIS**

- 8.1 The application site falls within an existing residential area, as defined by the Local Plan Proposals Map. The former sixth form college and health centre on the site are given no specific protection in land use policy terms. Given the site's location in a residential area the proposed redevelopment of the site for residential purposes is considered acceptable. The application raises no land use policy concerns.
- 8.2 The main issues to assess are scale and design, impact on amenity of neighbours, and parking provision and access arrangements.

Scale and Design

- 8.3 The 4 storey wing is lower than Stephenson Court and is an appropriate height for a corner building on this section of Newport Road. After turning the corner on to Wordsworth Ave the block steps down to 3 storeys to acknowledge to the scale of residential development on Wordsworth Avenue. The footprint also steps back to

follow the building line of Wordsworth Avenue. The scale and footprint is acceptable.

- 8.4 The design is traditional and has proper regard to the scale and character of the surrounding environment, in this case adjacent to a conservation area, and is acceptable.

Parking provision and access arrangements

- 8.5 The adopted Access, Circulation and Parking Standards SPG identifies a parking requirement of 0.5 to one/two car spaces per residential unit. In accordance with SPG the development requires a minimum of 22 car parking spaces and 40 cycle spaces and is therefore substandard by two car parking spaces. However the site is on the edge of the city centre in a highly sustainable location close to public transport shops and community facilities. If the development was sited on the other side of Newport Road it would be in the Central Area as defined by the Parking SPG with a minimum requirement of zero parking spaces.
- 8.6 It is also noted that the proposed use will result in significantly fewer vehicle trips than the former uses. The proposed development may therefore be considered to generate less comparative parking demand than the proposed use, along with fewer trips, and consequently a reduced overall impact on the highway network. The proposed development is therefore considered to be acceptable.
- 8.7 The number of secure covered cycle spaces proposed is policy compliant. A standard cycle parking condition is attached.
- 8.8 The proposed access makes use of the existing access and is acceptable subject to details required by condition. In relation to the Wordsworth Avenue/ Newport Road junction a 106 financial contribution is secured towards improving the signing and lining at the junction.

Amenity of neighbours

- 8.9 Overshadowing and daylighting: The residential block is 14m away from the 4 storey gable wall of Stephenson Court at its closest point. Windows to this gable are secondary windows. The separation distance from the habitable room windows of the 3 storey wing of Stephenson Court is 16.5m at the closest point.
- 8.10 The Stephenson Court habitable room windows facing Wordsworth Avenue are the sole source of daylighting for those flats. The agent has provided additional information in the form of shadowing diagrams and a section across Wordsworth Avenue to assess the impact of the development on the daylighting received by the ground floor flats of Stephenson Court.
- 8.11 Applying the Building Research Establishment 25° rule of thumb for assessing the impact of new buildings on existing daylighting levels demonstrates that the Wordsworth Avenue 3 storey element passes the test but the 4 storey element fails, however, the degree of failure is marginal.

- 8.12 Council guidance on this matter is clear that in urban situations, where infill sites are being developed in a high density inner urban context, daylighting and privacy guidance can be interpreted flexibly.
- 8.13 While it is acknowledged that the development will result in a reduction in daylighting levels for the ground floor residents of Stephenson Court whose principal habitable room windows are directly opposite the 4 storey element of the proposed development, it is concluded that the reduction in daylighting would not cause unacceptable harm to the residents affected.
- 8.14 In relation to the neighbouring property at 1A Wordsworth Avenue it is the case that there will be some loss of daylighting resulting from the development. The separation distance is 5.3m and the loss of daylighting will be greater than for Stephenson Court. However the windows affected, although habitable room windows, are secondary windows located in the gable wall (subject to confirmation) and are not the only source of daylighting for the rooms in question, which have large windows to the front and to the rear.
- 8.15 Given the above, and the fact that the development at this point is 3 storeys high with a pitched roof and does not therefore block out an unacceptable amount of visible sky, it is considered that the development will not cause unacceptable harm to the residential amenity of the occupants of 1A Wordsworth Avenue.
- 8.16 Overlooking and privacy: The Council's privacy standards require a minimum separation distance of 21m between windows of habitable rooms. In this case the separation distance (habitable room to habitable room) between the development and Stephenson Court is 16.5m (14.5m for Stephenson Court gable secondary windows).
- 8.17 The guidance recognises there is flexibility to relax this 21m distance in tighter grain urban situations and there is precedence for relaxing the recommended separation distances on urban infill schemes of this nature. It should also be noted that habitable room windows of terraced streets in the inner city typically overlook each other at a separation distance of between 12 and 15m. Privacy distances in relation to Stephenson Court are considered acceptable.
- 8.18 In the case of 1A Wordsworth Avenue the gable elevation of the proposed development is blank (with the exception of obscure glazed bathroom windows) and there is therefore no overlooking.

Issues raised through representations

- 8.19 Local residents' objections on the grounds of scale and design, parking provision and access, and residential amenity of neighbours are addressed above.
- 8.20 The increase in traffic will be marginal given that the site was previously used as a Doctor's surgery and sixth form college. Safety of motorists and pedestrians will not therefore be made any worse as a result of this development.

- 8.21 Reference in the representations to moving traffic offences (illegal turns, contraventions of one way orders) arising from the highway configuration are not material planning considerations.
- 8.22 Inadequate consultation process: The application is a major development and the statutory publicity requirements are for a newspaper advert and either site notice or neighbour notification. A notice was put in the press and site notices put up around the site. Neighbours (including residents of Stephenson Court) were notified. The Council has therefore publicised this application using all 3 methods. This is normal practice where it is considered that development affects more than just immediate neighbours.
- 8.23 The information provided on the application drawings in relation to the width of the Lane to the rear of the site is accurate.
- 8.24 Noise and disruption during construction period: Noise is addressed through an additional construction site noise recommendation. A certain degree of disruption is inevitable however a standard construction management plan condition is added to minimise disruption caused by the works to the amenity of neighbours, and to the movement of traffic and pedestrians.
- 8.25 Possible antisocial behaviour and the potential for negative impact on market values of neighbouring properties, and compensation for properties that enjoy a reduced level of daylighting, are not planning issues.
- 8.26 The issue of frequency of waste collection in the neighbourhood is not a planning matter. Waste storage and collection for the development is acceptable subject to a standard waste storage details condition.

S106 Matters

- 8.27 Service areas have requested the following financial contributions: £274,656 financial contribution for off-site affordable housing; £55,875 towards public open space improvements in the vicinity; £24,807 towards community facilities improvements in the vicinity, and £2,080 towards transport and highways related improvements. The total amount requested by service areas totals £357,418.
- 8.28 The applicant provided a viability assessment report offering £115,000. The Council's Valuation Department has appraised the applicant's report and concluded that the scheme was able to support the financial contributions requested by the different service areas. After lengthy negotiations the developer has subsequently confirmed that the 106 planning obligations outlined above are acceptable.

9. CONCLUSION

- 9.1 In conclusion the proposals redevelop a vacant plot and provide 40 dwellings. The principle of residential development on this site is acceptable. The design has proper regard for the scale and character of Newport road and the Wordsworth Conservation Area to the north. The proposals do not cause unacceptable harm to

the residential amenity of neighbours. Parking provision in such a highly sustainable location is acceptable. The scheme delivers a financial contribution equivalent to 12.5% affordable housing, and contributions in accordance with Council SPG towards the improvement of open space, community facilities and public transport in the vicinity.

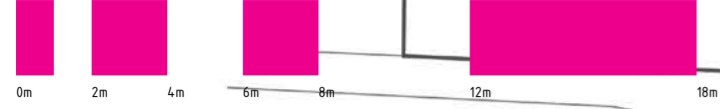
9.2 The granting of planning permission is recommended subject to conditions being imposed and a legal agreement (Section 106) being signed to secure the following financial contributions:

- £274,656 for off-site affordable housing provision
- £55,875 for improvements to public open space
- £24,807 for improvements to community facilities, and
- £2,080 for transport and highway-related improvements.

NEWPORT ROAD, CARDIFF.

RESIDENTIAL SCHEME: 40 NO. APARTMENTS

SCALE BAR 1:200



34

12.2m

Stephenson

1 to 12

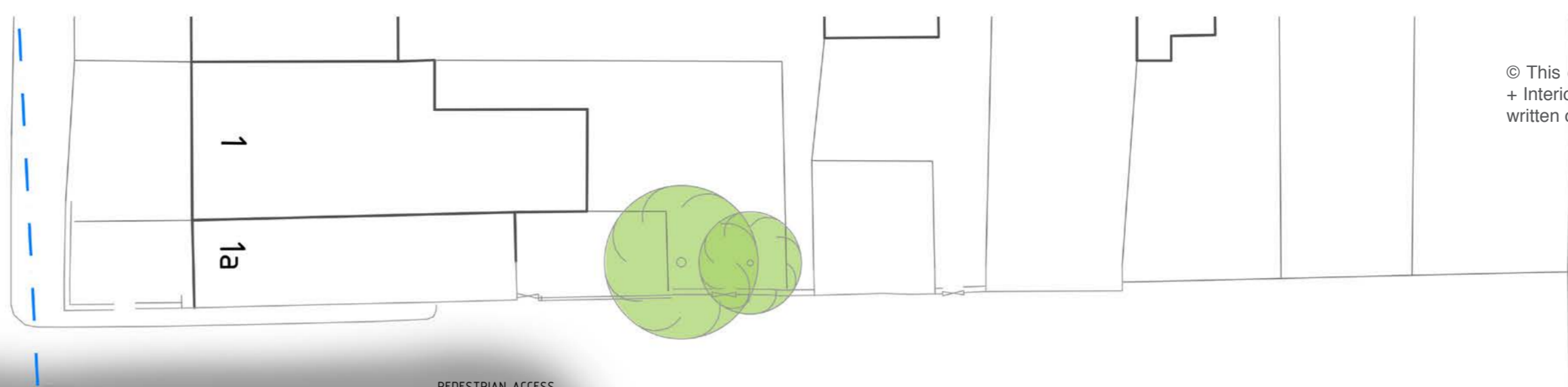
14 to 46

Stephenson Court

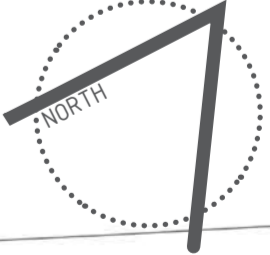
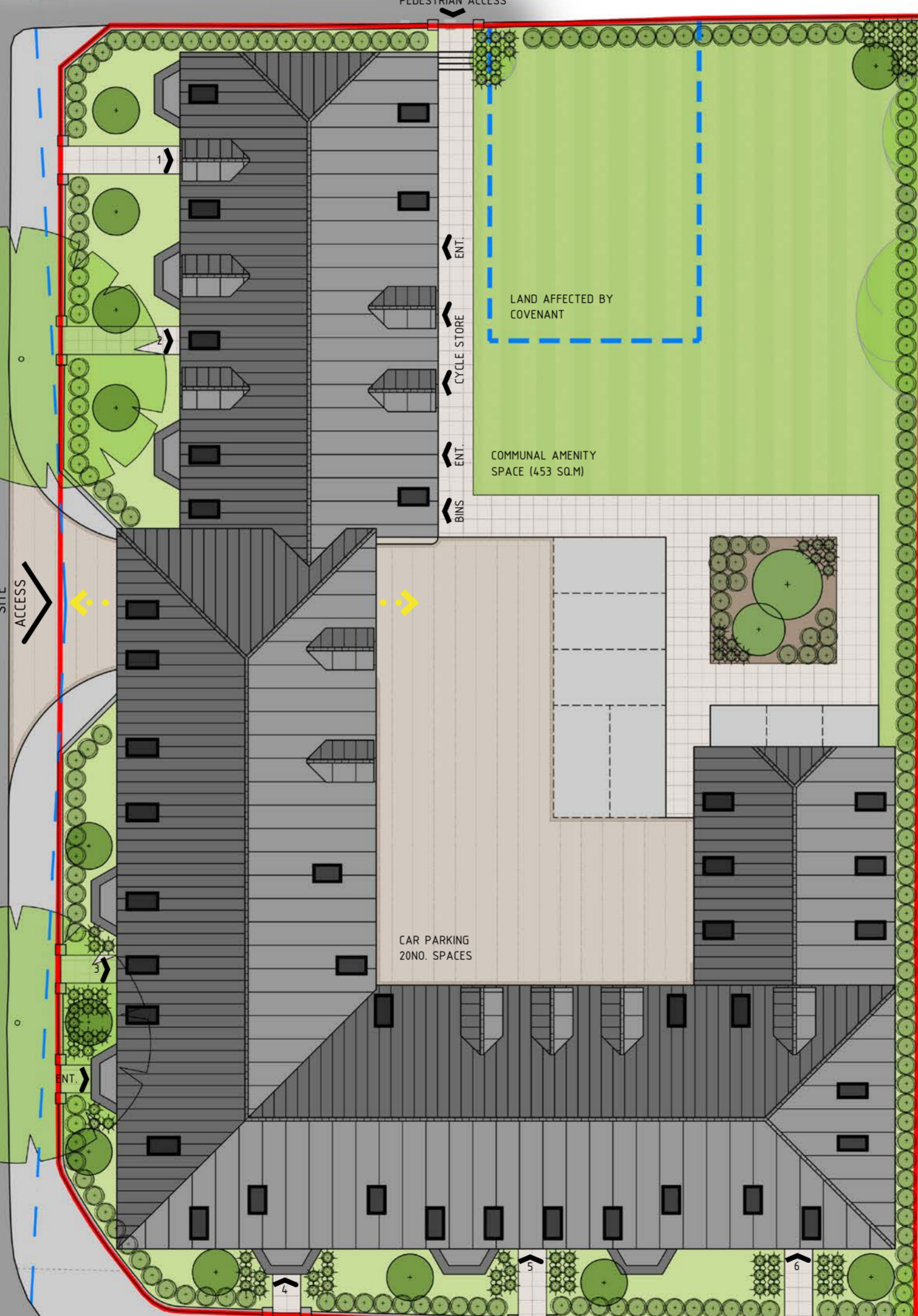
WORDS WORTH AVENUE

NEWPORT ROAD

AS PROPOSED: SITE LAYOUT & ROOF PLAN



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PROJECT TITLE
RESIDENTIAL SCHEME

DRAWING TITLE
As Proposed: Application Drawings
Site Layout & Roof Plan.

PROJECT NAME AND ADDRESS
97-103 Newport Road
Cardiff, Glamorgan
CF24 0AF

DWG. NO. SCALE DATE DWN. CHK.
274.200e 1:200 @ A2 05.06.2014 GF JB

NEWPORT ROAD, CARDIFF.

RESIDENTIAL SCHEME: 40 NO. APARTMENTS

SCALE BAR 1:200



34

12.2m

Stephenson

WORDS WORTH AVENUE

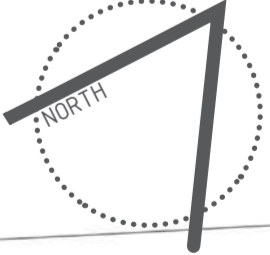
1 to 12

14 to 46

Stephenson Court

NEWPORT ROAD

AS PROPOSED: SITE & GROUND FLOOR PLAN



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PROJECT TITLE
RESIDENTIAL SCHEME

DRAWING TITLE
As Proposed: Application Drawings
Site & Ground Floor Plan

PROJECT NAME AND ADDRESS
97-103 Newport Road
Cardiff, Glamorgan
CF24 0AF

DWG. NO. SCALE DATE DWN. CHK.
274.201e 1:200 @ A2 05.06.2014 GF JB

NEWPORT ROAD, CARDIFF.

RESIDENTIAL SCHEME: 40NO. APARTMENTS.

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PROJECT
RESIDENTIAL DEVELOPMENT

DRAWING
AS EXISTING
SITE LOCATION PLAN

CLIENT
ONE PROPERTY GROUP

ADDRESS
97-103 NEWPORT ROAD
GLAMORGAN
CARDIFF
CF24 0AF



ARCHITECTURE LTD
PROJECT NO. DWG NO. REVISION.

274.210.01

ISSUE STATUS
PLANNING

DATE:
27.07.2015

SCALE:
NTS @ A3

DRAWN: RP
CHECK: JB

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LONDON BIRMINGHAM ESSEX

AS PROPOSED: ILLUSTRATIVE VISUAL Along Newport Road.

COMMITTEE DATE: 12/08/2015

APPLICATION No. 15/00867/MJR APPLICATION DATE: 30/04/2015

ED: **HEATH**

APP: TYPE: Outline Planning Permission

APPLICANT: Lakeside Properties Ltd

LOCATION: 149 HEATHWOOD ROAD, HEATH, CARDIFF, CF14 4BL
PROPOSAL: DEMOLITION OF EXISTING HOUSE
CONSTRUCTION OF 9 NO SELF CONTAINED FLATS, WITH
PARKING AND LANDSCAPED AREAS

RECOMMENDATION: That, subject to no adverse representations being received within the stated period as a result of the advertisement of the amendments to the application that raise issues not already addressed in the report to the Planning Committee, the application be delegated to the Chief City Operations Officer to be **REFUSED** for the following reasons:

1. The proposals, by reason of the layout and scale of the indicated buildings fail to respect the context and character of the site surroundings, causing harm to visual amenity of the area contrary to policy 11 of the City of Cardiff Local Plan 1996, policy 2.20 of the Cardiff Unitary Development Plan Deposit Written Statement 2003 and Supplementary Planning Guidance 'Infill Sites' 2011.
2. The siting and massing of the proposed flats close to the side boundaries of the site with the adjacent properties results in overbearing form of development having a detrimental impact on the residential amenity of the adjacent occupiers contrary to policy 11 of the City of Cardiff Local Plan 1996, policy 2.20 and 2.24 of the Cardiff Unitary Development Plan Deposit Written Statement 2003 and Supplementary Planning Guidance 'Infill Sites' 2011.
3. The density of the proposed scheme fails to respect the character, context and urban grain of the site surroundings, causing harm to the visual amenity of the area and the residential amenity of future and existing occupiers, contrary to policy 11 of the City of Cardiff Local Plan 1996, policy 2.20 and 2.24 of the Cardiff Unitary Development Plan Deposit Written Statement 2003 and Supplementary Planning Guidance 'Infill Sites' 2011.
4. The proposed layout by reason of being vehicle dominant, fails to provide future occupiers with an appropriate standard of external amenity space which respects the urban grain of the area, and also fails to prevent undue disturbance to existing adjacent occupiers, causing harm to residential amenity contrary to policy 11 of the City of Cardiff Local Plan 1996, policy 2.20 and 2.24 of the Cardiff Unitary Development Plan Deposit Written Statement 2003 and Supplementary Planning Guidance 'Infill Sites' 2011.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 An amended application for the demolition of an existing two storey detached dwelling, to be replaced with a two storey structure accommodating 9no. self-contained flats (4no. 2 bed and 5no. one bed). The application is in outline, with access, layout and scale to be considered. Although indicative plans have been submitted, detailed appearance and landscaping are reserved.
- 1.2 The proposed flats occupy a single building set across the site frontage, which is indicated as being two storey, with a pitched roof and a centrally located access arch. The proposed building occupies practically the full width of the application site, and is set approx. 9.5m from the back of pavement at the closest point (flat no. 2 as indicated).

The proposed building has an attached rear annexe of two storey scale, with indicative plans showing a pitched roof design, with differing eaves heights.

The proposed building has a main ridge height of approx. 7.7m, reducing to approx. 5.2m at eaves. The annexe has a ridge height of approx. 6.1m, reducing to approx. 5.0m, with elements at approx. 4.6m (adjacent to the Heathwood Court boundary), and 4.2m (to the 'garden' elevation).

The proposed building extends for approx. 27m along the boundary to Heathwood Court, and approx. 11.5m along the boundary to no. 151 Heathwood Road. The rear elevation of the annexe is set approx. 12m off the rear boundary to the dwellings fronting St Cadoc Road.

- 1.3 A parking area for 6 vehicles is set at the rear of the site, accessed via the central archway, a further three parking spaces are shown at the front between the flats and the front enclosure. A single point of access off Heathwood Road is proposed, with an indicated width of approx. 4.5m. The submitted plans indicate space for a refuse storage facility (under the access arch)
- 1.5 The proposals have been amended as follows:
- The 7no. 'cottages' to the rear of the site have been removed;
 - A second floor element to the flats has been removed;
 - The enlarged building now accommodates 9no. flats (7 originally);
 - Three parking spaces have been removed from the front garden area, and two spaces have been removed from the rear;
 - The point of access off Heathwood Road has been moved in a north-east direction to avoid conflict with a street tree and lamp.

2. **DESCRIPTION OF SITE**

- 2.1 The site is approx. 0.10Ha in area, set on the northern side of Heathwood Road, approx. 40m from the junction with King George V Drive to the south-west and approx. 87m from the junction with St Gildas Road to the north-east.

The site is currently occupied by a large detached dwelling. The dwelling is

predominantly two storey, flanked by large single storey extensions.

There are currently two points of access/egress, with a curved driveway between. To the rear is a substantial garden area, with mature trees to the boundaries with no. 151 Heathwood Road and the properties fronting St Cadoc Road. The boundary to Heathwood Court is relatively open.

- 2.2 The dwellings in the surrounding area are of mixed, two storey design, being semi-detached or detached. There are 12no. flats at Heathwood Court (consented approx. 1962) set over the space of approx. 2no. plots, with a parking area to the rear accommodating 13no. flat roofed garages.

3. **SITE HISTORY**

- 3.1 Nil.

4. **POLICY FRAMEWORK**

- 4.1 The site is located within an area of existing residential use as identified in the adopted City of Cardiff Local Plan 1996.

- 4.2 The relevant Local Plan Policies are:

Policy 11 (Design and Aesthetic Quality)
Policy 17 (Parking and Servicing Facilities)
Policy 18 (Provision for Cyclists)

- 4.3 The relevant Deposit Unitary Development Plan Policies are:

Policy 2.20 (Good Design)
Policy 2.24 (Residential Amenity)
Policy 2.57 (Access, Circulation and Parking Requirements)
Policy 2.74 (Provision for Waste Management Facilities in Development)

- 4.4 Supplementary Planning Guidance;

'Infill Sites' 2011
'Access, Circulation and Parking Standards' 2010
'Affordable Housing' 2007
'Waste Collection and Storage Facilities' 2007

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 The Transportation Manager has no objection to the amended proposal, making the following comments:

"Further to my original comments I note that the scale of the proposed development has been reduced and now relates to 9 one flats together with the provision of 9 off-street parking spaces. The parking ration therefore remains

unchanged and complies with the most onerous end of the range stipulated in the SPG. My original comments therefore still apply – with the exception that the generic e-mail address with regards to works within the adopted highway has been changed to ‘Highwaypermits@cardiff.gov.uk’.”

For clarity, the comments in respect of the original submission are:

“While I note the numerous letters of objection which make reference to highways/parking concerns the requirement of the SPG (Access, Circulation & Parking) with respect to 1 bed flats is ‘between 0.5 and 1 space per flat’ i.e. the provision of 14 off-street spaces in association with 14 one bed flats complies with the even the most onerous end of that range – and an objection on parking grounds would therefore not be sustainable. A condition relating to provision and retention of parking (E3D) would be required.

A new central access is proposed which should be at least 4.5 metres wide to enable vehicles to pass each other and a further condition is required in this respect. This would make the 2 individual accesses which serve the existing premises redundant – and they should therefore be re-instated as footway – and a condition relating to the re-instatement as footway to adoption standard of the 2 redundant existing access prior to beneficial use would also be required. This would the effect of creating additional kerbside parking space on Heathwood Road, and from this point of view the proposal could even be seen as presenting a nett gain in terms of general parking availability.

However, I note that the location of the proposed new access appears to conflict directly with an existing highway tree. I’ve therefore copied in Kevin Matthews (Parks) who’ll no doubt wish to comment on this aspect.

In the event that the application is recommended for approval I’d also suggest a second recommendation advising the applicant of the need to secure the consent of the Operational Manager, Street Operations (via ‘Highwaysnetworkmanagement@cardiff.gov.uk’) prior to undertaking any works in the adopted highway in relation to the construction of the new access and the re-instatement of the two redundant accesses. Subject to Kevin’s comments it could also be worded to include reference to Parks.

The standard Construction Management Plan condition should also be imposed.

The drawings indicate that cycle stores are to be provided and a condition covering this is also required (C3S).

Mindful of the intensification of use compared to existing, a S106 contribution towards public transport enhancement may also be appropriate in order to promote non-car borne travel in line with current policy. I’ve therefore also copied in my colleagues who will be able to advise as to what improvement are necessary/appropriate in this vicinity.”

- 5.2 The Highways Drainage Manager has no objection on the basis of the information submitted, but recommends the imposition of a drainage condition

should consent be granted.

- 5.3 The Waste Manager notes the indicated refuse storage facilities, but would seek further information regarding capacities. Further comments are offered in respect of the requirements for collection and the movement of bins to the point of collection.
- 5.4 The Pollution Control Manager (Contaminated Land) has no objection, subject to conditions in respect of contamination, along with contaminated land advice.
- 5.5 The Pollution Control Manager (Noise & Air) has no objection subject to the imposition of a condition in respect of plant noise, with further advice in respect of construction site noise.
- 5.6 The Parks Street Trees Officer comments that there would be questions around the protection of the existing street tree and lamppost as a result of the proposed new point of access (as originally submitted).

In light of the relocated point of access under the amended proposals, there is no objection, subject to ongoing monitoring during any future development.

- 5.7 The Parks Manager has no objection to the proposal as amended, subject to the developer agreeing to a financial contribution of **£9,651** towards the provision of or maintenance of existing open space in the vicinity of the site.
- 5.8 The Council's Urban Design/Placemaking team object to the proposals, making the following comments (amended 9 unit submission and original 14 unit submission):

These comments relate to Placemaking

SUMMARY and CONCLUSION

The proposal would represent an over development of the site contrary to the guidance contained in the Infill Sites SPG.

Built Form and Density

The replacement a single detached dwelling, within a street characterised by the presence of detached and semi-detached properties, with a development consisting of 9 flats would represent a departure from the local urban form, predominant housing layout and character. The Infill Sites SPG states that;

'Proposals must respect the urban grain and consider locally distinct patterns of streets and spaces including;

- *Elements of the form of the street (organic or regular),*
- *Predominant housing layouts (terraced, semi-detached or detached),*
- *Garden sizes*
(Para 3.15, p.14)

While the demolition of the existing detached dwelling and introduction of flats on this site would be regrettable, the provision of 9 flats in its place would form a significant over intensification of the site.

Frontage Building

While aspects of the frontage element of the proposed development are considered to be appropriate, others remain of concern. The Infill Sites SPG states that;

'Infill development needs to be sensitive to its immediate surroundings and respond well to the built context. It is important that in residential areas where there is a clear existing pattern and form of development, that new buildings, landscaping and boundary treatments complement the character of the surroundings.' (Para, 3.12, p.14)

The staggered frontage of the proposed building would ensure that it would conform to the building line created by the neighbouring buildings either side and is therefore welcomed. The height and general scale of the frontage element of the building is also considered to be generally acceptable.

The dual hipped roof features proposed to the front of the building would ensure that the building would sit relatively comfortably between the neighbouring buildings and are therefore considered acceptable.

It is however considered that further improvements could be made to the principal element of the proposed building, particularly the middle section. The carport access tunnel/feature proposed here would represent an uncharacteristic addition within the street scene. The middle section of the building in general would form a poorly detailed element of the overall design. Further consideration should therefore be given to how this element of the proposal could be made to recede (aesthetically and potentially in terms of being set back) within the context of the overall frontage.

The contemporary approach to the architecture of the building proposed, while acceptable in principle, could also better reflect the positive architectural characteristics which are evident within the locality, in line with the guidance contained in the Infill Sites SPG.

Rear Annexe

Strong concerns are had with regard to the rear annexe element of the proposed scheme. The Infill Sites SPG states that;

'Plot ratios should reflect those prevailing in adjacent properties. The amount of development which projects back into a site should echo the rhythm of the street and respect the existing neighbouring buildings in order to reduce the overbearing impact of any development.' (Para 3.19, p.18)

While the rear annexe element of the proposal would be located to the western side of the site thereby running parallel to the car park associated with the neighbouring flats, the principle of the addition of this aspect of the proposed

scheme is of concern given its uncharacteristic positioning, scale and form within the context of the locality.

No other buildings along this part of the street project back into their respective sites by anywhere near the distance proposed and certainly not at two stories in height. As such, the annexe would form a departure from the characteristic form and layout of development within the locality, and through containing two flats, would represent an overdevelopment of the site, contrary to the Infill Sites SPG.

Car Parking

Concerns would be had with regard to the impact the parking provision proposed at the rear of the site would have on the amenity of the neighbouring residents given the increased activity (noise and light) this would bring. The Infill Sites SPG states that;

'Where car parking is necessary, provision should be effectively incorporated into the design of the development as a whole and should not be superimposed later. The effect of intensifying a site means that additional car parking may need to be accommodated within a confined site boundary. Innovative design solutions that minimise impact on the street scene and on the amenity of neighbouring properties are encouraged.' (Para 3.44, p.26)

It further adds that;

'Any infill, backland or site redevelopment must consider both the new and future occupiers amenity, as well as neighbouring amenity of nearby dwellings.' (Para 4.1, p.27)

While it is noted that a car parking area is located to the rear of the block of flats to the southwest of the application site, this does not represent a characteristic feature of the area as a whole or one which is desirable to replicate in design terms. Further consideration would be expected to be given to the parking provision in order to reduce the impact the access road and car parking would have on the amenity of the neighbouring occupiers.

Amenity Space

Strong concerns are had with regard to the amount and usability of the amenity space provision within the submitted scheme. The Infill Sites SPG states that;

'All new residential dwellings, as well as existing dwellings affected by the development, should maintain useable and appropriate external amenity space. This space should be integrated within the design proposals and not just be 'left over space' after planning.' (Para 4.2, p.27)

'It should be demonstrated that the size and type of external amenity space is appropriate to the type of development and to the urban grain of the area.' (Para, 4.3, p.27)

'Houses and ground floor flats that will serve as family accommodation should include enclosed and secure private amenity areas. Depending on context, such

amenity areas should measure at least 10.5m in depth or 50m² overall.' (Para, 4.5, p.27)

While the application site is located within relatively close proximity of Heath Park, the provision of an appropriate level of usable amenity space would be expected as part of the proposed development. As proposed, only small pockets of amenity area would be provided and the size and location of these have clearly been driven by the parking provision and access road. Significant improvements would subsequently be expected to the amenity space provision in order to bring it in line with the SPG.

Internal Environment

Some concern would be had with regard to the light provision in some of the rooms proposed. For instance a single window is proposed in the northern elevation of Bedroom 1, Flat 3. The quality of light this would allow to enter the room, given its positioning and northern orientation, would subsequently be of concern.

Original Submission - Design Comments

The existing dwelling is a hipped roof detached property of a scale and form such that it sits comfortably within the street scene. The application site is located in an area characterised by semi-detached and detached dwellings set within generous plots. A development of maisonettes is located west of the application site though this departs from the local character and urban grain and therefore forms an anomaly within the street scene.

Strong concerns are had with regard to numerous aspects of the proposed development given the intensified use of the site and layout of the proposed scheme. Any development on this site would be expected to respond to the positive characteristics of the area, in line with the guidance contained in the Infill Sites SPG. This states that;

'It is important to strike a balance between maintaining the established positive character of a residential street and introducing additional housing. To avoid a 'town cramming' effect, any proposals must;

- Maintain a useable amenity space or garden for new as well as any existing dwellings/occupiers;*
- Maintain an established spacing between buildings that respects the pattern of layout in the vicinity of the site;*
- Maintain appropriate scale and massing which respects buildings in the vicinity of the site;*
- Respect the frontage building line and respond to the existing street scene.'* (Para 2.14, p.11)

It further states that;

'Infill development needs to be sensitive to its immediate surroundings and respond well to the built context. It is important that in residential areas where

there is a clear existing pattern and form of development, that new buildings, landscaping and boundary treatments complement the character of the surroundings.’ (Para, 3.12, p.14)

Layout

No other development has been constructed within a backland type arrangement to the rear of the properties along this part of Heathwood Road and therefore the principle of such a development in the area has not been established. The Infill Sites SPG states that;

‘Plot ratios should reflect those prevailing in adjacent properties. The amount of development which projects back into a site should echo the rhythm of the street and respect the existing neighbouring buildings in order to reduce the overbearing impact of any development.’ (Para 3.19, p.18)

The introduction of 7 one bed houses and 7 one bed flats within the site would subsequently represent a significant intensification of the site in a layout which is out of character with the form and layout of development in the locality.

Unless it can be demonstrated that the form, layout, scale and massing of the development responds to the urban grain and character of development within the locality, it would be difficult to support any development proposal for a backland type arrangement here given the surrounding context

Frontage Building

While the existing dwelling has a pitched roof garage to one side and sloping wall running parallel to the front elevation to the other, these read as subservient additions to the main body of the dwelling which sits comfortably within the plot.

The replacement frontage building proposed would fill almost the entire width of the application site adding a significant bulk within the street scene, while reducing the evident spacing with neighbouring buildings either side. The Infill Sites SPG states that;

‘The spaces between adjacent buildings often have as much impact on the character of the area as the form of the buildings themselves. Plots must be of sufficient width to accommodate buildings that fit well into the street scene and provide adequate visual separation where appropriate.’ (Para 3.20, p.18)

A more in keeping frontage building would be expected within the proposed scheme which better responds to the characteristic scale, form, spacing and detailing of the dwellings along the street.

The addition of flats identified as no’s 6 and 7 within the frontage building, while being set back from the front elevation, would form an particularly incongruous and uncharacteristic addition to the building from the street and would not be supported. The carport style access to the rear of the site would form an uncharacteristic addition within the street scene and would neither be supported.

Internal Environment

Concerns are also had with regard to the close proximity the dwellings proposed towards the rear of the site would have with the boundaries of the plot and therefore the quality light provision the dwellings would receive. No's 8 and 9 are of particular concern in this sense.

The quality of outlook which dwellings 8 -14 within the proposed scheme would have would also be of concern given the poor quality outlook they would have through either fronting onto an area of courtyard parking or the side elevation of other dwellings.

Amenity Space

Strong concerns are had with regard to the amount and usability of the amenity space provision which would be afforded to the cottages and flats with the submitted scheme. The Infill Sites SPG states that;

'It should be demonstrated that the size and type of external amenity space is appropriate to the type of development and to the urban grain of the area.' (Para, 4.3, p.27)

'Houses and ground floor flats that will serve as family accommodation should include enclosed and secure private amenity areas. Depending on context, such amenity areas should measure at least 10.5m in depth or 50m² overall.' (Para, 4.5, p.27)

While it is noted that the application site is located within close proximity of Heath Park, this is not considered sufficient justification for the lack of amenity space provision proposed, or for allowing a departure from the localised urban grain / provision. Significant improvements would subsequently be expected to the amenity space provision for both the flats and dwellings. Amenity space provision should be of an appropriate size within the context of the surrounding area and for the scale of development proposed and be useable.

Car Parking

Concerns are had with regard to the car parking provision proposed at the front of the dwelling creating a vehicular dominated development. A reduction in the parking space provision here and addition of further soft landscaping, in line with the guidance contained in the Infill Sites SPG, would subsequently be welcomed. The states that;

'Proposals which create car-dominated frontages that harm the street scene and/or create blank frontages at ground floor will not be accepted.' (Para 3.44, p.26)

Concerns would also be had with regard to the impact the parking provision associated with the dwellings located towards the rear of the site would have on the amenity of the neighbouring residents, particularly those to the east and the outlook it would provide for dwellings 8 – 14. The Infill Sites SPG states that;

'Any infill, backland or site redevelopment must consider both the new and future occupiers amenity, as well as neighbouring amenity of nearby dwellings.' (Para

4.1, p.27)

Further consideration would be expected to be given to the parking provision within any subsequent scheme.

5.9 The Housing Strategy Manager advises that as the proposals are now below both the site area and density thresholds, no affordable housing contribution is required.

5.10 The Councils Tree Protection Officer makes the following comments in light of the submitted Tree Survey Report:

“The report shows that the only trees that should be considered a significant constraint to development comprise the three street trees bounding the site frontage and that attain ‘B’ (moderate quality and value) categorisation. Of these, only T4, a semi-mature ash, is likely to be harmed by development due to the construction of a crossover within part of its Root Protection Area (RPA). RPAs are depicted nominally as circles, but for the street trees, a polygonal depiction would be more accurate since roots will not have developed into the highway and will be concentrated in the verge and under the footway. As such, the extent of the incursion into the RPA of T4 is greater than shown by comparison of the Tree Constraints Plan and proposed site layout plan and amounts to unacceptable harm. Compounding this is the lack of provision for the planting of large, long-lived tree species. No space is available to accommodate a tree with the equivalent growth potential of T4 for example.”

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 Dwr Cymru/Welsh Water have no objection subject to conditions in respect of site drainage.

7. **REPRESENTATIONS**

7.1 Adjacent occupiers have been consulted and the application has been advertised on site and in the press in accordance with adopted procedures. Approx. 140 individual letters/emails in objection to the proposals (as originally submitted) have been received from residents in the immediate and wider area, and the Heath Residents Association. Objections and concerns raised include:

- The proposals are out of character with the surrounding area, in terms of the physical form of development and the nature of the occupancy;
- The lack of sufficient off-street parking provision will exacerbate the existing parking congestion in the area and subsequently pose a risk to highway safety;
- The increased density of occupation will result in an increase in vehicular traffic exacerbating the existing problem with traffic congestion and highway safety;
- The existing house sits well within the street and should not be demolished;

- The short term occupancy of flats will erode the existing strong sense of community;
- The proposed development, if granted, will set an unwelcome precedent for further similar developments in the area;
- The proposals represent an insensitive and overbearing overdevelopment of the site, having an adverse impact on adjacent occupiers, causing harm in respect of loss of privacy and amenity to adjacent occupiers;
- The proposals will result in increased service vehicle parking/movements (refuse collection, deliveries etc.), impacting on highway safety;
- Loss of the existing garden space is out of character with the area;
- Noise from future occupiers will have an adverse impact on the amenities of adjacent occupiers;
- The proposed development will put too much additional strain on the already strained service infrastructure (drains/water supply etc.);
- The loss of trees caused by the proposed development will have an adverse impact on visual amenity and wildlife habitats;
- The proposals represent a commercial development in a wholly owner/occupier residential setting;
- The proposals will result in increased costs to the Council (waste collection etc.);
- The proposals will have an adverse impact on the 'historic' front boundary wall enclosure;
- The proposed development, if consented will be in contravention of Article 8 of the European Convention on Human Rights and the Human Rights Act 1998 (Article 8(1)) 'Everyone has the right to respect for his private and family life, his home and correspondence';
- The stated comparison to the existing flats at Heathwood Court is false;
- There is already a surplus of one bedroom accommodation in the wider area. There is no need for any more;
- The proposed development, if granted, will reduce surrounding property values.

7.2 Local Members have been consulted and Councillors Hinchey, Hudson and Bowden object to the proposals (as originally submitted) on the following grounds:

Councillor Hinchey:

I wish to object to the planning application above as material planning considerations that either singularly, or cumulatively, that may be considered sufficient to warrant refusal of the application.

My grounds of objection are as follows:-

Density of development

The development proposes the construction of 14 units on a site which currently provides space for one dwelling. This represents a significant increase in the number of living units which constitutes overdevelopment of the site in an area characterised by large dwellings with adequate garden / amenity space. It would set a serious precedent for the development of other such large sites in the area leading to a reduction in the nature and character of the area to the detriment of house values and well being of existing residents.

Design

The design of the building introduces a large mass of built development along an elongated frontage which does not sit well in the street scene. It jars with the pleasant assemblage of a predominantly semi and detached dwellings. The most incongruous feature of the design is the addition of the 6th / 7th flats at third storey level. This totally unbalances the design of an already unbalanced building and appears to be just an add-on to obtain additional accommodation. It is clearly at odds with the Council's supplementary planning guidance. The submitted design and access statement is inadequate as it does not refer to any specific impacts and uses vague words like "mainly" when describing the impact on adjoining property. It also fails to confirm the development is compatible with the Council's policies / guidance as such an overbearing set of buildings fails all of the design and amenity tests.

Car parking

There is inadequate provision for car parking. No provision has been made for visitors and on-street parking cannot be relied on because most of the spaces are taken by hospital staff in any event. They can be seen parking their cars along Heathwood Road every morning and walking into the hospital.

The design of the car park near the site entrance is likely to cause congestion with vehicles entering the site being stopped by cars in the process of parking. There should be a driveway inside the boundary to allow cars to enter without congestion. This problem will lead to highway safety issue on a busy arterial road used by heavy traffic, including buses.

Residential amenity

The new building for flats will have an overbearing effect on adjoining properties causing loss of privacy and light. The pleasant open aspect enjoyed by the current occupants of existing properties will be lost and their well-being adversely affected. This is contrary to the Council's SPG which highlights good and bad practice when designing new buildings but the applicants obviously do not mention this document because they are clearly in conflict with it.

There is inadequate amenity space provided for new residents of the development. The site is congested with parking areas, built development etc. which leaves inadequate space for the enjoyment of residents. Whilst it is stated that the accommodation will be used by medical staff no such occupation restriction can be imposed by planning control. Therefore it is unreasonable to suggest this "benefit" to the hospital can be realised as open market conditions will prevail.

Trees

Contrary to information set out on the application form the development will result in the loss of several mature trees by direct or indirect damage. On the verge of the main road at least one tree will be lost and another caused stress by damage to surface roots. This will no doubt be confirmed by the Council's arboricultural officer. At the rear of the property several trees may be affected by site works and will no doubt be pruned back because of their close proximity with the building.

Drainage

The application form confirms there is no connection to the existing drainage system and the surface water will be channeled to the main sewer. This is unacceptable and contrary to good practice with the result there may be surcharges in times of prolonged heavy rain. With climate change likely to generate more of such extreme conditions it is unacceptable to provide development that does not have regard to this situation. Heathwood Road already floods on a regular basis some 250 metres to the west of the site. This will be confirmed by the Council's records.

Ecology

There is no indication a bat survey has been conducted in the existing house. Pipistrelle bats are known to be present in this area.

Landscaping

The number, type, size and nature of planting (including specifics regarding shrubs and trees) needs to be confirmed to assess mitigation effects. Diagrammatic symbols on a layout plan are not acceptable. The maintenance of such planting also needs to be set out to ensure satisfactory care in the early years.

I trust that these points of objections will be taken into consideration accordingly.

Councillor Hudson:

I refer to the above Application and wish to object to this development.

By virtue of its massing, it would be out of keeping with the scale and pattern of development in the surrounding area, and would constitute a cramped and insensitive form of development detrimental to visual amenity and the character of the area and contrary to policy 11 of the Cardiff Local Plan policy 2.20 of the deposit Cardiff Unitary Development Plan and paragraph 9.3.3 of Planning Policy Wales (July 2014).

Residents of the houses adjacent to the site would be subject to unacceptable level of noise to the detriment of residential amenity and contrary to paragraph 13.15.1 of Planning Policy Wales (July 2014) and Planning Policy Wales Technical Advice Note 11 Noise (1997). Such development should not normally be permitted in areas which are, or are expected to become, subject to unacceptably high levels of noise and should not normally be permitted where high levels of noise will continue throughout the night.

The development would not provide an acceptable amount of useable outdoor amenity space for residents of the flats which, together with the small size of the flats, would result in a poor standard of amenity for occupiers, contrary to Policies 2.21 and 2.24 of the deposit Cardiff Unitary Development Plan, objective 2.2 of supplementary Planning Guidance "Cardiff Residential Design Guide" (March 2008) and paragraphs 9.1.1 and 9.3.4 of Planning Policy Wales (July 2014).

Noise, disturbance and light from vehicles using the parking spaces both inside and outside of the site would have an adverse impact on the amenity of residents, contrary to policy 2.24 of the Cardiff Unitary Development Plan. This street and the surrounding streets suffer from persistent and recurring parking problems which would be exacerbated by further developments of this nature in this area. It would also set a dangerous precedent of over development in the street.

As the site is currently occupied by a large house, the development would be out of character with the houses to one side, and those in the vicinity and immediately opposite. This street is dominated by large and small family houses with some bungalows set in gardens and with trees along the main stretch of road. It is therefore contrary to Planning Policy Wales (July 2014) 4.11.9 with regard to the scale and relationship to surroundings, 9.1.1 which states that residential developments are well designed and make a significant contribution to

improving the quality of life and 9.3.3 with regard to insensitive infilling or the cumulative effects of development or redevelopment including conversion and adaptation and should not be allowed to damage an area's character or amenity. This includes any such impact on neighbouring dwellings, such as serious loss of privacy or overshadowing. What must be remembered is that this property has no access to any rear exit as it backs on to and affects the quality of life and amenity of residents in St Cadoc Road. Whilst it is acknowledged that there are some individually owned residential flats nearby, these sit on a far larger double plot and are only twelve in number. I further note that there is a courtyard and archway layout which is not in keeping with the character of the houses in the neighbourhood.

The road is also liable to flooding in several places and as drainage is already compromised, this cumulative effect would place an intolerable strain on the drains.

It is for these reasons that I oppose the outline planning permission for the above site and hope that permission for the development will be refused.

Councillor Bowden:

I have canvassed among residents to establish their views on this planning application. I note the comments that residents have made and support their objections to this proposed development. Here are my additional comments:

- 1. The scale and massing of the proposed development fails to respond to the character of the surrounding area in Heathwood Road and adjoining streets.*
- 2. The backland development is too intense and is not playing a subservient role to that of the front development. Planning guidance suggests that this should be lower than the front facing properties, should be less conspicuous to minimise the overbearing impact on residential amenity, and should reflect the character of neighbouring rear buildings. This plan fails to echo the rhythm of the street and respect the neighbouring buildings;*
- 3. The loss of privacy, spaciousness, and light for neighbouring residents both to the sides and behind the development is not acceptable. The outlook for residents of the new properties will be an overlooking of others' gardens;*
- 4. There is inadequate attention to the need for green space within the development, given the street context. The loss of a front garden will be out of keeping within the street scene and there is a lack of quality, and innovative use, within the proposed amenity space for such a large development;*
- 5. Given that this is a tandem development, both parts of the development will be sharing the same vehicular access which will have a detrimental impact on residential amenity and will increase considerably the traffic movements in this difficult road. Immediately outside of the property there is a yellow bus stop box and a traffic island; both will impact on the egress from the development and may also increase the on-street parking problems;*
- 6. The details of the building profile and the materials to be used fail to complement the character of the surroundings within which this development is to be set, and the plot ratios do not reflect those prevailing in adjacent properties.*

I cannot support this application.

7.3 Craig Williams MP objects to the proposals (as originally submitted), making the following comments:

I write to you regarding the aforementioned planning application at 149 Heathwood Road having received a number of strong objections from local residents. I attach copies of correspondence I have received and would be grateful if these could be given full consideration, as well as my own observations and objections.

To summarise:

- It is clear from the correspondence I have received that the surrounding community, residents' association, and local representatives, are firmly against the proposal.*
- The proposals would have a detrimental effect on the privacy of neighbouring properties, including the garden at the rear of 149 Heathwood Road – Mr & Mrs Smith, 44 St Cadoc Road, CF14 4NE, who currently enjoy privacy in their back garden and now face the prospect of being looked over by the proposed cottage developments.*
- There is currently a big problem with parking in the area. I appreciate that parking spaces have been made available, but it is inevitable that some flats may have two cars and visitors, which would only add to the parking problem on Heathwood Road.*
- Heathwood road is already very busy and has received attention in the past to tackle congestion and speeding. A new entrance on to the road to be used by potentially over a dozen cars, could not be achieved safely.*
- The proposals are not in-keeping with the style and architecture associated with the Heath area.*
- The felling of trees and loss of green space would destroy habitats for local wildlife.*
- Granting permission to this application could set a dangerous precedent and attract future developments of Heathwood Road – an iconic road in Cardiff with traditional bay-fronted properties – destroying the look of the area.*

I intend to meet with local residents who are affected to discuss their objections further and bring forward a community view on this. I also understand a petition against the proposals has been circulated, which has attracted significant support, and will be submitted to the planning committee. In the meantime would be grateful if the objections I have raised, and those of my constituents, could be presented to the committee.

In addition to the above, Mr Williams has submitted the following additional comments (relating to the original submission):

Following my email below, I met with a number of local residents at one of the affected properties – 44 St Cadoc Road – to see first-hand the effect this development would have on their own property and discuss further objections with residents.

Further to this meeting, I would like to raise the following points that were discussed:

- The rear garden of 44 St Cadoc Road (see attached photo) would be completely overlooked by the proposed cottages, the closest being only 1.3 metres from the boundary. This would be made worse in winter when there are no leaves on the trees and foliage.*
- 151 and 153 Heathwood Road would also be overlooked from the upstairs of the proposed properties and would have little privacy.*
- I would like to once again stress how much these proposals do not follow the local architecture. The council has set a clear precedent in the traditional areas of Cardiff, such as Pontcanna and Roath, that new builds should follow the local architecture.*
- Cllr Hinchey raised a very valid point in his own objections that the plans propose connecting the surface water drainage to the main sewer. This goes completely against modern precedent and guidelines by Natural Resources Wales. It is common knowledge that Heathwood Road has a drainage problems, particularly at times of heavy rain, and plans to add further pressure to this system cannot be allowed to go ahead.*
- Residents also stressed to me the parking and traffic problems on Heathwood Road, particularly the dangers of the numerous junctions off it. An additional entrance, used by potentially over a dozen cars, could not safely achieved.*

I would be grateful if my additional points could be added to my initial objections and brought to the attention of the planning committee.

7.4 Julie Morgan AM objects to the proposal (as originally submitted), making the following comments:

I am aware that the council has received a number of objections to these developments. Heathwood Road is a leafy, family-oriented, residential road. My constituents are extremely worried that the proposed development is out of character with the surrounding properties and would attract short-term rental by those with no real engagement or commitment to the area. There is a fear that any such development would set the precedent for similar proposals in the future, gradually eroding the community-spirit of the area. The existing flats on Heathwood Road have been poorly received by residents, but tolerated on the grounds they are fewer in number, spread out over a much larger area and do not directly impact the road.

The new plans focus fairly heavily on back-of-land development. In line with your planning policy, could you please clarify your position on this?

My constituents are also very concerned about the likely disruption that will result from the demolition of the current family residence at 149 Heathwood Road, and the subsequent construction work on 14 cottages with respective parking spaces. Heathwood Road is a main access route to UHW for both patients and staff alike, and as such cannot afford the disturbance of construction or so many additional residents in such a short space of time.

The property is in a good-state of repair and perfectly suitable for purpose. I am bewildered by the proposal to demolish and replace it with fourteen small, single-bedroom dwellings and parking on the same plot of land.

In summary, the density of this development is neither sustainable, nor in keeping with the character of its surroundings. To promote a fourteen-fold increase from the land, in waste, traffic, on what is already a saturated road, traffic wise, and pressure on the local infrastructure, is both irresponsible and short-sighted.

7.5 Councillor Hinchey has also submitted a petition against the proposals (as originally submitted). The petition contains 475 valid signatures and cites the following as grounds for objection:

1. Density of development – the development proposes the construction of 14 units on a site which currently provides space for only one dwelling.
2. Design – the design of the proposed building introduces a large mass of built development along an elongated frontage and does not sit well within the street scene.
3. Car parking – there will be inadequate provision for car parking, with no provision for visitors and does not take into account commuter parking connected with hospital staff.
4. Residential amenity – the new building would have an overbearing effect on adjoining properties causing loss of privacy and light.
5. Trees – several mature trees would be lost or damaged by site works as part of the development's construction.
6. Drainage – the application confirms there is no connection to the existing drainage system and surface water would be channelled to the main sewer, contrary to good practice and may result in an overflow in times of heavy rain.
7. Ecology – there is no indication that a bat survey has been conducted on the existing house and they are known to be present in this area.
8. Landscaping – the number, type, size and nature of planting of shrubs and trees is not confirmed, nor is any future maintenance programme for such.

7.6 Further to the above, a re-consultation process has been undertaken in light of

the amended submission. 18 letters have been received from neighbouring occupiers, all of which seek to reiterate previous concerns raised, indicating that the amended proposals are still unacceptable.

In addition to the neighbouring occupier responses above, Councillor Hinchey has also advised that his previous objections remain unchanged.

7.7 A representation in support of the proposals has been received, commenting:

- The proposed development, adjacent to existing flats, is not out of keeping with the area;
- The increased residential density will assist the current housing shortage;
- The development will bring benefits to the local economy.

8. **ANALYSIS**

8.1 An amended outline application for the demolition of an existing two storey detached dwelling, to be replaced by a two storey building accommodating 9 self-contained flats. Matters under consideration are access, layout and scale. Detailed appearance and landscaping are reserved.

8.2 The application site is within an area identified in the adopted City of Cardiff Local Plan as existing residential use. As such, the proposed use as residential accommodation in self-contained flat form is acceptable in principle.

Access

8.2 Access to the site would be directly off Heathwood Road and the amended scheme indicates the replacement of two existing points of access (to the east and west ends of the frontage), with a new single point of access to the eastern end of the frontage. The submitted plans indicate an access width of approx. 4.5m, which is in accordance with the requirements of the Operational Manager, Transportation, to allow simultaneous vehicular access and egress.

8.3 It is noted that concerns are raised in respect of the impact of the proposal on the existing front boundary wall enclosure, which is described in representations as having historical local importance. It should be noted that this wall has no statutory or non-statutory protection, and could be removed completely under permitted development rights.

Having regard for the comments of the OM Transportation, it is considered that access to the site is acceptable.

Scale and Layout

8.4 In general terms, a two storey scale of development on this site would likely be considered acceptable, having regard for the extant on site situation and the scale of the surrounding built form. In addition to the comments made by the Council's Urban Design Officers above, the following comments are offered.

The scale of the two storey development along the boundary to Heathwood Court (approx. 27m long at a minimum (varied) height of approx. 4.6m) is such that it would clearly have a detrimental impact on the amenities of the occupiers of those flats that have windows facing this shared boundary, placing them into near constant shadow, contrary to the requirements of paragraph 4.11 of the Infill Sites SPG.

It is also worthy of note that, were the dwelling to remain as is, any application to construct an annexe extension to the degree proposed here would also fail, due to the requirements of the Councils adopted SPG 'Householder Design Guide' 2007, which indicates that two storey extensions should not be sited close to the boundary.

In addition, it is considered that this substantial annexe has no relationship to any characteristic of the surrounding urban grain, contrary to the requirements of the Infill Sites SPG.

- 8.5 The scale of the proposed development has a direct influence on its layout. Whilst there may be scope for redevelopment of this site for flat accommodation, the layout of the current proposal is such that the whole site is dominated by the car. The central 'spine' driveway cuts the site in two, with the incongruous annexe to one side and a relatively narrow area of open space to the other. It is considered that this relationship would prevent future occupiers from having any significant amenity benefit from the area of open space. This sense of vehicle dominance is emphasised by the siting of the 6 bay parking area to the larger area at the rear of the proposed building.
- 8.6 The layout of the site and the vehicular dominance of the land with no built form also results in loss of amenity for existing adjacent and potential future occupiers in that the passage of vehicles, particularly late at night, with headlights on, is likely to cause undue noise and light disturbance. Whilst the issue of light disturbance could possibly be overcome with the use of an enclosure to the parking area, this would only result in the value of the already constrained amenity space being further eroded.

In this case, it is considered that the proposals fail to provide an acceptable form of residential development in respect of the proposed scale and layout.

- 8.7 With regard to the comments received that are not addressed above, the following comments are made:
- Whilst the objections in terms of off street parking provision are noted, the Transportation Manager is unable to justify refusal of consent as the parking provision is policy compliant. No concerns are raised in terms of highway safety;
 - The existing dwelling has no statutory or non-statutory protection. As such, planning permission could not justifiably be refused if all other matters relating to a proposed development were acceptable;
 - The nature of residential occupancy is not a material planning consideration;

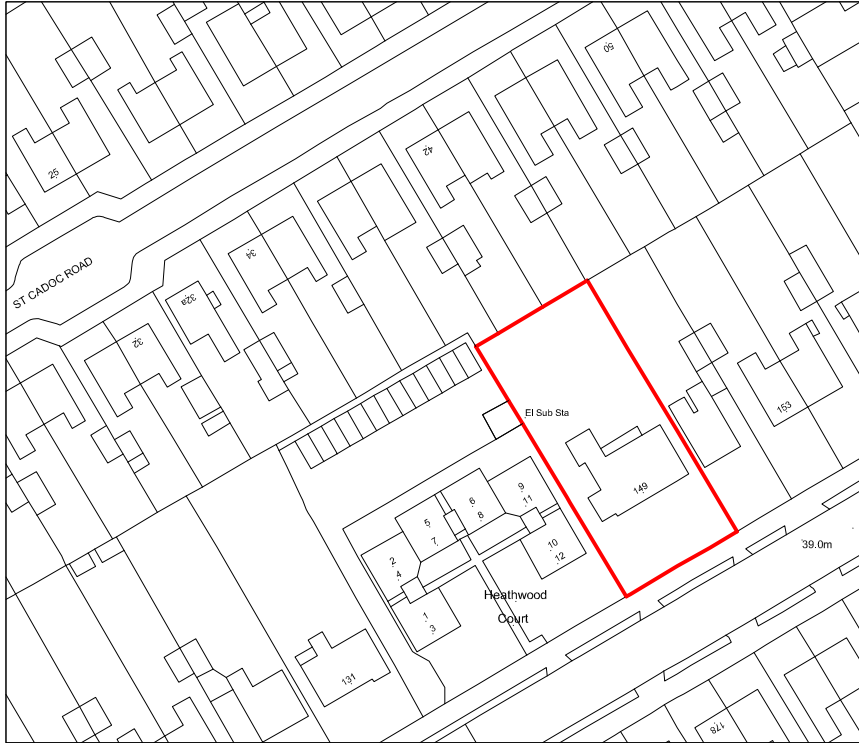
- The Transportation Manager has not raised any concerns in respect of highway safety in respect of vehicles servicing the site;
- The application has been considered by Welsh Water and the Council's Highways Drainage Officer. No objections are raised in terms of water supply or site drainage, subject to the submission and approval of a comprehensive drainage scheme, should consent be granted;
- Whilst the impact of developments upon trees is a material consideration, the trees/bushes within the application site have no statutory protection and could be removed at any time. The amended application includes the relocation of the originally proposed point of access in order to overcome concerns relating to an existing street tree. The Council's Highways Trees Officer has confirmed that his original objection is therefore withdrawn, subject to ongoing observation of the site, should consent be granted. Landscaping, including plans and details of any subsequent compensatory planting is a matter reserved for future consideration, should outline consent be granted;
- The application under consideration is not for 'commercial' development. The proposals are for an alternative residential use of the site. As indicated above, the nature of any occupancy, including any ownership/tenancy arrangements are not material to the consideration of the application;
- The matter of any potential increase in cost to the Council in the provision of its public services is not material to the consideration of this application;
- With regard to development proposals and the provisions of the European Convention on Human Rights, the advice obtained from the Council's Legal Services is that - The established planning decision-making process assesses the impact which a proposal will have on individuals and weighs that against the wider public interest when determining whether development should be permitted. That is consistent with the requirements of the European Convention on Human Rights;
- Whilst it is noted that the application makes reference to the adjacent Heathwood Court flats, this application has been considered on its own merits, with the recommendation being to refuse consent as indicated above;
- The 'need' for a particular development is not a material planning consideration;
- The issue of property values is not a material planning consideration.

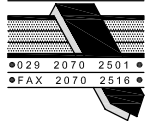
8.8 S106 matters – The following contribution requests have been made, with reference made to the Community Infrastructure Levy tests:

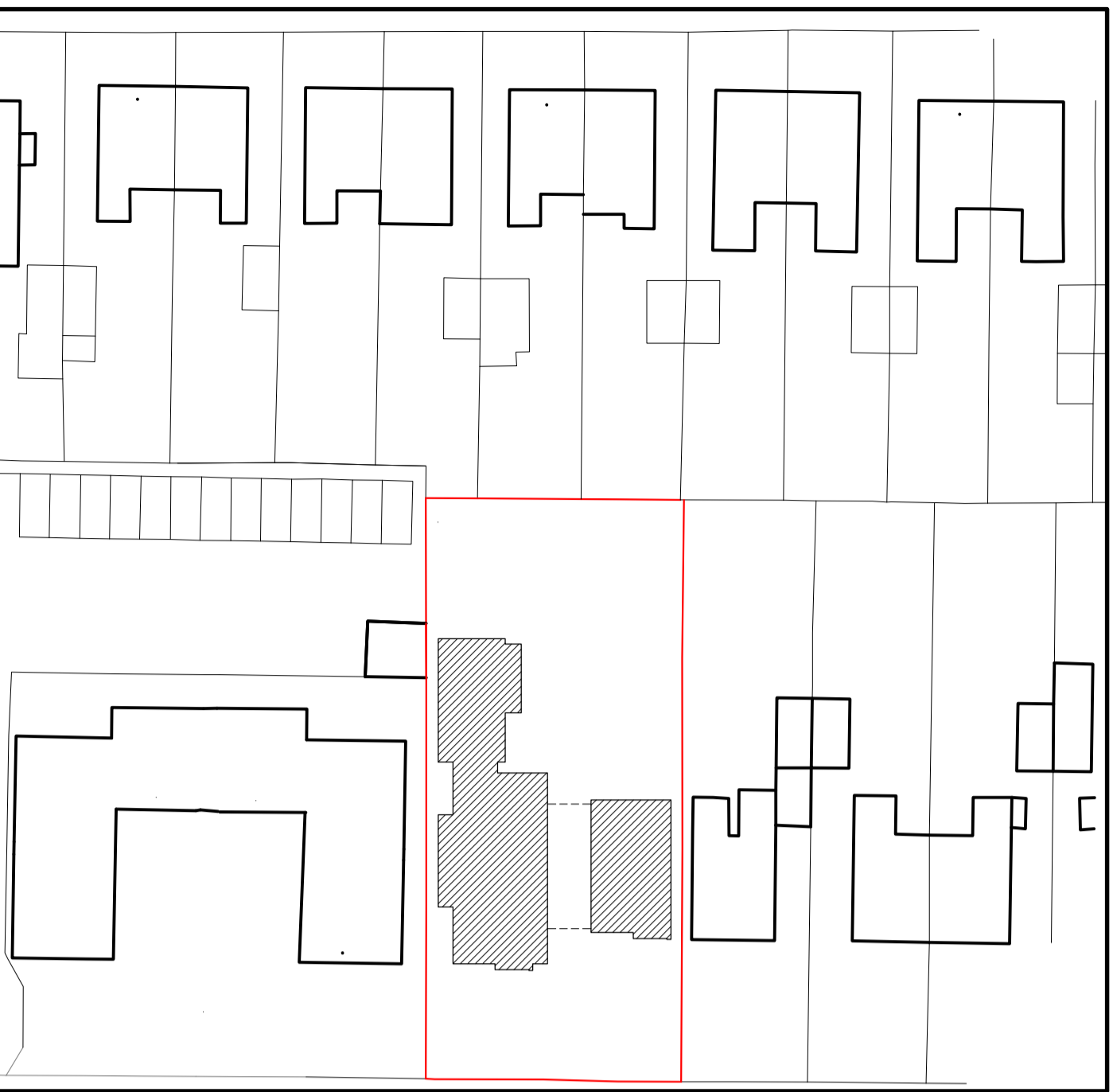
Parks – £9,615 – Towards the improvement of open space in the vicinity. Details to be agreed in line with the CIL tests.

The agent has indicated that the requested Open Space contribution is acceptable.

8.9 In light of the above, and having regard for adopted planning policy guidance it is recommended that outline planning permission be refused



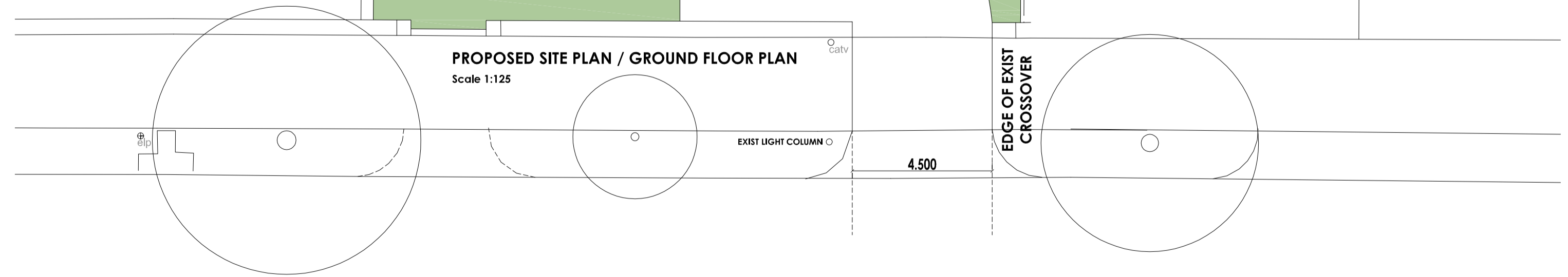
• PROJECT 149 HEATHWOOD ROAD CARDIFF			• CLIENT LAKESIDE PROPERTIES LTD		
• TITLE <h1 style="text-align: center;">SITE LOCATION PLAN</h1>			<h1 style="font-size: 2em;">NIGEL ARNOLD</h1> <p>ARCHITECT</p> <p>• 1. THE WASHINGTON • STANWELL ROAD PENARTH VALE OF GLAMORGAN CF64 2AD</p> <p>• 029 2070 2501 • • FAX 2070 2516 •</p> 		
DRAWN	NA	DATE	01/15	SCALE	1:1250
This drawing is copyright. Scaled dimensions may be used for approximation. 4 Ensure only dimensions are used for construction.			DRWG No.	39914:01	
				REV.	



NEIGHBOURHOOD PLAN
Scale 1:500



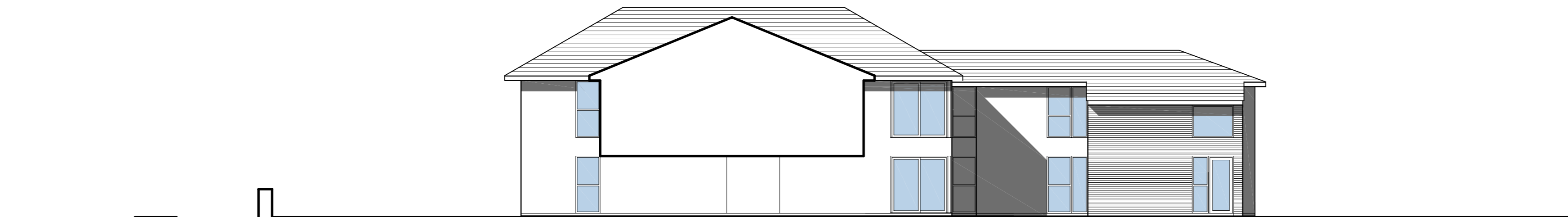
PROPOSED SITE PLAN / GROUND FLOOR PLAN
Scale 1:125



PROJECT 149 HEATHWOOD ROAD			CLIENT LAKESIDE PROPERTIES LTD		
TITLE			NIGEL ARNOLD ARCHITECT		
PROPOSED - SITE PLAN - GROUND FLOOR PLAN			<small> ARCHITECT 149 HEATHWOOD ROAD LAKESIDE PROPERTIES LTD LAKESIDE PROPERTIES LTD LAKESIDE PROPERTIES LTD </small>		
DRAWN NA	DATE 06/15	SCALE 1:125	DRWG No.	39914:07	REV. A
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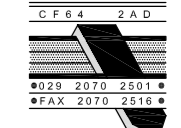


ELEVATION TO HEATHWOOD ROAD



ELEVATION OF REAR ANNEXE

12.000m

PROJECT 149 HEATHWOOD ROAD			CLIENT LAKESIDE PROPERTIES LTD	
<p>TITLE</p> <p>PROPOSED MASSING ELEVATIONS</p>			<p>NIGEL ARNOLD ARCHITECT</p> <p>• THE WASHINGTON • STANWELL ROAD P E N A R T H VALE OF GLAMORGAN C P A R T I D</p>  <p>• 202 2076 3501 • • FAX 2076 2510 •</p>	
<p>This drawing is copyright. Scaled dimensions may be used for approximation. Ensure only dimensions are used for construction.</p>				

COMMITTEE DATE: 12/08/2015

APPLICATION No. 15/01303/MJR APPLICATION DATE: 02/06/2015

ED: **CATHAYS**

APP: TYPE: Full Planning Permission

APPLICANT: TVE Ltd

LOCATION: NEW DEVELOPMENT AT, ST ANDREW'S LANE, CITY
CENTREPROPOSAL: STUDENT ACCOMMODATION
COMPRISING 84 APARTMENTS AND ASSOCIATED
COMMUNAL FACILITIES

RECOMMENDATION 1 : That, subject to relevant parties entering into a binding planning obligation in agreement with the Council under **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 paragraph 9.2 of this report, planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. The consent relates to the application plans numbered :
 - PS00B Proposed site plan
 - PL100B Ground floor plan
 - PL101B Mezzanine floor
 - PL102A First to fifth floor
 - PL103A Sixth floor
 - PE101 West elevation
 - PE102 South elevation
 - PE103 East elevation
 - PE104 North elevationReason: The plans form part of the application.
3. Samples of Materials: No development shall take place until samples of the external finishing materials have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: To ensure a satisfactory finished appearance to the development.
4. No development shall take place until a scheme showing the architectural detailing of the principal elevations of the building has been submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into beneficial use until the approved scheme is implemented.
Reason: To ensure a satisfactory finished appearance to the building.

5. The rating level of the noise emitted from fixed plant and equipment on the site shall not exceed the existing background noise level at any time by more than 5dB(A) at any residential property when measured and corrected in accordance with BS 4142: 1997 (or any British Standard amending or superseding that standard).
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected, in accordance with policy 2.24 of the deposit Unitary Development Plan and guidance contained within the adopted SPG Restaurants, Takeaways and other Food and Drink Uses (1996).
6. D7G Road Traffic Noise
7. E7G Railway Noise
8. F7G Railway Vibration
9. No development shall take place until details showing the provision of 36 cycle spaces under cover and secure for residential use and 6 cycle spaces for visitors have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development being put into beneficial use. Thereafter the cycle spaces shall be maintained and shall not be used for any other purpose.
Reason: To ensure that adequate provision is made for the secure parking of bicycles.
10. No part of the development hereby permitted shall be occupied until a travel/parking/traffic/resident/letting management plan to include the promotion of public transport and other alternatives to the private car; the management of traffic at the start and end of term; the control of vehicular access to the site; the exclusion and control of student resident car parking within the site and surrounding area, has been submitted to and approved by the Local Planning Authority. The approved management plan shall thereafter be implemented throughout the duration of the development.
Reason: In the interest of highway safety and to regulate the impact of the development on use of the adjacent highway.
11. No part of the development hereby permitted shall be commenced until a scheme of construction management has been submitted to and approved by the Local Planning Authority, including details of site hoardings, site access and wheel washing facilities. Construction of the development shall be managed strictly in accordance with the scheme so approved.
Reason: In the interests of highway safety and public amenity.
12. No part of the development hereby permitted shall be commenced until a scheme of environmental improvements to the full width of St. Andrew's Lane between the two car park entrances adjacent to the site and shown on the submitted plans, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but not be limited to the resurfacing of the carriageway and footway and installation of pedestrian crossings adjacent to the site; to include the provision of kerbs and edging,

lining and signing, and renewal of street lighting and street furniture as may be required as a consequence of the development. The agreed scheme to be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation of the site.

Reason: To ensure the reinstatement of the adjacent public highway in the interests of highway and pedestrian safety and to facilitate access to the proposed development

13. Prior to the commencement of the development an assessment of the nature and extent of contamination shall be submitted to and approved in writing by the Local Planning Authority. The report of the findings shall include a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters; an intrusive investigation to assess the extent, scale and nature of contamination which may be present; an assessment of the potential risks, and an appraisal of remedial options and justification for the preferred remedial option(s).

Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment in accordance with policy 2.63 of the Cardiff Unitary Development Plan.

14. Prior to the commencement of the development a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. 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 2.63 of the Cardiff Unitary Development Plan.

15. The remediation scheme as approved by the Local Planning Authority must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

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 2.63 of the Cardiff Unitary Development Plan.

16. 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 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 2.63 of the Cardiff Unitary Development Plan.
17. 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 2.63 of the Cardiff Unitary Development Plan.
18. 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 Pollution Control's Imported Materials 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 2.63 of the Cardiff Unitary Development Plan.

19. Any site won recycled aggregate materials 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 reuse. Only material approved by the Local Planning Authority shall be reused.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy 2.63 of the Cardiff Unitary Development Plan.

20. C7S Details of Refuse Storage

21. C2N Drainage details

RECOMMENDATION 2: The highway works condition and any other works to the existing public highway (to be undertaken by the developer) are to be subject to an agreement under Section 278 Highways Act 1980 between the developer and Local Highway Authority.

RECOMMENDATION 3: To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays. The applicant is also advised to seek approval for any proposed piling operations.

RECOMMENDATION 4: The contamination assessments and the affects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for:

- (i) determining the extent and effects of such constraints;
- (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates/ soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license.

The following must not be imported to a development site:

Unprocessed / unsorted demolition wastes.

- Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
- Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and

- (iii) the safe development and secure occupancy of the site rests with the developer.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land. The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 The proposal is for the construction of an 84 bed student accommodation block on a private car park at the rear of Dumfries House.
- 1.2 Amended drawings have been received addressing provision of community facilities and location of bike store.
- 1.3 The trapezoidal shaped building fully occupies the site and has a ground and mezzanine floor with entrance and communal facilities, and five storeys of accommodation over, each containing 15 rooms, and a sixth half storey set back from the St Andrews Lane containing 9 rooms.
- 1.4 The core with entrance stairs and lift is located at the southern end of the building fronted by a generous area of realigned pavement, and the ground floor presents a glazed active frontage to the Lane along most of its length. The ground floor comprises reception and foyer, common room, gym and media room. Access to the bins and bike store is to the rear of the building
- 1.5 The main elevation to the building faces St Andrew's Place to the north and is located at the top of a slight rise. The elevation is vertically split by a full height copper-clad element into the lower 6 storey stone clad element fronting St Andrew's Lane and the higher 7 storey element facing on to the railway. The breaking up of the building's mass in this view is further emphasised by the vertical stack of bathroom pods expressed in a contrasting material.
- 1.6 The greater part of the elevation to the south is masked by Dumfries House and is essentially a blank gable. The SW corner of the building is however prominent in views from Windsor Place and contains the entrance and full height glazed corner to the stair and lift core.
- 1.7 The top storey or so of the building will be seen in views from the conservation area and the top floor has therefore been set back from the St Andrew's Lane frontage (essentially occupying only half of the floorplate) and is glazed.
- 1.8 Materials are predominantly reconstituted stone and metal cladding with extensive areas of glazing to the top storey and the ground floor.
- 1.9 The lane adjacent to the site and footpath extensions will be resurfaced as part of a package of public realm improvements to upgrade access for pedestrians and cyclists.

- 1.10 The following additional information is submitted:
- Design and Access Statement.
 - Noise & Vibration Assessment
 - Rendered images of the proposals illustrating the impact on the conservation area.

2. **DESCRIPTION OF SITE**

- 2.1 The site is on the east side of St. Andrew's Lane. It is currently a private car park primarily for the use of the tenants of Marchmount House. The site is bounded to the west by St Andrew's Lane and the Windsor Place Conservation Area and to the north and north east by the access road to the Dumfries Place NCP multi-storey car park and the Valleys railway line to Cardiff Central.
- 2.2 To the north of the NCP access road is a triangular area of landscaping and to the other side of the railway line is the Senghennyd Court Halls of Residence – a predominantly 4 storey 1970s development. The site is bounded to the south by the access to the Dumfries House undercroft car park and by Marchmount and Dumfries House, a substantial brick built 4/5 storey high 1990s office block with pitched roof on Dumfries Place.
- 2.3 An electricity substation is located on the site.
- 2.4 The site is within the Central Business District and on the edge of the Windsor Place Conservation Area (CA). The buildings to the west of St Andrew's Lane are within the CA and form part of the imposing crescent of Victorian villas on St Andrew's Crescent. The rears of these buildings have been altered considerably over time and in general present a poor quality frontage to the Lane. However it should be noted that some of the rear extensions such as the Martin Tinney Gallery and no. 14 St Andrew's Crescent are of such a scale as to create more of a feel of a primary frontage to a street rather than a rear service lane.
- 2.5 The public realm is generally in poor condition with an irregular and discontinuous pavement and unnecessary traffic island at the entrance to the Marchmount/ Dumfries House car park.
- 2.6 The northern part of St Andrew's Place is a two-way road used primarily for vehicular and pedestrian access to the NCP and Dumfries/ Marchmount House car parks. To the south of the site the road is one way leading to the junction with Dumfries Place. The Lane is quite heavily used by pedestrians accessing the city centre via the Windsor Place crossing.
- 2.7 The site is a short walk from Cathays and Queen Street railway stations, close to several bus stops and within easy reach of the University and the City Centre.

3. **PLANNING HISTORY**

- 12/165/DCI PP granted in November 2012 for 84 student beds with associated community facilities and relocation of a substation

Related planning history

- 08/2189/DCI Planning permission granted in November 2008 for 3 storey rear extension to 14 St. Andrew's Crescent

4. **POLICY FRAMEWORK**

4.1 The policy framework for this advice is as follows:

- Planning Policy Wales (Edition 6, February 2014)
- City of Cardiff Local Plan (Adopted January 1996)
- Deposit Cardiff Unitary Development Plan (2003)

4.2 The following Local Plan policies are considered to be of particular relevance:

- Policy 11 Design and Aesthetic Quality

4.3 The following deposit Cardiff Unitary Development Plan policies are of particular relevance:

- Policy 2.20 Good Design
- Policy 2.24 Residential amenity
- Policy 2.55 Public Realm Improvements
- Policy 2.57 Access, Circulation and Parking

4.4 The following Supplementary Planning Guidance (SPG) is relevant:

- Windsor Place Conservation Area Appraisal (2009)
- Open Space (2008)
- Access, Circulation and Parking Standards (2010)
- Cardiff Residential Design guide (2008)
- City Centre Strategy (2007-2010)

4.5 Relevant National Policy Guidance

- TAN 12: Design

5. **INTERNAL CONSULTEE RESPONSES**

5.1 Land use policy: The Strategic Planning Officer has no objection to student housing on this site and makes the following observations:

5.2 The proposal is for the redevelopment of a surface car park to create a seven storey student halls of residence comprising of 84 apartments. The site is located within the City Centre Principal Business Area (PBA), of the adopted City of Cardiff Local Plan and within the Northern Professional Office Area (NPOA). As such, the main land use planning policy issues relate to:

5.3 The acceptability of Student Accommodation at this location: Whilst student accommodation is a 'sui generis' use, the nature of such a use exhibits many characteristics of a typical high density city centre residential scheme, particularly

in terms of impact on its surroundings / environs and the need to protect the amenity of future residents and adjoining businesses. It is acknowledged that student / residential uses can be appropriate within city centre locations, as evidenced by similar recent developments at Summit House and Shand House.

- 5.4 Strategic Planning (Regeneration) Considerations: Located between St Andrews Place in the North and Dumfries Place in the South, St Andrews Lane primarily provides vehicle access to the Dumfries Place multi-storey car park and to the rear of the properties fronting St Andrews Crescent. The introduction of student accommodation along what is predominantly a 'rear lane' will impact on the use of the public realm in the vicinity of the site, particularly through the increase in pedestrian activity associated with residents arriving / leaving the property throughout the day and evening. This therefore requires the interface between the premises and its environment to be a material consideration in determining the acceptability of this proposal.
- 5.5 Planning Policy Wales, Paragraph 3.4.3 states that 'When a new building is proposed, an existing building is being extended or altered, or a change of use is proposed, developers should consider the need to make it accessible for all those who might use the building. The appropriate design and layout of spaces in, between and around buildings, including parking provision and movement routes, is particularly important in ensuring good accessibility'. As this proposal is for student accommodation, where movements to and from the building will predominantly take place on foot, the public realm in the immediate vicinity of the site should be considered in this context.
- 5.6 The applicant has identified in their Design and Access Statement that public realm improvements will be undertaken as part of the proposed development (as identified in Proposed Site Plan P399 PS00B). With regard to the extent of the proposed works, it is requested that the footway resurfacing (400x400 silver grey flag paving) be extended as indicated on the site plan in order to provide a consistent surface treatment and to help improve the quality of the pedestrian route leading to the site.
- 5.7 For the above reasons and subject to detailed design, amenity and public realm considerations, the proposed student accommodation use is considered acceptable in land use policy terms.
- 5.8 Neighbourhood Regeneration: The Regeneration Officer notes that as there are adequate on-site communal facilities provided there is no requirement for an off-site contribution towards the improvement of community facilities in the vicinity.
- 5.9 Transportation: The Council's Transportation Officer raises no objection subject to conditions relating to cycle provision, a combined traffic management plan and travel plan, a construction management plan and highway improvement works. He makes the following comments:
- 5.10 The adopted Access, Circulation and Parking Standards SPG confirms that up to one parking space per 25 beds may be provided for operational use, amounting to a maximum of three spaces for the proposed development, there is no

requirement for on-site residential or visitor car parking. I am therefore satisfied that subject to the cycle parking condition, the application is compliant with adopted parking policy as submitted. It should be noted that the incoming residents would not qualify for Resident Parking Permits (should such a scheme be introduced in the vicinity of the site).

- 5.11 As identified in relation to 12/00165/DCI, the footways and public realm in the vicinity of the site and connecting with adjacent streets is generally of a poor quality. The footways are surfaced with large concrete paving slabs that are worn and broken, dropped crossing points do not include tactile paving and the north-south pedestrian route crosses a vehicle dominated highway layout, all of which impacts on pedestrian use, permeability and legibility.
- 5.12 Given the nature of the development and the introduction of residential accommodation where none previously existed, for residents that will not have access to car parking and are reliant upon walking, cycling and public transport; a condition is therefore sought to ensure the implementation of the public realm improvements identified in application, along with a S106 contribution request for further pedestrian and sustainable transport improvements in the adjacent streets.
- 5.13 A corner of the building at the upper floors overhangs the adopted public highway of St. Andrew's Lane at the site entrance and will need to be subject to a licence under Section 117 of the Highways Act 1980.
- 5.14 Section 106: A financial contribution of £15,600 towards the provision of dropped tactile crossings on St. Andrew's Lane and St. Andrew's Place; and the provision of boarder kerbs at the two bus stops on St. Andrew's Place in the vicinity of the development.
- 5.15 Parks Services: The Parks Officer notes that under current policy the proposed development is subject to Policy 31 of the Local Plan (Provision of Open Space on New Residential Developments). As no recreation space is being provided on-site the developers will be required to make a financial contribution towards the provision of open space off-site or the improvement (including design and maintenance) of existing open space in the locality. Utilising the residential information he calculates the contribution to be in the sum of £45,359. This is in accordance with the Open Space SPG and is based on 84 student bedrooms.
- 5.16 The Public Open Space Contribution shall be used by the Council towards the design, improvement and/or maintenance of public open space within the locality of the development site. The closest areas of recreational open space are Bute Park, Gorsedd Gardens and Alexandra Gardens, a number of which are likely to be used by the student population for formal and informal recreation.
- 5.17 Based on the 2009 Cardiff Council Open Space Survey the Cathays ward, in which the development is situated, is deficient in opens space provision by **24.68** hectares (Measured by the Fields in Trust recommended standard of 2.43 hectares per 1000 population). The quality and facilities of existing open spaces also require improvement, with additional capacity to take into account the increased residential population resulting from the development.

- 5.18 The final decision on expenditure of the contribution at the time of receipt would be determined by the requirements for improving any individual open space in the locality at that time. This would involve local consultation with various parties and be subject to Member approval.
- 5.19 The use of the contribution will be determined in accordance with the approved procedure which requires consultation with Members. The baseline figure for open space provision for student accommodation excludes the playground element of typical public open space provision.
- 5.20 Drainage Management: The Drainage engineer has no objection subject to a condition requiring the submission of a drainage scheme.
- 5.21 Pollution Control (Noise & Air): Requested a noise report which has been submitted. Any response will be reported to cttee.
- 5.22 Pollution Control (Contaminated Land): In reviewing available records and the application for the proposed development the site has been identified as formerly commercial/industrial with uses including vehicle parking and gun store. Activities associated with this use may have caused the land to become contaminated and therefore may give rise to potential risks to human health and the environment for the proposed end use.
- 5.23 No objections subject to standard conditions on remediation of contaminated land and imported soil and aggregates, and a contamination and unstable land advisory.
- 5.24 Waste Management: The Sustainable Planning Officer has no objection subject to a standard waste storage details condition.

6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 Welsh Water: Welsh Water has no objection subject to their standard conditions.
- 6.2 Western Power Distribution: No response received.
- 6.3 Police Architectural Liaison: The Crime Prevention Design Advisor has no objection and makes a number of recommendations relating to security. The advice has been forwarded to the agent.
- 6.4 Network Rail: No objection in principle subject to a number of comments and requirements for the safe operation of the railway and the protection of Network rail's adjoining land.
- 6.5 Central Area Conservation Group: No comments received.

7. **REPRESENTATIONS**

- 7.1 The proposals were advertised as a major application affecting a conservation area in the press and on site, and neighbours were consulted.
- 7.2 Letters have been received from the landlords of 14 St Andrew's Crescent, the office occupiers of 14 St. Andrew's Crescent, and the co-owners of 10 St. Andrews Lane objecting on grounds of loss of daylighting, privacy, overbearing design out of keeping with its neighbours, and increased vehicular traffic on the Lane, particularly at the start and end of term.

8. **ANALYSIS**

- 8.1 The main issues to be considered are the acceptability of the proposed student use in this location, the design of the building, impact on the character and appearance of the adjacent CA, and impact on the amenity of the occupiers of neighbouring office development, and on the residential amenity of future occupants.

Land Use

- 8.2 The principle of student housing on this site has been established by planning permission 12/165/DCI

Design and Impact on Windsor Place Conservation Area

- 8.3 The building is approximately the same height as the ridge of Dumfries House and the top of the building will be visible from within the conservation area in the same way as the top of Dumfries House is visible. The impact of the top of the building in views from St. Andrew's Crescent and the listed St Davids Church is acceptable.
- 8.4 The choice of stone cladding and the vertical articulation of the principal elevations of the two ends of the building breaks up the mass and scale of the building and provides a successful termination to the view from St. Andrew's Place. The scale of the building and choice of materials also sits comfortably alongside Dumfries House in views from Windsor Place, and the location of the main entrance and vertical circulation core adds interest to this important view.
- 8.5 The predominantly glazed ground floor frontage provides an active frontage to the Lane, and the simple and classically proportioned upper storeys clad in stone significantly enhance the St. Andrew's Lane frontage.
- 8.6 The scale, composition, proportion, form and materials of the building preserves the character and appearance of the conservation area and together with the associated public realm improvements (see below) significantly enhances St. Andrew's Lane. The design is acceptable.

Public Realm Improvements

- 8.7 Taking into consideration the development's impact on the public realm within the vicinity of the site, it is recommended that the applicant undertake the public realm works indicated on site plan PS00B. They are improvement works to adopted

highway land and are to be carried out by the developer under a S278 agreement and shall include:

- Resurfacing of the footways with 400x400 silver grey exposed aggregate concrete slabs (consistent with public realm enhancement works completed at Newport Road and along Station Terrace).
- Installation of dropped kerbs and 400x400 buff coloured tactile paving slabs at all crossing points.

Access and Parking

- 8.8 There is no objection from transportation. The site is in a highly sustainable location and policy and SPG does not require on site resident car parking for the sui generis use of student accommodation. A cycle parking condition has been attached.
- 8.9 A travel/parking/traffic/resident/letting management plan condition is attached covering arrangements for beginning and end of term and car ownership.
- 8.10 A financial contribution is imposed towards cycle and pedestrian improvements, crossing facilities and bus public transport improvements in the vicinity of the development.

Loss of daylight to adjoining offices

- 8.11 There is a 14m separation distance to the office windows of the recently built 3 storey extension to the rear of 14 St Andrews Crescent. This extension is directly opposite the proposed six storey student block. The rear extension has parking at ground floor level so the windows most affected will be the first and second floor office windows – a total of 4 windows. Applying the BRE 25 degree method there will be a noticeable loss of daylighting to these offices. However given that the loss of daylighting relates to a commercial use and not a residential use, and the benefits of the overall scheme, the loss of daylight is considered to be acceptable.
- 8.12 There is a 14m separation distance from the rear elevation of Dumfries House. As above there will be a reduction in daylighting to some of the lower office windows of Dumfries House as a consequence of the development. However given the advantages of the overall scheme and the fact that the loss of daylight relates to a commercial use and not a residential use this is considered to be acceptable.

Privacy/overlooking

- 8.13 The closest neighbouring development to the west is the 3 storey rear extension at 14 St. Andrew's Crescent at a distance of approximately 14m. The Council's privacy standards require a minimum separation distance of 21m between windows of habitable rooms and the office windows to protect the privacy of future occupiers. In this case the existing office windows directly overlook 12 student rooms (and vice versa of course).
- 8.14 The guidance recognises there is flexibility to relax this 21m distance in tighter grain urban situations and there is precedence for relaxing the recommended

separation distance on recently consented student schemes. It should also be noted that habitable room windows of terraced streets in the inner city typically overlook each other at a separation distance of between 12 and 15m.

- 8.15 In this case while it is acknowledged that the students will use their rooms throughout the day office use will be confined to office hours only.
- 8.16 Given the context, the office nature of the existing use (which does not enjoy the same degree of protection in relation to privacy as residential use), and the precedent set by other student schemes in the city, it is considered that the scheme does not cause unacceptable harm to the residential amenity of the future occupiers of the 12 student rooms in question. NB : The relationship of the proposals to the existing buildings is the same as 12/00165/DCI. The impact of the development on daylighting of neighbouring occupiers and on the privacy of existing and future occupiers has therefore been considered and found to be acceptable in determining the previous application.
- 8.17 To the south the proposals present a blank gable wall and glazed circulation core to Dumfries House. The proposals therefore raise no overlooking or privacy concerns.

Noise

- 8.18 Pollution Control request conditions to control noise from the railway and from road traffic. Standard road, railway and plant noise conditions have been added.

Other matters

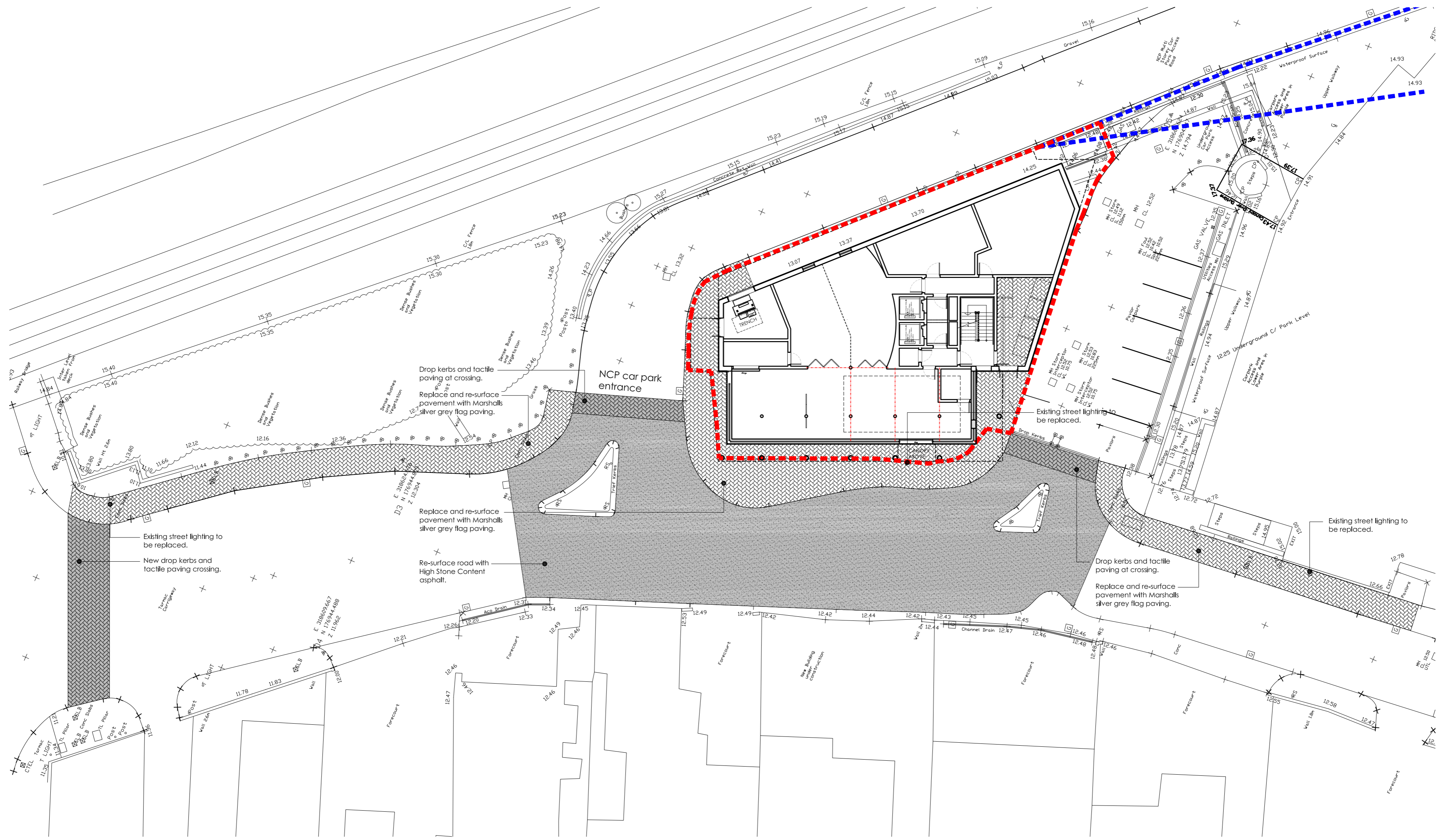
- 8.19 The future occupiers are provided with generous individual studio type rooms and have access to a range of communal facilities on the ground and mezzanine floors.
- 8.20 No external amenity space is provided, there are however a number of parks within easy walking distance. The lack of on-site provision of open space is offset through a financial contribution to the improvement of existing open spaces in the vicinity, to be secured through legal agreement.
- 8.21 In relation to the railway the site is at a distance of approx. 6m from the railway land. The railway is about 1m higher than the site and is separated from it by the raised access road and footpath leading to the NCP car park. Given the distance from the railway the conditions requested by Network Rail are not necessary.
- 8.22 In relation to sustainable drainage there is no space on the site for incorporating soakaways. A standard drainage condition has been added.

Representations

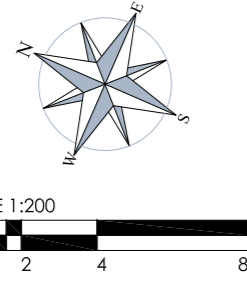
- 8.23 The various objections to the application are addressed above.

9. **CONCLUSION**

- 9.1 The proposals provide purpose-built student accommodation in an appropriate location. The design responds well to its backland site and will be a welcome addition to St Andrews Lane. The public realm improvements will result in a much better experience for pedestrians and motorists using this route. The site is in a highly sustainable location and there is no policy requirement for parking. The proposals meet the Council's policy and guidance and do not raise any land use, design, conservation area, transportation, or neighbour/future occupier amenity concerns. The site benefits from a consent for a very similar scheme (12/00165/DCI).
- 9.2 The granting of planning permission is recommended subject to conditions being imposed, and a legal agreement that secures a financial contribution towards public open space and transportation improvements, as follows:
- £45,359 towards the design, improvement and/or maintenance of public open space within the locality of the development site.
 - £15,600 towards the provision of dropped tactile crossings on St. Andrew's Lane and St. Andrew's Place; and the provision of boarder kerbs at the two bus stops on St. Andrew's Place in the vicinity of the development.

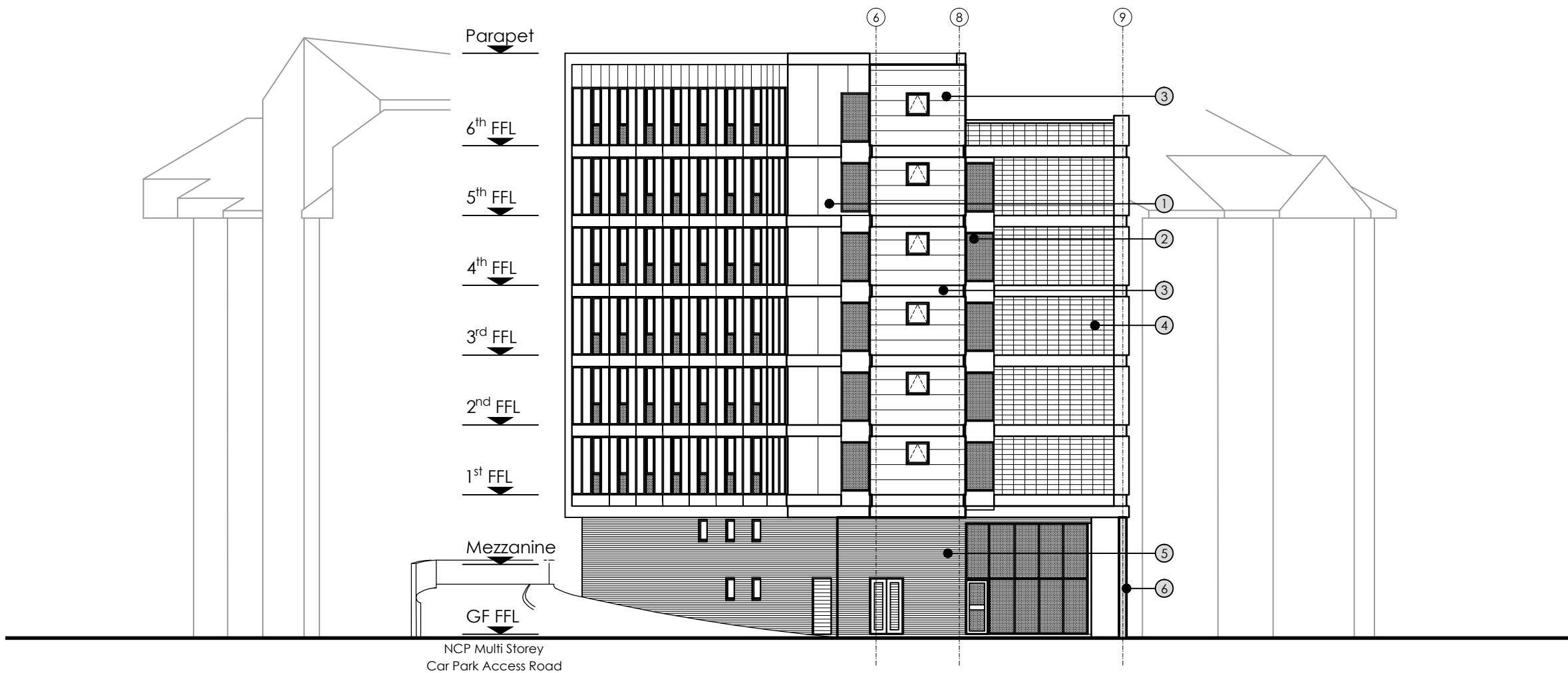


- KEY:**
- Site Boundary Line
 - Network Rail Zone



B Area of replaced pavement extended. 07.07.15
 A Boundary line revised. 03.06.15
 rev note date

 JOHN WOTTON ARCHITECTS E: studio@johnwottonarchitects.com W: www.johnwottonarchitects.com	TVE	title PROPOSED SITE PLAN																		
	PLANNING	St Andrews Lane CARDIFF	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>job no.</th> <th>drg no.</th> <th>rev</th> </tr> </thead> <tbody> <tr> <td>P399</td> <td>PS00</td> <td>B</td> </tr> <tr> <td>scale</td> <td>date</td> <td>drawn by</td> </tr> <tr> <td>1:200 @ A2</td> <td>28/05/15</td> <td>CD</td> </tr> <tr> <td></td> <td></td> <td>checked by</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	job no.	drg no.	rev	P399	PS00	B	scale	date	drawn by	1:200 @ A2	28/05/15	CD			checked by		
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NCP Multi Storey
Car Park Access Road

North Elevation @ 1:200

- MATERIAL:**
- ① STONE CLADDING
Colour: PORTLAND
Ref: DTSTLM02 by Domus Facade
 - ② WINDOWS
Aluminium Frames
Colour: Bronze
Finish: Anodised
 - ③ ZINC CLADDING
Colour: Brown
Ref: PIGMENTO BRUN by VM Zinc
 - ④ TERRACOTTA CLADDING
Colour: Brick Red
Ref: Creaton by T.I. Tiles International Ltd
 - ⑤ BRICKWORK
Colour: Blue
Ref: Baggeridge Smooth Blue
 - ⑥ COLUMN
Concrete

A Materials' reference added. 16.07.15
rev note date

PLANNING

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TVE

**St Andrews Lane
CARDIFF**

title
**PROPOSED ELEVATIONS
North**

job no.	drg no.	rev
P399	PE104	A
scale 1:200 @ A3	date 30/04/15	drawn by CD
		checked by

