

COMMITTEE DATE: 02/3/2022

APPLICATION No. **21/02848/MJR** APPLICATION DATE: 08/12/2022

ED: **GRANGETOWN**

APP: TYPE: Full Planning Permission

APPLICANT: Cardiff Council

LOCATION: LAND AT INTERNATIONAL SPORTS VILLAGE,
INTERNATIONAL DRIVE, GRANGETOWN/

PROPOSAL: CONSTRUCTION OF A 333M OUTDOOR VELODROME
WITH CLUBHOUSE AND STAND

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

1. The development permitted shall be begun before the expiration of five years from the date of this planning permission.
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. The development shall be carried out in accordance with the following approved plans and documents

3549-WSP-XX-XX-DR-E-600102 Rev P01- external lighting isolines drawing;
3846-FBA-00-XX-DR-A-01_23 existing and proposed site section DD;
3846-FBA-00-XX-DR-A-01_22 existing and proposed site section C-C
3846-FBA-00-XX-DR-A-01_54 Rev P1- Proposed long elevation;
3549-WSP-ZZ-GF-DR-E-680101P01- Electrical services security & CCTV layout level 00,
3846-FBA-00-XX-DR-A-01_70 - proposed entrance detail;
3846-FBA-00-XX-DR-A-01_80 Rev P01 - wall detail 001;
3846-FBA-00-XX-DR-A-01_30 rev P1 proposed long section;
3846-FBA-00-XX-DR-A-01_31 Rev P1 proposed short section;
3846-FBA-00-XX-DR-A-01_50 Rev P1 proposed building elevation north;
3846-FBA-00-XX-DR-A-01_51 Rev P1 proposed building elevation south ;
3846-FBA-00-XX-DR-A-01_52 Rev P1 proposed building elevation east;
3846-FBA-00-XX-DR-A-01_53 Rev P1 proposed building elevation west;
3846-FBA-00-XX-DR-A-01001 Rev P1 proposed velodrome plan
3846-FBA-00-XX-DR-A-01100 Rev P1 proposed first floor plan
3846-FBA-00-XX-DR-A-01_05 Rev P1 proposed site plan

Documents

Transport Statement (WSP) project no. 70083549 received 18/2/2022
Preliminary Ecological Appraisal (WSP) project no. 70083549 our ref. no. pea v2

date: December 2021;

Pre-Application Consultation Report project no. 70083549: December 2021

Reason: For the avoidance of doubt as to the extent of the permission.

3. Prior to the commencement of any site clearance, construction works or development a Construction Environmental and Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority in order to manage the impacts of construction. The CEMP shall include:
 - (a) an implementation programme for the construction of the roads, footpaths and other publicly accessible areas;
 - (b) details of Construction Traffic Management, which shall include identification of the routes that construction vehicles would take and measures to regulate the routing of construction traffic; times within which traffic will enter and leave the site; times of deliveries, site access, loading and unloading of plant and materials; access within the site including measures to ensure safe and convenient pedestrian, cycle and vehicular access through those areas not under construction or where construction is complete; wheel washing facilities; and details of parking for contractors vehicles, site operatives and visitors;
 - (c) details of the storage of plant and materials, construction compounds, any temporary facilities for construction;
 - (d) details of site hoardings (including the erection, maintenance, security and any decorative displays);
 - (e) details of restrictions to be applied during construction including timing, duration and frequency of works and measures to control light spill and monitor and suppress the emission of dust, dirt, vibration and noise during construction;
 - (f) details of site waste management for the recycling and/or disposal of all waste resulting from construction works;
 - (g) a Construction Drainage Scheme indicating how surface water and land drainage flows will be controlled to prevent contamination, nuisance, subsidence or flooding to land, buildings, watercourses or adjacent highways during the construction period;
 - (h) details of fuel and chemical storage and containment including buffer zones; details of waste generation and its management; details of water consumption, wastewater and energy use;
 - (i) demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan with particular attention paid to silt mitigation measures.
 - (j) invasive species management, species and habitats protection, avoidance and mitigation measures (including a detailed lighting plan showing type and siting of lighting and light spill reduction measures, warning signs and site toolbox talks to ensure all key habitat retention and sensitive areas are protected and remain unaffected by construction works);
 - (k) details of topsoil strip, storage and amelioration for re-use.
 - (l) Landscape and Ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

- (m) List of on-site contacts and their responsibilities.
- (n) The development shall be carried out in accordance with the approved plan.

Reason: In the interests of highway safety, and protection of the environment and public amenity in accordance with Local Development Plan Policies T5 (Managing Transport Impacts), T6 (Impact on Transport Networks and Services), EN7 (Priority Habitats and Species), EN10 (Water Sensitive Design), and EN13 (Air, Noise, Light Pollution and Land Contamination).

4. Prior to the first beneficial use of the velodrome, secure/covered cycle parking and appropriate access to such spaces, shall have been provided on site in full accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking spaces shall be retained / maintained and shall not be used for any other purpose.

Reason: To ensure that adequate provision is made for the sheltered and secure parking of cycles in accordance with Local Development Plan Policies KP8 (Sustainable Transport), T1 (Walking and Cycling) and T5 (Managing Transport Impacts).

5. Prior to the commencement of development a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of modal split targets, the Travel Plan co-ordinator, sustainable transport measures and monitoring. The Travel Plan shall be implemented in accordance with the approved document.

Reason: To ensure that the proposed development maximises the potential for non-car trips in accordance with Local Development Plan Policies KP8 (Sustainable Transport).

6. No development shall take place until details of the finished floor levels of velodrome in relation to the existing ground level and the finished levels of the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed and completed in accordance with the approved details.

Reason: To ensure an orderly form of development in accordance with Local Development Plan Policy KP5 (Good Quality and Sustainable Design).

7. No development shall take place until the following have been submitted to and approved in writing by the Local Planning Authority (LPA) in accordance with the current British Standard 5837:

- (a) An Arboricultural Method Statement (AMS) detailing the methods to be used to prevent loss of or damage to retained trees within and bounding the site, and existing structural planting or areas designated for new structural planting. The AMS shall include details of site monitoring of tree protection and tree condition by a qualified arboriculturist, undertaken throughout the development and after its completion, to monitor tree condition. This shall include the preparation of a chronological programme for site monitoring and

production of site reports, to be submitted to the Local Planning Authority to demonstrate how the approved tree protection measures have been complied with.

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

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

Reason: To enable the Local Planning Authority to assess the effects of the proposals on existing trees, the measures for their protection, to monitor compliance and to make good losses, in accordance with Local Development Plan Policy EN8 (Trees, Woodlands, and Hedgerows).

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

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

The landscaping shall be carried out in accordance with the approved design and implementation programme.

Reason: To maintain and improve the amenity and environmental value of the area and to monitor compliance in accordance with Local Development Plan Policy KP16 (Green Infrastructure).

9. Any newly planted trees, plants, or hedgerows which within a period of five years from the completion of the development die, are removed, become seriously damaged or diseased, or become (in the opinion of the Local Planning Authority) otherwise defective, shall be replaced during the first available planting season, to the same specification approved in discharge of condition 10.

Reason: To maintain and improve the amenity and environmental value of the area, in accordance with Local Development Plan Policy KP16 (Green Infrastructure).

10. Prior to the commencement of any development works a scheme to investigate and monitor the site for the presence of gases* being generated at the site or land adjoining thereto, including a plan of the area to be monitored, shall be submitted to the Local Planning Authority for its approval.

Following completion of the approved monitoring scheme, the proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing to the LPA. If no protection measures are required than no further actions will be required.

All required gas protection measures shall be installed and appropriately verified before occupation of any part of the development which has been permitted and the approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required.

- 'Gases' include landfill gases, vapours from contaminated land sites, and naturally occurring methane and carbon dioxide, but does not include radon gas. Gas Monitoring programmes should be designed in line with current best practice as detailed in CIRIA 665 and BS 8485:2015+A1:2019 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings.

Reason: To ensure that the safety of future occupiers is not prejudiced.

11. 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 the Environment Agency's 'Land contamination: risk management (LCRM)' (October 2020) and the WLGA / WG / NRW guidance document 'Land Contamination: A guide for Developers' (2017) 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.

12. 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 the Environment Agency's 'Land contamination: risk management (LCRM)' (October 2020) and the WLGA / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2017) 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 EN13 of the Cardiff Local Development Plan.

13. The remediation scheme approved by condition x (PC14B 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 the Environment Agency's 'Land contamination: risk management (LCRM)' (October 2020) and the WLGA / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2017) 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 EN13 of the Cardiff Local Development Plan.

14. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the LPA within 2 weeks of the discovery of any unsuspected contamination.

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

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

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the adopted Cardiff Local Development Plan(2006-2026).

16. No development shall take place until a scheme for the drainage of the site and any connection to the existing drainage system has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the scheme is carried out and completed as approved.

Reason: To ensure an orderly form of development in accordance with policy EN10 of the adopted Cardiff Local Development Plan(2006-2026).

17. Prior to their use on site, samples of external finishing materials to the walls, the roofs of the main stand and public realm shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory finished appearance of the development in accordance with Local Development Plan Policy KP5 (Good Quality and Sustainable Design).

18. Prior to the first beneficial use of the Velodrome, details of all security measures (which shall include but not be limited to: location of external CCTV and its recording/retention period, bollards) shall have been submitted to and approved in writing with the Local Planning Authority. The velodrome shall thereafter operate in accordance with such approved details.

Reason: To ensure a safe secure form of development in accordance with policy C3 (Community safety/creating safe spaces) of the adopted Cardiff Local Development Plan(2006-2026).

19. Prior to the first beneficial use of the Velodrome, an Events and Car Parking Strategy Management Plan (ECPSMP) shall be submitted to and approved in writing with the Local Planning Authority. The details shall include but not limited to: the proposed public announcement system (including proposed noise levels),

number of major events (and how these will be scheduled with other events within the Sports Village) and their timings, details of nearby car parks and parking area that will be used, and contact details of a named person for complaints, together with appropriate monitoring arrangements and review mechanisms. All measures contained within the ECPSMP shall be implemented on site, and thereafter all events at the site shall be run in accordance with the approved Plan.

Reason: To ensure a neighbourly form of development which has no unacceptable impact also on highway safety, in accordance with policies EN 13 (Air, noise and light pollution), T5 of the adopted Cardiff Local Development Plan(2006-2026).

20. The floodlighting hereby approved shall not be operational during the hours 23:00- 08:00.

Reason: To ensure the amenities of adjoining neighbours in accordance with policies EN 13 (Air, noise and light pollution), T5 of the adopted Cardiff Local Development Plan (2006-2026).

- 21 Prior to their application a public art strategy shall be submitted to and approved in writing with the Local Planning Authority, which shall include the design of the people/symbols or other design on the proposed windshield to the Velodrome hereby approved.

Reason: To ensure the proposed artwork harmonises with the character of the area in accordance with Policy KP5 of the adopted Cardiff Local Development Plan(2006-2026).

22. No development shall take place until details of the proposed highway and pedestrian/ cycleway works have been submitted to and approved in writing by the Local Planning Authority, to include:

- (a) details of the existing junction to be closed (including impacts/changes for the traffic and pedestrian signals);
- (b) the new lay-by for drop off and servicing use;
- (c) parking restrictions/traffic orders;
- (d) footway and cycleway amendments/ improvements;
- (e) adopted highway implications;
- (f) swept path assessment; and
- (g) footway/public realm improvements between Olympian Drive and the Velodrome entrances.

Following approval of these details the highway authority shall be contacted in relation to the required highway agreement process. The velodrome shall not be brought into beneficial use until such time as the approved details have been implemented on site.

Reason: To ensure that the use of the proposed development does not interfere with the safety of traffic or pedestrian/cycle accessibility in accordance with policies T1 (walking and cycling) & T5 of the adopted Cardiff Local Development Plan (2006-2026).

23. Prior to the first beneficial use of the Velodrome, details of the intended usage/ frequency of use of the site by service/refuse vehicles and the anticipated use/ management of the lay-by for dropping off and picking up by Velodrome users, including information on parking restrictions and management, shall have been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented throughout the operation of the facility.

Reason: To ensure the proposed lay-by operates satisfactorily without undue safety or parking issues arising

RECOMMENDATION 2 : The applicant is reminded that during the works an arboriculturist and ecologist are on site before, during and after the whole works and provide a report to the Local Planning Authority to demonstrate compliance with the approved details.

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

- (i) determining the extent and effects of such constraints 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 5: Since January 7th 2019, all new developments of more than 1 house, or where the construction area is 100 square metres or more, require sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by the Welsh Ministers. These systems must be approved by the local authority acting in its SuDS Approving Body (SAB) role before construction work begins. The SAB will have a duty to adopt compliant systems so long as they are built and function in accordance with the approved proposals, including any SAB conditions of approval. It is recommended that the developer engage in consultation with the Cardiff Council SAB team as the determining SuDS Approval Body (SAB) in relation to their proposals for SuDS features. To arrange discussion regarding this please contact SAB@cardiff.gov.uk.

RECOMMENDATION 6: The applicant is advised that section 3.25 of Planning Policy Wales states that the land use planning system should take account of the conditions which are essential to the Welsh language and in so doing contribute to its use and the Thriving Welsh Language well-being goal. In this context and with regard to the Welsh Language (Wales) Measure 2011, it is recommended that: (1) developments adopt a Welsh name that is consistent with the local heritage and history of the area, including street naming, (2) during the construction phase, on site marketing information (i.e. text on construction hoardings / flags / banners – as consented) be provided bilingually and (3) for commercial developments, shopfront / premises signage be provided in Welsh or bilingually. Where bilingual signage is provided, Welsh text must not be treated less favourably in terms of size, colour, font, prominence, position or location (it is recognised that Welsh translation does not extend to company / business names). Cardiff Council's Bilingual Cardiff team (BilingualCardiff@cardiff.gov.uk) can provide advice on unique and locally appropriate Welsh names for developments, bilingual marketing / branding and bilingual signage.

RECOMMENDATION 7: Prior to the commencement of development, the developer shall notify the Local Planning Authority of the commencement of development, and shall display a site notice and plan on, or near the site, in accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

RECOMMENDATION 8: The developer should contact the Local Highway Authority with regards to proposed works to the public highway as these works will be subject to a Highways Agreement between the developer and Local Highway Authority.

1. DESCRIPTION OF PROPOSED DEVELOPMENT

1.1 Detailed planning permission is sought under Regulation 3 of the Town and

Country Planning General Regulations 1992 (Council application to develop its own land) to erect a 333 metre floodlit outdoor Velodrome with a clubhouse, and relocated temporary car parking spaces.

- 1.2 The proposed Velodrome would be oval shape with an area of 15,515m² (1.5 ha). The central bowl would have an area of 7100m² and would be finished in grass with interlinking internal paths.
- 1.3 The club house would be embedded into the easterly facing aspect, have a footprint of 25 metre x 15 metres and a height of 10.56 metres, and would be finished in gabion stone baskets with the upper part being pitch roof finished in black sinusoidal cladding. Accommodation within the stand/club house would comprise changing rooms and WC, offices and on the first floor a multi-use hall with a separate kitchen area that is linked to the viewing platform.
- 1.4 The proposed seating area would be constructed of pre-cast concrete and separated from the track by 1.1 metre high fence. Bike storage for riders would be shipping containers that are screened by the ground floor walls.
- 1.5 The planning statement states that the track would be 7 metres wide with a maximum 28 degree banking. An infilled flat 3 metre wide tarmac zone and 3 metre safety zone will be provided to allow for beginners.

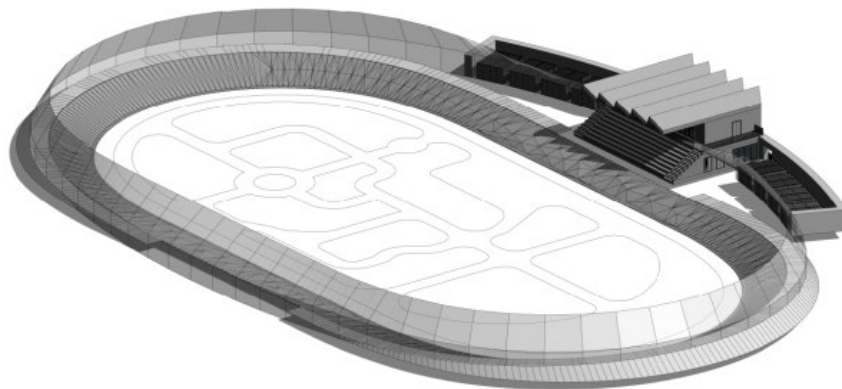


Figure 1: 3D View of the Proposed Velodrome

- 1.6 Once the Velodrome is operational, there will be opportunities for group & club bookings and regional/national events, with the typical attendance anticipated at the Velodrome during group & club bookings potentially between 20 and 45 riders per hour and for events in between 50 to 300 participants per day
- 1.7 The track would be enclosed by a stainless steel frame windshield infilled with plastic balls that are 'scientifically designed to reduced wind' with an approximate height of 9.22 metre. The formation and shading of the balls will allow images of iconic sports people to form part of the shield. The angle of the wind shield has been designed to allow lighting units to be attached to the columns, which will ensure the illumination is contained within the stadium.

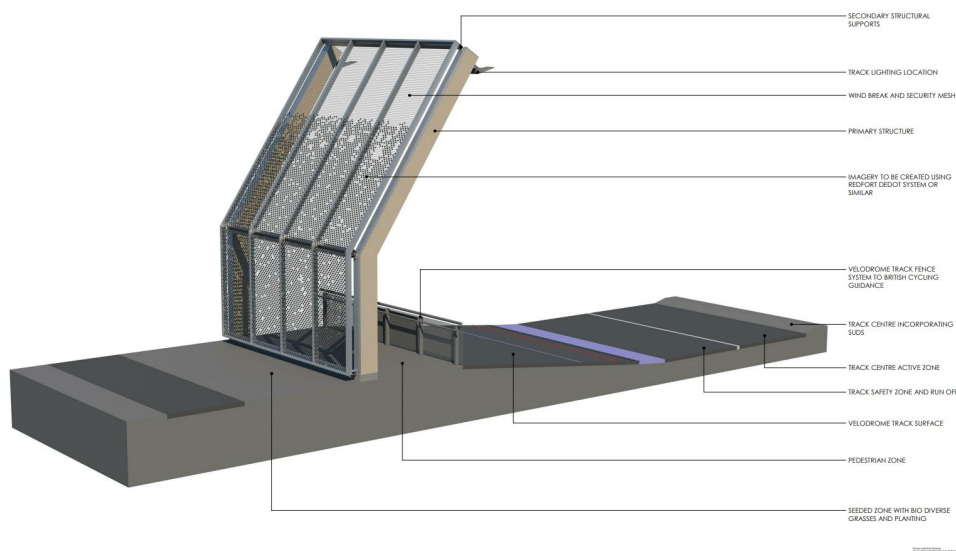


Figure 2: Details of Proposed Windbreak to Proposed Velodrome

- 1.8 The applicant has designed the track to allow for all ages (levels of ability) and all types of bikes, and it has been emphasised in supporting documentation that the design accords with the governing bodies standards for cycle tracks.
- 1.9 The following documents have been submitted in support of the application:
- Planning Statement
 - Transport statement as updated
 - PAC report
 - Preliminary Ecological appraisal
 - Windbreak
- 1.10 All documentation relating to the application, including plans, can be viewed on the Council's website using the following link: [21/02848/MJR](https://www.cardiff.gov.uk/21/02848/MJR).

2. **DESCRIPTION OF THE SITE AND AREA**

- 2.1 The application site currently comprises a 250 space car park (formerly used in connection with the Toys R Us unit) and adjacent scrub land. Access to the site is via Olympian Drive and the A4055 (Cogan Spur). There is also pedestrian and cycle access to the site via the existing road/ pavements around Grangetown then along Ferry Road and International Drive. From Penarth access can be gained via the cycle / pedestrian bridge (Pont Y Werin)
- 2.2 To the north of the site, at an elevated height, is the A4055 (Cogan Spur), while to the west are the new flats known as Cogan House and Marina View. To the south is the former Toys R Us building with Cardiff International White water rafting centre and the car parking serving the area beyond, and to the west is the International swimming pool and Ice Arena Wales.

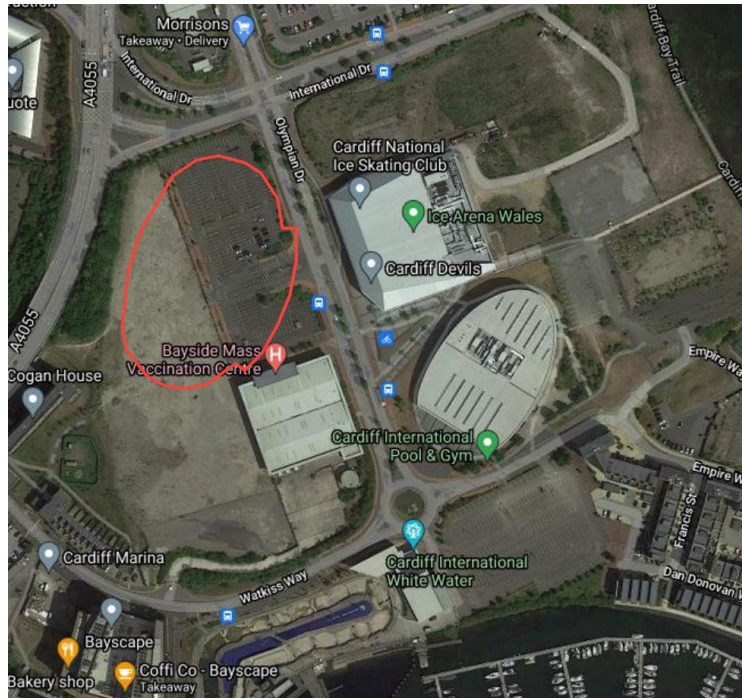


Figure 3: Aerial of site including application site boundary

3. **PLANNING HISTORY**

3.1 The site has the following relevant planning history: -

- 00/1340R, permitted remediation on the ISV site. Granted in September 2001
- 01/2617R Outline planning permission for international sports village comprising sports, leisure, retail, residential, hotel, conference centre, casino, restaurant/bar development, highway access, transportation infrastructure, promenade/revetment wall/pier structures in Cardiff bay and landscaping. Granted on 21 February 2003
- 03/2880R, Outline planning permission granted on 23 April 2004, permits the same development as 00/2617R but with a varied condition 28, which controls retail floorspace.
- 16/01375/MJR- temporary 5 year 712 surface car park - approved

4. **POLICY FRAMEWORK**

National Planning Policy:

- 4.1 [Planning Policy Wales](#) (Edition 11) was revised and restructured in February 2021 to coincide with the publication of, and take into account the policies, themes and approaches set out in, [Future Wales - the National Plan 2040](#) (see below) and to deliver the vision for Wales that is set out therein.

- 4.2 The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015 and the Well-being of Future Generations (Wales) Act 2015.
- 4.3 PPW11 takes the seven *Well-being Goals* and the five *Ways of Working* as overarching themes and embodies a placemaking approach throughout, with the aim of delivering *Active and Social Places*, *Productive and Enterprising Places* and *Distinctive and Natural Places*. It also identifies the planning system as one of the main tools to create sustainable places, and that placemaking principles are a tool to achieving this through both plan making and the decision making process.

Technical Advice Notes

- 4.4 PPW is supported by a series of more detailed [Technical Advice Notes](#) (TANs), of which the following are of relevance: -
- TAN 5: Nature Conservation and Planning (September 2009);
Noting also the Chief Planning Officer letter dated 23/10/19: securing bio-diversity enhancement;
 - TAN 10: Tree Preservation Orders (October 1997);
 - TAN 11: Noise (October 1997);
 - TAN 12: Design (March 2016);
 - TAN 18: Transport (March 2007);
 - TAN 21: Waste (February 2017);
 - TAN 24: The Historic Environment (May 2017);
- 4.5 On 16th July 2020 the Welsh Government published [Building Better Places: The Planning System Delivering Resilient and Brighter Futures](#) which provides planning policy guidance for local planning authorities and the development industry on priorities for the planning system to deliver post Covid-19. The guidance is to be read in conjunction with PPW, which contains the principles and policies needed for Wales to recover from Covid-19 in a positive manner, putting placemaking at the heart of future development.

The Development Plan

- 4.6 Section 38 (6) of the Planning and Compulsory Purchase Act 2004, requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 4.7 [Future Wales - the National Plan 2040](#) now forms part of the Development Plan for all parts of Wales, comprising a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities.

All Development Management decisions, strategic and local development plans, planning appeals and all other work directed by the development plan need to accord with Future Wales.

- 4.8 The Local Development Plan is the [Cardiff Local Development Plan 2006-2026](#) which was adopted in January 2016, and within which the following policies are of relevance:

KEY POLICIES

- KP5 (Good Quality and Sustainable Design);
- KP6 (New Infrastructure);
- KP15 (Climate Change);
- KP16 (Green Infrastructure);
- KP17 (Built Heritage).

DETAILED POLICIES

Environment

- EN6 (Ecological Networks and Features of Importance for Biodiversity);
- EN7 (Priority Habitats and Species);
- EN8 (Trees, Woodlands and Hedgerows);
- EN9 (Conservation of the Historic Environment);
- EN10 (Water Sensitive Design);
- EN11 (Protection of Water Resources);
- EN13 (Air, Noise, Light Pollution and Land Contamination).

Transport

- T1 (Walking and Cycling);
- T5 (Managing Transport Impacts);
- T6 (Impact on Transport Networks and Services).

Community

- C3 (Community Safety/Creating Safe Environments);
- C6 (Health).

Supplementary Planning Guidance:

- 4.9 The following [Supplementary Planning Guidance](#) (SPG) is of relevance to this application: -

- Green Infrastructure (including Technical Guidance Notes relating to: Ecology and Biodiversity; Trees and Development; Public Rights of Way and Development; River Corridors; Protection and Provision of Open Space in New Developments; Soils and Development) (November 2017);

- Managing Transportation Impacts (Incorporating Parking Standards) (July 2018).
- Planning for Health and Wellbeing (November 2017).

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 The **Operational Manager (Traffic and Transportation)**: has provided detailed comments (below) which raise no objection but require matters to be addressed through conditions

Vehicular Access

- 5.2 It has now been confirmed that the existing Olympian Drive/Toys r Us access will be closed up, and instead there will be a lay-by on the western side of Olympian Drive in the vicinity of the former access, which will be for service/refuse use, and allow drop-off/pick-up for Velodrome users. The exact detail of how this will operate has not yet been agreed/set out, but it is considered that an appropriate solution can be managed, and this is covered by the below condition and reference to contribution to TRO for parking restrictions.
- 5.3 There are various works that are required as a result of the access being closed, including footway/cycleway amendments, parking restrictions and changes to the traffic signals (which would no longer operate as a standard vehicular traffic signalled junction). A condition seeks to deal with these matters of detail.

Car Parking

- 5.4 No dedicated new car parking will be provided for the velodrome, in accordance with our parking standards. However, the TS indicates there is a considerable amount of existing car parking in the vicinity of the site, and that this is not over-utilised on a day to day basis, and thus there is opportunity for Velodrome users to park there. At times of peak Velodrome use/events, a management plan will ensure that this does not coincide with other major events in the Sports village, and a condition for event management/car parking is sought.

Cycle Parking

- 5.5 Additional text provided on cycle parking clarifies matters, and the higher number of Sheffield stands is considered more appropriate. The location of these has been moved so as not to cause access issues with the cycle storage units. A condition will deal with cycle parking in more detail.

Sustainable Transport

- 5.6 Whilst it is clear from the information submitted that a relatively significant amount of users will arrive by vehicle because of the need to transport their track bikes (or road bike) and other kit etc., there are various means of accessing the site via sustainable transport. There are cycleways on Olympian Drive, International Drive and other nearby roads, as well as footways and signalled pedestrian crossings; there are also regular buses serving Olympian

Drive. Notwithstanding that sustainable transport modes will not be practical for all users, a Travel Plan will be conditioned, and this can help to reduce the demand for solo vehicle trips e.g. by increasing the amount of vehicle sharing.

- 5.7 **Public Rights of Way (PROW):** No objections
- 5.8 The **Strategic Planning Trees and Landscaping Officer** notes that the proposal does not provide a landscape strategy that the design has been informed by or make an assessment in line with our SPG.
- 5.9 **Shared Regulatory Services (Noise):** Raise no objection but request a management strategy that considers light on noise pollution and how complaints will be assessed and noise/light levels would be monitored

6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 **Natural Resources Wales:** Raise no objections subject to the imposition of conditions
- 6.2 **Welsh Government (Transportation):** The proposal would have no material impact upon the trunk network
- 6.3 **Vale of Glamorgan Council:** Make no observations
- 6.4 **South Wales Police Architectural Officer:** No objections

7. **REPRESENTATIONS**

- 7.1 The application has been publicised in accordance with procedure, including display of site notices and an advertisement in the press (23/12/2021).
- 7.2 To date, 40 of representations have been received, of which 39 object to this application. These objections are summarised below:
- The proposal would take away an important facility and open space in Cathays contrary to Policy KP14 (Healthy living);
 - The construction of a new building would go against advice which seeks to reduce carbon and therefore contrary to KP15 (Climate Change);
 - The proposal would remove green space in Cathays contrary to Policy KP16 (Green Infrastructure);
 - This development is not a like-for-like replacement of the current Maindy facility;
 - The removal of the Maindy Velodrome will have an adverse effect upon the diverse and inclusive Cathays community;
 - The siting is not accessible to all compared to the centrally located Maindy site and as a result will discourage children and other to take up cycling;
 - The site is at risk of flooding;
 - The appropriation of the Maindy site should be investigated by the Charity Commission
 - Access to the site can only be undertaken by car, as a result the site is not

- supporting sustainable development
 - Loss of cycling facility - there are no guarantees that this site will be up and running by the time the current Maindy site is closed;
 - There is no guarantee that the proposal will be viable in the long run. The council cannot get anyone to run this new centre;
 - This proposal will be in direct competition with the Newport Velodrome putting the viability of both at risk;
 - The proposal does not have the required Transport Assessment
- 7.2 One Letter of support has been submitted by a Cathays resident who supports the relocation and the redevelopment of the Maindy site for the new Cathays High school;

8 ANALYSIS

- 8.1 The key material considerations in the determination of this application are: Land use /Principle of development; the impact upon the character of the area; impact upon the adjoining uses, flooding, transportation and ecology/ landscaping.

Land Use / Principle of Development

- 8.2 The application proposes to construct a 333m velodrome together with a clubhouse and stand, and forms part of the next phase of the International Sports Village (ISV).
- 8.3 The application site falls within the settlement boundary as defined by the LDP proposals map, has no specific land use policy designation or allocation and comprises vacant brownfield land. The surrounding area comprises Cardiff International Sports Village, occupied by Cardiff International swimming pool and gym, the Ice Arena Wales and the white-water rafting centre.
- 8.4 LDP Policy KP13 (Responding to Evidenced Social Needs) recognises that one of the key issues for the successful progression of the city will be to improve the quality of life for all and one of the ways to achieve this is identified in criterion (vi) to develop new cultural and sporting facilities to build upon Cardiff's role as a major tourist, cultural and sporting destination for visitors and residents.
- 8.5 While significant progress has been made in the regeneration of Cardiff Bay, the development of the ISV has yet to be completed. This application forms part of the Council's plans to develop the International Sports Village (ISV) including the delivery of a central cycling hub of modern, fit-for-purpose, complementary sports facilities, including the new velodrome (proposed under this application), and an off-road bike track and closed road circuit (not part of current proposal). The consultation (outside of the planning process) on the [draft International Sports Village Extended Masterplan](#) (see extract at Figure 4 below) emphasises that these proposals form an integral part of the Council's commitment to delivering a world class facility for sporting excellence and a sustainable, accessible and inclusive leisure destination for everyone to enjoy.

- 8.6 It is important to note, however, that while an indicative master plan for the wider redevelopment of the area has been submitted, which identifies the velodrome, no weight can be attached to that plan as it does not form part of an approved planning master plan, nor has it been approved by Cabinet.



Figure 4: Extract from draft ISV Masterplan

- 8.7 Taken on its own, therefore, the proposed velodrome will contribute to the next stage of the ISV, and the regeneration of Cardiff Bay, as well as enhancing Cardiff's leisure and tourism sector, improving quality of life and directly contributing to the aims of Policy KP13. Assessed against this policy framework and taking into account the context of the surrounding area, the velodrome is considered a compatible use in the context of the ISV and the application therefore raises no land use policy concerns.

Existing Velodrome at Cathays

- 8.8 The wider Council consultation on the ISV Masterplan (which recently closed) notes that the proposed new cycling hub and Velodrome is *“to replace the existing velodrome at Maindy Leisure Centre and enable the much-needed development of Cathays High School, to bring into compliance with the 21st Century Schools Programme”*.
- 8.9 It is noted that a significant number of the objections received in connection with the current planning application relate to the loss of the existing Maindy Velodrome, noting also that they feel that the current proposal is a poor replacement to the current Maindy Velodrome.
- 8.10 These submissions are acknowledged, and will no doubt also have been expressed as part of the Council's consultation, and therefore will be considered by Cabinet in due course. It must be emphasised however that a decision on

whether the current Maindy Velodrome is replaced/retained is a matter for the Council outside of the current regulatory planning process. It is not therefore, a material consideration in the determination of this application, which must be determined on its own merits.

- 8.11 Having regard to the above, it is also noted that should any planning application be forthcoming for the replacement Cathays High School, that application would need to consider matters relating to the loss of the velodrome.
- 8.12 Accordingly, matters relating to the loss of the existing velodrome at Maindy must not form part of the assessment of this application on planning grounds.

The impact upon the character of the area

- 8.13 The proposed Velodrome will be visible along the gateway to the Vale of Glamorgan when travelling to/ from Cardiff. The existing highways vegetation would still be sited to the front of the corner plot with the proposal behind. However, given the large developments around the site i.e. ice rink, global reach and Ty Cynnal the proposal would not look out of character with the area and would add presence to what is currently a dead corner.

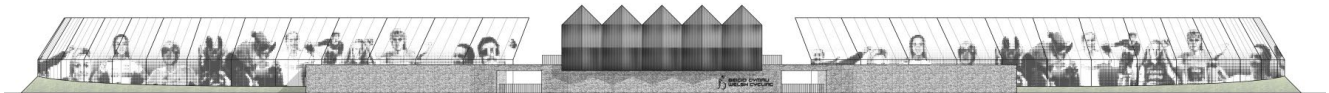


Figure 5: Long Elevation of Proposed Velodrome

- 8.14 The proposed materials, colour palette and texture for the new velodrome will accord with those associated with other leisure uses within the area, while the proposed use of the external stainless steel windbreak to incorporate images of iconic sports people (see figure 4 below) will create visual interest and identify.
- 8.15 Once plans for the wider ISV extension are progressed, the velodrome would of course fit within the wider Sports Village Masterplan (subject to Cabinet approval), including potential changes to the road network and creation of car-free public areas between proposed and current sports facilities, creating a leisure destination with placemaking at its heart.
- 8.16 Having regard to the above, it is considered that the proposal responds to the character of the area currently and also appropriately responds to the Council's wider vision of the next phase of the ISV. As a result it is considered that proposal accords with LDP Policy KP5 which, inter alia, requires all new development to respond to the local character and context of the built setting so that the layout, scale, form, massing, height, density, colour, materials, detailing and impact on the built heritage are all addressed within development proposal.

Impact upon Neighbouring Amenity

- 8.17 The proposal is not considered to have a detrimental effect upon the operation of the existing leisure facilities but is considered to compliment these uses.
- 8.18 LDP policy KP5 (x) also requires consideration of neighbouring amenity, which in this case the nearest sensitive receptors are the new flats located approximately 40 metres away at their nearest point. It is considered that the proposal by virtue of its separation and design would not result in an unneighbourly form of development. Moreover, while the proposed track would be illuminated up to 22:00 (10pm) during its use at night, the proposal demonstrates that the light would be largely contained on the site and notably there would no light spill on these properties. Illumination of the arena in the wider context with nearby road network and other leisure and retail uses is also considered to be acceptable.
- 8.19 In terms of noise, consideration has been given that during competition events there is likely to be a degree of noise, however the council's noise section is satisfied that the proposal would not result in excessive noise given its use, their experience of the existing Maindy facility (that is also located within a residential area), and the background road noise. However, to ensure an acceptable form of development a condition has been imposed requiring approval of an events management plan that will need to consider matters relating to operation of any PA system, a complaints procedure and light trial before first use of the facility. Given the location it is not considered reasonable to limit hours of operation, although a condition restricting use of floodlighting to 23:00 will in effect provide such control in the interests of protecting amenity.
- 8.20 As for all such developments, it is recognised that there will be disruption during the construction phase, however a CEMP condition is considered an appropriate method of dealing with this matter.

Flooding

- 8.21 Concern has been raised that the site is at risk of flooding due to climate change. Future Wales Policy (Policy 8), PPW, TAN15 and LDP Policy EN14 (Flood Risk) seek to direct highly vulnerable development (HVD) away from C1/C2 flood zones.
- 8.22 The site is sited within Flood zone 'B' as defined on the TAN15 DAM maps, and accordingly it is considered that the siting of the velodrome would not be at flood risk, and as a result the proposal accords with flood risk policies. Members should also note that no objection has been raised by Natural Resources Wales (NRW), who are a technical advisor to the LPA on flood risk.

Surface Water

- 8.23 Given the topography of the site TAN15 requires the consideration of surface water flooding. Surface water design is now considered through a technical approval through drainage colleagues acting as the SAB authority. The LPA

understands that discussions are advanced in meeting the technical requirements of SAB and therefore there is no requirement for the planning system to duplicate that framework with planning conditions.

Transportation

8.24 The application has been supported by an amended Transport Statement (TS). The statement clearly defines the development, its implications and accessibility of the site by various modes of transport.

8.25 The key headlines from the TS are:

- The existing 250 car park spaces that served the former Toys'R'Us site will be lost, with the existing vehicular access to the site from Olympian Drive proposed to be closed (a separate stopping up order application will be submitted in later stage for closure of the highway access). The stopping up will be in place prior to the operational use of the Velodrome.
- As part of the wider ISV proposals, it is anticipated that in the long term, vehicular access will potentially be modified to accommodate the future development aspirations. Therefore, the access arrangements for the Velodrome are sufficient to accommodate this use until the wider ISV proposals come forward which will need to consider the Velodrome as part of any future modifications to the highway network.
- Changes will be required to the existing vehicular access and frontage / public realm directly in front of the velodrome, with the existing vehicular access redesigned as a drop off/pick up point onto Olympian Drive, and the area between the layby and the Velodrome being paved to allow pedestrian and cyclist access.

Although outside of the red line boundary, such land is in the control of the Council as applicant and therefore can be conditioned.

- There will not be any dedicated car parking provision for the Velodrome - which is compliant with the Parking Standards – however there are circa 550 car parking spaces i.e. c.320 spaces in car park to the South (including 22 disabled spaces) and c.230 spaces (13 disabled) in the car park to the rear of the pool nearby that would be available for Velodrome users.
- The TS therefore indicates that general use of the Velodrome can be absorbed into the existing car parks that are located within the International Sports Village (ISV). However, it is recognised that major events will require proper management of all available parking, which could include such events not conflicting with other major events in the ISV. An Events Management condition has been imposed to ensure that the assumptions made in the TS are delivered on site.

- The TS also states there will be significant levels of secure bike storage available on site, including for potentially resident Clubs (circa 300 bikes) and for hire for clubs/groups/individuals (200). There will also be 30 Sheffield Stands available on site which provide secure parking for 60 bikes.
- The TS provides an assessment of potential trips generated to the site being between 20-45 riders hourly for general use and between 50-300 for regional/national events. It also breaks down anticipated day-to-day activity over 7 days a week, noting likely peak times (weekday evenings and weekend mornings).

8.26 It is noted that surrounding the site are shared pedestrian and cycle routes that link into the wider city network via Ferry Road then onto the city centre and Taff Trail (see Figure 5).

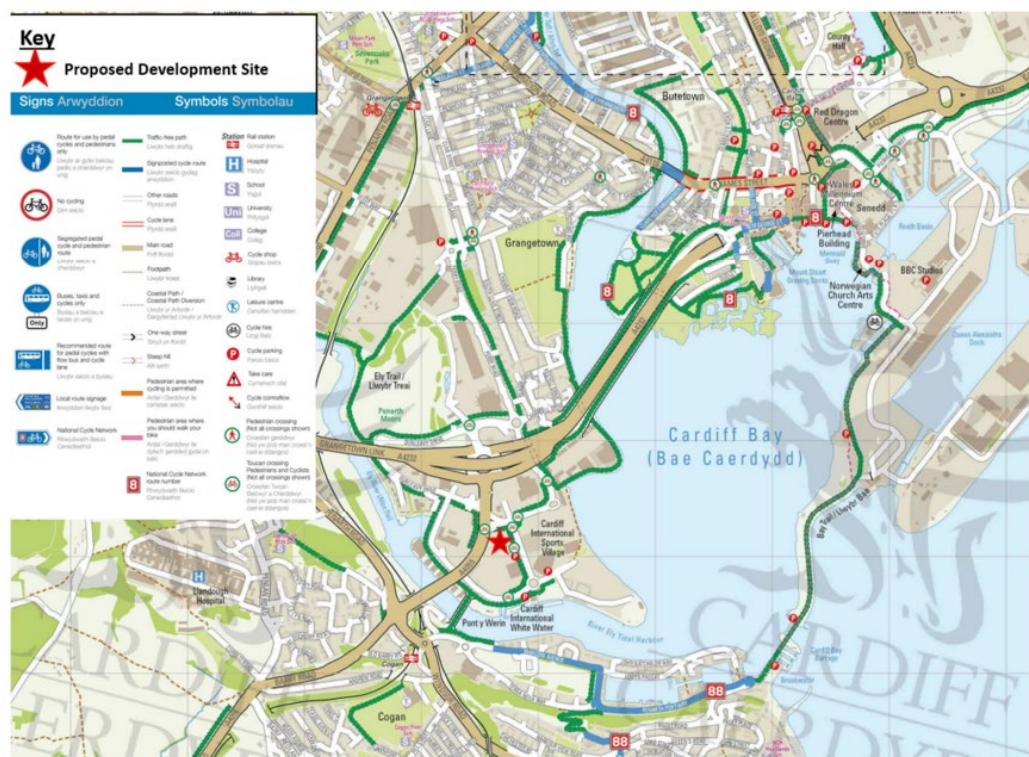


Figure 6: Cycling Infrastructure

- 8.27 The TS also notes that the site is accessible from various bus stops in close proximity to the site that are serviced by various hourly services (Cardiff bus routes 5,7,9/9A, H95, X45 & NAT services 89A/89B 304). The site is also accessible from train stations (within reasonable walking distance), including Cogan Train Station (0.6 miles), which has a high frequency train services (circa every 15 minutes).
- 8.28 Having regard to the above, it is considered that the site is in a sustainable location, which accords with the wider Council aspirations to deliver a sustainable, accessible and inclusive leisure destination.

- 8.29 The Councils' Transportation section has considered the submission and the amended TS and raise no objection to the proposal subject to a number of conditions which seek design details of the car park, cycle storage and the new lay by. In addition, neither WG highways nor Vale of Glamorgan council raise objection to this proposal.
- 8.30 While it is noted that no Electric Vehicle (EV) Spaces will be provided as part of the Velodrome site, provision for these will be addressed as part of the permanent parking provision under the masterplan for the wider CiSV.
- 8.31 Accordingly, subject to conditions the proposal is considered to have no unacceptable impact on the highway network or highway safety in general.

Impact on Ecology/ Biodiversity

- 8.32 The application has been supplemented by a stage 1 ecological report dated December 2021 (ecological report remains valid for 2 years). The assessment includes a desktop and habitat survey of the site, which concludes that no protected habitat will be affected by the proposal and the proposal would not affect protected species.
- 8.33 However, the report notes that structure S1 and Building B1 (the Toy'R'Us building), and the seminatural woodland are suitable for bats and recommends that the lighting spill does not exceed 1 lux on these areas.
- 8.34 NRW has considered the plans and raise no objection to the submission subject to conditions that the submitted lighting plan is conditioned along with a lighting plan during the construction phase to ensure the light spill does not exceed 1lux. Conditions have been recommended to address such matters.

Landscaping

- 8.35 The application has been supplemented by an Arboricultural Technical Note (desktop review) that concludes that the 2 young trees to be lost are category C (trees of low quality) and can be mitigated in the wider development. Whilst the concerns of the Tree Officer are noted it is considered that a landscaping condition which incorporates the wider site and a Tree protection plan to ensure the existing highways trees that front the Cogan spur are retained would overcome the Tree Officers concerns. It is considered that would ensure Future Wales, PPW and LDP Policy EN7 are met.

Other matters not considered above

- 8.36 The loss of green space or amenity at the current Maindy Velodrome to the wider Cathays ward is not a material consideration in the determination of this application.
- 8.37 Similarly, any covenants on the existing Maindy Velodrome is not a material consideration in the determination of this application. This application must be determined on its own merits.

- 8.38 Noting comments in respect of design, it is emphasised that it is not the role of the Local Planning Authority to design the proposal but to consider the planning merits.
- 8.39 An appropriate Transport assessment has been submitted and assessed by technical consultees who raise no objections.

Section 106

- 8.40 The TS advises that the proposed new lay by in front of the Velodrome will require parking restrictions. As the lay-by is located on the adopted highway any restrictions can only be enforced through a Traffic Order. The Traffic Orders are to be paid for by the applicant.
- 8.41 The council's Highways Officer has advised that the cost in issuing the order would be £15,000. The legal tests for when planning obligations can be used are set out in regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010. The tests are:
- (i) necessary to make the development acceptable in planning terms;
 - (ii) directly related to the development;
 - (iii) fairly and reasonably related in scale and kind to the development.
- 8.42 LDP Policy KP7 (Planning Obligations) confirms that obligations will be sought to mitigate any impacts directly related to the development and will be assessed on a case-by-case basis. Accordingly, the financial contribution has been agreed with the applicant to mitigate the impacts of the proposed development.
- 8.43 Having regard to the legal and policy test outlined above, it is clear that the requested monies are necessary and reasonable to ensure that the proposal accords with planning policy. However a legal agreement under section 106 is not required in this case because this is a Council development, and therefore such matters will be addressed through internal procedures.

9 CONCLUSION

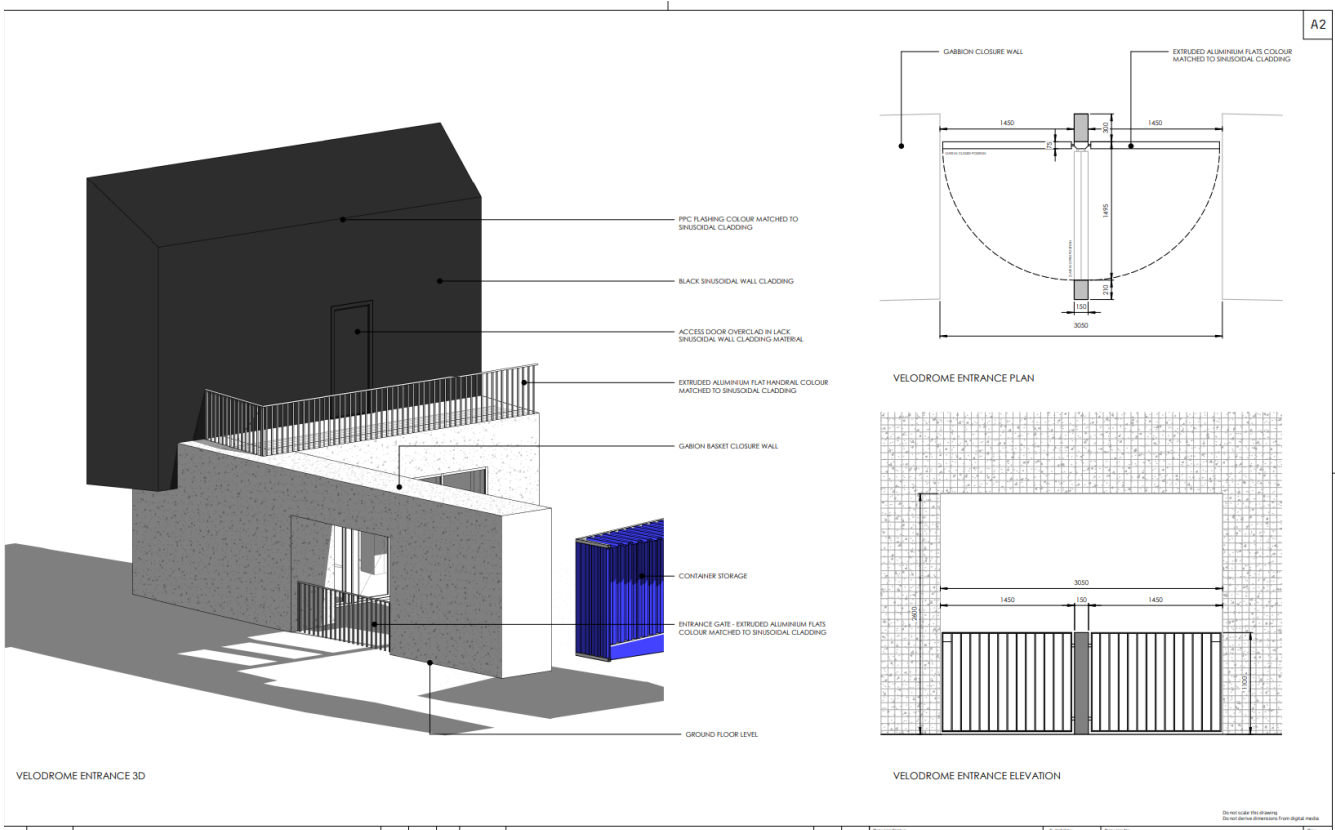
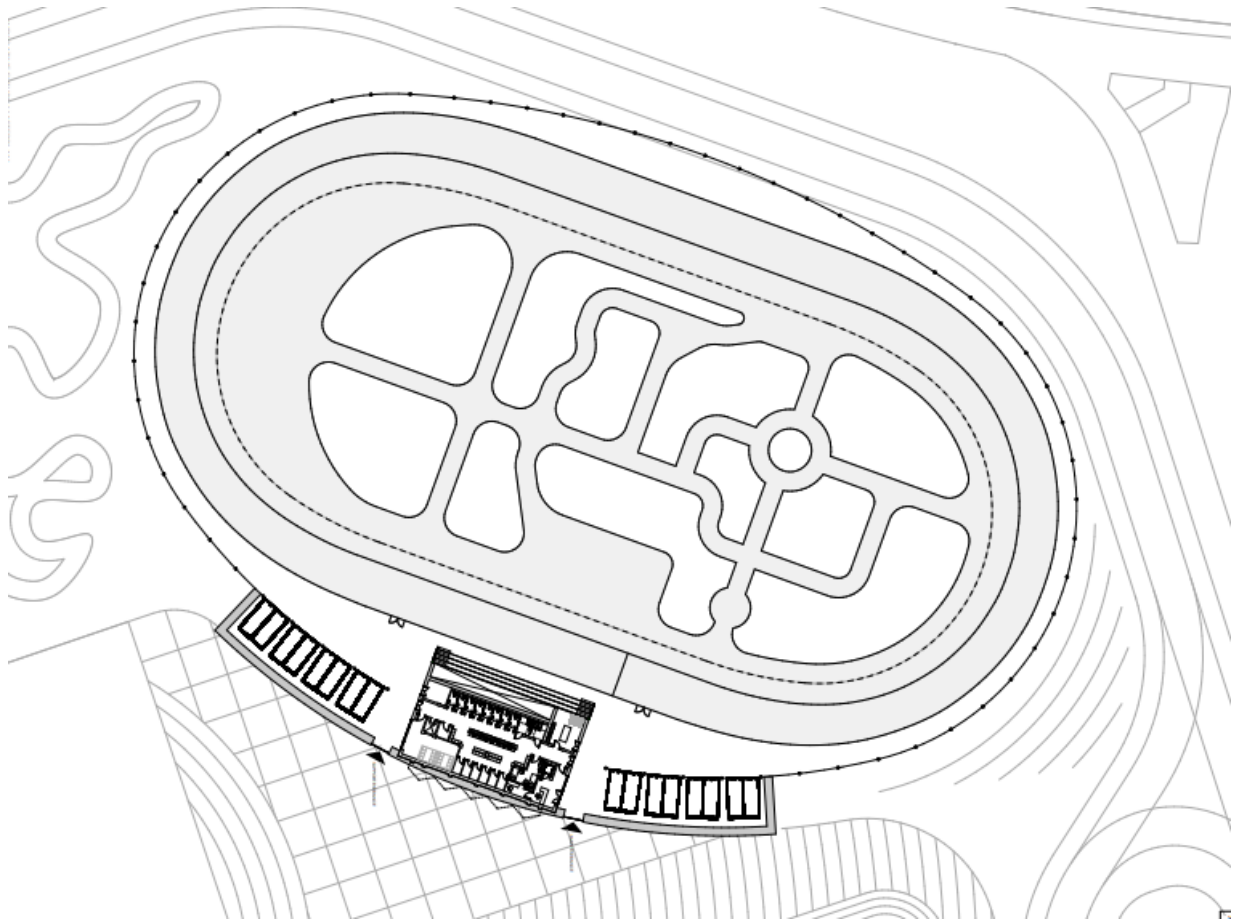
- 9.1 The site is located in an area that has been identified for sporting activity and the proposal accords with land use policy. The proposed scale, massing and design are considered acceptable in its context and the site can be accessed by various modes of transport. Whilst concern has been raised over the loss of the existing Maindy facility these are not matters the LPA can consider under this application.
- 9.2 Taking all material considerations into account it is considered that subject to conditions the proposal is acceptable in planning policy terms.

10. Other matters relevant to the consideration of this application

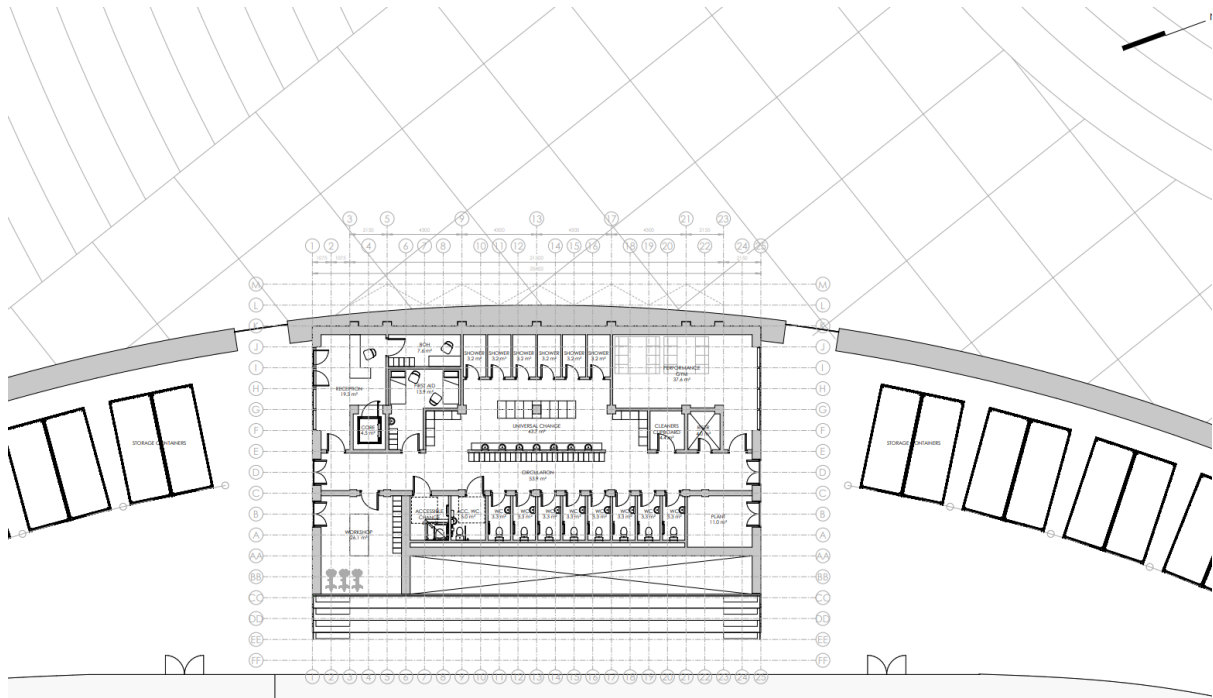
- 10.1 Crime and Disorder Act 1998. Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.
- 10.2 Equality Act 2010. The Act identifies a number of ‘protected characteristics’, namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council’s duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic, over and above any other person.
- 10.3 Well-Being of Future Generations Act 2016. Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision. It is also noted that section 2(5) of the Planning (Wales) Act 2015 affords protection to decisions taken under Part 3 of the 1990 Act, in that the Well-being of Future Generations (Wales) Act 2015 does not alter whether regard is to be had to any particular consideration under section 70(2) of the 1990 Act or the weight to be given to any consideration to which regard is had under that subsection. This means the provisions of the development plan, so far as material to the application, and any other relevant other material considerations remain the primary considerations when determining planning applications.
- 10.4 Section 6 of Environment (Wales) Act 2016 subsection (1) imposes a duty that a public authority must seek to maintain and enhance biodiversity in the exercise of its functions, and in so doing promote the resilience of ecosystems, so far as is consistent with the proper exercise of those functions. In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular the following aspects:
- (a) Diversity between and within ecosystems;
 - (b) The connections between and within ecosystems;
 - (c) The scale of ecosystems;
 - (d) The condition of ecosystems (including their structure and functioning);
 - (e) The adaptability of ecosystems.

It is considered that the LPA has considered its duty under this Act and has met its objectives for the reasons outlined above.

10.5 EIA development - As required by Part 2 (screening) and schedule 2 & 3 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2019 it has been concluded that the proposal would not have a significant impact upon the environment to require an environmental statement.



Ground floor



First Floor Plan

