

## LOCAL MEMBER & MP OBJECTIONS & AM CONCERNS

COMMITTEE DATE: 17/07/2019

APPLICATION No. **19/00017/MNR**

DATE RECEIVED: 04/01/2019

ED: **PLASNEWYDD**

APP: TYPE: Full Planning Permission

APPLICANT: Mr & Mrs McCloskey

LOCATION: 160-166 Strathnairn Street, Roath, Cardiff, CF24 3JQ

PROPOSAL: DEMOLITION OF ALL EXISTING BUILDINGS AND  
CONSTRUCTION OF 10 SELF CONTAINED APARTMENTS (7 X  
1 BED / 3 X 2 BED) WITH ONSITE AMENITY, CYCLE STORAGE  
AND REFUSE STORES

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

- 1 The development permitted shall be begun before the expiration of three years from the date of this planning permission.  
Reason: Planning permission is specifically granted based on the assessed current viability of the development.
- 2 The development shall be carried out in accordance with the approved drawings numbered AL(0)05F; AL(0)06C; AL(0)07E; AL(0)08F; AL(0)09F.  
Reason: To ensure satisfactory completion of the development and for the avoidance of doubt in line with the aims of Planning Policy Wales to promote an efficient planning system.
- 3 No development excluding demolition 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 building, in accordance with Policy KP5 of the Local Development Plan.
- 4 No development excluding demolition shall commence until a drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.  
Reason: To prevent hydraulic overloading of the public sewerage

system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

- 5 Prior to occupation of the flats hereby approved, refuse storage shall be provided externally and shall thereafter be retained.  
Reason: To secure an orderly form of development and to protect the amenities of the area in accordance with Policy W2 of the Local Development Plan.
- 6 Prior to occupation of the flats hereby approved undercover and secure cycle storage shall be provided to accommodate at least 13 cycles in accordance with drawing numbered AL(0)05F and shall thereafter be retained.  
Reason: To ensure that secure and undercover cycle parking facilities are provided to encourage other modes of transport over the private car, in accordance with Policy T5 of the Local Development Plan.
- 7 The first and second floor windows in the south and west elevations shall be non-opening below a height of 1.7m above internal floor level and glazed with obscure glass, and thereafter be retained.  
Reason: To ensure that the privacy of adjoining occupiers is protected in accordance with Policy KP5 of the Local Development Plan.

**RECOMMENDATION 2:** R1 – construction site noise.

**RECOMMENDATION 3:** Bats often roost in houses and other buildings, and work on these buildings may disturb a bat roost. All bats and their roosts are protected against disturbance under UK and European legislation. If bats are found during works, or if any evidence that bats are using the site as a roost is found, work should cease and Natural Resources Wales should be contacted immediately.

Where bats or their roosts are present, no works of site clearance, demolition or construction should take place unless a licence to disturb these species and/or their roosts has been granted in accordance with the relevant legislation.

NRW can be contacted at:-

Natural Resources Wales, Tŷ Cambria, 29 Newport Road, Cardiff CF24 0TP, 0300 065 3000

Bat Conservation Trust can be contacted at:-

5th Floor, Quadrant House, 250 Kennington Lane, London, SE11 5DR, 0845 1300228

**RECOMMENDATION 4:** The applicant is advised that incoming residents will not be eligible to receive resident parking permits in the adjacent streets.

**RECOMMENDATION 5:** The bin store doors should open outwards with a clear opening of 1.5m.

## 1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 The application seeks planning permission to demolish four adjoining two storey terraced dwellings and a two storey coach house, and construct a new building accommodating 10 flats.
- 1.2 The proposed building would measure 15m long by 10m deep along the Strathnairn Street elevation and 19.8m long by up to 9.8m deep along the Cottrell Road elevation. It would have a pitched roof 6.5m high at eaves and 9m at ridge facing Strathnairn Street, the Strathnairn Street elevation would incorporate a gable projecting 1m forward at its east end 6.7m high at eaves and 9.2m at ridge. It would have a pitched roof 5m high at eaves and 8.1m at ridge facing Cottrell Road, the Cottrell Road elevation would incorporate a 2.5m step forward towards its south end and a gable projecting 1m forward at its south end 5m high at eaves and 7.3m at ridge. Two 0.8m tall flat roofed dormer window gables are proposed in the Strathnairn Street elevation. The external walls would be finished in red facing brickwork at upper levels, timber boarding and painted render to the ground floor street facing elevations, the roof would be of slates.
- 1.3 A private communal external area would be provided at the rear, accommodating an external amenity area of 65 square metres, and cycle and refuse stores would be accommodated externally at the west side, accessible by all flats externally. Access to the external area would be provided by external side passages from Strathnairn Street and Cottrell Road, both enclosed by 2.3m high gate enclosures.
- 1.4 Internally the accommodation would comprise of four flats within the ground and first floor levels, and two flats at second floor level. All flats would be accessed via a communal entrance from Strathnairn Street.
- 1.5 The application as originally submitted proposed large square windows facing Strathnairn Street and Cottrell Road which would have provided minimal privacy to residents. The architect has revised the scheme to include narrower windows with a narrower field of view to overcome address the concern raised.

## 2. **DESCRIPTION OF SITE**

- 2.1 The site comprises four adjoining two storey terraced dwellings on the south side of Strathnairn Street adjacent to the junction with Cottrell Road, and a two storey coach house on the west side of Cottrell Road.

## 3. **SITE HISTORY**

- 3.1 18/01018/MNR – planning application for demolition of all existing buildings. construction of 9 self-contained apartments over 3 storeys, on site refuse & cycle storage facilities, application withdrawn.

#### 4. **POLICY FRAMEWORK**

##### 4.1 **Relevant National Planning Guidance:**

Planning Policy Wales (Edition 10, 2018)  
Technical Advice Note 12: Design

##### 4.2 **Relevant Cardiff Local Development Plan (2006-2026) policies:**

Policy KP5 (Good Quality and Sustainable Design)  
Policy EN13 (Air, Noise, Light Pollution and Land Contamination)  
Policy H3 (Affordable Housing)  
Policy T5 (Managing Transport Impacts)  
Policy W2 (Provision for Waste Management Facilities in Development)  
Policy KP5 (Good Quality and Sustainable Design)

##### 4.3 **Relevant Supplementary Planning Guidance**

Infill Sites (2011)  
Managing Transportation Impacts (Incorporating Parking Standards) 2018.  
Waste Collection and Storage Facilities (2016).  
Planning Obligations (2017).

#### 5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 Transportation – the submission has been assessed and is considered to be acceptable in principle subject to the standard cycle parking condition for a minimum of one cycle space per bedroom across the development. The adopted ‘Managing Transportation Impacts (Incorporating Parking Standards)’ Supplementary Planning Guidance allows for a maximum of one car parking space per dwelling (there is no minimum) for residential development in the central area, as such zero on-site provision as applied for is considered to be policy compliant. In considering any possible car parking requirement or moving traffic impact it must be borne in mind that the existing dwellings, to be demolished to accommodate the proposed development, provides a total of 15 bedrooms over four terraced houses (two and three story). In contrast the proposed ten flats are made up of smaller one and two bed units in a stand-alone three storey building, amounting to a total of 13 beds, two less than the currently existing number. It is also noted that there is a detached two storey ‘coach house’ garage associated with no. 66 Cottrell Road which is capable of being converted into an additional dwelling, potentially adding to the quantum of existing development. The site is also adjacent to a vibrant district centre with easy direct access to a range of shops, services, employment, entertainment, etc. opportunities that such a location affords. The site also has very good access to high frequency bus public transport services, located within 120m on Albany Road, and Cardiff’s cycle network. The site is therefore considered to be in an extremely sustainable location in transport terms, reducing the reliance on private car ownership and use of the same for everyday trips. Given the Policy compliant nature of the proposals and sustainable location of the site I would conclude that any objection on parking

or traffic grounds would be unsustainable, and any reason for refusal on these basis would not withstand challenge. I therefore have no objection to the application subject to the requested cycle parking conditions and noted recommendations.

- 5.2 Parks Services – Having reviewed the proposals the net increase in accommodation being provided is less than 9 units and therefore this fails below the threshold for an off-site public open space contribution.
- 5.3 Neighbourhood Renewal (Affordable Housing) – In line with the Local Development Plan (LDP), an affordable housing contribution of 20% of the 10 units (2 units) is sought on this brown-field site. Our priority is to deliver on-site affordable housing, in the form of affordable rented accommodation, built to Welsh Government Development Quality Requirements. However, given the proposed design of the scheme, we would be prepared to accept a financial contribution in lieu of on-site affordable housing provision. On that basis of the above, we would seek a financial contribution of £138,852 in lieu of 2 x 1 bedroom apartments) which is calculated in accordance with the formula in the Planning Obligations– Supplementary Planning Guidance (SPG)(2017).
- 5.4 Waste Management – The bin storage area indicated within the current site plan is acceptable, however a designated area for the storage of bulky waste is now a compulsory element of all communal bin stores. There must be a designated area where bulky items such as mattresses can be left, with appropriate access to allow Council collection crews to remove. This separate area will prevent unwanted bulky waste being left in the communal bin store and therefore impede the collection of the weekly/fortnightly collection of bins. Please submit new plans showing the bulky waste storage area. Until this information is received Waste Management would oppose this development. Please ensure the refuse storage area is large enough to accommodate the following recommended provisions for 10 apartments: Dry Recyclables: 1 x 1100 litre bulk bins; General waste: 1 x 1100 litre bulk bins; Food Waste: 1 x 240 litre bin. The developer is advised; as bulk containers are specified for this development, access paths to the kerbside for collection should be at least 1.5 metres wide, clear of obstruction, of a smooth surface with no steps. Dropped kerbs should also be provided to ensure safe handling of bulk bins to the collection vehicle. Bulk containers must be provided by the developer/other appropriate agent, to the Councils' specification (steel containers are required where capacity exceeds 240 litres) as determined by S46 of the Environment Protection Act 1990 and can be purchased directly from the Council. Please contact the Waste Management's commercial department for further information on 02920 717504. Refuse storage, once implemented, must be retained for future use. Further to submission of a revised plan showing an area for bulky waste, Waste Management have confirmed that the bulky waste area is acceptable. The bin store doors should have double doors that open outwards, with a clear opening of 1.5m. The side entrance and path also needs to be wide enough for the bins to be able to manoeuvred to the kerb with ease.

- 5.5 Ecology – In the light of my comments on the previous application and the fact that these buildings are a borderline case with respect to the criteria set out in our SPG, a reasonable approach would be to attach an advisory note to any consent, which warns the applicant of the potential for the presence of bats, and of what to do if bats are found during works. The applicant may take the view that, in order to protect themselves against a potential prosecution resulting from destruction of a bat roost, if one were present, then it would be prudent to seek professional advice and commission a preliminary bat survey.

## 6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 Welsh Water – We have reviewed the information submitted as part of this application and note that the intention is to drain both foul and surface water to the mains sewer for which we can only comment on the acceptability of the foul water proposal at this stage. In the absence of a surface water strategy in which an assessment is undertaken to explore the potential to dispose of surface water by sustainable means, we cannot support the application in full. Secondly a review of the public sewer record indicates that the proposed site is crossed by a public sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No development (including the raising or lowering of ground levels) will be permitted within 3 metres either side of the centreline of the public sewer. Finally, no new connection shall be made to the 975x600mm in either Strathnairn Street or Cottrell Road. Therefore, request a condition that no development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority.
- 6.2 South Wales Police – Analysis has shown that overall crime in the vicinity adjacent to the proposed development is as follows: Strathnairn Street is located within the local authority Ward of Plasnewydd. During a period between January 2018 and January 2019, there were 4926 incidents reported to South Wales Police within the Plasnewydd Ward. This is very high when compared to other areas of Cardiff. Over that same period there were 106 incidents reported to South Wales Police in the near vicinity of the proposed development. These include 15 violent incidents, 9 thefts, 9 incidents of anti-social behaviour, 4 burglaries and 4 damages. In order to address concerns regarding community safety and crime prevention, South Wales Police would recommend Secure by Design principles are adopted by developers in terms of design and layout.

## 7. **REPRESENTATIONS**

- 7.1 The application was publicised by letter and site notices. A petition of objection was received, signed by 50 residents with addresses in Cardiff, all of which are from addresses within the vicinity who could reasonably be affected by the matter. Full details are viewable online. However, the petition refers to previous planning application number 18/01018/MNR and the signatures are dated prior to the date the current application was submitted, therefore the petition is not valid for the current application.

7.2 Objections have been received from the following addresses:

- nos. 57, 66, 76, 79, 82, 84, 95, 98, 103, 105, 111, 114, 124, 127, 130, 142, 148, 150, 152, 158 Strathnairn Street.
- 118, 134, 138, 140, 142 Cottrell Road.
- 56, 77, 101, 104, 105, 106, 119, 120, 135, 149, 159, 161 Glenroy Street.
- 27 Connaught Road.
- 19 Daviot Street.
- 19 Iron Street.
- 9 Forest Oak Close.
- 3 Penally Road.

Full details are viewable online, their comments are summarised as follows:

- a) Overdevelopment/higher scale than surrounding streets, the development has increased since the previous proposal;*
- b) Effect on the character of the area;*
- c) Inadequate parking and traffic impact;*
- d) Loss of privacy/overlooking of adjoining properties;*
- e) Loss of light to adjoining properties;*
- f) Lack of amenity space, reduced since previous proposal;*
- g) Loss of historic buildings;*
- h) Loss of family accommodation;*
- i) Faster turnover of tenants;*
- j) Noise/air pollution during construction;*
- k) Noise/smell to adjoining property as a result of bin storage adjacent to adjoining garden;*
- l) Structural damage and loss of insulation to adjoining property following demolition;*
- m) Security of adjoining properties following demolition;*
- n) Risk to pedestrians including school children who walk past the site during demolition/construction;*
- o) Impact on wildlife/bats;*
- p) Precedent for similar developments within the area;*
- q) Devaluation of properties and effect on insurance premiums;*
- r) Impact upon health and wellbeing;*
- s) Potential asbestos from demolition;*
- t) Inadequate notification/publicity of the re-submitted application.*

7.3 Objections were also received in response to the publication of previous application (18/01018/MNR), for full transparency it is noted that objections to the previous application were received from the following additional addresses:

- nos. 77, 83, 93, 97, 113, 117, 119, 125, 152 Strathnairn Street.
- 150, 156 Cottrell Road.
- 151 Glenroy Street.
- 52 & 99 Keppoch Street
- 57 Arabella Street.

- 6 Africa Gardens.

7.4 Cllrs Peter Wong, Daniel De'Ath, and Mary McGarry object to the application, as follows:

*We note that the applicant has submitted even more amended plans, published by Cardiff Council on 04/01/19. But wait! As they withdrew the previous application (18/01018/MNR), the Planning Team has now allocated them a new planning application number, despite there being very little substantive difference between these latest plans and the two previous iterations in regard to the main causes of concern in the objections. I note too in the PAC report, that in response to objections to the latest plans, it states "the Applicant considers no revision to the scheme were considered necessary" (para 1.10) Well that gives you everything you need to know about the applicant's respect for neighbours and the community. So further to our previous objections on 7th September and 10th June 2018 to this proposed development, under the previous application number 18/01018/MNR, we are writing again as local councillors to object on behalf of a large number of Plasnewydd constituents living in the surrounding area. Much like the previously amended plans, these newly amended plans do not address any of the key objections we had to the original plans. This latest proposal has even increased the number of flats from 9 to 10. Really? Does the applicant really think that what we as councillors, and all the residents who sent in objections were really clamouring for was a revised development with more flats squeezed onto the land's footprint. You can see quite clearly when you compare the latest site plan (AL(90)10 PROPOSED SITE PLAN REV D74332420000.PDF) with the previous version, the footprint of the development has got bigger! There is now no room along the side of the building for the refuse store/cycle spaces, and along the other side the space has been reduced to a tiny alleyway by the increased size of the building. This also means that the refuse store/cycle spaces has moved to where the amenity space was previously, cutting the previously planned amenity space in half, and removing all grass. The proposed development is still to demolish four perfectly good Victorian buildings and replace them with a three storey building that towers over the neighbouring properties, constituting an overdevelopment in the area and changing the character of the area. The lack of any on site car parking will have an even greater impact on local parking than the previous plans.*

#### Overdevelopment and change of character to the area

*A three storey development containing 10 flats, on such a small site in a built up area, where all other properties in the immediate area are on average only two story buildings is a considerable overdevelopment, and will be a detrimental change to the character of the area. LDP H5.22 states that developments should have "a lower visual impact on the street scene by preserving the existing frontage and respecting the character of an area." Strathnairn Street is a street of distinctive well used Victorian residential houses, and the proposal to remove 4 perfectly good houses currently in use to be replaced by 9 dwelling units in an already overcrowded residential area*

*means that this requirement is not met. Additionally as per KP5 of the LDP, none of the proposed development's scale, form, massing, height, density, colour, materials, detailing could be described as in keeping with the distinctive Victorian residential houses in the area, and certainly not in keeping with the local character and context of the built and landscape setting. The proposed development bears no resemblance to the distinctive local Victorian architecture, heritage or fabric of the area.*

#### *Impact on Neighbours*

*It can be clearly seen from the submitted plans that the roofline of the proposed development is higher than the height of the roofline of the entire residential houses in the surrounding area. The height of the proposed property will greatly overshadow the rooms and gardens of the neighbouring houses, blocking out natural light. This will also impact on neighbouring properties' privacy: the proposed flats on the higher levels will have a clear view into neighbour's gardens and rooms. The over development of Strathnairn Street and reducing family housing stock will have a significant detrimental effect on the local community, in contravention of LDP H5: i. The cumulative impact of such conversions will not adversely affect the amenity and/or the character of the area. And KP5 of the LDP: x. Ensuring no undue effect on the amenity of neighbouring occupiers and connecting positively to surrounding communities;*

#### *Lack of Amenity Space*

*The amenity space offered in the plans is even more non-existent compared to the last iteration of the proposed development, and clearly deficient for a development of 10 flats; in fact the amenity space has been cut in half (compared to the previous plans) to accommodate the refuse store/cycle spaces, as they can no longer fit into the side of the building due to the increase proposed size. The lack of grass shows that all pretence at amenity space has been removed.*

#### *Local Parking*

*The lack of any on site parking for a development of this size will mean this is still a significant additional burden on local parking in the surrounding streets. There is already pressure on parking from customers of the shops on Albany Road/Wellfield Road, and a large Primary School on the same street, making it difficult for residents to park, and a development with the potential for many additional cars would exacerbate the situation, with a knock on effect on all the neighbouring streets. This would create great inconvenience for the existing residents in the area in contravention of KP5 of the LDP: x. Ensuring no undue effect on the amenity of neighbouring occupiers and connecting positively to surrounding communities.*

7.5 Jo Stevens MP objects to the application, as follows:

*I note these are new plans submitted on 04/01/2019, following the withdrawal*

*of the previous planning application (18/01018/MNR) after significant local opposition. There is very little difference between these latest plans and the two previous attempts when considering the main causes for concern from local residents.*

*A large number of my constituents who live near to the proposed development have contacted me again to express their objection to the plans, and frustration with the process. So further to my previous objections to this proposed development under application number 18/01018/MNR, I am writing again to object to the proposed development.*

*Much like the previously amended plans, these newly amended plans do not address any of the key objections we had to the original plans. This latest proposal actually causes further concern as the number of proposed properties has increased from 9 to 10.*

*I also note from the new plans that the footprint of the development is enlarged, meaning there is now no room along the side of the building for refuse/cycle spaces, and along the other side the space has been reduced to a small alleyway due to the increased size of the building. This also means that the refuse/cycle spaces have moved to where the amenity space was previously, cutting the previously planned amenity space in half, and removing the grass.*

*The proposed development is still to demolish four perfectly good Victorian buildings and replace them with a three storey building that towers over the neighbouring properties, constituting an overdevelopment in the area and changing the character of the area to its detriment. I have real concerns about the precedent that approving a proposal of this nature would set for the city.*

*A three storey development containing 10 flats on such a small site in a built up area, where all other properties in the immediate area are on average only two storey buildings is considerable overdevelopment, and will be a detrimental change to the character of the area. Strathnairn Street is a street of distinctive well used Victorian residential houses and the proposal to remove 4 perfectly useful houses currently in use, to be replaced by 10 dwelling units is excessive. Additionally as stated in KP5 of the LDP, none of the proposed development's scale, form, massing, height, density, colour, materials, detailing could be described as 'in keeping' with the area, and certainly not in keeping with the local character and context of the built and landscape setting. The proposed development bears no resemblance to the distinctive local Victorian architecture of the surrounding local area.*

*It is obvious from the submitted plans that the roofline of the proposed development is higher than the height of the roofline of the residential houses in the surrounding area. The height of the proposed development will overshadow the rooms and gardens of neighbouring houses – blocking out natural light and impacting on neighbouring properties' privacy. The proposed flats on the higher levels will have a clear view into neighbour's gardens.*

*The lack of an onsite parking for a development of this size will mean this is still a significant additional burden on local parking in the surrounding streets. There is already pressure on parking from customers of the shops on Albany Road/Wellfield Road, and a large primary School on the same street, making it difficult for residents to park, and a development with the potential for many additional cars would exacerbate the situation, with a knock on effect on all the neighbouring streets. This would cause great inconvenience for the existing residents in the area in contravention of KP5 of the LDP: x. Ensuring no undue effect on the amenity of neighbouring occupiers and connecting positively to surrounding communities.*

7.6 David Melding AM has commented on the application, summarised as follows:

*I've been contacted by local residents regarding planning application 19/00017/MNR. They have highlighted to me a number of concerns about the proposal which include overlooking, parking and the design of the new building. Looking at the plans the design appears to be different to the existing local vernacular. In fact the application appears to have a very similar design to withdrawn application 18/01018/MNR. Therefore could I respectfully ask that the application is heard by the full planning committee (rather than decided under delegated powers) and that the committee undertake a site visit before reaching a decision to see if granting this application would set a local precedent.*

## 8. **ANALYSIS**

### 8.1 Policy

National Planning policy encourages the provision of additional housing stock within previously developed or existing residential land. Paragraph 4.2.17 of Planning Policy Wales states that *'Maximising the use of suitable previously developed and/or underutilised land for housing development can assist regeneration and at the same time relieve pressure for development on greenfield sites.'* Policy KP5 of the Local Development Plan is applicable to all new development and the Infill Sites SPG provides advice and summary with regard to infill development. Explanation of how the proposed development accords with policy and guidance is provided below.

### 8.2 Design

Policy KP5 of the Local Development Plan states that *'all new development will be required to be of a high quality, sustainable design and make a positive contribution to the creation of distinctive communities, places and spaces by: responding to the local character and context of the built and landscape setting so that the layout, scale, form, massing, height, density, colour, materials, detailing and impact upon the built and natural heritage are all addressed within development proposals.'* With regard to site redevelopment the Council's Infill Sites SPG paragraph 2.13 advises that *'It is important to strike a balance between maintaining the established positive character of a residential street and introduce 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'. Paragraph 3.12 advises that 'Infill development needs to be sensitive to its immediate surroundings and respond well to the built context'.*

It is considered that the proposed building would respond to the local character and context of the built setting by virtue of its scale, massing and height. Although the proposed building would be taller (1m) at eaves and ridge heights than the existing buildings facing Strathnairn Street, it is not considered that the proposed height would cause harm to the street scene having regard that it would be detached from the existing terrace by 1.2m and accordingly present itself as a 'bookend' feature to the terrace due to its setting at the end of the terrace. A limited height increase at corner locations is supported in this manner. The proposed building facing Cottrell Road would be appropriately sub-ordinate to the main elevation facing Strathnairn Street, respecting the street scene of Cottrell Road by virtue of the lower height towards the south end of this elevation which would be no higher than the eaves of the rear annexe of the existing corner building. The proposed scale is therefore considered acceptable in relation to the existing buildings.

The proposed front facing dormer window gables to Strathnairn Street are considered appropriate having regard that they would be of minimal height in relation to the roof slope. The proposed materials are considered appropriate having regard that a mixture of stone, render and brick materials are used within the locality. Accordingly, it is considered that the proposal is compliant with Policy KP5 and the Infill Sites SPG.

### 8.3 Residential Amenity

The proposed building would be set back from the boundary with no. 158 Strathnairn Street by a similar distance (1.2m) as the existing two storey rear annexe of no. 160 and would project by 1.3m less to the south than the existing two storey annexe. The main element would be set back from the boundary with nos. 153, 155, 157, 159, 161 & 163 Glenroy Street by 10m and the gable end of the element along Cottrell Road would be set away from the southern boundary by a greater distance (1.4m) than the existing two storey coach house which directly adjoins that boundary. In addition it is noted that there is an existing single storey garage adjacent to half of the southern boundary and the proposed building would be orientated to the north and therefore should not result in any unacceptable overshadowing to the adjoining gardens. The building would be positioned at least 13.5m from the front elevations of existing dwellings on the opposite sides of Strathnairn Street and Cottrell Road similar to the existing front window to window separation distances across the streets, and would not result in unreasonable loss of light in accordance with standard daylighting/overshadowing analysis techniques demonstrated by drawings provided.

It is noted that the first and second floor south facing windows of the rear elevation would be sited approximately 10m from the boundaries with nos. 153, 155, 157 Glenroy Street and the first and second floor west facing windows of the rear elevation would be sited approximately 9m from the boundary with no. 158 Strathnairn Street. As these distances would be less than the minimum of 10.5m upper level window to boundary specified by the Infill Sites SPG condition 7 is considered necessary to ensure these windows are obscure glazed and non-opening below an internal height of 1.7m.

#### 8.4 Internal/External Space

The internal floor area of all flats satisfies the minimum requirements with the smallest flats having an internal floor area of 45 square metres, and the outlook from all living areas is considered adequate. An adequate external amenity area of approximately 65 square metres would be provided to the rear, accessible by all flats.

#### 8.5 Waste Management

Refuse storage can be satisfactorily accommodated within the external area to the rear without compromising the use/area of the amenity space, and the side entrance/path are of sufficient width for the bins to manoeuvred to the kerb. Condition 5 is considered necessary to ensure the storage area for containers is provided prior to beneficial occupation.

#### 8.6 Transportation

The Managing Transportation Impacts (Incorporating Parking Standards) SPG identifies no requirement for off street parking, and provision of cycle parking at a minimum ratio of 1 space per bedroom. The proposal is therefore considered to be car parking policy compliant with no off street parking spaces. The site is also in a sustainable location near to bus routes. Details of satisfactory secure and sheltered cycle storage have been submitted indicating provision of independently accessible undercover cycle storage. Condition 6 is considered necessary to ensure the cycle storage is provided prior to beneficial occupation and thereafter retained.

#### 8.7 Other Considerations

Further to the request from Housing Strategy for a financial contribution of £138,852 in lieu of on-site affordable housing provision, the applicant has undertaken a viability assessment which indicates that the contribution would make the scheme unviable. The District Valuation Service has carried out an independent review of the assessment using current costs and values, which has concluded that the scheme is unviable after the provision of the contribution requested. Housing Strategy have been advised of this and accept the findings of the DVS. In light of the above and having regard that the contribution could become viable in the future, a non-standard commencement condition has been imposed requiring development to

commence within three years instead of five. It is for the Local Planning Authority to consider whether the failure to provide appropriate mitigations in the form of planning obligations is, in itself, grounds for refusal of planning consent. In this instance, the proposal is considered to be acceptable in planning terms for the reasons discussed above.

## 8.8 Representations

The representations received from the neighbouring residents, Cllrs Peter Wong, Daniel De'Ath and Mary McGarry, Jo Stevens MP and David Melding AM are noted. Specific issues are addressed as follows:

- a) Overdevelopment/higher scale than surrounding streets. The proposal is considered acceptable in accordance with Policy KP5 of the Local Development Plan and the Council's Infill Sites SPG as detailed within the design analysis.
- b) Effect on the character of the area. The proposal is considered acceptable in accordance with Policy KP5 of the Local Development Plan and the Council's Infill Sites SPG as detailed within the design analysis.
- c) Inadequate parking and traffic impacts. The proposal is compliant with the Council's adopted Managing Transportation Impacts (Incorporating Parking Standards) SPG with no off street parking provision as detailed within the above analysis and confirmed by Transportation.
- d) Loss of privacy/overlooking of adjoining properties. It is not considered that the proposal would result in any unreasonable loss of privacy or overlooking to adjoining properties as detailed within the amenity analysis, subject to condition 7.
- e) Loss of light to adjoining properties. It is not considered that the proposal would result in any unreasonable overshadowing to adjoining properties as detailed within the amenity analysis.
- f) Lack of amenity space. It is considered that the proposed external amenity area of adequate size and useable form as detailed within the above analysis.
- g) Loss of historic buildings. The existing buildings are not afforded any protection in planning terms as they are not listed or located within a conservation area.
- h) Loss of family accommodation. There is no planning policy to protect family accommodation and no policy or specific supplementary planning guidance in terms of thresholds/saturation which the Council could rely on to support a refusal.
- i) Faster turnover of tenants. Not a material planning matter, there is no planning control upon the length of a tenancy.
- j) Noise/air pollution during demolition/construction. Construction noise and dust can be controlled under the Control of Pollution Act 1990.
- k) Noise/smell to adjoining property as a result of bin storage adjacent to side wall. The location of the bin store is considered acceptable as detailed above.
- l) Structural damage and loss of insulation to adjoining property following demolition. The creation of a gap between the proposed building and adjoining dwelling is considered appropriate in planning terms, any matter

with regard to the party wall would be a private civil matter between the property owners concerned as set out by the party wall legislation.

- m) Security of adjoining properties following demolition. The responsibility to enclose the site by fencing/hoardings following demolition would rest with the developer, and replacement boundary enclosures are proposed where applicable.
- n) Risk to pedestrians including school children who walk past the site during demolition/construction. The responsibility to enclose the site by fencing/hoardings following demolition would rest with the developer as required by Highways. The parking of vehicles, skips and equipment on the footway/highway during development is not a matter which can be controlled under planning legislation, and would be subject to any necessary permits by the Council's Highways division.
- o) Impact on wildlife/bats. It is not considered that the proposal would result in adverse impact upon wildlife/bats, the Council's ecologist has advised that the site is more than 400m from any suitable feeding grounds for bats, such as parks, woodland or open water therefore it is unlikely that bats would roost in these properties.
- p) Precedent for similar developments within the area. All planning applications are considered on their own merit.
- q) Devaluation of properties and effect on insurance premiums. Not a material planning matter.
- r) Impact upon health and wellbeing. It is not considered that the proposal would cause 'demonstrable' harm to health and wellbeing. Construction noise and dust would be controlled under the Control of Pollution Act 1990.
- s) Potential asbestos from demolition. Not a material planning matter, removal of asbestos would be controlled by the Health & Safety Executive.
- t) Inadequate notification/publicity of the application. Addresses adjoining and opposite the application site were notified by letter on 15/01/19 and site notices were displayed at Strathnairn Street and Cottrell Road on the same day having regard to the representations received in response to the previous application. The applicant's agent also carried out a pre-application consultation with 20 neighbouring addresses and local Councillors between 20th November and 18th December 2018. Paragraph 12 (5) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 is applicable to a non-major development of this category which states that: the application must be publicised by giving requisite notice— (a) by site display in at least one place on or near the land to which the application relates for not less than 21 days; or (b) by serving the notice on any adjoining owner or occupier. There is no requirement for the Council to notify those who submitted comments on a previous application of a subsequent application if they are not given requisite notice as an adjoining owner or occupier. The Council has therefore complied with the legal obligation to publicise the application by sending letters to adjoining addresses and by displaying site notices, and in this case has exceeded the minimum statutory requirement by undertaking more than one of the publication methods.

## 8.9 Other Legal Considerations

*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.

*Equality Act 2010* – The Equality Act 2010 identifies a number of ‘protected characteristics’, namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council’s duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.

*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.

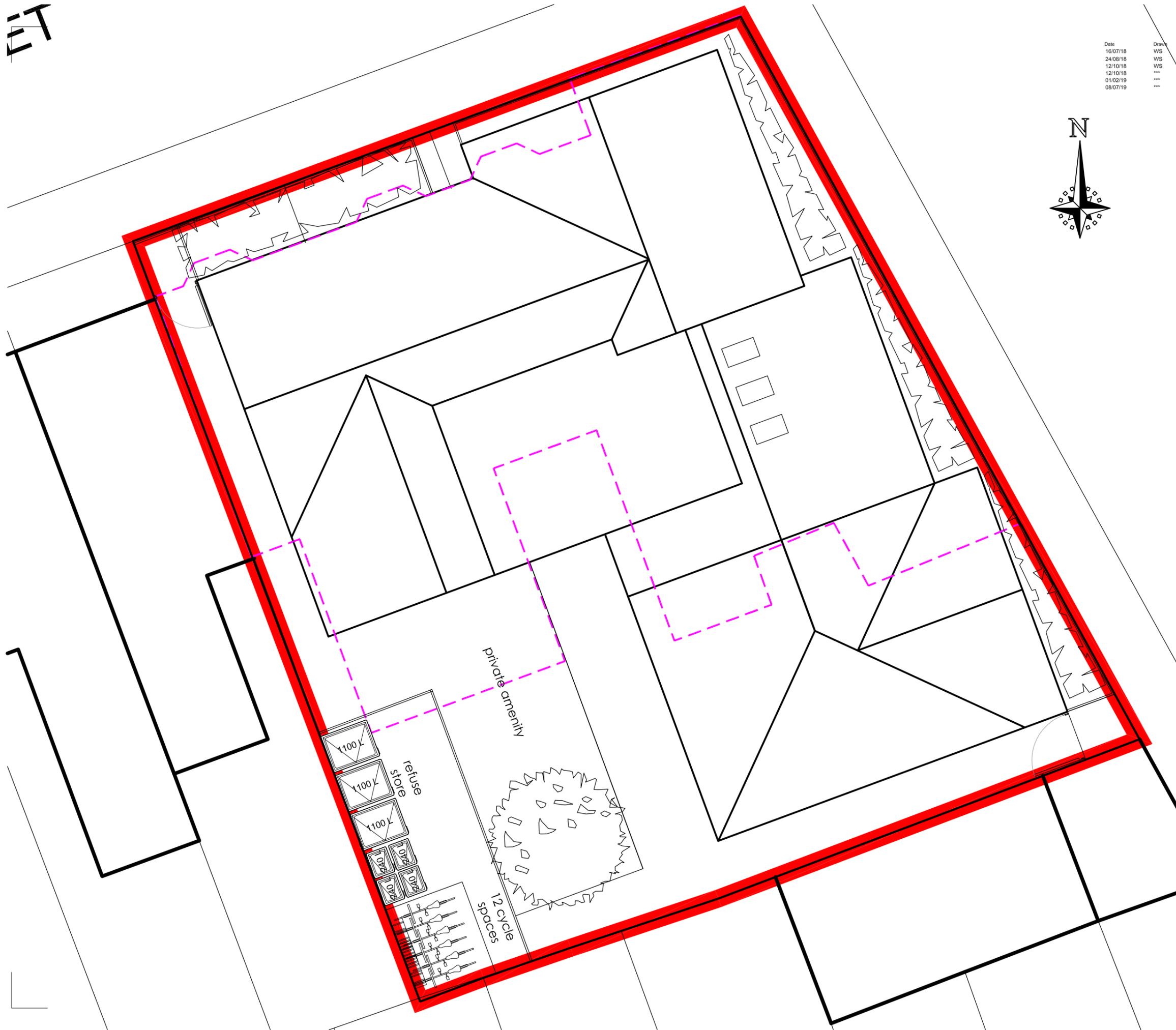
## 8.10 Conclusion

It is concluded that the application is acceptable in accordance with the planning policies listed, and is recommended that planning permission be granted, subject to conditions.

ET

Date	Drawn	Check	Description
16/07/18	WS	***	Parking changed to amenity space.
24/08/18	WS	***	Roof plan amended
12/10/18	WS	***	Roof plan amended
12/10/18	***	***	Plans updated following planning comments
01/02/19	***	***	Plans updated following planning comments
08/07/19	***	***	Plans updated following planning comments

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--- Footprint of Original Buildings

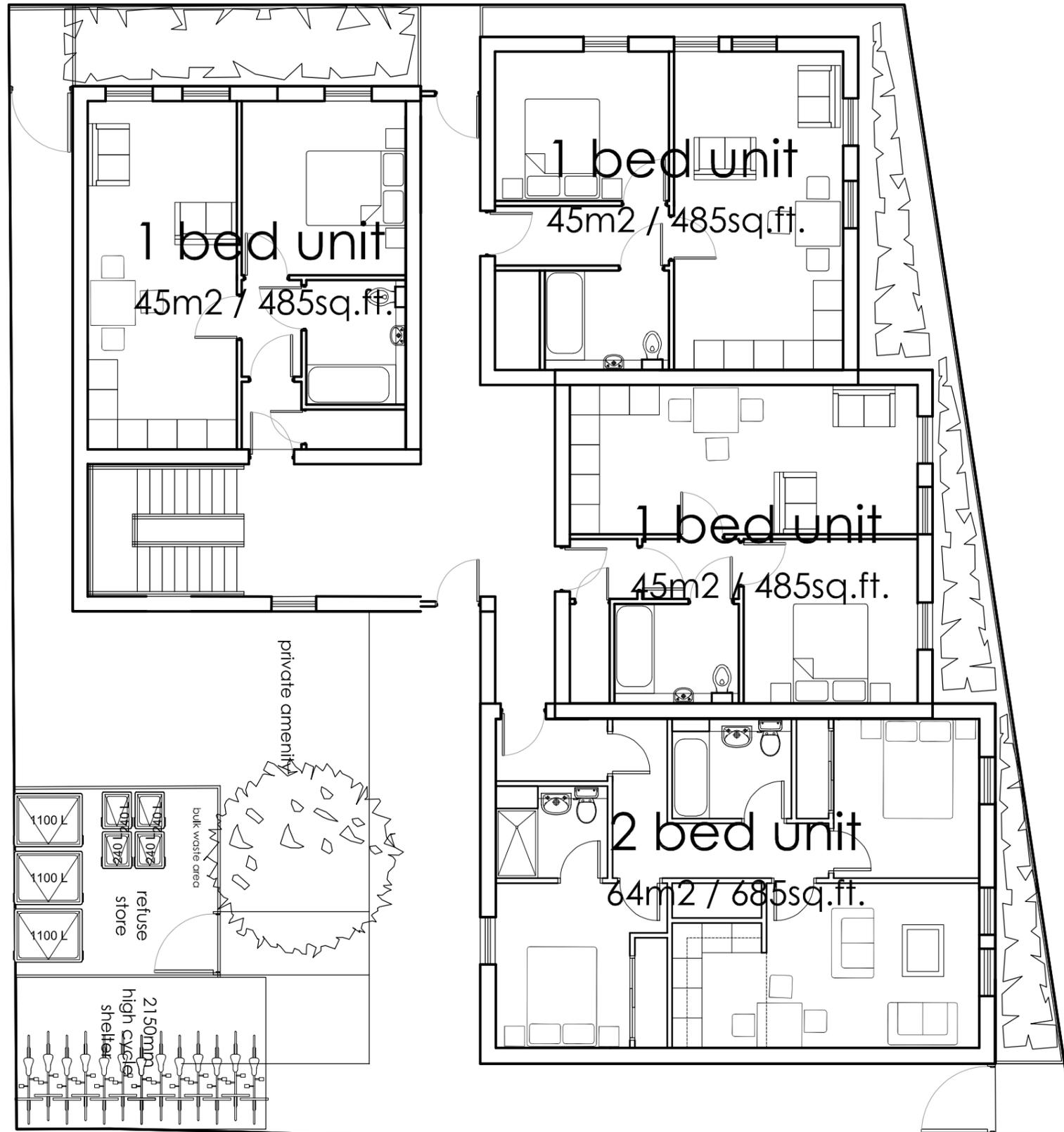
Proposed redevelopment 160-166 Strathnairn Street Roath, Cardiff		Job No. 17_082	Rev. F
Title Proposed Site Plan		Dwg No. AL(90)10	
Date	Drawn IWJ	Scale 1:100	

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tel: 029 20452100

Date	Drawn	Check	Description
16/07/18	WS	***	Parking changed to amenity space.
19/09/18	WS	***	Plans updated following planning comments
12/10/18	WS	***	Plans updated following planning comments
01/02/19	WS	***	Plans updated following planning comments
01/02/19	WS	***	Plans updated following planning comments
08/07/19	WS	***	Plans updated following planning comments

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Ground Floor

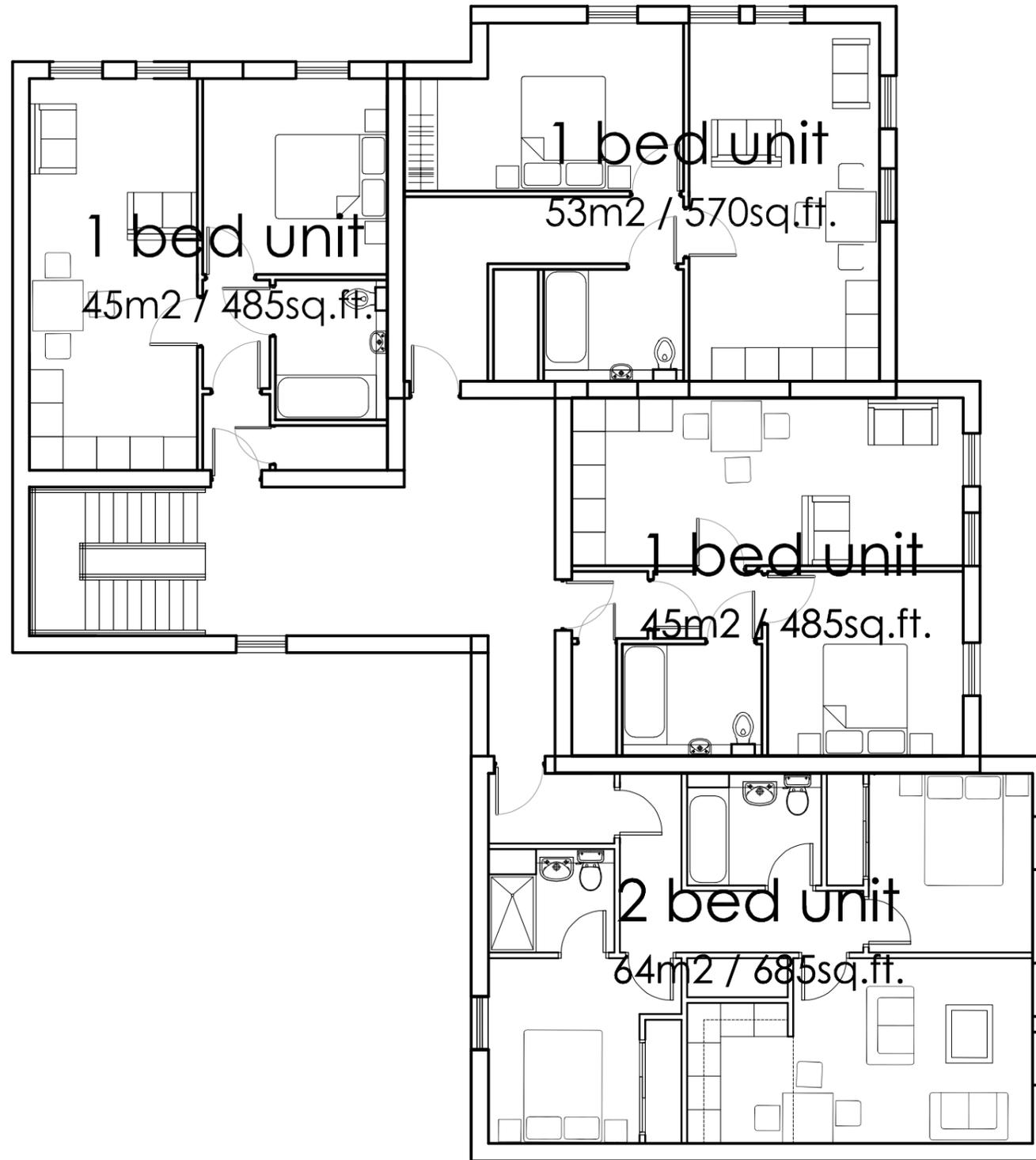
Proposed redevelopment 160-166 Strathnairn Street Roath, Cardiff		Job No. 17_082
Title Proposed Ground Floor Plan		Dwg No. Rev. AL(0)05 F
Date	Drawn IWJ	Scale 1:100

**C<sup>2</sup>** Architects · Town planners  
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Pacific Road, Cardiff, CF24 5HL [www.c2architects.co.uk](http://www.c2architects.co.uk)  
t: 029 20452100

Date	Drawn	Check	Description
19/09/18	***	***	Plans updated following planning comments
12/10/18	***	***	Plans updated following planning comments
01/02/18	***	***	Plans updated following planning comments

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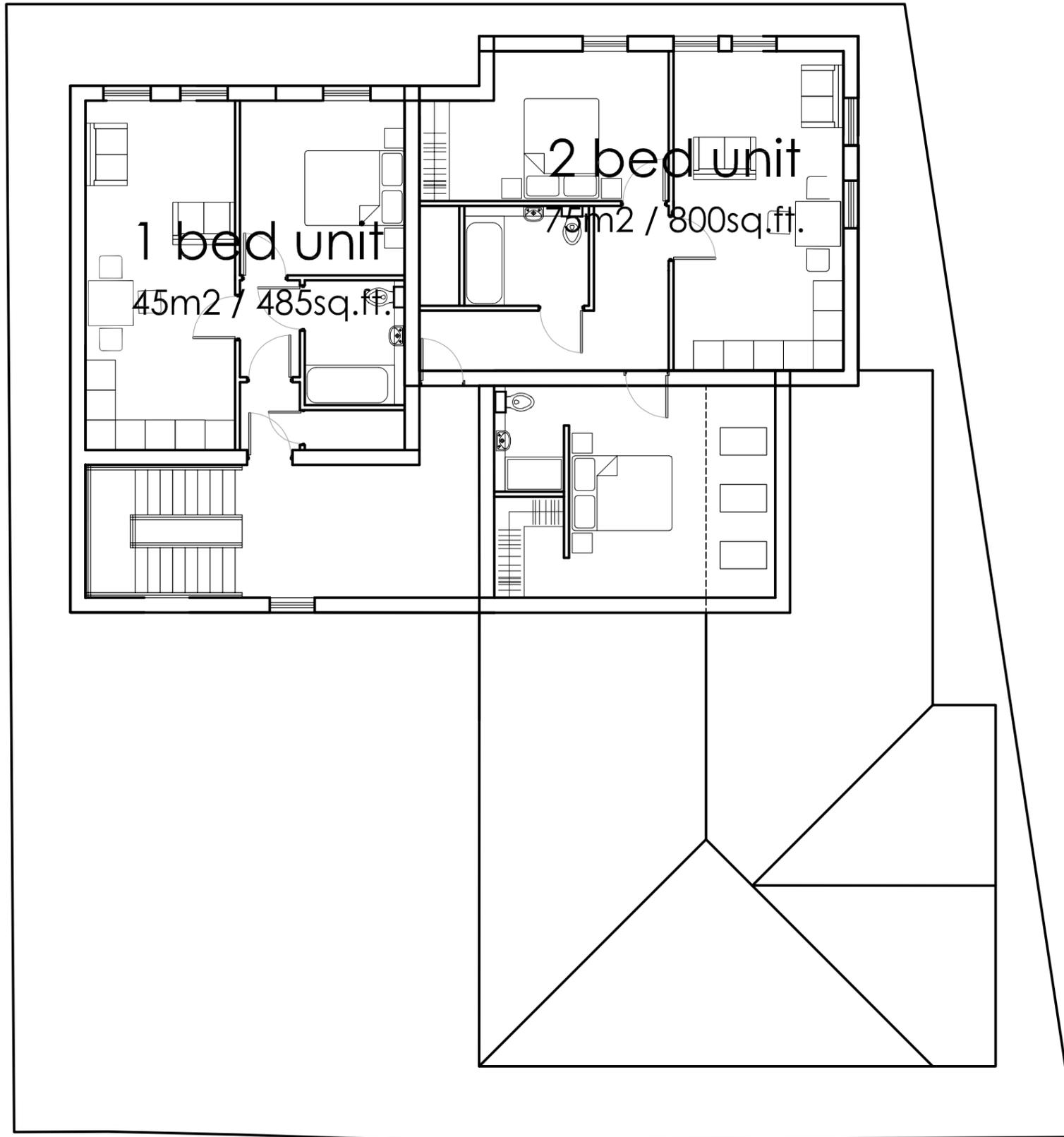


First Floor

Proposed redevelopment 160-166 Strathnairn Street Roath, Cardiff		Job No. 17_082
		Dwg No.      Rev. AL(0)06      C
Title Proposed First Floor Plan		
Date	Drawn IWJ	Scale 1:100
 <b>Architects</b> Town planners <b>Environmental &amp; Urban design</b>		
Unit: 1A, Compass Business Park, Pacific Road, Cardiff, CF24 5HL		www.cj2architects.co.uk tel: 029 20452100

Date	Drawn	Check	Description
24/08/18	***	***	Roof levels dropped, dormers introduced
19/09/18	***	***	Plans updated following planning comments
12/10/18	***	***	Plans updated following planning comments
01/02/19	***	***	Plans updated following planning comments
01/02/19	***	***	Plans updated following planning comments

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# Second Floor

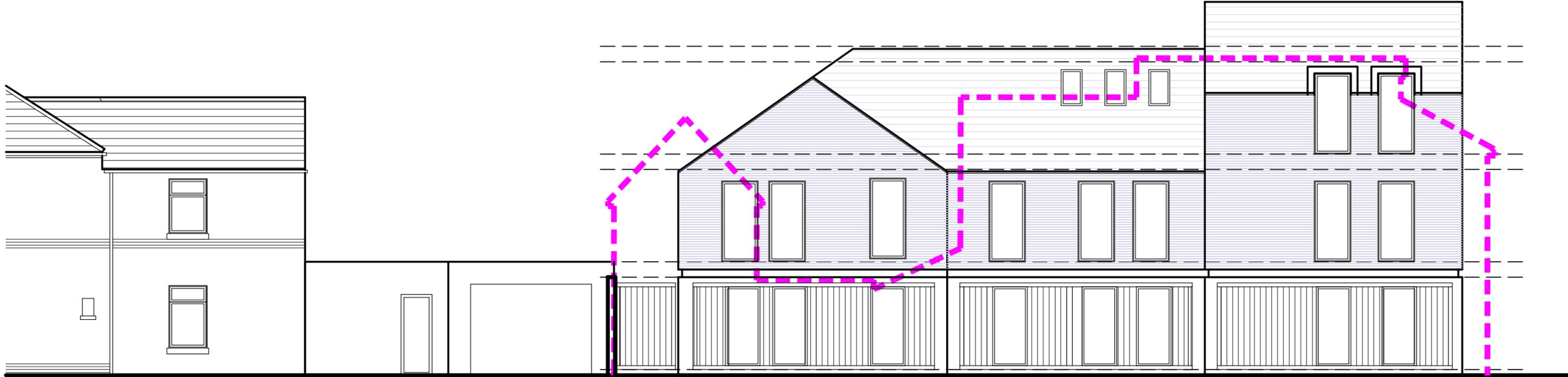
Proposed redevelopment 160-166 Strathnairn Street Roath, Cardiff		Job No. 17_082	Rev. E
Title Proposed Second Floor Plan		Dwg No. AL(0)07	
Date	Drawn IWJ	Scale 1:100	

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Date	Drawn	Check	Description
06/07/18	***	***	Context added to elevations
14/08/18	***	***	Building reduced in height
24/08/18	***	***	Building reduced in height
19/09/18	***	***	Plans updated following planning comments
12/10/18	***	***	Plans updated following planning comments
01/02/18	***	***	Plans updated following planning comments

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Cottrell Road Elevation



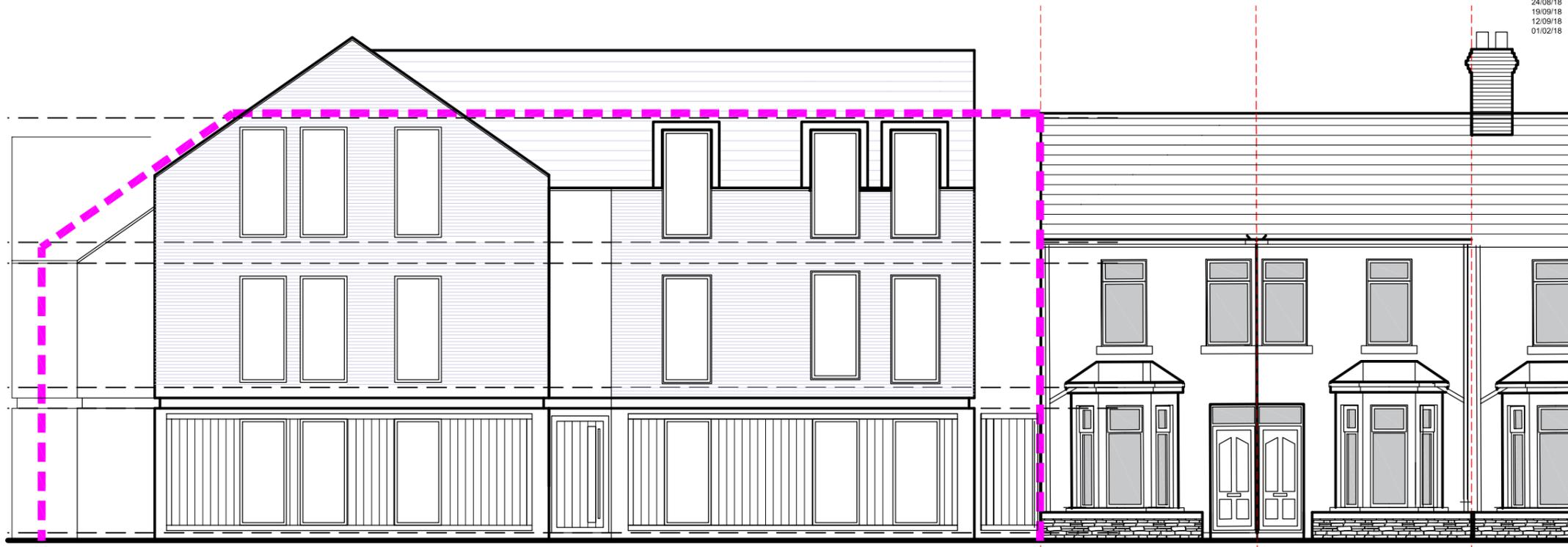
Rear of Strathnairn Street Elevation

Profile of Original Building

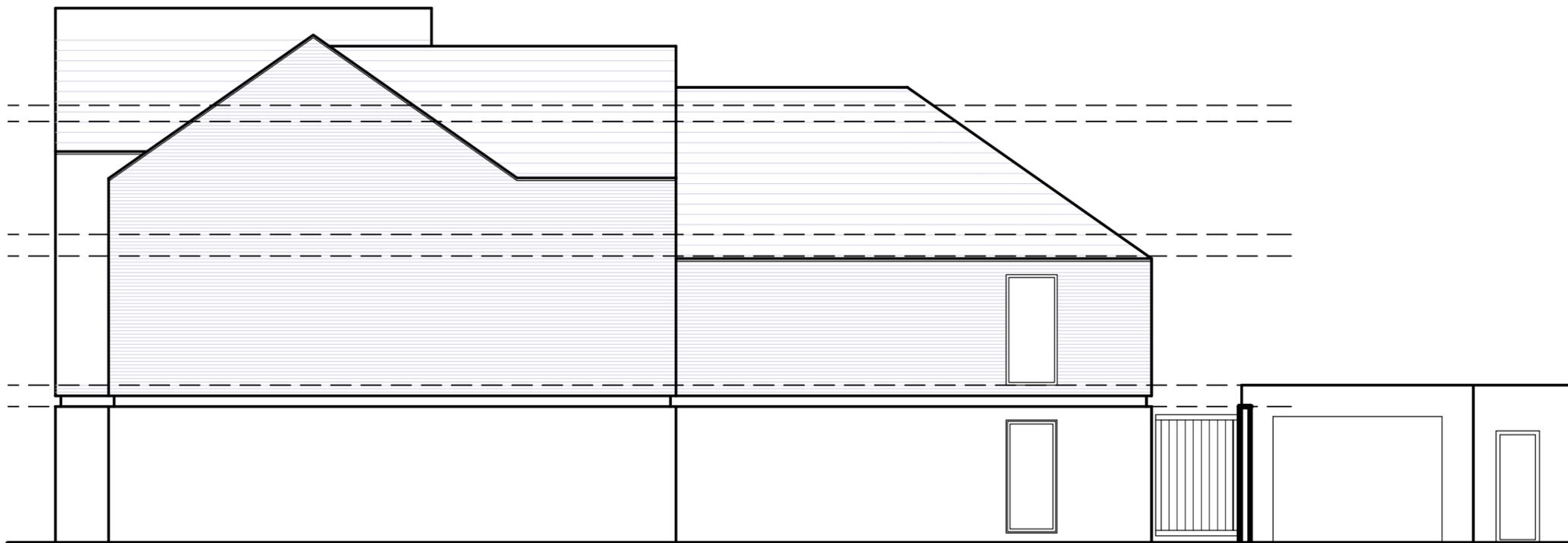
Proposed redevelopment 160-166 Strathnairn Street Roath, Cardiff	Job No. 17_082 Dwg No. AL(0)08	Rev. F
Title Proposed Elevations Sheet 01		
Date	Drawn IWJ	Scale 1:100
		Town planners Environmental & Urban design
<small>Unit 1A, Compass Business Park, Pacific Road, Cardiff, CF24 5HL</small>		<small>www.cjarchitects.co.uk tel: 029 20452100</small>

Date	Drawn	Check	Description
06/07/18	***	***	Context added to elevations
14/07/18	***	***	Building reduced in height
24/08/18	***	***	Building reduced in height
19/09/18	***	***	elevations updated following planners comments
12/09/18	***	***	elevations updated following planners comments
01/02/18	***	***	elevations updated following planners comments

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Strathnairn Street Elevation



Rear of Cottrell Road Elevation

Profile of Original Building

Proposed redevelopment 160-166 Strathnairn Street Roath, Cardiff	Job No. 17_082 Dwg No. AL(0)09	Rev. F
Title Proposed Elevations Sheet 02		
Date	Drawn IWJ	Scale 1:100
		Town planners Environmental & Urban design
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