

COMMITTEE DATE: 21/04/2021

APPLICATION No. **20/02068/MJR** APPLICATION DATE: 13/10/2020

ED: **LLANISHEN**

APP: TYPE: Full Planning Permission

APPLICANT: Cardiff Council Housing

LOCATION: IORWERTH JONES HOME FOR THE ELDERLY,  
TRENCHARD DRIVE, LLANISHEN, CARDIFF, CF14 5LJ

PROPOSAL: PROPOSED DEVELOPMENT OF 20 COUNCIL HOMES,  
SUSTAINABLE DRAINAGE PROPOSALS, LANDSCAPE  
PLANTING INCLUDING AN ECOTONE, AND  
ASSOCIATED WORKS (AMENDED PLANS)

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**RECOMMENDATION 1:** That planning permission be **GRANTED** subject to the applicant entering a **SECTION 106** Unilateral Undertaking as described in Section 9 of this report and the following conditions:

1. C01 Statutory Time Limit
2. This approval is in respect of the following drawings and documents:

Location Plan	3822-PEN-ZZ-ZZ-DR-A-1000-S4-P2
Proposed Site Layout	3822-PEN-ZZ-ZZ-DR-A-1101-S4-P18
Street Elevations	3822-PEN-ZZ-ZZ-DR-A-1700-S4-P4
House Floor Plans & Elevations - Type A	3822-PEN-ZZ-ZZ-DR-A-2000-S4-P6
House Floor Plans & Elevations - Type A2	3822-PEN-ZZ-ZZ-DR-A-2100-S4-P6
House Floor Plans & Elevations - Type B	3822-PEN-ZZ-ZZ-DR-A-2200-S4-P6
House Floor Plans & Elevations - Type C	3822-PEN-ZZ-ZZ-DR-A-2300-S4-P6
House Floor Plans & Elevations - Type C2	3822-PEN-ZZ-ZZ-DR-A-2400-S4-P6
House Floor Plans & Elevations - Type D	3822-PEN-ZZ-ZZ-DR-A-2500-S4-P6
House Floor Plans & Elevations - Type D2	3822-PEN-ZZ-ZZ-DR-A-2600-S4-P7
House Floor Plans & Elevations - Type E	3822-PEN-ZZ-ZZ-DR-A-2700-S4-P6
House Floor Plans & Elevations - Type F	3822-PEN-ZZ-ZZ-DR-A-2800-S4-P7
Boundary Details	3822-PEN-ZZ-ZZ-DR-A-1500-S4-P2
Schedule of Accommodation	3822-PEN-ZZ-ZZ-SA-A-8000-S4-P1
Design and Access Statement	
Pre-Application Consultation Report	
Landscape drawing	
Preliminary Ecological Appraisal Report	
Preliminary Ecological Appraisal Update	
Bat Report	
Geotechnical & Geo-environmental Site Investigation Report	
Gas Monitoring letter	
Pre – Development BS5837 Tree Survey	
Tree Removal and Protection Plan	
Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Retention and Protection Plan	
Topographical Survey	
Noise Assessment Report	
Flood Consequence Assessment	

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

3. No building shall be occupied until the drainage system for the site has been completed in accordance with the approved details. Thereafter no further surface water and/or 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 (LDP Policy EN11).

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

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / 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.

5. The remediation scheme approved by condition 4 must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2017), unless the Local Planning Authority agrees to any variation.

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

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

7. Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

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

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

accordance with policy EN13 of the Cardiff Local Development Plan.

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

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

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

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

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

10. No development or phase of development, including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- Construction methods: details of materials, how waste generated will be managed;
- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures.
- Soil Management: details of topsoil strip, storage and amelioration for re-use.
- CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
- Control of Nuisances: details of restrictions to be applied during

construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures; measures to control light spill and the conservation of dark skies.

- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures, incident response plan and wheel washing facilities.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details The CEMP shall be implemented as approved during the site preparation and construction phases of the development.
- Wheel Washing details.
- Delivery vehicle routing.

Reason: A CEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction (LDP Policy EN 13 and T6).

11. 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 and that are based on the finalised design:

- 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 sent to the LPA during the different phases of development and demonstrating how the approved tree protection measures have been complied with.

- 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 and landscape; the measures for their protection; to monitor compliance and to make good losses (LDP Policy EN8).

12. Any pruning necessary to implement the planning permission shall be undertaken in accordance with British Standard 3998: 2010 'Tree Work' or any Standard that replaces it.

Reason: The trees are of value in the local environment and should be protected and maintained in good condition (LDP Policy EN8).

13. 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 soft landscaping implementation programme.
- Scaled planting plans prepared by a qualified landscape architect.
- Evidence to demonstrate that existing and proposed services, lighting, CCTV, drainage and visibility splays will not conflict with proposed planting.
- Schedules of plant species, sizes, numbers and densities prepared by a qualified landscape architect.
- Scaled tree pit sectional and plan drawings prepared by a qualified landscape architect that show the Root Available Soil Volume (RASV) for each tree.
- Topsoil and subsoil specification for all planting types, including full details of soil assessment in accordance with the Cardiff Council Soils and Development Technical Guidance Note, soil 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.
- Planting methodology and post-planting aftercare methodology prepared by a qualified landscape architect, including full details of how the landscape architect will oversee landscaping implementation and report to the LPA to confirm compliance with the approved plans and specifications.

The submitted details shall be consistent with other plans submitted in support of the application and the landscaping shall be carried out in accordance with the approved design and implementation programme.

Reason: To enable the Local Planning Authority to determine that the proposals will maintain and improve the amenity and environmental value

of the area, and to monitor compliance (LDP Policy EN8).

14. Any newly planted trees, plants or hedgerows, which within a period of 5 years from the completion of the development die, are removed, become seriously damaged or diseased, or in the opinion of the Local Planning Authority (LPA) otherwise defective, shall be replaced.

Replacement planting shall take place during the first available planting season, to the same specification approved in discharge of condition 13.

Reason : In the interests of the visual amenities of the area (LDP Policy EN8).

15. Prior to above-ground development commencing details showing the provision of cycle parking spaces, and appropriate access to them, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development being put into beneficial use. Thereafter the cycle parking spaces shall be maintained and shall not be used for any other purpose.

Reason: To ensure that adequate provision is made for the sheltered and secure parking of cycles (LDP Policy T1)

16. Prior to development commencing a Car Parking Strategy and Management Plan shall be submitted to and approved in writing by the Local Planning Authority, to include details of residential car parking allocation, and how this will be controlled and communicated to residents. The approved details shall remain in place following beneficial occupation.

Reason: To ensure the proposed car parking does not result in operational concerns and accords with policies (LDP policy T5).

17. Prior to development commencing details of the proposed highway and pedestrian works shall be submitted to and approved in writing by the Local Planning Authority, to include details of the two new crossovers with Trenchard Drive, the proposed footways (including the new northern path and its connection with Crystal Glen), parking restrictions on Crystal Glen, footway resurfacing, stopping up/reinstating former crossovers, and improvements to the Crystal Glen/Trenchard Drive junction.. Those details shall be implemented prior to beneficial occupation.

Reason: To ensure that the use of the proposed development does not interfere with the safety of traffic or pedestrian accessibility (LDP Policy T1).

18. Prior to occupation an adopted highway plan shall be submitted to and approved in writing by the Local Planning Authority, illustrating areas of adopted highway to be stopped up and areas of land to be additionally dedicated as public highway.

Reason: To ensure an appropriate area of public highway is attained following development (LDP policy T5).

19. Samples of the brick to be used shall be submitted to and approved in

writing by the Local Planning Authority prior to above ground construction work commencing on any of the approved dwellings.

Reason: In the interests of visual amenities (LDP Policy KP5)

**RECOMMENDATION 2 :** Following approval of the details required by condition 17 the Highway Authority should be contacted in relation to the required highway agreement process

Following Local Authority approval of condition 18 a stopping up order shall be made to Welsh Government.

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

- (i) determining the extent and effects of such constraints;
- (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates/ soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site;
  - Unprocessed / unsorted demolition wastes.
  - Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
  - Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and
- (iii) the safe development and secure occupancy of the site rests with the developer.

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

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

**RECOMMENDATION 4 :** The applicant is advised that section 3.25 of Planning Policy Wales states that the land use planning system should take account of the conditions which are essential to the Welsh language and in so doing contribute to its use and the Thriving Welsh Language well-being goal. In this context and with regard to the Welsh Language (Wales) Measure 2011, it is recommended



that: (1) developments adopt a Welsh name that is consistent with the local heritage and history of the area, (2) during the construction phase, on site marketing information (i.e. text on construction hoardings / flags / banners – as consented) be provided bilingually and (3) for commercial developments, shopfront / premises signage be provided in Welsh or bilingually. Where bilingual signage is provided, Welsh text must not be treated less favourably in terms of size, colour, font, prominence, position or location (it is recognised that Welsh translation does not extend to company / business names). Cardiff Council's Bilingual Cardiff team ([BilingualCardiff@cardiff.gov.uk](mailto:BilingualCardiff@cardiff.gov.uk)) can provide advice on unique and locally appropriate Welsh names for developments, bilingual marketing / branding and bilingual signage.

**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](mailto:SAB@cardiff.gov.uk).

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

- 1.1 The application seeks consent for the construction of 20 council homes, comprising 13 two-bedroom houses, six three-bedroom houses and one four-bedroom house. Eight of the houses would be semi-detached and the remaining 12 would be in 4 short terraces. The terrace units would each have rear access. The proposal also includes sustainable drainage proposals, landscape planting, car parking, waste storage facilities and associated infrastructure
- 1.2 The elevational treatments of the proposed buildings are contemporary in nature and will consist primarily of brick, to adhere to existing vernacular. Two brick tones are proposed, comprising of a textured cream brick and a dark grey colour. The use of horizontal brick projections on the properties echoes the horizontality seen in the surrounding context, particularly that of the timber cladding.
- 1.3 Reconstituted slate pitched roofs are proposed for the houses, with gable ends fronting the Trenchard Drive to the south, to provide visual interest and correspond to the existing dwellings opposite. The four-bedroom dwelling located on the corner of Trenchard Drive and Crystal Glen is of dual aspect

design, to ensure an active frontage onto both streets. A small parapet has been added to each dwelling.

- 1.4 Where rear gardens or side gardens share a prominent boundary with the public realm, a textured cream brick wall of 2.1m will be erected as a visual continuation of the houses with a soldier course to the top. Shrubs and trees are to be planted in the dwellings front gardens and in the landscaped areas around the site.
- 1.5 Each of the terraced plots along Trenchard Drive and Crystal Glen will have a single car parking space to their frontages with the exception of plots 3 & 16. Plot 16 will have two parking spaces as it is a 6P4B dwelling. For plot 3 their own designated parking space will be located within the private drive directly adjacent their dwelling. Plots 1&2 will have also have parking spaces to the rear of their properties on this private drive. Courtyard plots 6 & 11 will have a single parking spaces located to the side of their properties whilst plots 7, 8, 9 &10 will have 4 allocated spaces within the courtyard.
- 1.6 The footpath that runs between Fishguard Drive and the western edge of the application site would be extended to connect with Crystal Glen. The footpath to the east of Hannah Close would be incorporated into the site as garden and amenity area.
- 1.7 The four bedroom house would accommodate two bedrooms in the roof and would have a maximum height of 11m. The adjoining terraced house would be 9.5m high.

## 2. **DESCRIPTION OF SITE**

- 2.1 The site is located, approximately 5km north of Cardiff city centre. It is broadly rectangular in shape, measuring 0.54 hectares and is sited on the junction of Trenchard Drive with Crystal Glen. The site was formerly occupied by the redundant Iorwerth Jones Centre, a former healthcare facility.
- 2.2 The site is bounded to the north by Coed-y-Caeau woodland, which is designated locally as a Site of Importance for Nature Conservation (SINC), within which the Llanishen Brook flows. Adopted highway bounds the site to the south and east, separating it from further residential units. Wooden fencing bound the western side of the site, which separates the site from the three storey flats of Hannah Close and its parking area.
- 2.3 In the wider context, the site is located in a predominantly residential area. Much of the existing surrounding housing is of 1960s/70s construction; largely consisting of semi-detached housing, short terraces, and three-storey apartment blocks. Some of this housing stock is in the form of a typical 'Radburn' housing layout. This is identifiable by the main vehicular access to dwellings being to the rear, resulting in garages and tall boundary treatments onto roads, whilst fronts of dwellings tend to face onto narrow communal open spaces or pedestrian pathways. The dwellings to the east on the other side of Crystal Glen comprise a row of matching semi- detached dormer bungalows.

- 2.4 The finishing materials of surrounding properties comprise of light brown bricks, and a dark or white cladding, with the houses of the west comprising the same style but are slightly larger with hanging tiles with car parking and garages to the rear of the units. Nine three-storey apartment blocks within the immediate environs of the site are constructed in a render and buff-coloured brick combination, with dark grey concrete roof tiles. The T-shaped blocks are bounded by fencing or dwarf walls with railings, and are a distinct contribution to the local residential character. Each block of flats is provided with courtyard car parking.
- 2.5 In terms of non-residential uses, Coed Glas Primary school is approximately 800 metres north of the site via Crystal Glen then north on Fishguard Road before heading west on Ty-Glas Avenue. Further north beyond the primary school, approximately 1.8km from the site is the Llanishen High School.
- 2.6 A Public Rights of Way (PROW) is located to the north of the site, just beyond Llanishen Brook in the woodland connecting Crystal Glen road to Ty-Glas Avenue. This provides a link to Ty Glas Avenue past Llanishen Rugby Club. The PROW runs alongside Llanishen Brook and through the semi-natural streamside woodland, of Coed-y-Caeau which is a locally designated Site of Importance for Nature Conservation (SINC). Coed-y- Caeau forms the northern boundary of the site, and contributes to the local character which consists of a number of green corridors.
- 2.7 A tarmac path extends from the north west corner of the site along the rear boundary of properties in Trenchard Drive across a footbridge over Llanishen Brook to Fishguard Road. The footpath is straight and illuminated by street lights.
- 2.8 The trees along the northern boundary of the site are part of the much larger Coed-y-Caeau SINC.

### 3. **SITE HISTORY**

- 3.1 19/02853/MNR Demolition of single storey, brick-built building with tiled pitched roof to allow the development of housing Granted 02/12/19. The building has been demolished.
- 3.2 17/02827/MNR Partial change of use from mental health facility (Class C2) to office use (Class B1(A)) Granted 18/01/18

### 4. **POLICY FRAMEWORK**

- 4.1 The following LDP policies are considered relevant

KP1 Level of Growth  
KP4 Masterplanning Approach  
KP5 Good Quality and Sustainable Design  
KP6 New Infrastructure

KP7 Planning Obligations  
KP8 Sustainable Transport  
KP12 Waste  
KP13 Responding to Evidenced Social Needs  
KP14 Healthy Living  
KP15 Climate Change  
KP16 Green Infrastructure  
H3 Affordable Housing  
H6 Change of Use or Redevelopment to Residential Use  
EN8 Trees, Woodlands and Hedgerows  
EN12 Renewable Energy and Low Carbon Technologies  
EN13 Air, Noise, Light Pollution and Contaminated Land  
EN14 Flood Risk  
T1 Walking and Cycling  
T5 Managing Transport Impacts  
T6 Impact on Transport Networks and Services  
C3 Community Safety / Creating Safe Environments  
W2 Provision for Waste Management Facilities in Development

4.2 In addition to the above policies, the following SPGs are considered to be relevant:

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

4.3 PPW Wales (edition 11)

## 5. **INTERNAL CONSULTEE RESPONSES**

5.1 Pollution Control state:

The following information has been submitted as part of the application:

Terra Firma (Wales) Ltd., December 2018; Geotechnical & Geoenvironmental Site Investigation Report: Iorwerth Jones Centre. Ref: 15050.

The above report includes a contamination assessment and an initial ground gas assessment, including site investigation works. (The completed ground gas assessment is on record having been submitted as part of the submissions for PA/20/00020/MJR: Terra Firma (Wales) Ltd, 25th February 2019; Gas Monitoring Letter Report Ref: RH/15050).

Available information indicates that the ground gas regime is identified as being negligible risk, classified as 'Characteristic Situation1' and requiring no specific ground gas protection measures.

The contamination assessment identifies contaminants of concern in relation to the proposed residential use. This would necessitate remediation works to ensure the site was suitable for the proposed use.

Should there be any importation of soils to develop the garden/landscaped areas of the development, or any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use.

Shared Regulatory Services requests the inclusion of the following conditions and informative statement in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan:

#### CONDITIONS

##### PC14B. CONTAMINATED LAND MEASURES – REMEDIATION & VERIFICATION PLAN

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

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / 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.

#### PC14C. CONTAMINATED LAND MEASURES - REMEDIATION & VERIFICATION

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 DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) 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.

#### PC14D. CONTAMINATED LAND MEASURES – UNFORESEEN CONTAMINATION

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

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours

and other offsite receptors in accordance with policy EN13 of the Cardiff Local Development Plan.

#### PC15A IMPORTED SOIL

Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

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

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

#### PC15B IMPORTED AGGREGATES

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

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

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

#### PC15C USE OF SITE WON MATERIALS

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

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

accordance with policy EN13 of the Cardiff Local Development Plan.

## ADVISORY/INFORMATIVE

### R4 CONTAMINATION AND UNSTABLE LAND ADVISORY NOTICE

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

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

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

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

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

5.2 The Parks Officer states:

#### Landscape Design Review Comments

The landscape design review comments are mainly based upon:

- 'Tree Survey Report', July 20
- 'Tree Retention and Protection Plan', Oct 20
- 'Drainage Strategy Plan', 01 Oct 20
- 'Ecological Appraisal Report', Oct 18
- 'Bat Report', Sept 19



- 'AIA AMS Tree Report', Oct 20
- 'Landscape Strategy', Oct 20
- 'Planning Statement', Oct 20
- 'Pre Application Consultation Report' Oct 20
- 'Street Scenes', Jul 20
- 'Boundary Details', Jul 20
- 'Proposed Site Layout' Sept 20
- 'Design and Access Statement', Sept 20

Please review and provide information on the proposed external landscape design within the redline boundary that provides further information on the following:

### SuDS

The applicant has incorporated a raingarden between units 8 and 9 within a central landscaped space. From reviewing the illustrative landscape strategy, it appears the majority of this space has been proposed as a raingarden, with one small area of hardstanding for a bench and stepping stones.

Whilst the concept is supported, please also review additional locations around the development for grey/surface water collection, instead of discharging the majority of surface water in one location. This may allow the central rain garden to be reduced in size, and a larger usable and accessible area to be incorporated within the central rain garden, so that it performs the SuDS function as well as providing usable amenity space.

### Planting

Detailed planting proposals (particularly along Northern boundary) should be responsive to the SINC woodland setting and integrate the ecologists recommendations. Due to the proximity to the SINC, planting throughout the development must exclude species that are invasive (as per Schedule 9 of the Wildlife and Countryside Act), and include native species where appropriate.

Please ensure a 15 metre Ecotone has been incorporated from the edge of the proposed boundary wall along the Northern boundary. Planting directly either side of the footpath along the edge of the proposed eco-tone should be entirely native.

Planting species for the 'rain garden' area must be able to withstand temporary periods of inundation. Details must demonstrate the technical design of the rain garden including the provision of sufficient growing media and drainage.

Detailed planting plans must show the locations of proposed planting, including specifications of species, sizes, numbers and densities as well as specifications for soil types and depths. Tree pit details are required for soft and hard landscape areas (if applicable), including staking / guying, watering pipes / grates / soils and drainage etc.

## Hard Landscape

Hard landscape details are required to show the locations, arrangement and edgings of hard landscape surfacing's and their build up including existing and proposed spot levels. The detailed design of hardscape areas should accord with 'access for all' / DDA principles; minimising slopes, steps and ramps whilst providing adequate drainage. Proposed spot levels are required.

## Boundary Treatments

A timber knee rail is proposed as a boundary treatment for plots fronting on to Crystal Glen and Trenchard Drive (in combination with planting). The applicant should review an alternative more robust and character appropriate detail, such as a well designed low estate rail, picket fence, or other detail under 0.75m. The locations of some of the proposed knee rails are close to turning circles/visibility splays and in risk of being damaged and hit by larger moving vehicles (such as refuge vehicles, moving trucks, or emergency vehicles).

## Central parking / turning area between plots 5/6 and 11/12

Detailed design should review the layout and widths of soft landscape areas and their ability to contain sufficient growing media and drainage sufficient to support the proposed planting. Please also review opportunities for additional tree planting to support Cardiff's Green Infrastructure Strategy. It appears that this area could accommodate additional small tree planting in soft landscape areas, if they were wide enough. For example, if the parking bays between plot 6 and 11 were centralised, a more sufficient width would be created either side for planting and a tree either side. Please review any narrow slithers, such as the planting by plot 12.

## Shared surface design.

The detailed design should consider the provision of a 'safe route' for blind or partially sighted pedestrians, in accordance with the recommendations of Cardiff's Residential Design Guide. This has been generally achieved by providing a contrasting surfacing material (Concrete sett Graphite colour for footways, and Bracken setts for vehicular areas) which helps to highlight a 'safe route'. However, to further support this, please review the proposed driveway surfacing/colours and rumbles strips to further separate vehicle, pedestrian and private areas. Any road surfacing is to be agreed with highways.

The streetscape elevations do not reflect the tree planting shown on the landscape strategy plan. Please review and update.

## Open Space Provision.

These comments relate to the current LDP (C5 Provision for Open Space, Outdoor Recreation, Children's Play and Sport; KP16 Green Infrastructure),

and the 2017 Planning Obligations Supplementary Planning Guidance (SPG), supported by policies set out in the 2008 SPG for Open Space which set the Council's approach to open space provision.

The Council's LDP requires provision of a satisfactory level and standard of open space on all new housing/student developments, or an off-site contribution towards existing open space for smaller scale developments where new on-site provision is not applicable.

Based on the information provided on the number and type of units, I have calculated the additional population generated by the development to be 41.5. This generates an open space requirement of 0.10 ha of on-site open space based on the criteria set for Housing accommodation, or an off-site contribution of £43,058. I enclose a copy of the calculation

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

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

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

Consultation will take place with Ward Members to agree use of the contribution, and this will be confirmed at S106 stage. The closest areas of recreational open space are .....

- St Martin Crescent Open Space
- Coed Y Caeau
- Gleider Field
- Llanishen Park

5.3 Following the submission of amendments the Tree Officer stated:

I recommend conditions as follows: -

Tree protection

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 and that are based on the finalised design:

- 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 sent to the LPA during the different phases of development and demonstrating how the approved tree protection measures have been complied with.

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

Unless written consent is obtained from the LPA, the development shall be carried out in full conformity with the approved AMS and TPP.

Reason: To enable the Local Planning Authority to assess the effects of the proposals on existing trees and landscape; the measures for their protection; to monitor compliance and to make good losses.

#### Tree work to British Standard

Any pruning necessary to implement the planning permission shall be undertaken in accordance with British Standard 3998: 2010 'Tree Work' or any Standard that replaces it.

Reason: The trees are of value in the local environment and should be protected and maintained in good condition.

#### Landscaping

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 soft landscaping implementation programme.
- Scaled planting plans prepared by a qualified landscape architect.
- Evidence to demonstrate that existing and proposed services, lighting, CCTV, drainage and visibility splays will not conflict with proposed planting.
- Schedules of plant species, sizes, numbers and densities prepared by a qualified landscape architect.
- Scaled tree pit sectional and plan drawings prepared by a qualified landscape architect that show the Root Available Soil Volume (RASV) for each tree.

- Topsoil and subsoil specification for all planting types, including full details of soil assessment in accordance with the Cardiff Council Soils and Development Technical Guidance Note, soil 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.
- Planting methodology and post-planting aftercare methodology prepared by a qualified landscape architect, including full details of how the landscape architect will oversee landscaping implementation and report to the LPA to confirm compliance with the approved plans and specifications.

The submitted details shall be consistent with other plans submitted in support of the application and the landscaping shall be carried out in accordance with the approved design and implementation programme.

Reason: To enable the Local Planning Authority to determine that the proposals will maintain and improve the amenity and environmental value of the area, and to monitor compliance.

#### Landscaping Maintenance

Any newly planted trees, plants or hedgerows, which within a period of 5 years from the completion of the development die, are removed, become seriously damaged or diseased, or in the opinion of the Local Planning Authority (LPA) otherwise defective, shall be replaced.

Replacement planting shall take place during the first available planting season, to the same specification approved in discharge of condition \*\*\*\*\* , unless the Local Planning Authority gives written consent to any variation.

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

#### 5.4 The Waste Officer states:

The proposed areas for the storage of waste and recycling and the associated collection points have been noted and are acceptable.

Each property will require the following for recycling and waste collections:

- 1 x 140 litre bin for general waste
- 1 x 25 litre kerbside caddy for food waste
- Green bags for mixed recycling (equivalent to 140 litres)
- 1 x 40 litre kerbside caddy for glass (Due to be introduced later this year)

pending cabinet approval)

The storage of which must be sensitively integrated into the design.

The kitchen should be designed to allow the separation of waste into three waste streams; general, recycling and food waste, in order to encourage the correct disposal of waste.

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

Please be advised that the developers of all new residential units are required to purchase the bin provision required for each unit.. Bulk supplies of individual bins, should be ordered via our bin order form located at [www.cardiff.gov.uk/wasteplanning](http://www.cardiff.gov.uk/wasteplanning).

Please refer the agent/architect to the Waste Collection and Storage Facilities Supplementary Planning Guidance (2016) for further relevant information. [www.cardiff.gov.uk/wasteplanning](http://www.cardiff.gov.uk/wasteplanning)

5.5 The Transport Officer recommends the following conditions:

#### Cycle Parking

Prior to above-ground development commencing details showing the provision of cycle parking spaces, and appropriate access to them, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development being put into beneficial use. Thereafter the cycle parking spaces shall be maintained and shall not be used for any other purpose.

Reason: To ensure that adequate provision is made for the sheltered and secure parking of cycles.

#### Car Parking Management

Prior to development commencing a Car Parking Strategy and Management Plan shall be submitted to and approved in writing by the Local Planning Authority, to include details of residential car parking allocation, and how this will be controlled and communicated to residents. The approved details shall remain in place following beneficial occupation.

Reason: To ensure the proposed car parking does not result in operational concerns and accords with policies.

#### Highway and Pedestrian Works

Prior to development commencing details of the proposed highway and pedestrian works shall be submitted to and approved in writing by the Local Planning Authority, to include details of the two new crossovers with Trenchard Drive, the proposed footways (including the new northern path and its connection with Crystal Glen), parking restrictions on Crystal Glen, footway resurfacing, stopping up/reinstating former crossovers, and improvements to

the Crystal Glen/Trenchard Drive junction. Following approval of these details the highway authority should be contacted in relation to the required highway agreement process. Those details shall be implemented prior to beneficial occupation.

Reason: To ensure that the use of the proposed development does not interfere with the safety of traffic or pedestrian accessibility.

#### Adopted Highway – Stopping Up and Dedication

Prior to occupation an adopted highway plan shall be submitted to and approved in writing by the Local Planning Authority, illustrating areas of adopted highway to be stopped up and areas of land to be additionally dedicated as public highway. Following Local Authority approval a stopping up order shall be made to Welsh Government.

Reason: To ensure an appropriate area of public highway is attained following development.

Also, standard CEMP condition

## 6. **EXTERNAL CONSULTEE RESPONSES**

### 6.1 South Wales Police state:

As it stands, this development does not comply with the Welsh Government's Development Quality Requirements (DQR) for grant funded social housing projects, as it will not achieve the Secured by Design Gold Award due to the reasons outlined in the report.

Please could this be brought to the attention of the social housing provider.

Having reviewed the drawings in respect of the above planning application I would make the following observations with a view to the Secured by Design Gold (SBD) Award being made. This is a requirement under the Development Quality Requirements (DQR) for social housing projects that are grant funded by Welsh Government :-

#### (i) Site layout.

I have concerns in respect of the site layout. There are a number of rat-runs and parkings bays that are not overlooked.

The parking for plots 1, 2, and 3 are not overlooked. Consideration must be given to turning the properties at plots 1, 2 and 3 to overlook these parking bays. Alternatively the entrance to the parking bays must be gated preferably with electric gates with access control fitted that meet SBD standards and specifications.

I do not like the footpath that runs from plot 1 to adjacent to plot 20. This path provides access to the rear gardens of plots 8, 9 and 20 and I do not like the rat-runs off it i.e. in front of plots 6, 7, and 8 and to the rear of plots 9, 10 and 11.

Ideally this path should be designed out. If it is to remain, defensible planting, e.g. thorny bushes, must protect the sides of the rear gardens and the rat-runs off it must be blocked off by 2 metre high railings or walls.

Pedestrian routes must be designed to ensure that they are visually open, direct, overlooked, lit and well used. They must not undermine the defensible space of neighbourhoods as this path and rat-runs off it do. Routes must not ideally be segregated from one another or provide access to rear gardens as such paths have been proven to generate crime. Paths ideally should be 3 metres wide.

Entry onto the estate must be restricted to the designated routes.

(ii) Lighting.

Lighting on the estate must meet the British Standard 5489:2013.

(iii) Boundary identification.

Defensible space using symbolic barriers e.g. pillars, rumble strip, or a change of road surface, i.e. colour or texture, must be built into the design to encourage a feeling of territoriality amongst users especially at the entrance to the development.

There must be a change of surface, i.e. colour or texture to identify public areas from private or semi-private areas e.g. the footpaths from the driveways/front gardens.

Preferably front boundaries would be identified by low walls and gates.

(iv) Landscaping and planting.

Poor landscape design proposals can compromise the safety and security of people and properties. Hiding places can be created and visibility significantly reduced if trees and shrubs are poorly positioned, and species inappropriately chosen and maintained. This may increase the opportunity for crime and increase a person's sense of vulnerability, which ultimately will affect the level of use.

Overgrown shrubs and other thick barriers that are in close proximity to public areas must be avoided and clear sightlines must be maintained over long distances. Windows and doors must not be obscured by landscaping features and trees in public areas must not have any foliage below 2 metres from the ground.

Trees and other landscaping features must not be positioned where they could create hiding/entrapment spaces, obscure signage and lighting or provide a potential climbing aid into properties.

There must be clear lines of sight across the development and clear unobstructed views of the parking bays from the properties.



(v) Vehicle parking.

Vehicle parking must be overlooked preferably by rooms in the properties ideally, that are usually occupied e.g. living rooms, kitchens. During the hours of darkness, the bays must be well illuminated, and they must enjoy good natural surveillance from the properties with unobstructed views.

(vi) Side and rear boundaries.

The walls/fencing and gates preventing access to the rear and sides of the properties must be robust, at least 1.8 metres high (2 metres high if the side or rear gardens are adjacent to open land or a footpath). To prevent it being climbed the perimeter security must be of a suitable design.

Gates must be lockable both sides with a key, the same height as the adjacent wall/fencing and sited at, or as near to, the front building line of the properties as possible.

Rear and side gardens must be secure areas.

(vii) Garden sheds.

Garden sheds should be sited away from the rear fencing or walls to prevent assisting people in climbing over them.

(viii) Bin stores.

Bins must be kept in secure areas.

(ix) Bicycle stores.

Bike stores must be secure, lit and overlooked by the properties (please visit [www.securedbydesign.com](http://www.securedbydesign.com) for more information).

(x) Security lighting.

Security lighting must be installed controlled preferably by photo electric cells or time switches or alternatively PIR detectors. The lighting must protect the rears and sides of the homes, the parking bays and the driveways.

Callers at the external doors of the properties must be lit during the hours of darkness by appropriate lighting.

(xi) Drainpipes.

If the drainpipes of the properties are not within the fabric of the buildings they must be designed so that they do not offer an assist to climbing.

(xii) Public utilities.

If smart meters are not installed, meter boxes must be fixed to, or as near to, the front building lines of the properties as possible.

(xiii) Blank walls.

Windowless elevations or blank walls adjacent to space to which the public have access, should be avoided and provide at least one window to a habitable room wherever possible. Where blank flanking walls are unavoidable, a 1 metre 'buffer zone' must be created.

(xiv) Door security.

All external doors in the individual properties must meet the Secured by Design (SBD) standard PAS 24 2016 or equivalent and be third party tested and certificated.

Glass in door panels or adjacent to door panels must be laminated.

Doors in recesses of more than 600mm must be avoided.

(xv) Window security.

All vulnerable windows fitted, e.g. ground floor windows, windows above flat roofs, must meet the SBD standard i.e. PAS 24 2016 or equivalent and be third party tested and certificated. They should also have key operated window locks fitted.

(xvi) Intruder alarm system.

A 13 amp fused spur should be installed in each individual property. Ideally all properties would have an intruder alarm fitted up to the relevant British Standard.

(xvii) Identification of properties.

Property numbers and street names must be clearly displayed.

(A copy of this letter has been forwarded to the applicant)

## 6.2 Welsh Water states:

We would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes provided below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

### ASSET PROTECTION

The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located and marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.

### SEWERAGE

We can confirm capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development site.

### Surface Water Drainage

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems –

designing, constructing, operating and maintaining surface water drainage systems'.

It is therefore recommended that the developer engage in consultation with the Local Authority, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

We request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

### Conditions

No building shall be occupied until the drainage system for the site has been completed in accordance with the approved details. Thereafter no further surface water and/or 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

### Advisory Notes

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com)

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

## SEWAGE TREATMENT

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

## POTABLE WATER SUPPLY

A water supply can be made available to serve this proposed development. The developer may be required to contribute, under Sections 40 - 41 of the Water Industry Act 1991, towards the provision of new off-site and/or on-site watermains and associated infrastructure. The level of contribution can be calculated upon receipt of detailed site layout plans which should be sent to the address above.

(A copy of this letter has been forwarded to the applicant)

### 6.3 NRW state:

We recommend that you should only grant planning permission if you attach the following condition. This condition would address significant concerns that we have identified and we would not object provided you attach them to the planning permission.

Condition: Construction Environmental Management Plan: to ensure protection of the water environment

We received a statutory pre-application consultation notice for this proposal under Article 2D of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2012. We provided a substantive response to that consultation on 11 September 2020. We have reviewed the Pre-Application Consultation Report, dated October 2020 by LRM Planning Ltd submitted in support of the application and note the applicant's response to our comments.

Our advice in respect of the protection of the water environment, land potentially affected by contamination and European Protected Species remains as stated in that letter. We recommend that you should only grant planning permission if your Authority attaches the condition requested therein.

#### Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

#### 6.4 GGAT state:

Information in the regional Historic Environment Record (HER), curated by this Trust, shows that there are no archaeological sites recorded within the proposed development area. A review of the historic Ordnance Survey maps, dating from 1875 to 1941, also shows that the area was previously open land. The HER does note however, on the southern border of the redline boundary, that a Bronze Age arrowhead was recovered within the surrounding area. A record by the Royal Commission on the Ancient and Historical Monuments of Wales (RCAHMW), in the HER, shows that the application area is also located to the north east of The Crystals; an area of temporary accommodation that was used during the Second World War for people bombed out of their homes in Cardiff. The shelters were demolished in 1945 and replaced with permanent housing.

We note from the application's Geotechnical & Geo-environmental Site Investigation Report, dated December 2018, that the area has undergone extensive landscaping works comprised of the raising of ground, between 1901 and 1920, with made ground covering the area to depths of between 2.5m and more than 5m, and the diversion of Llanishen Brook. The report also details that further development of the area occurred during the 1940s, with the construction of prefab housing, and with the Iorwerth Jones building being constructed in the 1980s. We also note that the property has recently been demolished.

It is therefore our opinion, given the current information in the HER and that the ground has already been extensively disturbed from previous landscaping and development works, that it is unlikely that significant archaeological remains will be encountered.

As a result, there is not an archaeological restraint to this proposed development and as the archaeological advisors to your Members, we have no archaeological objection to the positive determination of this application. The record is not definitive however, and features may be disturbed during the course of the work. In this event, please contact this division of the Trust.

#### 7. **REPRESENTATIONS**

- 7.1 Local Members have been consulted. No comments have been received to date but will be reported to Committee if received.
- 7.2 The proposal has been advertised in the press and by site notices as a major application.
- 7.3 Neighbouring occupiers were consulted by letter.
- 7.4 A local resident objects for the following reasons:

*The proposed development of 20 houses is of two story buildings except for one three story house which is sited opposite mine and my neighbours'*

*houses with the top floor window looking down directly into our bedrooms impacting on our privacy.*

*The height of the building will also impact on the skyline compared to the original demolished one story building.*

*If the three story house must be included can it be sited at the entrance to the new development in Trenchard Drive where it would be overlooking existing gable ends or the far end of the development where it would be overlooking a car park the proposed three story building is very disappointing as we were assured there would be no three story buildings on this site by the council at a previous Hub meeting.*

*Another concern is the lack of parking on Crystal Glen part of the development Crystal Glen is used as a short cut for motorists especially early mornings also used for parking by Sunday worshippers. Permanent parking on the roadside would cause congestion and safety problems.*

- 7.5 A resident some 140m distant from the site fears that placing 20 probably troubled families in a congested area with considerable social problems would be unfair and not in accordance with the sustainable principle of the Wellbeing of Future Generations Act. The resident is anxious about the welfare of residents of Trenchard Drive.

She says that there has been inadequate consultation.

She says site should be used as a park or allotments or community centre and any building should be single storey.

## 8. **ANALYSIS**

### Policy

- 8.1 The application site lies within the settlement boundary as defined by the Adopted LDP proposals map and has no specific land use allocation or designation. The application site comprised the redundant Iorwerth Jones Centre, a former healthcare facility prior to its recent demolition.
- 8.2 The surrounding area is predominantly residential in nature.
- 8.3 The proposal should be assessed against Policy H6: Change of Use or Redevelopment to Residential Use. Policy H6 provides a framework for the assessment of applications for the redevelopment of previously developed land for residential purposes within settlement boundaries where:
- i. There is no overriding need to retain the existing use of the land or premises and no overriding alternative local land use requirement;
  - ii. The resulting residential accommodation and amenity will be satisfactory;
  - iii. There will be no unacceptable impact on the operating conditions of

- existing businesses;
- iv. Necessary community and transportation facilities are accessible or can be readily provided or improved; and
  - v. It can be demonstrated that the change of use to a more sensitive end use has been assessed in terms of land contamination risk and that there are no unacceptable risks to the end users.
- 8.4 Policy KP1 relates to level of growth and states that “brownfield sites will continue to play an important role and windfall provisions will form part of the provision for new homes as land uses within the city continue to evolve”.
- 8.5 Policy KP5 relates to Good Quality and Sustainable Design and requires all new development “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”. It also aims to provide “healthy and convenient environment for all users that supports the principles of community safety, encourages walking and cycling, enables employment, essential services and community facilities to be accessible by sustainable transport and maximises the contribution of networks of multi-functional and connected open spaces to encourage healthier lifestyles”. Linking to Policy T1 which aims to promote walking and cycling through providing access to employment, essential services, and community facilities within an accessible distance.
- 8.6 Policy KP13 (Responding to Evidenced Social Needs) is of relevance, stating that “a key part of the successful progression of the city will be to develop sustainable neighbourhoods, tackle deprivation, and improve the quality of life for all”. It sets an affordable housing target of 6,646, which will be achieved through a set of objectives including:
- Providing a range of dwelling sizes, types, and affordability.
  - Supporting the vitality, viability and attractiveness of existing District and Local Centres and their regeneration.
  - Encouraging provision of a full range of facilities and community infrastructure that are accessible to all by walking, cycling and public transport.
  - Supporting regeneration of deprived communities within the city.
  - Encouraging enhancements of communities through better equality of access to services for all, creating places that encourage social interaction and cohesion.
  - Designing out crime and create communities which are and feel safer.
- 8.7 In line with policy KP13, policy H3 (affordable housing) aims to assist the Council to meet evidenced housing need by seeking appropriate affordable housing contribution from new residential developments in the city.
- 8.8 Policy H6 (Change of use or redevelopment to residential use) deems it acceptable for redevelopment to residential use when land is no longer required for its existing or former use, the development contributes to meeting housing requirements and that necessary community and transportation

facilities are accessible or can be readily provided or improved.

- 8.9 Given the residential context and setting of the surrounding area, in a sustainable location, in close proximity a number of shops, services and sustainable modes of transport, the proposal raises no land use policy concerns.

#### Transportation

- 8.10 All houses will have back gardens which incorporate bike storage. This will allow residents to easily access their bikes without going through their houses, and aim to encourage them to use their bikes more frequently. The new footpath on-site to the North will link the proposal into its surrounding context to allow safe and easy access throughout the site.
- 8.11 There are bus stops some 250m north of the application site on Fishguard Road. Both Heath High Level and Heath Low Level train stations, which lie on the Rhymney and Coryton lines respectively, are within 800 metres walking distance from the site which run frequent service to Cardiff Central (10 minutes travel time).
- 8.12 The site is very sustainable in terms of its location, given the close proximity to Llanishen district centre where there are a large number of shops, services and public transport nodes within the local area. The proposed residential use of the site is therefore ideal in that it has the propensity for occupiers not to have to rely on less sustainable transport.
- 8.13 Two areas of hardstanding are allocated for rubbish collection for residents of plots 1 - 2 and 6 - 11 with a location to place their refuse on collection day instead of having refuse vehicles inside the courtyard. These areas of hardstanding are within 25m of Trenchard Drive to allow refuse managements teams easy accessibility. All other plots will have refuse collection from the edges of their property. The refuse Officer has no objections.

#### Ecology

- 8.14 A desk study and site surveys, including a preliminary ecological appraisal report and a bat report were prepared by Wardell Armstrong in October 2018 and September 2019, respectively.
- 8.15 The findings of the preliminary ecological appraisal report noted that the Llanishen and Lisvane reservoir Embankments Site of Site of Special Interest (SSSI) is located within 2km of the site, with 27 non-statutory sites of nature conservation located also within 2km of the site. Additionally, Coed-y-Caeau SINC is adjacent to the site along the northern boundary. It was recommended that the mature trees located on site are retained if possible, to preserve existing habitats, and that soft felling techniques should be employed where it is not possible to retain the trees.
- 8.16 The hedgerows were considered to have potential to support common reptiles



and an appropriate condition to minimise the risk during construction was suggested. Similarly, hedgehogs may be present on site and it is recommended that works to hedgerows and woodland areas should avoid the hibernation period (November – March). Limited breeding and foraging habitat for birds are located within the site including grassland habitats (foraging only), hedgerow and mature trees in addition to the broadleaved woodland located outside the northern boundary of the site.

- 8.17 The houses closest to the brook are designed to have roof tiles which will allow bats and nesting birds space to roost in self-contained chambers. These will have a positive impact on biodiversity
- 8.18 Six mature trees which could potentially support bat roosts were identified on site. They were assessed as having low potential. Prior to the demolition of the previous building on this site, mitigation measures were put in place including the erection of three bat boxes on a tree within the woodland strip along the Llanishen Brook to the north of the building.

#### Trees

- 8.19 The site currently includes several trees which have been assessed in the accompanying Tree Report. Of the 34 individual trees and one woodland assessed, the woodland along the north as well as three trees to the south western corner are assessed as being of Category A quality, denoting trees of high quality with an estimated life expectancy of at least 40 years and of significant conservation, historical, commemorative or other value. These trees are accordingly all proposed to be retained. 12 individual trees are assessed as category B, being of moderate quality with an estimated life expectancy of at least 20 years of which 6 would have to be removed to facilitate the development. The rest are assessed as being within Category C, which are those of low quality with an expected life expectancy of at least 10 years and 12 of these would have to be removed. 8 new specimen trees would be planted. The Tree Officer has no objection subject to conditions.
- 8.20 The landscape and drainage proposals for the site will also aim to improve biodiversity through the planting of native species. The landscape proposal maximises the potential within the site to provide as much native planting as possible.
- 8.21 The landscaping scheme aims to integrate, where possible, the existing trees into the proposed development, including those along the south western site boundary, and those that bound the site along its northern boundary.
- 8.22 A seven metre ecotone zone is proposed between Llanishen Brook and the development site, to create a transitional area of vegetation and protect and enhance the green corridor and important habitat. This comprises of decreasing density of vegetation to ensure that the development does not have a hard edge against the established tree line.
- 8.23 The central part of the site is home to an area of landscaping and SuDS,

softening the area between plots 6-8 and 9-11, and providing clear sight lines from Trenchard Drive towards Coed-y-Caeau. As well as a main feature tree, three smaller trees specimens are proposed, as well as a seating area, smaller shrubbery, and natural play/landscaping features.

#### Energy Efficiency

- 8.24 The development will adopt a standard which will achieve 17% uplift in building performance over Part L of the Building Regulations Wales 2014. The principles of a 'fabric first' approach rely on a mixture of very good u-values, thermal bridging detailing and air infiltration rates over and above the requirements of any regulatory standard.
- 8.25 Photovoltaic panels will be installed on the roofs of each dwelling. These will be orientated to the South to maximise solar gain which will be stored in batteries to provide a renewable energy source for the site.
- 8.26 Each dwelling will be equipped with a highly efficient boiler that will meet the heating and hot water demands of the home users. Water wastage will be reduced through the incorporation of dual flush toilets and low flow rate showers and taps. The houses will be naturally ventilated and also be fitted with waste water heat recovery devices.
- 8.27 The proposed materials have been chosen, based on their sustainability, recyclability and embodied energy performance ratings and the fact that they can be responsibly sourced. Materials will aim to achieve an A+ to B Rating within the BRE's Green Guide to specification. In order to prevent pollution, insulants have been selected for their low or zero Global Warming Potential.
- 8.28 To further encourage environmental sustainability, residents will have individual bike stores in their gardens to negate the necessity to take their bikes through their houses. It is hoped that this will promote the more frequent use of bikes.

#### Waste

- 8.29 General and garden waste along with recycling bags will be stored in the rear gardens of all dwellings. There will be communal collection points for plots 1 - 2 and 6 - 11 where residents will locate their refuse on collection day to allow refuse operatives to collect within appropriate travel distances.
- 8.30 During the construction, the Contractor will operate a construction stage site waste management plan to minimise site waste.

#### Noise

- 8.31 A noise assessment was carried out for the proposed residential development. An assessment was carried out to consider the potential impact of railway noise upon the proposed development. The results of the assessment indicated that no external noise mitigation will be required for

gardens of dwellings throughout the site. The results of the assessment also indicated that the majority of the proposed dwellings at the site will achieve internal noise guideline levels even with all windows open. However, some standard mitigation measures will be required for the facades of noise sensitive rooms on eastern and southern facades in dwellings in the eastern and southern parts of the site.

- 8.32 Using specified double glazing, or similar, will ensure that internal noise guidelines are achieved within all noise sensitive rooms of those dwellings in the eastern and southern parts of the site where facades face east and south. An alternative means of ventilation, such as the trickle vents specified in the report, or similar, will be used so that the windows may remain closed to keep out noise when the occupant chooses.
- 8.33 With the implementation of the proposed mitigation measures, there are no planning or technical reasons with regard to noise to refuse the planning application

#### Drainage

- 8.34 A below ground water storage is proposed to be provided by a combination of open graded subbase underneath the permeable paving construction and supplementary below ground cellular storage tanks. Whilst it is noted that directing surface water into above ground solutions is preferred, the site offers limited scope for this. The developer is going to utilise permeable paving within the shared private drive and courtyard area, as the SAB does not support its use for individual driveways, it will not be used in these locations. Therefore, in addition to below ground water storage, rain gardens are proposed along the communal areas of the southern and eastern boundary. The landscaping scheme ties into the SuDS strategy, with tree and shrub planting addressing the SuDS guidance on surface water drainage. Welsh Water raised no objection subject to a condition.

#### Flooding

- 8.35 The Welsh Government Development Advice Maps show the site to be within Flood Zone B, which demarks areas known to have flooded in the past. A small area of land within the north-western corner of the site is within Flood Zone A. NRW has raised no objection.
- 8.36 The Conclusion of the Flood Consequences Assessment states:

The Development Advice Maps show that the site is situated within Flood Zone A and B.

An appraisal of Envirocheck Flood Study Screening report and NRW flood mapping shows the site is at low risk of flooding in all categories of flood types other than groundwater.

Watercourse modelling of Llanishen Brook shows that flows remain within the

channel during the 1 in 100 year +40% event. Some flooding occurs upstream of the culvert on Crystal Glen in the 1 in 1000 year event, however this would overtop the northern bank and flow away from the development site.

Finished floor levels of the development should be no lower than 33.4mAOD to ensure there is sufficient freeboard provision above adjacent flood water levels.

The surface water drainage strategy will provide significant betterment to the drainage catchment south of the site.

#### Heritage context

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

#### Layout/Design

- 8.38 The layout of the site stems from the green link between the proposal and the existing Llanishen Brook to the North of the scheme. The proposal is to regenerate the value of the existing woodland that runs along the Brookside and make this a key landscaped connection between existing walking and cycle paths in the surrounding community. The opening of the Brook allows for the new dwelling proposal to be connected to nature and for biodiversity to thrive.
- 8.39 In order to maximise the development potential of the site and the use of green space the layout of the site has been formed around a 'green street' and central courtyard to provide a green amenity space.
- 8.40 Two sets of terraces form the edges to the courtyard and the 'green street'. The other dwellings on the site face outwardly and address the surrounding dwellings.
- 8.41 The majority of the dwellings are arranged in short runs of terraces to make the most efficient use of the site with two pairs of semi-detached dwellings - plots 1 & 2 and 19 & 20. Both the short terraced run and the semi-detached arrangement are styles common within the local area.
- 8.42 The proposed layout maintains the 21 meter privacy distance between facing windows of proposed dwellings, the 10.5 meters where the side elevation of a new dwelling addresses a neighbouring property, and minimum garden sizes as recommended in the Residential Design Guide SPG.
- 8.43 The layout seeks to retain as much as possible of the existing mature trees. Where this is not possible sufficient planting of new mature trees to replace

them. The Tree Officer has recommended a number of conditions which should be included on any consent.

- 8.44 In the South-West corner, a number of trees on the site are category A. To ensure these are protected and can be maintained, dwellings and private drive are located outside of the root protection zones.
- 8.45 Retaining this existing mature landscape will help retain a sense of privacy for the existing residents and provide the scheme with an instant sense of place and character.
- 8.46 Most of the proposed dwellings are set back from the street to allow parking to be located to the fronts of the dwellings where it benefits from good natural surveillance. This also allows generous areas of planting to be introduced to the dwellings' frontages to soften the streetscape. The exception to this is the parking for plots 1, 2 & 3 which is located on a small private drive. To ensure natural surveillance of this area plot 3 has been given a bay window overlooking the private drive.
- 8.47 As a key element of the scheme, the two private drives are carefully designed. The first to provide a positive and well-used 'green street' and courtyard whilst protecting the privacy of the residents and the second to provide much needed vehicle access and waste management access to plots 1 & 2. These drives have been designed with pedestrian priority and promoting low vehicle speeds. Changes in the nature and texture of surface materials will further add to the notion of pedestrian priority and that the surface is not a public road.

#### Representations

- 8.48 The proposal is to provide 2 and 3 bedroom Council housing for people in need of accommodation. The Police have raised no objection to the principle of development on this site. The housing proposed is not contrary to the Wellbeing of Future Generations (Wales) Act.
- 8.49 The site is brownfield and its redevelopment reduces pressure for the release of greenfield sites. The site is in a sustainable location. Coed Glas Primary school is 0.7 kilometres north of the application site. There is a bus stop on Fishguard Road 250 north of the site (28 service). There is a small group of shops 450m north of this site and a larger cluster of shops at the southern end of Fidlas Road 0.7 kilometres distant with the Three Arches 600m distant. In addition there is a church with hall some 20m from the site.
- 8.50 The proposed units would occupy a site area of some 7000 sqm, excluding adjoining roads. The development is at a density of less than 30 dwellings per hectare, and avoids development within the SINC along the northern boundary of the site. The development to the south and west has a density of approximately 42 dwellings per hectare but includes several 3 storey apartments as well as 2 storey houses. The existing amenity area to the north extends from Fishguard Road to Ty Glas Avenue, and also extends to the

south west beyond Trenchard Drive. There is a large allotment to the rear of Fishguard Road and Ty Glas Road next to the railway line. St Martins play area is some 300m to the north of the application site.

- 8.51 The surrounding properties include both two and three storey units and the proposed dwellings would be in keeping with the height of surrounding development.

There is a three storey apartment block on the southern side of the junction of Trenchard Drive and Crystal Glen and the only three storey house proposed is on the northern side of this junction. This is considered an appropriate location and does not conflict with the SPG on Residential Development.

- 8.52 The objector who has expressed concern about privacy is separated by Crystal Glen, a distance of 23.5m and is at a slight angle. There is no infringement of the Authority's privacy standards.

- 8.53 In terms of parking there are no parking restrictions on Crystal Glen and the frontage to the site used to be a bus stop. The parking proposed for the development meets the Authority's parking requirements.

- 8.54 Prior to the submission of this application a Pre-Application Consultation exercise was conducted, in accordance with amended Welsh Government advice to take account of Covid. In addition the application has been advertised in the press and by site notices and adjoining neighbours notified, which has exceeded statutory publicity requirements. It is incorrect to claim that consultation has been inadequate.

- 8.55 The application has to be judged on the acceptability of the scheme submitted.

#### Crime and Disorder

- 8.56 Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. South Wales Police have identified some concerns and provided their standard notes which have been shared with the applicant.

- 8.57 The path between plots 1 and 2 passes unit 8, 9 and 20 providing a direct footpath link to and from Crystal Glen. The rear gardens the path passes are enclosed by 2.1m high walls. The path serves a limited number of dwellings and its width of 2m is considered acceptable. The parking spaces serving units 1-3 are overlooked from the rear first floor elevation of units 1, 2 and 6 at a distance of 10m, and from the side bay lounge window of unit 3 which adjoins the access into this small parking area. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed development.

8.58 The footpath extension will provide a direct link to the existing tarmac footpath with street lights that runs at the rear of properties in Trenchard Drive. The footpath extension will be lit with lighting columns. An existing length of footpath will be extinguished and included within a garden and amenity area of the development.

8.59 The applicant has responded to the Police stating:

1. **Site Layout**

Parking for plots 1, 2 and 3 are not overlooked

A bay window is proposed on the side of plot 3 along the entrance to the site which will overlook parking for plots 1, 2, and 3. The rear elevations of plots 1, 2, 3 and 6 also overlook the parking spaces providing added security to the spaces. Along the south-western corner and the access a 1100mm Metal Railing is proposed with low level planting along the site frontage, together these add a sense of enclosure to this area.

All other parking bays are located on plot or are directly overlooked by neighbouring properties, thus we hope that you agree that this is acceptable.

Footpath that runs from plot 1 to adjacent to plot 20.

We discussed the background to the new footpath and in particular a number of key planning/design elements shaping the site layout.

It is noted that Llanishen Brook has a local nature designation, and we have been liaising closely with the Planning, Tree and Ecology officers within the Authority to ensure that any proposed development will respect and improve this habitat and the nature conservation of the area. Due to the designation, a seven-metre restricted area is required from the brook/woodland edge, with an eco-tone proposed within this area to protect and enhance the existing woodland. This is a key aspect of the design, and it is proposed to make this a key landscaped connection between existing walking and cycling paths in the surrounding community, providing the link to the wider footpath network. Linking this to the central courtyard of the site and the green amenity space is key to the sustainability of the site as it will encourage residents to walk and cycle from the site.

Plots 1 and 2 front on to the footpath in the north-western corner, overlooking and providing a sense of security. The sense of security is continued along the path, with the three plots, 8, 9 and 20, that have a side on relationship to the footpath having a large ground floor bay window facing the footpath, that serves the lounge of each property ensuring plenty of surveillance of the footpath. The footpath will also be

lit fully with lighting columns to provide an added sense of security. All walled boundaries onto the footpath will be robust; comprising a 2.1m tall brick wall with coping. In response to your comments, the planting schedule has been amended to include defensible planting in spaces adjoining the new properties and the footpath, with the landscaping plan amended accordingly.

Additionally, the existing footpath along the west of the site has been stopped up, with the curtilage of plot 1 instead extending to the western boundary. This restricts access to the footpath to and from within the site to the courtyard which have more overlooking from properties whilst still providing a link to Trenchard Drive. Planning and Transport Authority support this change.

Changes have also been made to the design of the proposed footpaths, to ensure no sharp right angles where the footpaths intersect with one another. Additionally, landscaping has been reduced next to the SuDS planting to improve visibility and provide an added sense of security.

2. Lighting

It is noted that lighting on the estate must meet the British Standard 5489:2013

3. Boundary identification

Noted. All pedestrian and vehicle areas within the site boundaries will be shared surfaces with pedestrian priority, providing a clear delineation between neighbouring streets and the site.

There will be changes in shared surface material and colour between public and semi-private/private areas Delineation between the footpath and the road will be provided by a standard HB2 kerb, buried into the ground, with a 50mm upstand. Standard HB2 kerbs with a full height upstand, 125mm, shall be provided around rain gardens.

A 1100mm metal railing, is proposed along the front boundary of dwellings.

4. Landscaping and planting

Noted. Landscaping scheme has been developed with holistically and no instances occur where the safety and security of people and properties occur. Maintenance will be carried out to ensure that this is adhered to. Additionally, as noted above, landscaping has been reduced next to the SuDS planting to improve visibility and provide an added sense of security.

5. Vehicle parking

Noted, and addressed above. All car parking is overlooked and well lit.

6. Side and rear boundaries



Noted. 2100mm tall brick wall with coping is proposed for all boundaries facing public spaces, with 1800mm tall close-boarded timber fence between separating garden spaces of plots. All gates are lockable, and will be the same height as the neighbouring walls. Each will be accessed from secured areas.

Points 7-15 are noted and provided.

#### Equalities Act

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

#### Wellbeing

- 8.61 Section 3 of the Well-Being of Future Generations Act 2016 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision. The proposed affordable housing will help promote wellbeing by the provision of good quality homes for future occupants in need of such accommodation.

### 9. **S106 CONTRIBUTION**

- 9.1 The developer will be required to enter a Unilateral Undertaking to make a financial contribution of £43,058 towards the provision of new open space, or the design, improvement and/or maintenance of existing open space in the locality. The closest areas of recreational open space are:-
- St Martin Crescent Open Space
  - Coed Y Caeau
  - Gleider Field
  - Llanishen Park