



Bonne Mares Ltd

**Redevelopment of 195-197 City Road,
Cardiff**

Planning Statement

February 2019

DRAFT





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Appendix Contents

Appendix A – Site Location Plan



1.0 Introduction

1.1 The Proposal

1.1.1 On behalf of the Applicant (Bonne Mares Ltd), WYG Planning and Environment has prepared this Planning Statement in support of an outline planning application with all detailed matters reserved except scale, for the development of purpose-built student accommodation (PBSA) (Sui generis) at 195-197 City Road, Cardiff.

1.2 Structure of Statement

1.2.1 This Statement presents the planning case for the proposed development having regard to the site and its surroundings, the planning history, and policy context. It considers the key policy issues and planning merits of the proposed development. The statement is structured as follows:

- Section 2: provides a description of the site, its surroundings, an overview of the site's history, the proposed development and the pre-application consultation undertaken;
- Section 3: outlines the relevant planning policy context;
- Section 4: addresses the key planning considerations; and
- Section 5: provides a summary of conclusions.

1.3 Application Submission

1.3.1 The information prepared in support of this planning application follows pre-application advice received from Cardiff City Council planning officers. In addition, regard has been paid to the Council's Application Checklist in formulating the application package, which includes the following documents:

- Site location plan and a suite of application drawings;
- Topographical Survey;
- Pre-Application Consultation Report (WYG); TBC
- Design and Access Statement;
- Historic Building Record;
- Transport Statement & Framework Travel Plan;



- Bat Survey Report;
- Noise Assessment;
- Air Quality Assessment.



2.0 The Site and Surroundings

2.1 The Application Site

- 2.1.1 The application site is located on City Road, within the Roath area of Cardiff, to the north east of Cardiff City Centre.
- 2.1.2 The rectangular site measures approximately 0.13ha. It is currently occupied by the four-storey (16.9m high) former Gaeity building and adjacent hardstanding.
- 2.1.2 Access to the site is provided directly from City Road. Northcote Lane, directly adjacent to the site to the north separates the subject site from the neighbouring site to the north 199-209 City Road, which is under construction. The site is also served by an unnamed access lane to its rear.
- 2.1.3 The site lies within the defined City Road District Centre. The site does not lie within a conservation area. There are no TPOs on or near to the site. The site is not affected by any public rights of way. The site lies in Flood Zone A and is considered to be at little to no risk of flooding.
- 2.1.4 Prior approval for the method to demolish the existing building was issued by Cardiff Council in November 2018.
- 2.1.5 A Site Location Plan is attached at **Appendix A** for reference.

2.2 Site Surroundings

- 2.2.1 The site sits along City Road District Centre which is a traditional linear centre characterised by mostly terraced properties in mixed retail/commercial use. The site lies opposite the junctions of Glenroy Street and Keppoch Street. To the north of the site on the west side of City Road, beyond 199-209 City Road, is the Park Conservative Club and Co-operative Pharmacy buildings.
- 2.2.2 The site does not lie within a conservation area and is at little/no risk of flooding.
- 2.2.3 The site is in a central location within an extensively served, pedestrian dominated, district centre with direct access to employment, leisure, shopping and wider university facilities. The site is also within an area where walking, cycling and public transport offer viable daily alternatives to use of a private car; having very good access to bus based public transport services, high quality footways and Cardiff's cycle network. The site is considered to be highly sustainable.



2.3 Planning History

2.3.1 Cardiff Council's online planning history records outlines historic applications at the site, albeit these are not directly relevant to the current application proposals:

- 00/01279/W – Certificate of Lawfulness for existing use as Bingo Hall. Granted 29th September 2000;
- 01/00413/W – proposed bedsit flat for manager of bowling centre. Granted 18th April 2001;
- 07/02084/C – Change of Use to bar and restaurant (Class A3) including extension and external alterations. Allowed at appeal 31st March 2008; and
- 13/00519/DCI – Renewal of pp ref 07/02084/C to allow further 5 years to implement permission. Granted 22nd May 2013.

2.3.2 The site's planning history highlights the previous, but ultimately unsuccessful, attempts to secure an alternative beneficial use for the existing building. The principle of demolishing the existing building is established by virtue of the prior approval for the means on demolition. Planning permission for the site's reuse is sought.

2.4 The Proposed Development

2.4.1 It is proposed to construct a purpose-built student accommodation (PBSA) (Sui generis) building including commercial units at ground floor level (to allow A1/A2/A3 or D2 use) and associated open space and access arrangements. The proposals are submitted in outline form with details of layout, access, appearance and landscaping reserved for future determination.

2.4.2 The submitted scheme outlines an indicative building up to eight storeys which delivers:

- up to 134 en-suite beds arranged in 22 cluster flats - a mix of 5, 6 and 7 en-suite bedrooms arranged around hubs containing shared facilities;
- cycle parking for 148 cycles [100% plus 10% for visitors];
- refuse storage;
- plant rooms;



- communal amenity courtyard;
- 214sqm ground floor retail accessed off City Road; and
- two drop off points on Northcote Street Lane.

2.4.3 The design of the development is described in detail in the Design and Access Statement accompanying the application.

2.5 Pre-application discussions

2.5.1 The application submission follows discussions with LPA officers initiated in November 2016. Initial draft proposals were formulated having regard to early officer feedback. Several options for the design of the site were considered in the project's initial stages; these sought to deliver an efficient reuse of the site which fully realises its development potential and capitalises on its inherently sustainable location; with options centred on the proposals being set along the established street line on City Road. The massing ideas included:

- two building 'blocks' parallel to City Road with a raised courtyard; or
- one block across the whole length of the existing building footprint; or
- a "C" shaped block.

2.5.2 Early officer feedback included: introducing verticality to the proposals by 'building up'; careful consideration of height at the west of the site along Northcote Street – to respond and preserve residential amenity; deliver commercial frontage onto City Road at ground level to enhance the vitality and viability of the district centre; and consider the potential for public realm improvements.

2.5.3 Four distinct options were subsequently investigated as part of a capacity and massing analysis; these were presented to officers in October 2017 with further formal advice requested on the preferred option. Formal pre-application advice was received in January 2018 which advised: the principle of the proposed land use as being acceptable; no on-site parking is required for PBSA in such a highly sustainable location; and that as a sui-generis use no affordable housing contributions are applicable. In respect of design advice included:

- Maximum height of development City Road considered to sustain is 8 storeys. Development to be perceptibly lower than neighbouring permitted scheme (i.e. 199-209 City Rd);



- Increased separation distance required at Northcote Lane, between neighbouring development to safeguard amenity and adequate ambient light;
- Building line forward of established line should be minor and contribute to townscape/ character overall; and
- Scale of rear wing is considered appropriate.

2.5.4 Further to the above an extensive redesign of the proposals was undertaken during the Summer/Autumn of 2018 in response to officer feedback.

2.6 Statutory Pre-application Consultation (PAC)

2.6.1 The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 ("the 2016 Order") sets out the requirements to undertake pre-application consultation in respect of all planning applications for major development.

2.6.2 As 'major' development the application is accompanied by a Pre-Application Consultation Report (PAC) as required by Article 2F(1) of the 2016 Order. The PAC Report details the pre-application consultation carried out; responses to the pre-application consultation; and how feedback is addressed in the application proposals.

2.6.3 To be completed subject to PAC completion.



3.0 Planning Policy Context

3.1 Introduction

- 3.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. This section provides an overview of extant and emerging planning policy, as well as supplementary guidance produced by the Council.
- 3.1.2 The statutory Development Plan for the area is the Cardiff Local Development Plan (LDP) 2006-2026 (adopted 2016). Other material considerations include; Planning Policy Wales (PPW), various Technical Advice Notes (TANs) and Supplementary Planning Guidance (SPGs) produced by the LPA in regard to tall buildings and residential design. The Council has also produced new draft Student Accommodation supplementary guidance.
- 3.1.3 The key planning policies of relevance to the determination of the application are outlined below. A detailed assessment of the accordance of the proposed development with these policies is provided in Section 4 of this Statement.

3.2 Cardiff Local Development Plan

- 3.2.1 The key LDP policies of particular relevance to the proposed development are set out below:
- 3.2.2 Policy KP5 (Good Quality and Sustainable Design) requires development to make a positive contribution to the creation of distinctive communities, places and spaces, including by:
- Responding to the local character and context of the built and landscape setting so that layout, scale, form, massing, height, density, colour, materials, detailing and impact on the built and natural heritage are all addressed within development proposals;
 - Providing a diversity of land uses to create balanced communities and add vibrancy throughout the day;
 - Providing a 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;

- Promoting the efficient use of land, developing at highest practicable densities and where appropriate achieving the remediation of land contamination;
- Fostering inclusive design, ensuring buildings, streets and spaces are accessible to all users and is adaptable to future changes in lifestyle;
- Ensuring no undue effect on the amenity of neighbouring occupiers and connecting positively to surrounding communities.
- Locating tall buildings in locations which are highly accessible through walking and public transport and within an existing or proposed cluster of tall buildings.

3.2.3 Policy KP6 requires new development will make appropriate provision for, or contribute towards, all essential, enabling and necessary infrastructure required as a consequence of the development.

3.2.4 Policy KP7 states planning obligations will be sought to mitigate any impacts directly related to the development and will be assessed on a case by case basis in line with policy guidance.

3.2.5 Policy KP8 aims for development to be integrated in order to, inter alia:

- Achieve a target of 50:50 modal split between journeys by car and walking/ public transport;
- Reduce the dependence on the car; and
- Provide people with access and mobility requirements.

3.2.6 Policy KP12 requires development, inter alia, support the provision and maintenance of sustainable waste management storage and collection arrangements.

3.2.7 Policy KP17 states distinctive heritage assets will be protected, managed and enhanced, in particular the character and setting of, inter alia, locally listed buildings that that positively contribute to the distinctiveness of the city.

3.2.8 Policy EN13 states development will not be permitted where it would cause or result in unacceptable harm because of air, noise, light pollution or the presence of unacceptable levels of land contamination.



- 3.2.9 Policy T1 states that to enable people to employment, essential services and facilities developments should incorporate, inter alia,
- High quality sustainable design; and
 - Supporting facilities including signing and secure cycle parking
- 3.2.10 Policy T5 (Managing Transport Impacts) sets out that safe and convenient provision will be sought in conjunction with development for, amongst others, pedestrians, disabled people, cyclists, and public transport.
- 3.2.11 Policy T6 development will not be permitted which would cause unacceptable harm to the safe and efficient operation of the highway, public transport and other movement networks including pedestrian and cycle routes, public rights of way and bridle routes.
- 3.2.12 Policy R4 states retail, office, leisure and community facilities will be favoured within City Road district centre, which is of a scale appropriate to the centre. Proposals for uses other than Class A1 being permitted at ground floor level if they would not cause unacceptable harm to the predominant shopping role and character of the centre.
- 3.2.13 Policy C1 states proposals for new and improved community facilities, health and religious facilities will be encouraged.
- 3.2.14 Policy W2 (Provision for Waste Management Facilities in Development) requires provision for facilities for storage, recycling and management of waste in new development.

3.3 Supplementary Planning Guidance

- 3.3.1 Consideration has been given to the content and guidance set out within the following Supplementary Planning Guidance (SPG) adopted by Cardiff Council:

Student Accommodation (May 2018, DRAFT guidance)

- 3.3.2 Paragraph 1.3.2 of the draft SPG highlights that Cardiff is home to three universities (i.e. Cardiff University, Cardiff Metropolitan and University of South Wales (USW)), more than 40,000 students (Source, HESA, 2015/16 figures) and a number of colleges and language schools. As stated in Section 2.1 of the LDP, 10.8% (in 2011) of the population of the city are students. The vitality of the universities themselves is underpinned by students being able to live nearby in safe and suitable accommodation. Finally, a failure to provide diversity within the student accommodation



market is likely to exacerbate students residing in HMOs, which may conflict with other council aspirations, notably the Houses in Multiple Occupations SPG (2016). Providing accommodation for students is an objective within the LDP, with Objective 2b stating:

*"[LDP Objective] To provide a range and choice of new homes of different tenure, type and location that meets specific needs such as the provision of affordable housing, family accommodation, housing for the elderly, the disabled and **students** and pitches for the gypsy and traveller community."* (WYG emphasis)

- 3.3.3 The PPG states PBSAs will generally be considered more acceptable in the City centre and Cardiff Bay, **as well as in locations well served by public transport**. By their very nature, as local service hubs, district centres, such as City Road, are well served by public transport. Indeed, City Road district centre also lies very near to Cardiff University campus.
- 3.3.4 PBSAs are overwhelmingly occupied by university students attending the larger campuses, such as in Cathays Park, the City Centre, Llandaff, Cyncoed and Heath hospital. As such, student accommodation is more acceptable (if not in the city centre or Bay) **then in sustainable locations either as close to those campuses as possible, or within them** (para 4.3).
- 3.3.5 Student Accommodation blocks are essentially private spaces. Where they interact with the public realm, a high quality and welcoming interface is required (para 5.3.1).
- 3.3.6 The council favour active ground floor uses. This is especially the case in the City Centre, Cardiff Bay or in local and **district centres where retail facilities open to the public are favoured**. In cases where the ground floor provides internal provisions for building occupants, the glazing and design should be such that it interacts with the street, affords visual interaction and does not prevent future potential use of the ground floor for public purposes. (para 5.3.2)
- 3.3.7 In respect of waste facilities, in instances where student developments propose 'cluster flats' (i.e. multiple bedrooms with a shared kitchen and living space) guideline storage requirements are provided (Section 5.5).
- 3.3.8 Section 6 of the SPG outlines guideline accommodation standards but acknowledges that accommodation types and room sizes will vary. It is not the intention of the SPG to be overly prescriptive, but minimum sizes are expected to be achieved (para 6.2).
- 3.3.9 It is recognised student accommodation is a distinct form of residential accommodation. However, it is also recognised it is not inconceivable that student accommodation may in the future seek to



be used as e.g. hotel-type accommodation (Class C1). The SPG states the Council would welcome an Adaptability Statement, which would consider how the development would not prejudice future uses, including hotel use. This may make reference to room sizes, floor plates, access or amenity issues amongst others (para 6.4).

- 3.3.10 Affordable housing and healthcare provision will not be sought from student accommodation development (para 8.2).

Waste Collection and Storage Facilities (October 2016)

- 3.3.11 This SPG supplements policies in the adopted Cardiff Local Development Plan (LDP) relating to the provision of waste management facilities in new development.

Residential Design Guide (January 2017)

- 3.3.12 Outlines the issues that a design for new residential development in Cardiff should address. Whilst this SPG does not expressly relate to student accommodation it applies to major residential development proposals providing 10 dwellings or more, and which require a Design and Access Statement, and provides sound principles and guidance on which to deliver high standards of development.

The Tall Buildings SPG (2017)

- 3.3.13 This SPG outlines preferred locations and a set of design criteria for new tall buildings. Tall buildings are generally classed as either more than eight storeys or 25m or more when in the City Centre and Cardiff Bay, and outside of these areas, as more than double the height of surrounding buildings. It is important to note the proposed building is not more than eight storeys or double the height of surrounding buildings, nevertheless sound planning and design principles outlined in the SPG have been duly considered.
- 3.3.14 The Tall Buildings SPG offers a variety of design and land use principles, summarised in Section 2.2 of the SPG as follows:
- 3.3.15 All tall building proposals must demonstrate that:
- There would be no negative impacts on important views or vistas.
 - The character or setting of heritage assets is not harmed.



- The proposal will be a positive feature in skyline and streetscape, either by complementing a cluster of tall buildings or forming a strategic landmark.
- There will be walking and cycling accessibility to sustainable transport and local facilities.

3.3.16 Detailed proposals will:

- Exhibit exceptional architectural standards: elegance in form, silhouette and quality of materials.
- Maximise activity through ground floors uses and fenestration.
- Provide the highest standards of building performance, safety, inclusivity and adaptability.
- Include exemplary cycle storage, low car parking levels and integrated servicing, recycling and waste storage.
- Prove that the development will not create adverse microclimatic effects
- Deliver significant enhancements to the public realm

3.3.17 Whilst detailed proposals are reserved for future determination, the submitted outline proposals has been designed to allow delivery of all of the above.

3.3.18 The SPG states:

"Active ground floor uses (in additional to residential or student accommodation access) including a sufficient number of entrance points are essential in city centre and urban locations at intervals along the façade at strategic places to enliven the street throughout the day and night"

Planning Obligations (Jan 2017)

3.3.19 The SPG sets out the Council's approach to planning obligations when considering applications for development in Cardiff. It provides further guidance on how the policies set out in the LDP are to be implemented.



3.4 Planning Policy Wales

Planning Policy Wales (Edition 10, December 2018)

- 3.4.1 In accordance with the Well-Being of Future Generations (Wales) Act 2015, the primary objective of PPW, as set out at Paragraph 2.1, is “to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales”.
- 3.4.2 PPW sets out that in order to maximise well-being and the creation of sustainable places, the concept of ‘placemaking’ should be at the heart of the planning system. It is stated at Paragraph 2.8 that development proposals “must seek to promote sustainable development and support the well-being of people and communities across Wales. This can be done through maximising their contribution to the achievement of the seven well-being goals and by using the five Ways of Working, as required by the Well-being of Future Generations Act. This will include seeking to maximise the social, economic, environmental and cultural benefits, while considering potential impacts when assessing proposals and policies in line with the Act’s Sustainable Development Principle”. Paragraph 2.9 goes on to clarify that “The most appropriate way to implement these requirements through the planning system is to adopt a placemaking approach to plan making, planning policy and decision making”.
- 3.4.3 A set of ‘national sustainable placemaking outcomes’ are outlined within PPW, which it advises should be used to inform the assessment of development proposals. The national outcomes are defined as follows:
- Creating and Sustaining Communities
 - Making Best Use of Resources
 - Makes best use of natural resources
 - Maximising Environmental Protection and Limiting Environmental Impact
 - Growing Our Economy in a Sustainable Manner
 - Facilitating Accessible and Healthy Environments



- 3.4.4 Paragraph 2.20 clarifies that “not every development or policy proposal will be able to demonstrate they can meet all of these outcomes, neither can it necessarily be proved at the application or policy stage that an attribute of a proposal will necessarily lead to a specific outcome. However, this does not mean that they should not be considered in the development management process to see if a proposal can be improved or enhanced to promote wider well-being. It is for developers and planning authorities to identify these opportunities and act upon them”.
- 3.4.5 Previously developed (or brownfield) land should, wherever possible, be used in preference to greenfield sites where it is suitable for development (para 3.5.1).
- 3.4.6 PPW recognises at paragraph 4.2.2 that the planning system must inter alia, identify a supply of land to support the delivery of the housing requirement to meet the differing needs of communities across all tenures. (WYG emphasis)
- 3.4.7 Maximising the use of suitable previously developed and/or underutilised land for housing development can assist regeneration and at the same time relieve pressure for development on greenfield sites (paragraph 4.2.17).

Economic Development

- 3.4.8 Paragraph 5.4.1 states that “For planning purposes the Welsh Government defines economic development as the development of land and buildings for activities that generate sustainable long-term prosperity, jobs and incomes”. Paragraph 5.4.2 goes on to confirm that “Economic land uses include the traditional employment land uses (offices, research and development, industry and warehousing), as well as uses such as retail, tourism, and public services”.
- 3.4.9 Paragraph 5.4.1 also highlights that “The planning system should ensure that the growth of output and employment in Wales as a whole is not constrained by a shortage of land for economic uses”.

Night time/ evening economy

- 3.4.10 Paragraph 4.3.43 states where new uses incorporating evening and night time activities are established in retail and commercial centres, and are located near to existing residential accommodation, planning applicants should include appropriate mitigation measures to counter potential impacts to amenity. Similarly, where residential development is proposed next to or near existing evening and night time uses, it will be necessary to consider the compatibility of uses and to incorporate mitigation measures to minimise any impact on the amenity of any future residents.



The agent of change principle¹ will be a guiding principle for supporting the evening economy and the development of uses sensitive to the soundscapes experienced in busy commercial centres.

Transport

- 3.4.11 A key objective of PPW is to encourage sustainable transport. It is highlighted at Paragraph 4.1.8 that “The Welsh Government is committed to reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport. Delivering this objective will make an important contribution to decarbonisation, improving air quality, increasing physical activity, improving the health of the nation and realising the goals of the Well-Being of Future Generations Act”.
- 3.4.12 PPW sets out that the planning system has a key role to play in reducing the need to travel and supporting sustainable transport, by facilitating developments which for example “are sited in the right locations, where they can be easily accessed by sustainable modes of travel and without the need for a car” (Paragraph 4.1.9).
- 3.4.13 PPW outlines the requirement to utilise a ‘sustainable transport hierarchy’ in relation to new development, which prioritises walking, cycling and public transport ahead of the private motor vehicles. Paragraph 4.1.12 sets out that “The sustainable transport hierarchy should be used to reduce the need to travel, prevent car-dependent developments in unsustainable locations, and support the delivery of schemes located, designed and supported by infrastructure which prioritises access and movement by active and sustainable transport”.

3.5 Other Material Considerations

The Well-Being of Future Generations (Wales) Act 2015

3.5.1 The Well-Being of Future Generations (Wales) Act 2015 (which came into force on 1st April 2016) requires “public bodies to do things in pursuit of the economic, social, environmental and cultural well-being of Wales in a way that accords with the sustainable development principle”. The Act sets out seven ‘well-being’ goals as follows:

- A prosperous Wales: An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately

¹ Para 6.75 - a business or person responsible for introducing a change is responsible for managing that change



(including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.

- A resilient Wales: A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).
- A healthier Wales: A society in which people’s physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.
- A more equal Wales: A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio-economic background and circumstances).
- A Wales of cohesive communities: Attractive, viable, safe and well-connected communities.
- A Wales of vibrant culture and thriving Welsh language: A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.
- A globally responsive Wales: A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.

3.5.2 Within the Act, sustainable development is defined as follows: “the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals”.

3.5.3 The Act sets out that when making decisions, public bodies need to take into account the impact they could have on people living in Wales in the future and must apply the sustainable development principle in all decisions.

Technical Advice Notes (TANs)

3.5.4 Advice contained in the following TANs is also of relevance to the proposed development:

3.5.5 **TAN 4** (Retail and Commercial Development) – The Welsh Government’s objectives for retail and commercial centres are to: promote viable retail and commercial centres, as the most sustainable locations to live, work, shop, socialise and conduct business; sustain and enhance retail and



commercial centres vibrancy, viability and attractiveness; and improve access to, and within, retail and commercial centres by all modes of transport, especially walking, cycling and public transport. (page 3)

- 3.5.6 **TAN 11** (Noise) – LPAs must ensure that noise generating development does not cause an unacceptable degree of disturbance. Consideration should be given to the use of appropriate conditions. LPAs should consider whether proposals for new noise-sensitive development would be incompatible with existing activities.
- 3.5.7 **TAN 12** (Design) - provides advice in terms of seeking to achieve the objectives of good design. It sets out 5 key aspects of good design relating to character; community safety; environmental sustainability; access; and movement.
- 3.5.8 **TAN 18** (Transport) - residential development should be positioned at locations with good access to jobs, shops and services by modes of transport other than the car. TAN 18 requires developers to demonstrate that the development “will facilitate access by residents to public transport stops, local shops and facilities by walking and cycling”. Section 4 of TAN 18 relates to car parking. It is acknowledged that car parking can take up large amounts of space in developments, which decreases density and therefore can represent an inefficient use of land (Paragraph 4.1).
- 3.5.9 In respect of car parking standards, Paragraph 4.13 of TAN 18 stipulates that “Maximum parking standards should not be applied so rigidly that they become minimum standards. Maximum standards should allow developers the discretion to reduce parking levels”.
- 3.5.10 Paragraph 4.15 relates to car-free development and indicates that “Some car free housing development may be appropriate in locations with good walking, cycling and public transport links and in areas where parking is controlled. On-site cycle and parking provision for those with disabilities will be required if such on-street parking cannot be provided”.
- 3.5.11 In regard to site accessibility, Paragraph 4.16 of TAN 18 indicates that “A site’s location and its relative accessibility should inform guidance on maximum standards and the potential lifestyle of occupants should be considered, both at the forward planning and development control stages”.
- 3.5.12 In respect of the location of development, Paragraph 6.2 advises that “local authorities should promote walking as the main mode of transport for shorter trips through the use of their planning and transport powers”.



3.5.13 **TAN 21** (Waste) – A Waste Planning Assessment should be appropriate and proportionate to the nature, size and scale of the development proposed.



4.0 Planning Considerations

4.1 Introduction

4.1.1 Section 38 (6) of the 2004 Planning and Compulsory Purchase Order Act states that planning applications are to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

4.1.2 This section considers the principal planning and development matters arising from the proposed development, drawing on the adopted Development Plan and other material considerations.

4.1.3 The key planning considerations associated with the proposed development are as follows:

- Principle of redevelopment;
- Design;
- Amenity; and
- Transport.

4.1.4 These issues are discussed in further detail below.

4.2 Previously Developed Land

4.2.1 The entire site falls within the definition of 'previously developed land' (PDL) as set out in PPW. Not all previously developed land is suitable for development however the site has no overriding impediment which would preclude its redevelopment. Indeed, prior approval for the means of demolishing the existing building has been obtained; securing of consent for the site's redevelopment will facilitate its reuse. Bringing previously developed land back into active use is a key tenet of PPW. The status of the site as PDL is a strong material consideration in favour of permission being granted for the proposed redevelopment.

4.3 Principle of redevelopment

4.3.1 Paragraph 1.3.2 of the Council's Student Accommodation SPG highlights that Cardiff is home to three universities, more than 40,000 students² and a number of colleges and language schools. It advises the vitality of the universities is underpinned by students being able to live nearby in safe and suitable accommodation, and that *"a failure to provide diversity within the student*

² Cardiff Student Accommodation SPG, (HESA 2015/16 figures)



accommodation market is likely to exacerbate students residing in HMOs, which may conflict with other council aspirations... "Providing accommodation for students is a clear Council objective, with Objective 2b stating:

*"[LDP Objective] To provide a range and choice of new homes of different tenure, type and location that meets specific needs such as the provision of affordable housing, family accommodation, housing for the elderly, the disabled **and students** and pitches for the gypsy and traveller community."* (WYG emphasis)

4.3.2 The application site is located within settlement limits and comprises previously developed land. The existing site is vacant and has been disused for a longstanding period. The site is prominently located along City Road. Its longstanding vacancy and disuse detracts from City Road District Centre. The site's disuse has led to the existing building becoming a magnet for litter, graffiti and anti-social behaviour.

4.3.3 The provision of PBSA and commercial uses at the site, will:

- help meet local student accommodation demand;
- alleviate local housing pressure;
- increase the vitality and viability of City Road District Centre; and
- Create local employment opportunities during construction and operation.

4.3.4 In this respect the redevelopment is considered to be inherently sustainable. It will promote a resource efficient settlement pattern and reduce the demand for travel, especially by private car.

4.3.5 The former cinema building is not a statutorily listed building. In its present (and continually deteriorating) condition it significantly detracts from its surroundings and is an eyesore. The planning site's planning history highlights previous attempts to achieve a suitable reoccupation of the existing building have failed. The acceptability of its demolition is established, in order to facilitate redevelopment of the site. A beneficial reuse of the site is overdue and is keenly sought.

4.3.6 In accordance with the Council's Student Accommodation SPG the development provides an opportunity to provide PBSA and deliver commercial uses at an appropriate location, close to the surrounding universities. This ground floor commercial use will enhance the vitality and viability



and attractiveness of the district centre. In addition, the provision of student accommodation above will further increase footfall and stimulate local economic activity.

4.3.7 Policy KP5 of the Cardiff LDP seeks the efficient use of land, developing at highest practicable densities. The proposed development will ensure that the most efficient use of a previously developed, highly sustainable site is achieved, in accordance with key sustainability objectives.

4.3.8 The LPA's pre-application advice confirms that *"the proposal would positively contribute to the aims of Policy R4 [of the LDP] and as such the proposal raises no land use concerns."* The principle of the redevelopment is considered acceptable.

4.4 Heritage

4.4.1 The former Gaeity cinema building's inclusion on the local list does not afford it statutory listed protection i.e. it does not benefit from the same level or requirement for preservation or enhancement, as those listed buildings set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended. Prior approval for the proposed method of its demolition was granted by Cardiff Council in November 2018.

4.4.2 It is noted the intention of LDP Policy EN9 is "to ensure that full consideration is given to the conservation and continued use of such buildings, as part of the protection and enhancement of the special identity of Cardiff." (para 5.156) The building has been significantly extended/ altered over the years and is in a poor and vandalised state. Much of the historic value of the existing building has long since been lost; this is detailed in the Historic Building Record which accompanies the application and prepared in close pre-application with Glamorgan Gwent Archaeological Trust (GGAT).

4.4.3 Any perceived impact of the development on the significance of the existing asset must be balanced against the benefits of the scheme.

4.4.4 A number of architects plans that relate to the former phases of the building are present in the Glamorgan Archives. A phased plan of the buildings construction and redevelopment has been established indicating a number of significant changes that have occurred since the original construction in 1912. The HBR finds redevelopment of the site in 2001, under previous ownership, saw much of the former cinema removed when major refurbishment and renovation converted the building to "Spin" a bar and bowling alley, and added a first floor that had not been in the building since its construction. This refurbishment saw nearly all internal features changed or removed



with only the projection windows providing evidence of the buildings former use. The domes, cornicing and pilasters remain on the front of the property however during the 12 years of vacancy since "Spin" closed the building has been subject to age related deterioration and vandalism. During this period numerous attempts to secure an alternative reuse of the building were not successful.

4.4.5 Further details are provided in the submitted HBR.

4.5 Noise

4.5.1 A Noise Assessment accompanies the application. In accordance with TAN 11 the results of the modelling presented in assessment show that all areas of the proposed development site fall within Noise Exposure Categories A – C. Therefore, a glazing and ventilation strategy has been provided which achieves appropriate ventilation and internal ambient noise level requirements in all residential spaces of the proposed development. Rooms on the eastern facade will feature glazing with an appropriate sound reduction and an alternative means of ventilation, with all other areas featuring a standard double glazing along with an alternative means of ventilation, in order to achieve the BS8233:2014 target internal ambient noise level criteria.

4.5.2 An assessment in relation to the ground floor retail units has been undertaken to ensure that the maximum sound pressure levels from potential plant will be at least 5 dB below the existing background noise levels during both the daytime and night-time scenarios. An assessment of noise from delivery events to the ground floor retail units has shown that noise levels will also be below background noise levels during the daytime periods and are therefore expected to have a low impact.

4.5.3 The assessment demonstrate the proposed noise mitigation is sufficient to reduce the effects of any noticeable and disruptive noise being currently emitted from the surrounding environment, preventing noise levels exceeding BS 8233 criteria within all areas of the proposed development Proposed sources of noise are not expected to have an adverse impact on health or quality of life at existing properties.

4.5.4 Further details can be found in the Noise Assessment accompanying the application.



4.6 Air Quality

- 4.6.1 The Air Quality (AQ) Assessment accompanying the application details the potential effects during the demolition/ construction phase which include fugitive dust emissions from site activities, such as demolition, earthworks, construction and trackout.
- 4.6.2 During the construction phase, it is anticipated that dust sensitive receptors will potentially experience increased levels of dust and particulate matter before using any mitigation and control measures. However, these are predicted to be short-term and temporary impacts. Throughout this period, the potential impacts from construction on air quality will be managed through site-specific mitigation measures detailed within this assessment. With these mitigation measures in place, the effects from the construction phase are not predicted to be significant.
- 4.6.3 The assessment of the significance of the effects associated with both the committed and proposed developments with respect to NO₂, PM₁₀ and PM_{2.5} exposure is determined to be 'negligible' for all existing receptors.
- 4.6.4 Following the adoption of recommended mitigation measures detailed in the AQ assessment (Table 7.1) during the construction phase, the development is not considered to be contrary to any of the national, regional or local planning policies. The AQ assessment finds the site is suitable for the proposed redevelopment subject to the implementation of the recommended mitigation.

4.7 Ground Conditions

- 4.7.1 The application is supported by a desk-based Geo-Environmental Assessment including a preliminary qualitative geotechnical and contamination risk assessment. The assessment highlights the key issues associated with the ground conditions at the site, and the likely implications for future development. The submitted assessment provides a conceptual site model.
- 4.7.2 The site has not been subject to uses that are likely to have resulted in significant ground contamination. The overall risk of ground contamination beneath the site is considered to be of moderate to low order of magnitude for construction workers; low for future site users; moderate/low to the underlying groundwater, which should be assessed during ground investigation. The risk to the surface water features are low. A ground gas assessment may be required to assess the potential effect of ground gas on building design in due course.



- 4.7.3 Ground investigation will be required to confirm ground conditions on site in due course. The results of the ground investigation can be used to inform the detailed design phase with regards to foundation requirements. Ground investigation can be secured by the imposition of a suitable worded planning condition(s) attached to any planning consent granted.
- 4.7.4 Further details are provided in the submitted Geo-Environmental Desk Based Assessment.

4.8 Ecology

- 4.8.1 A Bat Survey Report accompanies the application. No bats, or evidence of use by bats, were identified during the external assessment of the building within the site. Based on the presence of a number of potential roosting features the building was assessed as moderate suitability for roosting bats. Small numbers of common pipistrelle were the only bat species recorded during a dusk survey with no bats recorded emerging from or re-entering into the building. No bats were heard or seen during a dawn survey.
- 4.8.2 No bats were recorded roosting within the building during the surveys and the level of bat activity on site was extremely low (a single common pipistrelle recorded foraging for a period of five minutes and three brief common pipistrelle passes).
- 4.8.3 Based on the level of bat activity it is considered that the development will have no impact on the local bat population. No mitigation or enhancement measures are deemed necessary for the site. The installation of bat boxes is not considered appropriate as they are not likely to be utilised due to high artificial light levels. Landscape planting should seek to use native species wherever possible. The report recommends in the extremely unlikely event of bats being found during the works, a suitably qualified ecologist be contacted.

4.9 Design and landscaping

- 4.9.1 The design of the proposals has been formulated to principally safeguard: a) the character of the property and b) future on-site and neighbouring residential amenity.
- 4.9.2 Policy KP5 Good Quality and Sustainable Design, is a twelve-part multicriteria based policy that seeks to ensure development makes a positive contribution to the creation of distinctive places and communities.



4.9.3 The D&AS details that the proposals have full regard to the context of the local built environment and its special features. We consider the relevant KP5 policy criteria below:

i. Responding to the local character and context;

4.9.4 The development addresses key considerations identified at the City Road District Centre, including:

4.9.5 **Building form:** the application is in outline with the building layout, including disposition of built forms reserved for future determination. However, the illustrative plans utilise a simple built form of a "C" shaped perimeter block. The 'C' shape provides active facades to City Road and Northcote Street Lane. This built form has been developed and refined further to pre-application meetings and formal written advice with/from Cardiff Council officers.

4.9.6 The location of the eight-storey block on the footprint of the former Gaiety building provides a positive transition between the building line of 169-189 City Road to the south and the building line to the north from 199 City Road, the new PBSA, to 229 City Road at the Albany Road junction

4.9.7 The southern elevation of the adjacent PBSA, especially the corner to City Road, is not a main elevation due to its location and aspect onto Northcote Street Lane. Therefore, it does not create a positive landmark in transitioning between the two building lines. The Gaiety Theatre has traditionally been the transition point. Due to the location of the development on the site and the manipulation of the built form it is possible for the proposed development to present a main façade to the south and City Road. This will provide a more natural, deliberate and positive transition.

4.9.8 **Plot width** - the width of plots varies greatly within surrounding areas, depending on the location and age of the building. The Victorian terraced units have narrower frontages ranging from 5m to 6m wide, reflecting the construction technology, and are deeper in plan. Some of the non-domestic buildings, such as the Park Conservative Club, have wider plot widths.

4.9.9 **Height and massing:** the development ranges from three- and five-stories to eight- stories corresponding to the existing (and under construction) urban context:

- Three storeys - to the west along Northcote Street Lane (two residential stories over ancillary/ support accommodation) responding to the garden amenity space of the established residential development on Richmond Road; and



- Five storeys (16.8m) - along City Road (four residential stories over ground floor retail); similar to the existing Gaiety Theatre height of (16.9m); and
- Eight storeys - on the Gaeity building footprint (seven residential stories over ground floor retail and support/ ancillary). Reduced to better reflect pre-application feedback.

4.9.10 The contextual townscape analysis supports a height increase at the boundary of the development along the terrace, in keeping with similar developments along City Road (and adjacent streets). The tower element of the development is lower than the body of the adjacent PBSA development to the north. It is 1 storey, approximately 3 m, lower than the highest part of the PBSA at 199 – 209 City Road.

4.9.11 The Tall Building SPG defines tall buildings outside of the city centre as those that are double, or more than double height, of surrounding properties or significantly taller in terms of actual height and number of floors. The proposed development is not double the height of surrounding properties. The development is in effect the second in a cluster in an area that has been identified as suitable by the Council for taller development.

4.9.12 **Prevalent materials:** A mixture of building materials are found in the locality, dependent on the architectural style, construction and age of the buildings. The original mix of traditional masonry and timber construction with larger domestic bay windows is gradually being replaced by fully glazed shop fronts. The development allows for future flexibility in respect of the type of materials and palette to be utilised.

ii. Providing legible development which is easy to get around and which ensures a sense of continuity and enclosure;

4.9.13 Key urban design principles have underpinned the proposed development layout which creates a simple and legible built form that is a suitable design response to the existing urban form.

4.9.14 A simple built form of a "C" shaped perimeter block is utilised. The 'C' shape provides active facades to City Road and Northcote Street Lane - the distance from which has been increased - and an internal courtyard providing the students with an amenity space. This built form has been developed and refined further to pre-application meetings and formal written advice with/from Cardiff Council officers.



4.9.15 The development is permeable on foot and connects well with adjacent areas and neighbouring properties. Appropriate vehicle access for deliveries has been provided. The adjacent public realm area has been enhanced.

iii. Providing a healthy and convenient environment for all users that supports the principles of community safety, encourages walking and cycling etc...

4.9.16 The site is safely and conveniently accessed from the existing local road network which has been enhanced i.e. Northcote Lane and City Road. The proposed development will not result in any unacceptable effects upon the local highway layout.

4.9.17 The site has lain vacant for an extended period and is target for crime and/or anti-social behaviour. Bringing the site back into active use minimizes the potential for this, not only at the site but at adjacent properties.

4.9.18 The development is parking free, except for deliveries and cycle parking, which will encourage walking and cycling at what constitutes a highly sustainable location.

4.9.19 The site is highly observed by adjacent properties. The proposed amenity benefits from high natural surveillance.

iv. Achieving an adaptable design that can respond to future social, economic, technological and environmental requirements;

4.9.20 The design seeks to mitigate the causes of climate change through energy efficiency. Whilst detailed is reserved for future determination the materials to be used will be durable and low-maintenance, with long life cycles.

4.9.21 The proposed development will be constructed to comply with current building regulation standards for energy efficiency.

v. Promoting efficient use of land, developing at highest practicable densities;

4.9.22 The development proposes 22 cluster flats (134 beds) on a 0.13ha site which, allowing for site constraints, is considered to represent an appropriately high density for a development of this type and on a brownfield site in this sustainable location.

vi. Ensuring no undue effect on the amenity of neighbouring occupiers and connecting positively to surrounding communities;



4.9.23 The properties are served by their own amenity space, storage, cycle parking and delivery space. The mixed commercial and residential based reuse of the site is a harmonious land use and one which conforms with its mixed residential and commercial surroundings.

4.9.24 Separation distance has been increased and oblique windows are proposed at the northern elevation to preserve residential amenity to the adjacent development.

vii. Fostering inclusive design, ensuring buildings, streets and spaces are accessible to all users and is adaptable to future changes in lifestyle.

4.9.25 The development is provided with level access. The indicative internal design allows for DDA and building regulation compliance. The flats are of adequate dimensions to provide an acceptable standard of accommodation. All habitable rooms will have a natural means of outlook, light and ventilation.

4.9.26 The properties are served by shared facilities e.g. refuse storage area and cycle storage. The flats benefit from shared on site amenity space.

4.9.27 In light of the above, the design is considered compliant with LDP Policy KP5.

4.10 Amenity

4.10.1 All units have access to on site amenity space and cycle storage. The provision of cluster flats with on-site communal amenity space compares very favourably with other existing student accommodation elsewhere in the authority, some of does not provide on-site private amenity space.

4.10.2 In respect of off-site amenity space, the site is very well located, there is available public open space in the surrounding area. To the north lies Roath Recreation ground (c.840m) and to the west lies Bute Park (circa 1.3km).

4.10.3 Waste storage facilities have been designed in accordance with the Waste Collection and Storage Facilities SPG. The proposed development is therefore compliant with Policy W2 of the LDP.



4.11 Parking / Access

- 4.11.1 The application is supported by a Transport Statement (TS) and Travel Plan (TP).
- 4.11.2 National guidance (PPW) provides that car parking provision is a major influence on the choice of means of transport. It seeks to ensure that development provides lower levels of parking than have generally been achieved in the past.
- 4.11.3 No dedicated off-street car parking is proposed which is typically advocated at such a sustainable location. Indeed, PBSA (Sui Generis) development schemes are not required to deliver on-site parking under SPG guidance.
- 4.11.4 As indicated above, the site is positioned in a highly sustainable location, given the proximity of regular public transport, and the wide range of services/facilities available in walking distance of the site. The proposed development will be attractive to students who typically are non-car owners. A choice of non-private transport modes are available at the site in line with PPW.
- 4.11.5 The pre-application advice provided by the Council advises that:

"...Being mindful of the central, sustainable location of the site and that of the proposed use, I am satisfied that the proposed development is compliant with adopted parking policy as submitted, with zero on-site car parking, and the provision of resident/visitor cycle parking as required by condition. It is also expected that active travel and demand for cycle parking will be monitored as part of the conditioned Travel Plan and enhanced as may be required.

With reference to location and wider development considerations, it is noted that the site is in a central location within an extensively served, pedestrian dominated, district centre with direct access to employment, leisure, shopping and wider university facilities. The site is also within an area where walking, cycling and public transport offer viable daily alternatives to use of a private car; having very good access to bus based public transport services, high quality footways and Cardiff's cycle network. The site is therefore considered to be sustainably located in transport terms and entirely appropriate for the proposed form of development."

- 4.11.6 Since the above pre-application advice was provided the Council has updated its parking standards guidance Cycle parking spaces will be provided at ground level. This level of provision is compliant with the Access, Circulation and Parking Standards SPG. The cycle storage will be secure, sheltered and adequately lit.



4.11.7 In light of the above, the proposed development is compliant with both LDP Policy T5 in that safe and convenient access is provided for all users, and criteria (iv) of LDP Policy H5 in that the proposal will not have an adverse effect on local parking provision.



5.0 Conclusions

5.1.1 It is proposed to develop 195-917 City Road to provide purpose-built student accommodation (PBSA). The proposed development has been formulated in consultation with local authority officers and full regard paid to the adopted Cardiff LDP and SPGs as well as other material considerations outlined in prevailing Welsh Government Guidance. The development is considered to be both appropriate and acceptable:

- The application site is vacant brownfield land at a highly sustainable location. Permission has been granted for the means of demolition of the redundant existing building on the site. The existing building has been historically recorded. The principle of the site's redevelopment is considered acceptable;
- Use of the site is maximised by providing 22 cluster flats (132 beds) over up to eight storeys with commercial uses at ground floor level. The delivery of PBSA at the site will help meet local student needs, alleviate local general housing pressures and provide local employment opportunities, and enhance the vitality and viability of the district centre;
- Cycle parking and vehicle delivery provision is provided. The development will promote a resource efficient settlement pattern and sustainable travel e.g. walking and cycling. It will not unduly effect highways safety.
- The proposed development has been designed to safeguard the character and residential amenity of surrounding properties. As a statement building it will contribute positively to the streetscene.
- The proposals have been designed to ensure an adequate standard of habitable accommodation for future occupiers. On site communal amenity space is also provided.
- Ecological, noise and air quality assessment conclude the development is acceptable subject to appropriate mitigation.

5.1.2 The proposal is considered to be in accordance with the relevant provisions of the adopted LDP, SOG and prevailing PPW guidance which weighs firmly in favour of permitting the proposals.



Appendix A – Site Location Plan

195-197 City Road, Roath, Cardiff

