

Application No: **18/01064/MJR**

PERMISSION FOR DEVELOPMENT

To:
WYG Planning and Environment
5th Floor Longcross Court
47 Newport Road
Cardiff
CF24 0AD

Town and Country Planning Act 1990 (As Amended)
Town and Country Planning (Development Management Procedure) (Wales) Order 2012

WHEREAS you submitted an application for Full Planning Permission received on 04/05/2018 for: DEMOLITION OF MODERN EXTENSIONS TO SUFFOLK HOUSE AND PART DEMOLITION OF EXISTING WALL AND FELLING OF EXISTING TREES, RESIDENTIAL REDEVELOPMENT OF SUFFOLK HOUSE TO PROVIDE 10 NO. APARTMENTS AND CONSTRUCTION OF 7 NO. TOWNHOUSES, REPLACEMENT WALL, TREE PLANTING, AMENDED ACCESS ARRANGEMENTS, PARKING PROVISION AND OPEN SPACE/LANDSCAPING at CANTON FAMILY CENTRE SUFFOLK HOUSE, ROMILLY ROAD, CANTON (hereinafter called "the development");

CARDIFF COUNTY COUNCIL, as the Local Planning Authority for the County of Cardiff, in pursuance of its powers under the above mentioned Act and Orders, hereby PERMITS the development to be carried out in accordance with the application and plans submitted therewith, subject to compliance with the conditions specified hereunder:

1. The development permitted shall be begun before the expiration of five years from the date of this planning permission.
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. PLANS SPECIFICATION
The development shall be carried out in accordance with the following approved Plans and Documents
 - Plans
 - P01 Rev A OS Plan
 - P02 Rev A Block Plan
 - P03 Rev A Existing Site Plan

- P20 Rev A Demolition Site Plan
- P06 Rev N Proposed Site Plan
- P11 Rev B Proposed Apartment Plans – Ground Floor
- P12 Rev - Proposed Apartment Plans – First Floor
- P13 Rev - Proposed Apartment Plans – Second Floor
- P14 Rev B Proposed Villa Elevations - 1
- P15 Rev B Proposed Villa Elevations - 2
- P16 Rev F Proposed Townhouse Elevations 1
- P17 Rev E Proposed Townhouse Elevations 2
- P21 Rev G Proposed Townhouse Material Palette
- P28 Rev - House Plans Units 1 & 3
- P29 Rev - House Plans Unit 2
- P30 Rev - House Plans Unit 4
- P31 Rev - House Plans Units 5 & 7
- P32 Rev - House Plans Unit 6
- LA.1 Rev H Landscape Strategy (Dated 4th December 2018)
- LA.2 Rev G Planting Details (Dated 30th November 2018)
- LA.3 Rev G Hard landscape (Dated 30th November 2018)
- LA.4 Rev G Trees (Dated 30th November 2018)
- Suffolk House Communal Garden – Prepared by WYG (Dated 24.07.2018)
- P19 Rev B Proposed Plans & Elevations – Cycles and Refuse
- A103096-SK01 Rev E Parking Area Swept Path Analysis Large Car
- A103096-SK02 Rev A Proposed Access Visibility Assessment

- Documents

- Building Inspection & Bat Activity Survey - Soltys Brewster Ecology (Dated 12th December 2018)
- Tree Survey, Categorisation & Constraints Report - Soltys Brewster Consulting (Dated 16th February 2014)
- Tree Technical Note - Treecare Consulting, dated 24th April 2018
- Transport Statement A103096 (Dated March 2018)
- Drainage Strategy Report - Ref 7124 – Vale Consultancy (Dated December 2018)
- Design and Access Statement (Dated 5/1/2018)
- Planning Statement (Dated May 2018)

Reason: To ensure satisfactory completion of the development and for the avoidance of doubt in line with the aims of Planning Policy Wales to promote an efficient planning system.

3. 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 adopted Cardiff Local Development Plan (2006 - 2026).

4. 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 adopted Cardiff Local Development Plan (2006 - 2026).

5. 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 adopted Cardiff Local Development Plan (2006 - 2026).

6. 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 adopted Cardiff Local Development Plan (2006 - 2026).

7. STONE RE-USE

Any stones to be removed from the boundary walls of the application site shall be retained and reused in its reconstruction.

Reason: In order to preserve as much of the historic asset as possible, in accordance with policies KP5, KP17 & EN9 of the adopted Cardiff Local Development Plan (2006 - 2026)

8. BOUNDARY ENCLOSURES

Prior to the commencement of development details of the means of enclosures proposed along the boundaries of the site, including the re-use of existing stone and copings, shall be submitted to and approved in writing by the LPA. The approved details shall be implemented prior to the beneficial occupation of the development and thereafter maintained and retained.

Reason: In order to preserve the character and appearance of the area in accordance with Policies KP5, KP17 and EN9 of the adopted Cardiff Local Development Plan (2006 - 2026).

9. BATS

The development shall be undertaken in full accordance with the mitigation measures identified in the submitted Building Inspection and Bat Activity Survey report prepared by Soltys Brewster Ecology, dated 12 December 2018, and the Proposed Site Plan prepared by Connections Design, dated 11.12.18. in accordance with Policy EN7 of the adopted Cardiff Local Development Plan (2006 - 2026).

Reason : To ensure protected species are not affected by this development in accordance with conservation of Habitats and Species Regulations 2010 (as amended).

10. NESTING BIRDS

No site clearance/demolition of (*relevant features*) to take place between 1st March and 15th August unless otherwise approved in writing by the Local Planning Authority. This approval will be granted if a consultant ecologist can evidence that there are no birds nesting in this these features immediately (48 hrs) before their removal.

Reason: To avoid disturbance to nesting birds which are protected under the Wildlife and Countryside Act 1981: Part 1, 1(1)(b), in accordance with

policy EN7 of the adopted Cardiff Local Development Plan (2006 - 2026).

11. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP)

Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of site hoardings, site access, contractor parking and wheel washing facilities. The development shall be implemented in accordance with the approved CEMP.

Reason: To manage the impacts of construction in the interests of highway safety and public amenity in accordance with Policies KP5 and T5 of the adopted Cardiff Local Development Plan (2006 - 2026).

12. 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 landscaping implementation programme.
- Scaled planting plans.
- Evidence to demonstrate that services including drainage, will not conflict with proposed planting.
- Schedules of plant species, sizes, numbers and densities.
- Scaled tree pit sectional and plan drawings (as appropriate).
- Topsoil and subsoil specification for all planting types, including full details of soil assessment, protection, stripping, storage, handling, amelioration and 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 is appropriate for the landscaping type proposed and not only meets British Standards, but exceeds them in terms of suitability for the proposed end use. The specification shall be supported by a methodology for handling, amelioration and placement.
- Planting methodology and post-planting aftercare methodology, including full details of how the landscape architect or arboriculturist 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 in accordance with Policies KP5 and

EN8 of the adopted Cardiff Local Development Plan (2006 - 2026).

13. 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:

- 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 in accordance with Policies KP5 and EN8 of the adopted Cardiff Local Development Plan (2006-2026).

14. 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 11, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and improve the amenity and environmental value of the area in accordance with Policies KP5 and EN8 of the adopted Cardiff Local Development Plan (2006 - 2026).

15. SURFACE WATER DRAINAGE

The drainage system for the site shall be 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.

16. CAR PARKING

The proposed car parking and manoeuvring areas shall be laid out in accordance with the details shown on 'Proposed Site Plan' (Ref: P06, Rev N) before the development is brought into beneficial use and shall thereafter be maintained and retained at all times for the purposes in association with the development.

Reason: to make provision for vehicle parking of vehicles clear of the roads so as to not prejudice the safety, convenience and free flow of traffic in accordance with Policy T5 of the adopted Cardiff Local Development Plan (2006 - 2026).

17. LIGHTING

Prior to the commencement of development a scheme of lighting serving the proposed car parking and manoeuvring areas shall be submitted to and approved in writing by the LPA. The approved scheme shall include details demonstrating neighbouring properties would not be unduly affected by any spill. The approved details shall be implemented prior to the beneficial occupation of the development and shall thereafter be maintained and retained.

Reason: in order to protect the amenities of neighbouring residents in accordance with Policies EN13 and C3 of the adopted Cardiff Local Development Plan (2006 - 2026).

18. SCHEDULE OF WORKS FOR THE EXTERNAL REPAIR OF THE VILLA

Prior to the commencement of development a schedule of works detailing improvements to the original villa shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, but not be limited to, details of any re-rendering required, details of any replacement materials proposed - including railings, details of the making good of any features of the existing building and specific details of the additions proposed – including the projecting window surrounds. The approved details will be implemented prior to the beneficial occupation of the building and thereafter maintained and retained.

Reason: In order to preserve the historic asset, in accordance with policies KP5, KP17 & EN9 of the adopted Cardiff Local Development Plan (2006 - 2026).

19. MATERIALS SAMPLES

No above ground works shall be commenced until details, which may include samples, of the external finishing materials have been submitted to

and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory finished appearance to the development in

accordance with Policy KP5 of the Cardiff Local Development Plan (2006 - 2026).

All policies and proposals in the Development Plan which are relevant to this decision are listed in the report on the Application.

IT IS IMPORTANT THAT YOU SHOULD READ THOSE NOTES ON THE ATTACHED SHEET WHICH ARE RELEVANT TO THIS TYPE OF APPLICATION.

Dated: 31/05/2019



James Clemence
HEAD OF PLANNING
County Hall, Cardiff, CF10 4UW

It should also be noted that:

1. To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays. The applicant is also advised to seek approval for any proposed piling operations and that there should be no bonfires on site during construction activities.
2. The contamination assessments and the affects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for
 - (i) determining the extent and effects of such constraints;
 - (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates/ soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site;
 - Unprocessed / unsorted demolition wastes.
 - Any materials originating from a site confirmed as being contaminated

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

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

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

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

3. Prior to the commencement of development, the developer shall notify the Local Planning Authority of the commencement of development, and shall display a site notice and plan on, or near the site, in accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.
4. A European protected species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/protected-species-licensing/european-protected-species-licensing/information-on-european-protected-species-licensing/?lang=en>.

Development should not be commenced until the Applicant has been granted a licence by Natural Resources Wales pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations (2017) authorizing the specified activity/development to go ahead.

Please note, any changes to plans between planning consent and the

licence application may affect the outcome of a licence application. We advise the Applicant timing constraints to the works are likely to be in place due to the potential of a maternity roost being present.

5. In accordance with section 6 of the Environment (Wales) Act 2016, the

provision of the following ecological enhancements shall be provided by the applicant

- 2 x Swift nest boxes
- 1 x Double House Martin cup
- 1 x Sparrow terrace
- 1 x Hedgehog box

The model, location and installation of these features should be advised upon by the applicant's ecological consultants. These enhancements measures are separate from any specific mitigation / compensation measures required in respect of species directly affected by the proposed development, such as bats.