

LOCAL MEMBER OBJECTION & PETITION

COMMITTEE DATE: 16/12/2009

APPLICATION No. 09/01890/W APPLICATION DATE: 23/10/2009

ED: **LLANDAFF NORTH**

APP: TYPE: Full Planning Permission

APPLICANT: Dovey Estates Limited

LOCATION: 143 STATION ROAD, LLANDAFF NORTH, CARDIFF, CF14 2FE

PROPOSAL: PROPOSED CHANGE OF USE AND EXTENSION OF EXISTING BUILDING TO PROVIDE RETAIL UNIT

RECOMMENDATION: That planning permission be **REFUSED** for the following reasons:

1. The proposal would result in the loss of an off road servicing and car parking area whilst increasing the size of the premises which potentially increases the number of customers and staff and of deliveries to the site. The proposal would therefore result in servicing and parking taking place on street which would, as a result of limited kerbside parking available adjoining the site frontage, combined with the location of the site adjacent to a busy junction and a signalised pedestrian crossing, be detrimental to the free flow of traffic and pedestrian and highway safety. The proposal would therefore be contrary to policy 17 of the Cardiff Local Plan, 2.57 of the deposit Cardiff Unitary Development Plan and adopted Supplementary Planning Guidance on Access, Circulation and Parking.
2. The proposed extension to the building will result in unacceptable harm to the amenities of the occupiers of 3 Evansfield Road by reason of loss of light and creation of a visually overbearing outlook. The proposal would therefore be contrary to policy 2.24 of the deposit Cardiff Unitary Development Plan.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 It is proposed to extend a vacant building at 143 Station Road, Llandaff North and change its use from offices to retail.
- 1.2 The building is situated on the corner of Station Road and Evansfield Road in the Llandaff North local centre. It has two storeys with the first floor occupying a lesser area than the ground. There is also an open area on the Evansfield

Road frontage available for parking and deliveries of c120 sq.m. (See plan below). The extension would remove most of the open area for a new single storey wing to the building which would border the rear of the possible footway on the corner of Station Road and Evansfield Road. At first floor level, it is proposed to extend the building on its western side to take the first floor closer to the boundary with 3 Evansfield Road. A staff and deliveries door would be located on this boundary set back from the building frontage.

- 1.3 The existing premises has a total floor area of 280 sq metres. The proposed extensions would add approximately 150 sq metres, or slightly more than one half to this area.
- 1.4 The ground floor extension would have a glazed frontage on the corner of Station and Evansfield Roads with brick and painted render walls and a flat roof. The first floor extension would also use brick and render and have a flat roof. An existing external fire escape staircase on the 3 Evansfield Road side of the building would be enclosed by the extension.
- 1.5 The agent has submitted additional information in response to request from the transportation service. This states that enquiries have been received from potential tenants (retailers) but the applicant has yet to agree a lease with any specific operator. It is envisaged that the unit will employ 6/8 full time and part time staff. It is envisaged, in the absence of an agreed tenant, that the servicing/delivery pattern will follow that of other shops in the local centre. These units use dedicated parking bays and employ a variety of delivery vehicles. It is expected that deliveries will use the parking bay outside 129 to 141 Station Road. Most retailers deliver in the early morning or early evening when these bays are rarely in use for parking. There is no parking restriction outside the site of Evansfield Road. The applicant would be willing, if considered beneficial to highway safety, to make a one-off financial contribution to the funding of parking restrictions outside the application site and the demarcation of a dedicated 'limited hours' service only bay within the parking area outside of 129-141 Station Road. Provision of a dedicated service bay on the site was considered but rejected due to highway safety concerns resulting from service vehicles entering and leaving the site across heavily trafficked pedestrian route, close to a busy junction.

2. **DESCRIPTION OF SITE**

- 2.1 The application site comprises a relatively modern part single, part two storey building situated at the junction of Station Road and Evansfield Road, with a forecourt on the Evansfield Road frontage. It was used as a bank prior to 2001 when it was converted to general offices. It has been vacant since prior to November 2007.

- 2.2 The site is located within the Llandaff North shopping area with a builder's office adjoining at no. 141 Station Road and various retail uses in the remainder of the block (nos. 125 – 141). On the Evansfield Road boundary is a semi detached house at no. 3. A public house is situated opposite the site across Station Road with retail units and flats opposite in Evansfield Road.
- 2.3 On the site frontage, double yellow lines exist on the corner of Station and Evansfield Roads. A single parking bay exists on Station Road with a pelican crossing adjacent. No parking restrictions exist on Evansfield Road adjacent to the crossover leading to the existing on site parking/servicing area and adjacent kerbside a total length of approximately 10 metres. Adjacent in Evansfield Road is a residents only parking areas.

3. **SITE HISTORY**

- 3.1 01/460/W: permission granted for a change of use from class A2 (bank) to class B2 (offices). This was implemented.
- 3.2 07/2719/W: permission granted for a change of use from offices to retail (no extension). This has not been implemented but remains valid.

4. **POLICY FRAMEWORK**

- 4.1 The site is located in the Llandaff North district centre as defined in the Cardiff Local Plan and deposit Cardiff UDP. Policies 49 (Local Plan) and 2.36 (UDP) are relevant. These state that new and improved retail facilities will be favoured subject to various criteria including 'Scale, Location, Design, Amenity and Transportation' (Cardiff Local Plan).
- 4.2 Other policies considered relevant to assessing the application include policies 17 (Cardiff Local Plan) and (2.57 deposit UDP) which relate to parking and servicing; and UDP policy 2.24 (Residential Amenity). The approved SPG on Access, Circulation and Parking is also relevant.

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 The Operational Manager Transportation has advised that there is an objection on the following grounds
- (i) Intensification of the use of the site with no parking available within the curtailage, i.e. existing has been removed in order to accommodate the extension. This could result in illegal short stay parking occurring by visitors to the store (parking along the zig zag markings / pedestrian crossing facility and at the junction);

- (ii) The removal of the service/delivery area will result in such activities taking place on street, with limited space available for this to take place. Should sufficient room not be available on street when deliveries are taking place (away from the junction), then those areas detailed above may be obstructed and hence, would be detrimental in terms of pedestrian and highway safety.

5.2 The Strategic Planning Manager (Design) has advised that the ground floor extension would enhance the setting of Station Road and Evansfield Road strengthening and generally improving the presence of the corner between the two streets. The extension would enrich the aesthetic value of the existing building utilising the negative space currently used as a small parking area. The curved glazed façade would enhance the setting of the corner and provide natural surveillance on the street. The following aspects of the design require further consideration: security of the staff/delivery entrance, how servicing in terms of vehicle parking will be achieved, lack of windows at the southern end of the Station Road frontage, better integration within the street scene on Evansfield Road and impact on the amenities of the occupiers of 3 Evansfield Road.

5.3 Pollution Control has advised that imported soil and aggregate conditions are required together with contaminated/unstable land advice.

5.4 Waste Management advises that refuse storage details are required.

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 The Police Architect Liaison Officer has advised that crime records indicate that the local area is rated as average for South Wales in terms of crime incidents. Parking problems and congestion in Station Road have been regularly raised at local PACT meetings. If the development goes ahead, advice is provided on windows and door design and alarms.

6.2 The Environment Agency has confirmed that the site is not recorded as prone to flooding.

7. **REPRESENTATIONS**

7.1 Neighbouring occupiers have been notified and the application publicised by a site notice. Ten letters/emails have been received objecting to the application on the following grounds:

- (i) Traffic and parking congestion resulting from customers to the new shop and loss of the existing parking area. Parking is not available at the railway station, residents only parking in Evansfield Road is not

enforced, congestion arises outside of a Tesco store in Whitchurch with no on site parking and located next to a busy junction.

- (ii) Lack of space for delivery vehicles exacerbating the concerns raised in (i).
- (iii) A weight restriction on the Station Road bridge will require delivery vehicles to carry out extra manoeuvres.
- (iv) A Tesco store is not required and could harm existing traders in Station Road.
- (v) Harm to residential amenity, especially from noise created by deliveries.
- (vi) A right of way may exist across the site which would be lost.
- (vii) The proposal is contrary to planning policies which seek to minimise traffic movements.

7.2 A petition has been submitted by Councillor Rowland-James opposing the application, which has been signed by approximately 600 residents.

7.3 Cllr Rowland-James asks for the application to be refused on the following grounds and asks for a site visit if approval is intended:

1. Over development of site by extending the footprint of the existing building to the limits of the site through the extension of the width, height and depth.
2. The adverse affect of the close proximity to a residents home to the rear, on Evansfield Road, by the shutting off of light into living quarters.
3. The question of the weak bridge due to the inevitable heavy goods vehicles.
4. No provision has been made for the delivering of goods to the proposed site which will impact on the already congested parking issues and dangerous junction.
5. No provision of parking for the users of the proposed shop. The agent's suggestion of parking is not possible as 'Llandaff' Station close by is well used and is often full. There is no safe area to turn the large delivery vehicles.
6. This junction is already very heavily used especially in the morning and evening rush hours with children walking to schools in the area, (Hawthorn Primary, Glan Taff and the primary schools in Whitchurch also to Whitchurch High School.) Considered with the commuters using the bus and rail transport.

7.4 A resident of Radyr Road has stated they support the application.

8. **ANALYSIS**

- 8.1 The application seeks permission to extend a vacant office building and change its use to a shop. The premises is located in the Llandaff North local centre where there is a presumption in favour of retail use, and a permission has previously been granted for the vacant building to be converted to retail use without extension.
- 8.2 The application has been submitted by a property developer and the agent has stated that no decision has been made as to which retailer might occupy the premises. Even if occupation by the retailer named by many people opposing the application was confirmed (Tesco), this would not in itself provide a ground for refusal as the planning system does not seek to regulate competition between retailers.
- 8.3 The proposed extension would result in the loss of an area which can accommodate five parking spaces or a medium size delivery vehicle. The Access, Circulation and Parking SPG advises that for a shop of the size proposed, space should be provided for two commercial vehicles to unload and manoeuvre and a maximum of seven employee spaces, The extended premises would fail to meet these standards and would remove the opportunity for any off street servicing or parking. It is recognised that other shops in this local centre do not benefit from any off road parking or servicing but this is considered to justify removal of such space where it exists. The location of the site adjacent to a busy junction with a pelican crossing is considered to exacerbate the problems that will arise from the loss of the parking and servicing area and the resultant displacement of vehicles to the kerbside. This is considered to provide reason for refusal.
- 8.4 The extension of the building will bring both the ground and first floors closer to the side site boundary with the house of 3 Evansfield Road which has a ground floor dining room on its side elevation 2.3m from the boundary. This is the only window to this room and would be 2.5m from the 5.0m high ground floor of the extended building and 4.0m from the nearest point of the first floor extension, which has a height of 8m at this location. The impact on the occupiers of no. 3 is considered unacceptable by reason of loss of daylight and being visually overbearing. This provides a second reason for refusal.
- 8.5 In conclusion, it is considered that whilst use of the site for retailing is acceptable in principle, the proposed extension which would increase the size of the premises by slightly over 50% is unsatisfactory for reasons relating to loss of parking and servicing space and impact on the amenities of an adjoining resident. Refusal is recommended for these reasons.



CHIEF EXECUTIVE

Byron Davies: B.Sc.(HONS), M.Phil., C.Eng., F.I.C.E., FIMgt.

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CARDIFF COUNTY COUNCIL
CYNGOR SIR CAERDYDD



Title:

Planning application 09/01890W
143 Station Road, Llandaff North

Drawn by: P Kingsbury

Date: 04/12/09

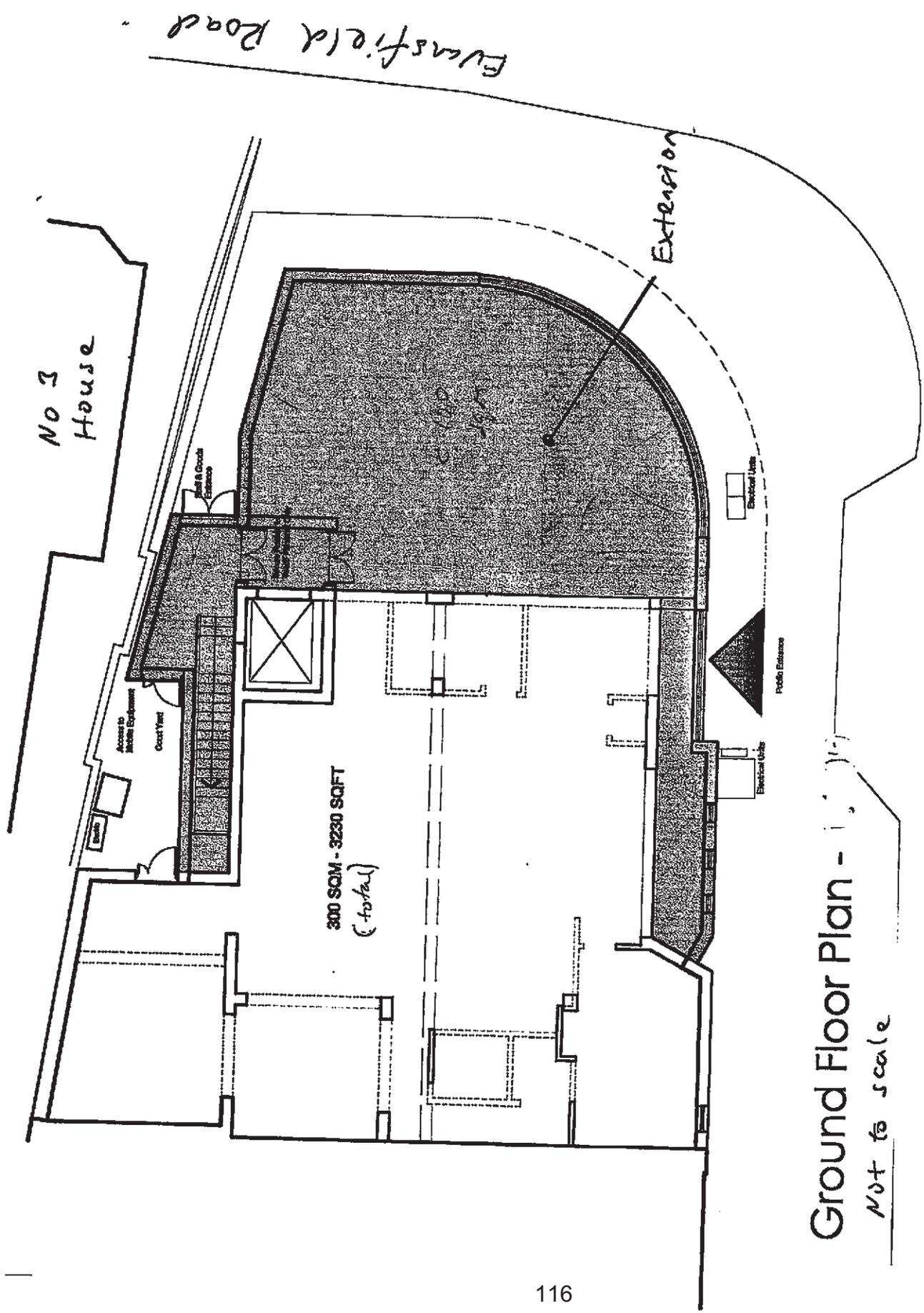
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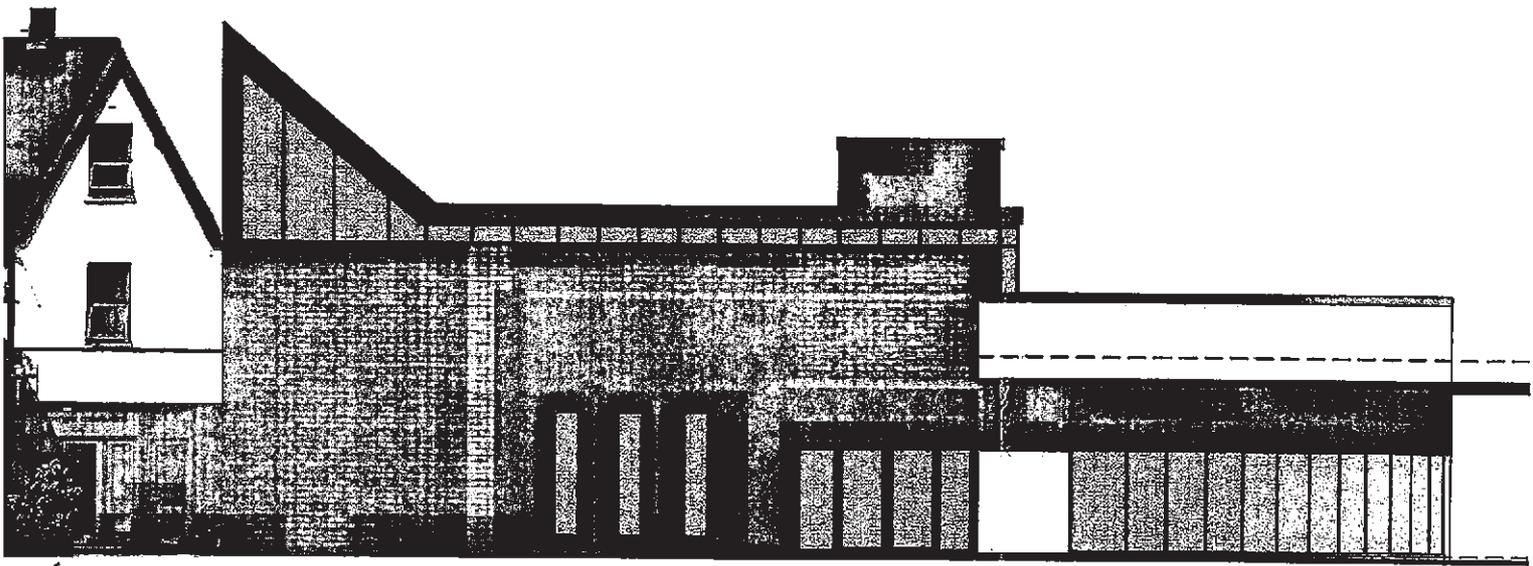
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W: Dining room
Window

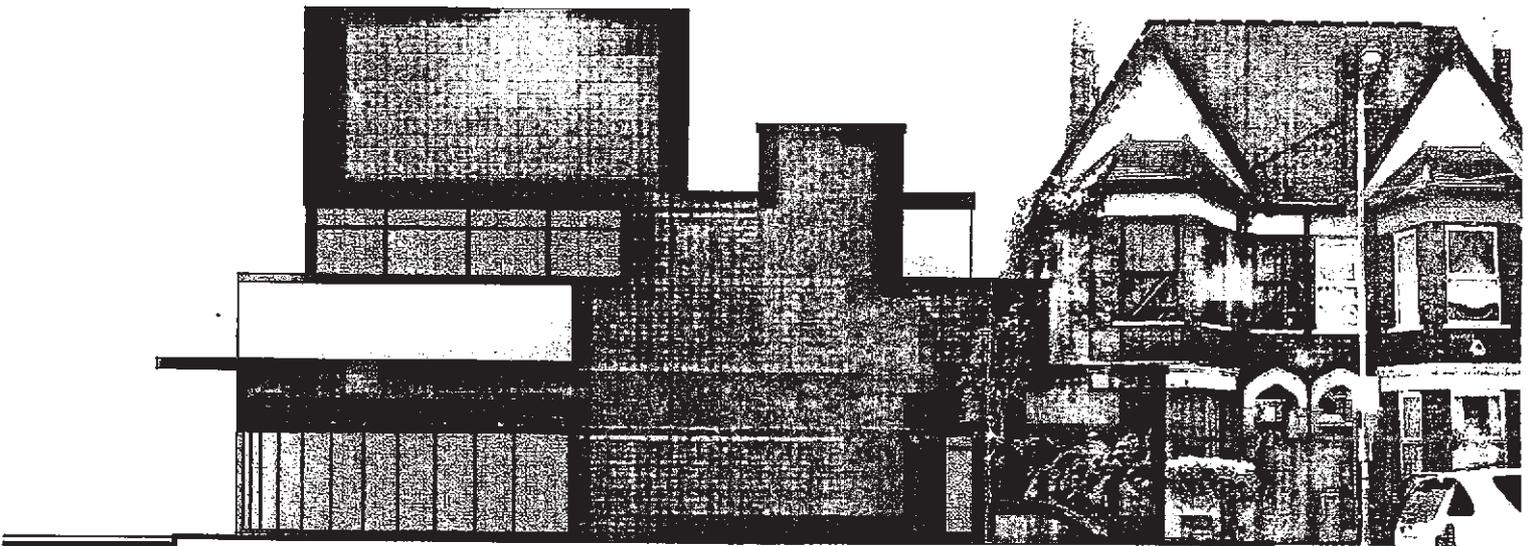
Ground Floor
extension



Ground Floor Plan - 116
 Not to scale



Elevation -
to Station Road



Elevation -
to Evansfield Road