

LOCAL MEMBER AND AM OBJECTION

COMMITTEE DATE: 17/11/2010

APPLICATION No. 10/903/W APPLICATION DATE: 19/05/2010

ED: **LLANDAFF NORTH**

APP: TYPE: Full Planning Permission

APPLICANT: DOVEY ESTATES LTD

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

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

RECOMMENDATION 1: That, subject to persons having relevant interest in the application site entering into a binding planning obligation in agreement with the Council under **SECTION 106** of the Town and Country Planning Act 1990 encompassing the matters referred to in paragraph 5.3 of the Chief Strategic Planning and Environment Officer's report planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. No development shall take place until details of the means of site enclosure including gates to the loading bay have been submitted to and approved by the Local Planning Authority. The means of site enclosure shall be constructed in accordance with the approved details prior to the development being put into beneficial use.
Reason: To ensure that the amenities of the area are protected.
3. C20 Architectural Detailing
4. There shall be no arrival, departure, loading or unloading of vehicles between the hours of 20.00 and 08.00 hours.
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.
5. The rating level of the noise emitted from fixed plant and equipment on the site shall not exceed the existing background noise level at any time by more than 5dB(A) at any residential property when measured and corrected in accordance with BS 4142: 1997 (or any British Standard amending or superseding that standard).
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected, in accordance with policy 2.24 of the deposit Unitary Development Plan.

6. D7Z Contaminated materials
7. E7Z Imported Aggregates
8. The vehicle loading bay shown on the approved plans shall be provided prior to beneficial use of the development, thereafter retained and shall not be used for any purpose for the loading and unloading of vehicles.
Reason: To ensure that the use of the proposed development does not interfere with the safety and free flow of traffic passing along the highway abutting the site.
9. No goods shall be delivered to the site in vehicles longer than 8.5 metres.
Reason: To ensure that the use of the proposed development does not interfere with the safety and free flow of traffic passing along the highway abutting the site.
10. Prior to the commencement of development, details of a scheme to stop up the existing footway on Evansfield Road and to provide a new crossover to the delivery bay shall be submitted to and approved by the local planning authority. The scheme shall be implemented as approved prior to beneficial use and thereafter retained.
Reason: In the interest of the safety of highway uses.
11. Prior to commencement of each phase of development a scheme of construction management shall be submitted to and approved by the local planning authority to include details of construction traffic routes, times of deliveries, site hoardings, site access, wheel washing facilities and parking of contractors vehicles. The development construction of the relevant phase shall be managed strictly in accordance with the scheme so approved.
Reason: In the interests of highway safety and public amenity.

RECOMMENDATION 2: 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.

RECOMMENDATION 3: 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 and;

- (ii) 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.

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 square metres. (See plan below). The extension would remove part of the open area for a new single storey wing to the building which would border the rear of the footway on the corner of Station Road and Evansfield Road. At first floor level, it is proposed to extend the building towards Evansfield Road to provide a lift and internal stairs. A vehicle delivery bay of 9.0 metres x 3.8 metres would be provided between the ground floor extension and 3 Evansfield Road.
- 1.3 The existing premises has a gross floor area of 280 square metres. The proposed extensions would add approximately 110 square metres, or slightly less than 40% 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 remain within a courtyard to the rear of the loading bay.
- 1.5 The application is supported by a Design and Access Statement. This comments that the scheme has been substantially amended since an earlier application was submitted (09/1890W). The principal amendments are a substantial reduction in the ground floor extension adjacent to 3 Evansfield Road, substantial reduction in first floor extension to minimise impact on neighbouring properties and provision of an on site service bay. The scheme has been developed to be compatible with the height of adjacent buildings, stepping down at the northern corner adjacent to 3 Evansfield Road. The scheme seeks to reinforce the street scene by creating a building which naturally follows the roadway in a compatible form and scale. It seeks to meet demand for a quality retail development in a sustainable location, well located to serve the local communities of Llandaff North and Whitchurch.

- 1.6 Following a request from the Transportation Service for further information, a Transport Assessment has been submitted. The assessment compares the trip generation forecast for the extended retail use with that which would occur if the existing building was occupied for convenience goods (food) retailing, a use which has planning permission. It concludes that a modest or de minimis increase in daily and peak hour traffic generation. With regard to parking, the extended store will generate a typical additional parking demand of one or two spaces compared to retail use of the existing building, and demand of three spaces at peak times. Space capacity for this demand exists within an easy walk of the store. The unloading space can accommodate a standard rigid delivery vehicle (10 metres long) which can manoeuvre into the space. Following concern from Transportation about the manoeuvring of a vehicle of this size into the delivery bay, the agent has stated that the proposed maximum delivery lorry size will be reduced to 8.5 metres length.

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 of 143 Station Road 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.
- 3.3 09/1890W : An application for the change of use to retail and a two storey extension of c150 square metres at 143 Station road was withdrawn prior to determination in December 2009.

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 Strategic Planning Manager comments as follows:

Policy

He advises that the premises are located within the Station Road, Llandaff North Local Centre. Paragraph 9.3.3 of the Cardiff Local Plan states that the provision of new and improved shopping facilities will be encouraged within identified centres. Permission has been granted for the existing building to be converted to retail use. In light of the above, the proposal does not raise land use policy concerns.

Design

He has advised that the reduction in size of the extensions at ground and first floor level are considered to lessen the impact on the neighbouring property (3 Evansfield Road) and its private amenity space. The proposed loading bay should be gated to restrict public access into a recessed area to the side of the building. The gates should be of an appropriate design. Scope exists for the inclusion of additional windows in the existing building frontage to increase surveillance over the street and reduce the area of blank façade, a potential target for graffiti. Scope exists for enhancement of the public realm in conjunction with the scheme. The Strategic Planning Manager has previously commented that the proposed curved glazed façade would enhance the setting of the corner and provide natural surveillance of the street.

- 5.2 Operational Manager, Environment (Pollution Control) has advised that imported soil, plant noise, delivery times (08.00 – 20.00 hours) and aggregate conditions are required together with construction noise and contaminated noise and contaminated/unstable land advice.

- 5.3 The Transportation Service has made the following draft comments:

A Transport Assessment (TA) was submitted in support of the application, which considered the traffic movements associated with the previous uses and extant permission and compared these with the traffic likely to be generated by the proposal. The trip generation derived indicated that the proposed use could generate an additional 24 (2 way) movements in the

AM peak and an additional 34 (2 way) movements in the PM peak period, over and above the extant consent. This broadly equates to an additional vehicle every 3 minutes in the AM peak and an additional vehicle every 2 minutes in the PM peak.

The TA also assessed the site and surrounding area in terms of demand for car parking spaces and undertook a parking accumulation study for both the extant permission and current proposal. This indicated that there would likely be a demand for a maximum of three additional on street parking spaces at the absolute peak time and that these could be accommodated on street within a short walk of the site.

In addition the TA considered deliveries to the site and demonstrated that a FTA design rigid lorry (exact size to be confirmed) could manoeuvre into the delivery bay that is to be provided within the curtilage of the site.

The TA is generally considered to be acceptable in Transportation terms.

On the basis of the above, I can therefore confirm that Transportation would have **no objection** to the proposal, subject to the conditions, regarding footways/dropped kerbs, delivery vehicle size and construction management. A Section 106 Agreement is also required to secure payment of £2,080 to be used for an extension of double below line markings and introduction of 'no loading' restrictions on the site frontage.

Confirmation that a 8.5 metre long lorry can satisfactorily manoeuvre into the delivery bay will be provided prior to Committee.

5.5 Waste Management advises that the refuse storage details are acceptable.

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 The Police Architect Liaison Officer has previously 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, the rear loading bay should be fitted with secure gates. Advice is provided on window 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. Eleven 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 or the Railway Inn as suggested by the agent, 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) Manoeuvring by delivery vehicles will exacerbate the congestion at the junction of Evansfield Road and Station Road.
- (iii) A weight restriction on the Station Road bridge will require delivery vehicles to carry out extra manoeuvres.
- (iv) A new store is not required and could harm existing traders in Station Road.
- (v) Harm to residential amenity, especially from noise created by deliveries and loss of light to the adjacent house.
- (vi) A right of way may exist across the site which would be lost/loss of a pedestrian short cut.
- (vii) The proposal is contrary to planning policies which seek to minimise traffic movements and protect pedestrian safety.
- (viii) The lorry bay will harm the street scene and shade adjacent garden.
- (ix) Disruption from construction traffic.
- (x) Loss of value of nearby houses and flats.

7.3 Councillor Rowland James has submitted the responses to a survey of local residents' opinion carried out by the local Focus team. Of those who responded, 17 residents support the application with 24 against.

7.4 Jonathan Morgan AM comments that the majority of local people seem to be against the proposals but not overwhelmingly. He shares the concerns of those living nearest the site. He objects on the grounds of impact on the surrounding area. Four parking spaces would be lost with no new spaces to compensate. The two alternative parking sites suggested (railway station and Railway Inn) are not owned by the applicant. Additional difficulties will be caused for local residents as a result of the deficiency in parking provision and congestion will be made worse. The location of the delivery bay near to a busy junction will affect the safety of Evansfield Road resident and could prove a hazard for other vehicles.

7.2 A petition has been submitted by Councillor Rowland-James opposing the application, which has been signed by 112 residents. The petition requests the application is rejected on the grounds of increased traffic congestion, increased hazard to pedestrians, removal of existing parking and inadequate parking for the proposed shop. It is requested that local residents are fully consulted on future proposals.

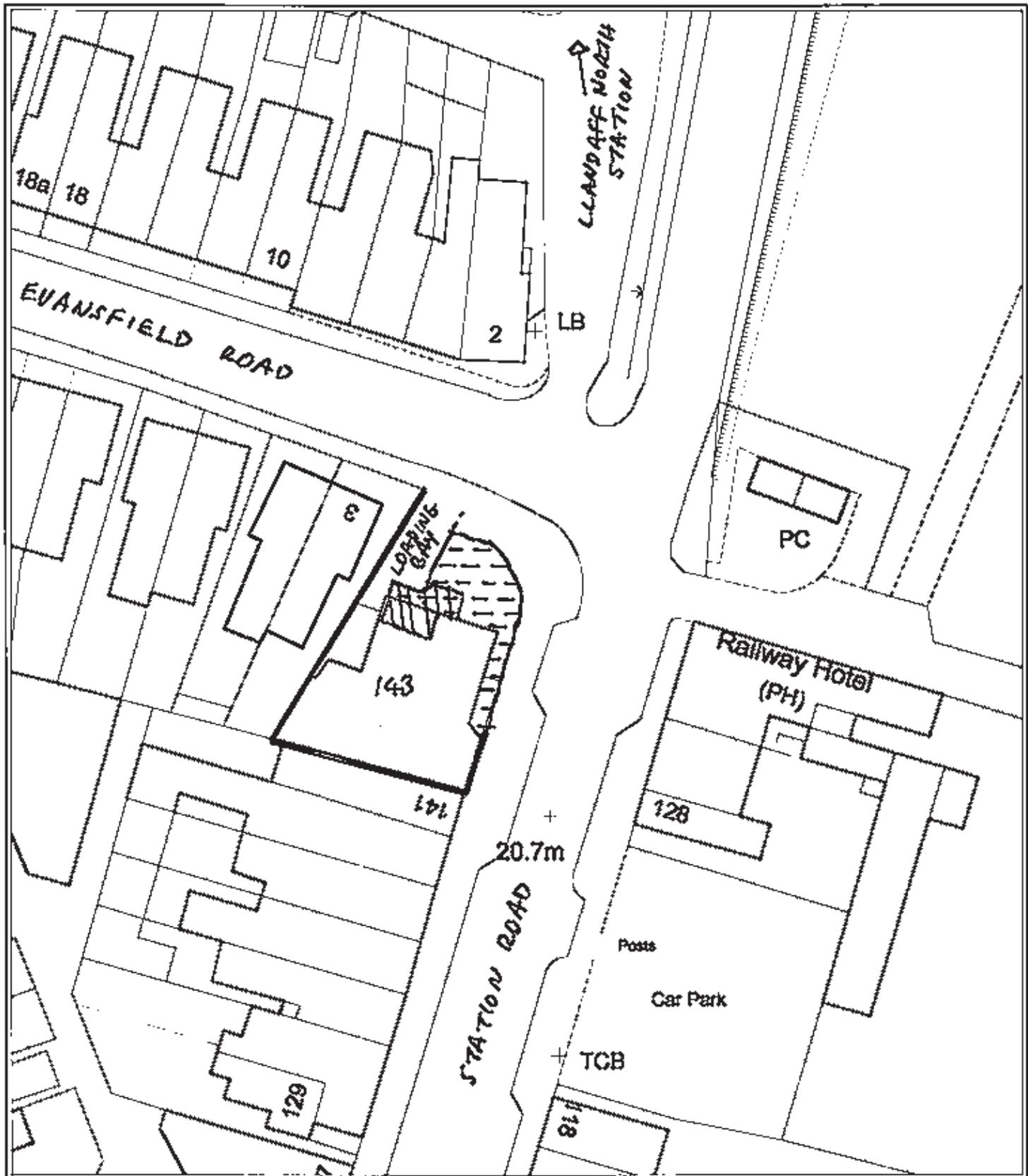
7.4 A local resident has stated they support the application which will improve the appearance of the site and provide etc for the Co-op.

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 some 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 Transportation: Concern has been expressed by objectors regarding parking, traffic congestion and deliveries. Whilst the site currently provides four parking spaces, the Council's parking standards do not specify a minimum provision for customer and staff parking and in local and district centres, it is unusual for on site parking to be provided. Given the small additional parking demand likely to be generated by the extension (2/3 spaces), it is considered that loss of on site parking does not provide a ground for refusal. With regard to traffic generation, the Transport Statement forecasts minimal change in traffic vehicles on the road network resulting from the proposed building extension. The acceptability of the delivery arrangements following a reduction in the proposed length of the delivery lorry to 8.5 metres will be reported at Committee following advice from the Transportation service.
- 8.4 Amenity of neighbouring residents: the impact on the occupiers of 3 Evansfield Road was a suggested refusal reason for the previous application which was withdrawn before determination. The current application does not extend the ground floor of the building towards that house and the ground floor extension would be sited 5.0 metres from the blank side elevation. At first floor level the structure enclosing a lift and stairs would be built over the existing building closer to No. 3 (see plan below). However, the structure is considered to be sufficiently far from the side facing window in the rear wing of no. 3 (4.8 metres) to conclude that the change of light to and outlook from the window does not merit refusal. With regard to the siting of the delivery bay adjacent to the boundary with no. 3, this adjoins the blank part of the side elevation. Following Pollution Control advice, deliveries would be limited to 8.00 a.m. to 8.00 p.m. A shop of this size would only expect to receive several deliveries a day. In view of the above, the delivery bay is not considered to unreasonably harm the occupiers of no. 3. A condition is recommended to require the developer to construct a new means of enclosure to replace the low wall and trellis fence on the boundary between the delivery bay and no. 3.
- 8.5 The design of the extension is considered to complement the existing modern building and to provide a suitable quality frontage for this prominent corner location. Permission is recommended subject to completion of a Section 106 agreement to secure payment of £2,080 for new waiting and loading restrictions at the site, conditions and continuation of satisfactory manoeuvring of delivery vehicles.



CHIEF EXECUTIVE

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**CARDIFF COUNTY COUNCIL
CYNGOR SIR CAERDYDD**



**CARDIFF
CAERDYDD**



Title:

Application 10/00903W : 143
Station Road, Llandaff North

Drawn by: P Kingsbury

Date: 03/11/10

Scale: 1:500

Centre Coords: 314885 / 170429

Drawing No.:



GAD PLR EXTENSION

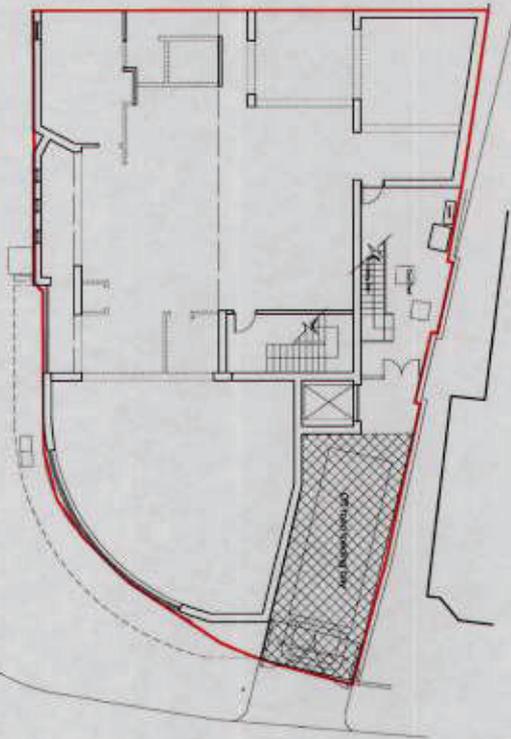


1st FLR EXTENSION

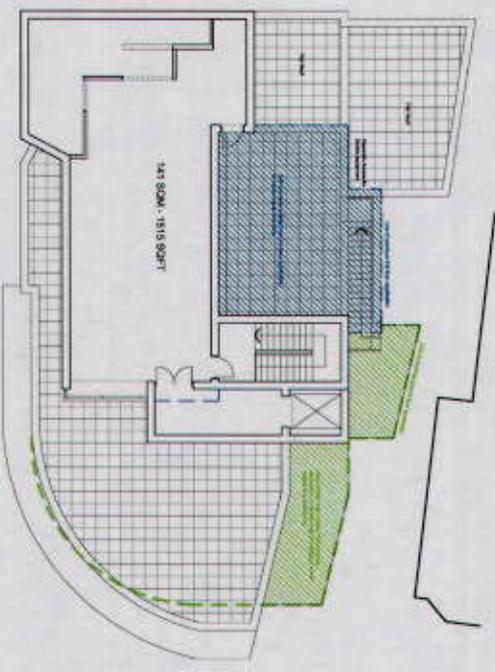
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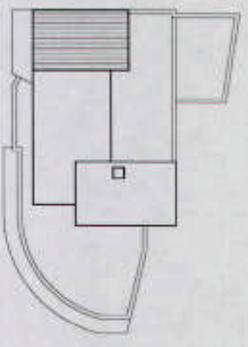
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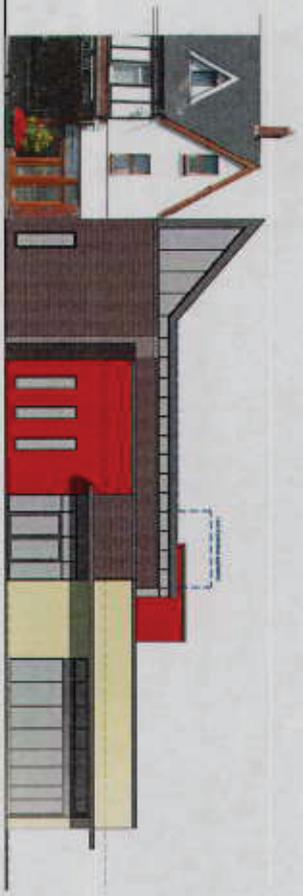
Ground Floor Plan - 1:100



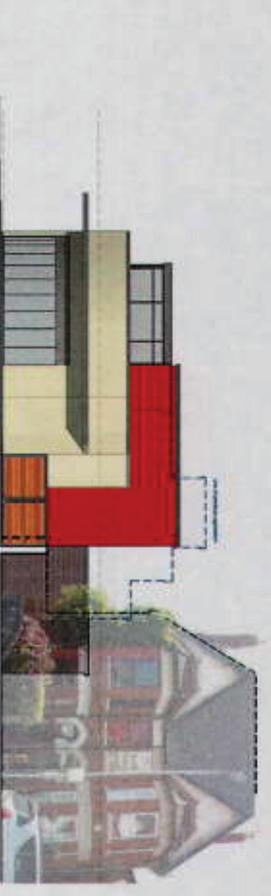
1st Floor Plan 1:100



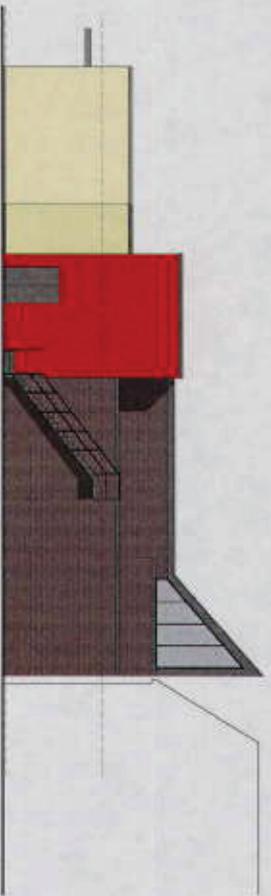
Roof Plan 1:200



Front Elevation - 1:100



Side Elevation - 1:100



Rear Elevation - 1:100

<p>  Architectural Design Services Residential Planning & Design 1100 11th Street SW Calgary, Alberta T2P 1K1 Phone: (403) 243-1111 Fax: (403) 243-1112 Email: info@architectural-design-services.com </p>	<p> 10/001 10/002 10/003 10/004 10/005 10/006 10/007 10/008 10/009 10/010 10/011 10/012 10/013 10/014 10/015 10/016 10/017 10/018 10/019 10/020 10/021 10/022 10/023 10/024 10/025 10/026 10/027 10/028 10/029 10/030 10/031 10/032 10/033 10/034 10/035 10/036 10/037 10/038 10/039 10/040 10/041 10/042 10/043 10/044 10/045 10/046 10/047 10/048 10/049 10/050 10/051 10/052 10/053 10/054 10/055 10/056 10/057 10/058 10/059 10/060 10/061 10/062 10/063 10/064 10/065 10/066 10/067 10/068 10/069 10/070 10/071 10/072 10/073 10/074 10/075 10/076 10/077 10/078 10/079 10/080 10/081 10/082 10/083 10/084 10/085 10/086 10/087 10/088 10/089 10/090 10/091 10/092 10/093 10/094 10/095 10/096 10/097 10/098 10/099 10/100 </p>
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