

# Land at East Bay Close, Cardiff.

Planning Statement – Proposed Redevelopment to Provide  
Student Accommodation.

*the*  
*Planning*  
C o n s u l t a n c y

## 1. Introduction.

1.1. This Planning Statement is submitted in support of a detailed planning application for the redevelopment of the site of the former Volvo Car dealership on East Bay Close, Cardiff to provide student accommodation.

1.2. It is proposed that the existing buildings on the site will be demolished and a new ten storey building erected to provide accommodation for a total of 711 students.

1.3. This Planning Statement addresses the key issue of the principle of the proposed development. However, the application is also supported by reports addressing the following and, in summary, they conclude as follows:

1.3.1. Design and Access – This report outlines the approach to the design of what will be a purpose built building providing high quality student accommodation and explains how the development will result in a prominent building within the locality, contributing positively to the urban landscape.

1.3.2. Noise and Vibration – It is noted that secondary glazing and mechanical ventilation would be required for the bedrooms overlooking the railway and flyover, these are relatively common requirements the provision of which can be conditioned.

1.3.3. Arboriculture – Following a survey of all of the trees on the site it is not considered that the loss of any of them should be considered to be a constraint to development, especially if the development is required to provide appropriate landscaping. The Applicant's would invite the imposition of a condition in this regard.

1.3.4. Air Quality – Air Quality levels (PM<sub>10</sub> and NO<sub>2</sub>) in the area are assessed as being well below the relevant objective levels and, therefore, this is not a constraint to the development.

1.3.5. Landscape Design – the submitted proposals demonstrate how the proposed building can be sited within attractive grounds with significant planting to extensive areas of the boundaries, the provision of activity areas for the residents, together with quilter landscaped courtyard areas. It is clear that the proposals would result in a high quality development in an attractive setting.

- 1.3.6. Flood Risk – Although part of the site is identified as being at risk of flooding, the flood risk assessment concludes that the proposed development complies with TAN15 guidance in respect of flood risk.
- 1.3.7. Highways (and Travel Plan) – This report highlights the extremely low traffic generation in association with the proposal as a consequence of students not being permitted to have cars in the City; traffic generation will be significantly less than arises in relation to the existing use. The development will, however, generate significant numbers of journeys both by pedestrians and cyclists for which there are good connections to key destinations and generally throughout the City. Modest improvements to two junctions are proposed and these can be secured through a S.106 Agreement.
- 1.3.8. Daylight/Sunlight – The study concludes that the development complies with the standards for daylight and sunlight as recommended in the document “Site Layout Planning for Daylight and Sunlight”.
- 1.3.9. Ecology (and associated bat roost assessment) – Subject to some standard precautions in relation to bats and nesting birds, no significant ecological issues have been identified.
- 1.3.10. Ground Conditions – Having regard to previous use of the site, it is concluded that there is a medium risk of contamination on the site, but a condition can be imposed on any approval to require further investigation in order to establish the appropriate design requirements for foundations, floor slabs and pavement.
- 1.4. Therefore, none of the above reports identify any reason why the application proposal should not be supported in principle, subject to appropriate conditions. The detailed findings of the individual reports are not repeated in this Statement, rather, they should be read as freestanding documents in support of the application.
- 1.5. Finally, it is recognised that the site is situated within one kilometre of Cardiff Castle, a Grade 1 listed building and a Scheduled Monument. The views of CADW are currently being sought and their comments and/or recommendations regarding the proposal will be included within the Pre-Application Consultation report once the consultation process has been completed.

## **2. The Principle of the Proposed Use.**

2.1. The application site is allocated in the Local Development Plan as an Existing Employment site under Policy EC1 (EC1.22 – Garth Industrial Estate). The Policy seeks to protect such sites for B use class employment generating activities. The proposed redevelopment of the application site would conflict with this Policy.

2.2. However, EC1 needs to be read alongside Policy EC3 which does acknowledge the appropriateness of such sites being used for alternative purposes in specific circumstances relating to:

2.2.1. Poor location of the site for business use,

2.2.2. Lack of realistic prospect of the site being used for employment,

2.2.3. No need to retain having regard to the demand for such land.

2.2.4. No unacceptable impact on the operating conditions of existing businesses.

2.3. It is considered that the application proposal meets these criteria for the following reasons.

2.4. The application premises were constructed as a purpose built motor vehicle showroom with related workshop facilities, as such, the buildings are of a relatively specialist nature which limits their appeal to many businesses.

2.5. It is correct to say that the premises are currently occupied by a Citroen dealership. However, it is important to stress that this use of the site is on a strictly temporary basis whilst their main site is redeveloped and is due to cease this coming December.

2.6. Aside from the existing temporary use of the site, the premises have been vacant since 2009 when the previous dealership relocated to a more appropriate location in Cardiff.

2.7. The property has been marketed, available either leasehold or potentially freehold, since 2009 by Fletcher Morgan and Rapleys. The availability of the premises on-site was clearly indicated by means of a sale board and, indeed, a banner across the building, details were available online and were sent directly to all agents and individuals who it was felt might be interested. It is clear that the marketing of the property has been comprehensive over a very

long period of time.

2.8. However, despite the marketing efforts, no new occupier for the property has been identified. It is of note that some interest in the property was identified from leisure related activities, however, it is understood that, primarily as a result of the cost of conversion, none of these proposals progressed. It is also of note that, even if a leisure proposal had resulted in a realistic offer, the proposed use would also have been in conflict with Policy EC1 as the activity would not fall within the 'B' use class for which the Policy specifically seeks to protect the site.

2.9. A marketing campaign over a period of twelve months would generally be regarded as sufficient to establish whether there was, or was not, a need for premises to be retained for employment use, but a campaign over approximately seven years makes the position unequivocal; there is no market demand for continued employment use of this site and, therefore, the proposal can be said to meet the criteria identified at 2.2.1 to 2.2.3 above which justifies a change of use to student accommodation, despite Policy EC1.

2.10. It is also noted that there is absolutely no reason why the proposed use might have an unacceptable impact on the operating conditions of adjacent businesses, consequently, the criteria at 2.2.4 above is also met.

2.11. The above approach is, of course, entirely consistent with the National approach to such matters set out in Technical Advice Note 23: Economic Development (TAN23).

2.11.1. Paragraph 4.5.6 accepts that where sites identified for employment have no reasonable prospect of being re-used for such purposes, then it is expected that they should be re-allocated or de-allocated.

2.11.2. Paragraph 4.6.9 that such sites should be released for other uses if, amongst several criteria, "*they have poor prospects of being re-occupied for their previous use*".

2.12. The marketing history of the application site demonstrates that, not only is the principle of the proposed use acceptable in the context of the LDP, but it is entirely consistent with National policy as well.

2.13. In addition to the above, and whilst the application proposal is not a residential use in the strict sense of the definition within TAN1: Joint Housing

Land Availability Studies, housing land availability considerations are relevant to this proposal.

2.14. Given that students comprise 10.8% of Cardiff's population (para 2.1 of LDP) it is, perhaps, surprising that the LDP does not directly address their needs.

2.15. However, the latest housing land availability study for Cardiff (2016) concludes that Cardiff has just a 3.8 year supply of housing against the minimum five year requirement. Paragraph 6.2 of TAN1 states that in such circumstances:

*“the need to increase supply should be given considerable weight when dealing with planning applications..”*

Whilst it is usually the case that this guidance is applied to residential applications that would improve the supply of housing land directly, it is clear that the guidance is not so specific and should, therefore, be applied to all applications that would have a positive impact on land supply, directly or indirectly.

2.16. In this particular case the provision of a purpose-built development of student accommodation will not only improve the quality and availability of accommodation for students, who are a significant and important element of the local population, but it also has the potential to release dwellings back into the traditional housing market which are presently occupied by students. The scale of the effect is impossible to predict accurately, but a development on the scale proposed could, clearly, have a significant impact on the availability of housing and, therefore, “considerable weight” should be attached to this factor in considering this application.

2.17. Policy H6 of the LDP relates to the change of use or redevelopment of redundant premises or land to residential use and indicates that this will be permitted where a series of five criteria are met:

2.17.1. *No overriding need to retain the existing use* – This is the same test as set out in EC3 and the marketing clearly demonstrates that is satisfied.

2.17.2. *The resultant residential accommodation and amenity will be satisfactory* – The proposals will result in high quality specialist accommodation for students in an appropriate location.

- 2.17.3. *No unacceptable impact on the operating conditions of existing businesses* – It has already been commented at 2.10 above that this requirement is met.
- 2.17.4. *Necessary community and transportation facilities are accessible* – The submitted TA confirms that the site is sustainably located in relation to a full range of facilities, not least, the education facilities themselves for access by foot and cycle and that some modest improvements to the local pedestrian facilities can bring forward improvements for the benefit of everybody.
- 2.17.5. *There are no unacceptable risks associated with ground contamination* – Whilst the ground investigation recommends further site investigation, which could be conditioned, it does not identify any reason why the proposed development would not be an acceptable use for the site.
- 2.18. The proposal is, therefore, considered to be entirely consistent with Policy H6.
- 2.19. For all of the above reasons it is clear that, following prolonged marketing, there is no longer any justification for the application site being retained for employment use. Relevant policy, clearly allows in such circumstances that sites should be allowed to be reused for alternative appropriate uses. The proposed student development is clearly an appropriate use in this case and will bring benefits both in terms of the provision of student accommodation and through increases in the stock of traditional housing.
- 2.20. The principle of this development should, therefore, be viewed as acceptable.

### 3. Conclusions.

- 3.1. This Planning Statement is limited to a consideration of the principle of the proposed development from a policy perspective on the application site, other detailed issues in association with the design and related matters are addressed in separate reports.
- 3.2. It is clear that both National and Local policy recognises the need to make use of employment land in circumstances where future employment use appears unlikely.
- 3.3. The application site has been marketed for a prolonged period of time with no significant market interest, it is clear that it is now appropriate to look towards an alternative use for the site such as that proposed in this application.
- 3.4. Policy H6 sets out a series of criteria that should be met in relation to the redevelopment of sites for residential purposes, the application proposal meets all of the criteria.
- 3.5. Furthermore, the housing land shortfall within Cardiff means that the enhancement of the housing land supply that would arise as a consequence of the application proposal proceeding should be given “considerable weight” in the consideration of this application.
- 3.6. For each of the above reasons this should be viewed as an appropriate proposal in principle and, in the light of its suitability in all other respects, as demonstrated in the plans and other supporting documents, it should be granted planning permission.