

# Land adjacent to East Bay Close, Cardiff

Planning Statement - PAC DRAFT

January 2026

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# 1.Introduction and Background

## 1.1. Background

This statement is prepared by the Urbanists on behalf of Northpoint (Residential Holdings) Ltd. It is prepared in support of a full planning application for the erection of a purpose-built student accommodation building at land adjacent to Rosemary Street, Cardiff. The Statement should be read in conjunction with the other supporting plans and documentation submitted with this application.

## 1.2. This Report

This document comprises the following;

- **Section two** describes the site in context,, including its planning history;
- **Section three** describes the development proposal in more detail, including how it has evolved;
- **Section four** describes the legislative and planning policy context relevant to the proposed development;
- **Section five** sets out the material considerations and provides an assessment of the proposals in planning policy terms;
- **Section six** provides a summary and some conclusions based on the above.

## 1.3. The Application

The planning application comprises the following documentation:

- Site Location Plan;
- Existing and Proposed Plans;
- Proposed Sections;
- Design and Access Statement;
- Green Infrastructure Statement;
- Drainage Strategy;
- Ecological Appraisal and impact assessment;
- Air Quality Assessment;
- Sunlight and Daylight Assessments;
- Access Plans;
- Transport Assessment and Travel Plans;
- Arboricultural Reports and Plans; and
- Noise Assessment.

## 2.The Development Site

### 2.1. Site Location

The application site is within the Cardiff Central Enterprise Zone close to Cardiff city centre. It is therefore considered to be in a highly accessible and sustainable area, important for the strategic growth of the city and wider region. The immediate location forms no distinct overarching character with a mix of large-scale commercial, office and student accommodation buildings in the locality as well as the utilitarian nature of the surrounding highways and railway line.

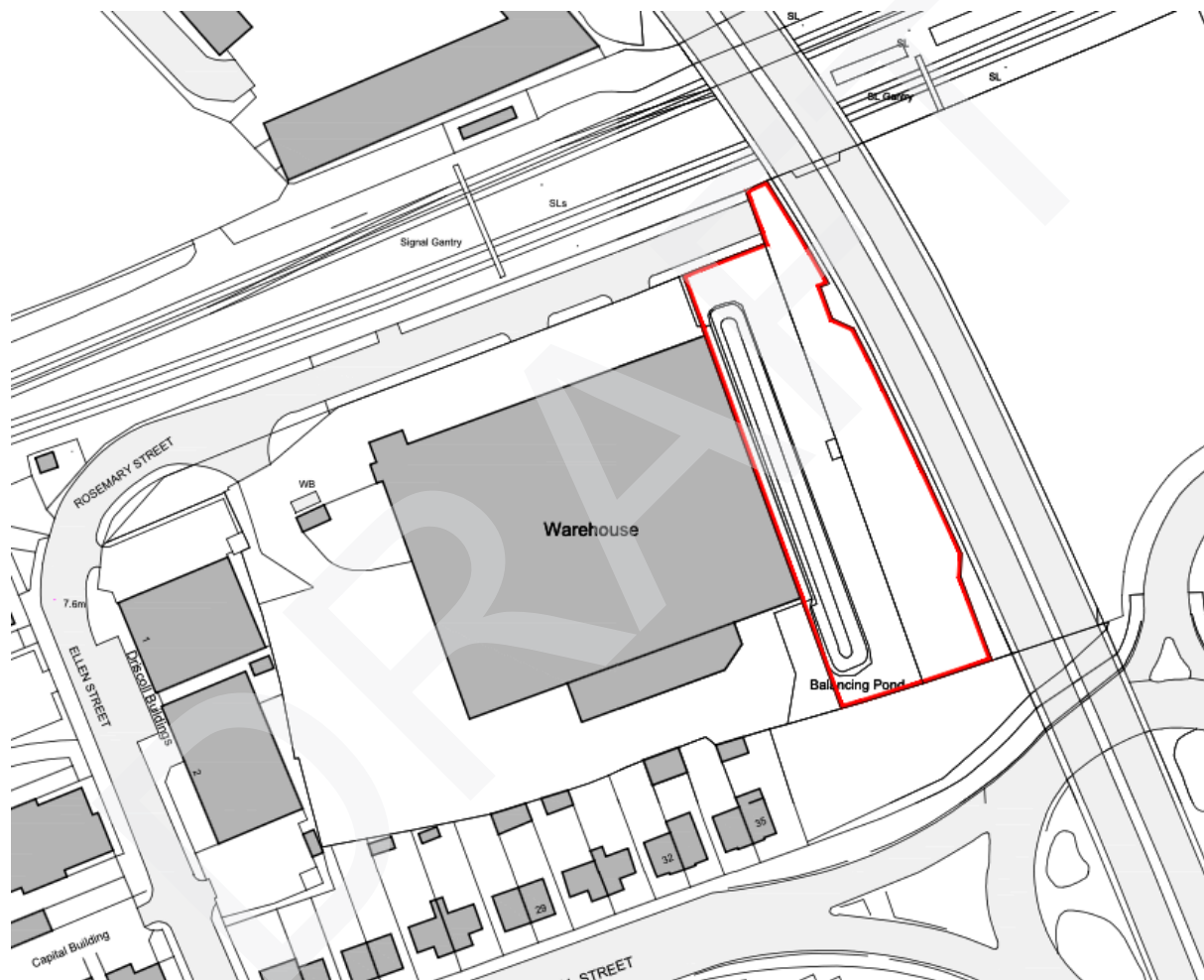


Figure 1: Existing Site Location Plan

## 2.2. Site Description

The application site is a linear parcel of land located between the Central Link Road flyover to the east and the Cardiff Theatrical Services unit immediately to the west.

The application site is a level parcel of vacant land of some 100m in length and around 25m in width. It is also bounded by the South Wales Mainline railway to the north, and by a small parcel of land to the south which includes an illuminated advertisement display sign. The closest residential property on Tyndall Street (south-west of the site) is some 25m from the site boundary.

The land to the east, which is currently vacant, has full planning permission for 319 residential units and 85 serviced apartments to the east of the flyover - the planning history is set out below.

The site falls within Flood Zone 3 but is within a TAN15 defended zone for both rivers and sea, meaning there is a minimum Standard of Protection of 1 in 100 year events for rivers and 1 in 200 year events for the sea. Natural Resources Wales guidance states that Defended Zones act as a screening tool to enable planning authorities to consider development areas which may otherwise be mapped as Flood Zone 3 - the accompanying Drainage Strategy sets out that, even with allowance for climate change, flood levels would not overtop flood defences. There are also surface water considerations with a small part of the site falling within the low risk area for surface water flood risk. The aforementioned Drainage Strategy reviews this in greater detail and concludes that the site is at a low risk of fluvial flooding.

## 2.3. Planning History

This section sets out the planning history of relevance to the site and the proposed development. The following discusses relevant historic permissions for the application site and immediately adjacent. A full breakdown of this history can be found in Appendix 1 of this Statement.

Permission was first granted on the immediately adjacent site for the erection of a student block for 711 rooms under application reference 17/01300/MJR. Whilst the Development Plan had previously safeguarded the site as a locally protected employment site, the 2017 consent established the principle of residential development as opposed to commercial use. Subsequently, application 22/01404/MJR was approved for 353 dwellings. This permission was subject to a non-material amendment which altered the description of development to remove a specific reference to unit numbers. This, in turn, allowed application reference 24/00964/VAR to also be approved which varied the approved floor plans in order to reduce the number of private residential units to 319 with 85 serviced apartments now also proposed. The consent remains extant.

The permissions discussed above relate to land principally east of, and beneath, the flyover including land which comprises part of this current application area, as shown in the approved layout plan below.

A planning application is therefore also submitted to vary the site area of the extant East Bay Close residential/serviced apartment scheme to release it from that required development area (LPA Reference 25/02543/VAR). It proposes to relocate parking, cycle storage and green infrastructure further to the east, allowing the overlapping land to be covered by this new scheme.

Planning permission was granted in 2002 for an extension of the existing industrial building into the site, but this was not implemented (LPA reference: 02/00722/C).

In addition to the history relevant to the application site, it is noted that Cardiff Council have recently approved other PBSA schemes throughout the city. These include:

- 24/01238/FUL - Demolition of existing building and erection of new PBSA at Longcross Court, Newport Road. Approved January 2025.
- 24/01635/FUL - Erection of building up to 10 storeys including living accommodation for students at The Wharf between Schooner Way and Bute East Dock. Committee resolution to approve subject to conditions and S106, June 2025.

- 23/01174/FUL - Erection of building up to 28 storeys including accommodation for students at Greyfriars Road, Cathays. Approved April 2024.

In summary, the planning history has established a mix of residential development including student accommodation in this location, as well as establishing the principle of large scale buildings of varying uses in the area. The current application to reduce the development area of the East Bay Close residential/serviced apartment scheme will ensure that the previously approved scheme to the east and this proposed development can both come forwards. Other history indicates general support for PBSA across the city more broadly.



Figure 2: Building approved under 24/00964/VAR for 319 residential units and 85 serviced apartments at East Bay Close.



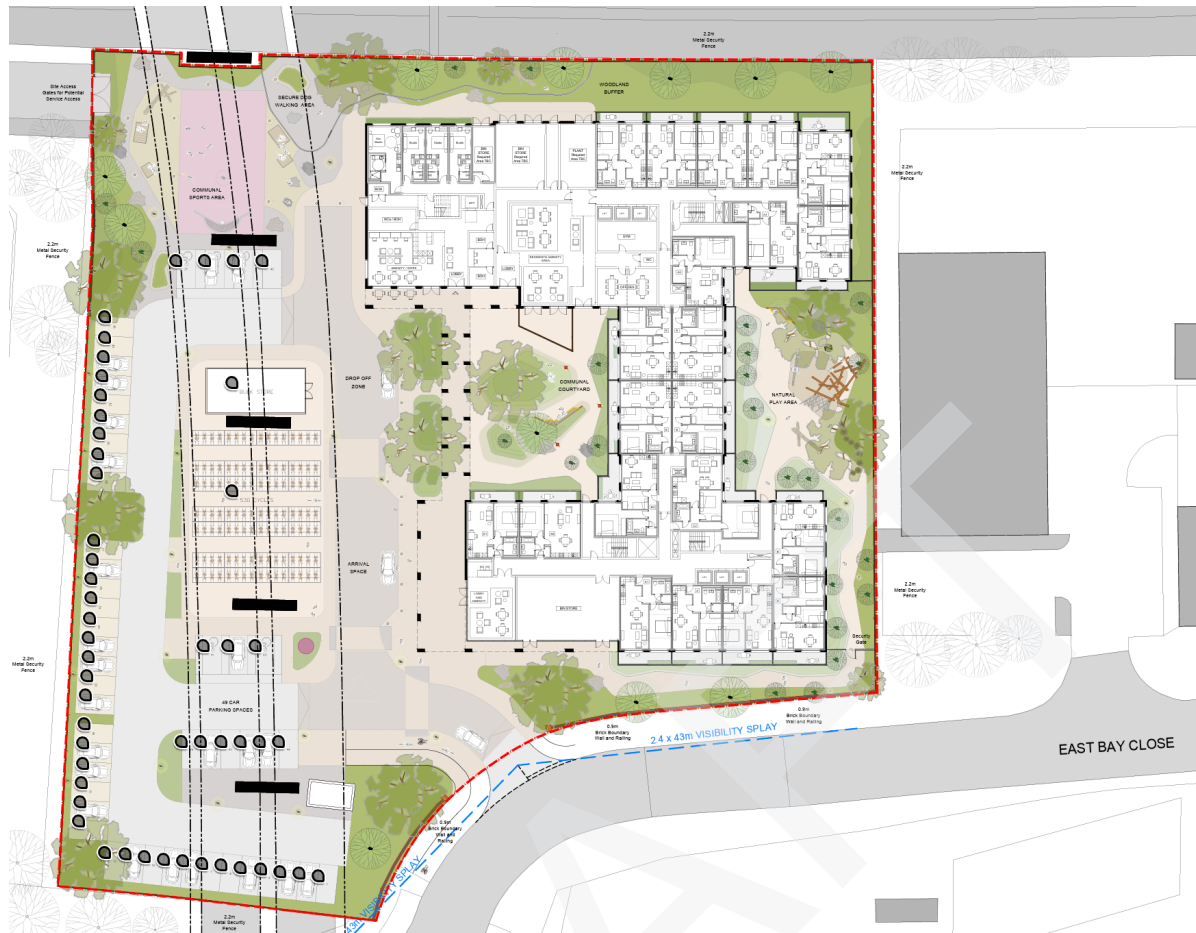


Figure 3: Layout approved under 24/00964/VAR for 319 residential units and 85 serviced apartments at East Bay Close.

### 3. Development Proposal

The proposed development is for purpose-built student accommodation comprising a total of 295 student rooms plus shared amenity areas. The amenity areas total some 1,414.8sqm and are largely located on the ground floor, they include a communal bar and gym as well as laundry and kitchen facilities. The building follows a contemporary design approach comprising three separate blocks with the two end blocks being 10 storeys in height and the central block being 2 storeys higher. Each block includes a green roof and plant room and occupants will benefit from a roof terrace. The total GIA of the scheme is approximately 10,284sqm including the student rooms and amenity areas.

The development includes the provision of outdoor greenspace above the linking blocks, and landscape works to the surrounding area. Over 140 secure cycle parking spaces and 4 car parking spaces are also proposed. The main vehicular and cycle access will be via Rosemary Street, and it will also be possible to access the site through the adjacent development and East Bay Close on foot or bicycle. The proposed plans provide sufficient area for a vehicle turning area for student drop off/pick up, servicing, and emergency vehicle access.



Figure 4: Landscape General Arrangement



Figure 5: Proposed East Elevation

## 4. Legislation and Planning Policy Context

This section sets out the planning legislation and policy context against which the development should be considered.

### 4.1. Legislation

#### Town and County Planning Act (1990)

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990, planning decisions must be made in accordance with the Development Plan, unless material considerations indicate otherwise. For Wales, the Development Plan includes the National Development Framework for Wales, any strategic development plan for an area that includes all or part of that area, and the local development plan for that area.

#### Wellbeing of Future Generations (Wales) Act 2015

The Well-being of Future Generations Act requires public bodies in Wales to consider the long-term impact of their decisions. The Future Generations Act defines Sustainable Development in Wales as: *“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.”* (sec.2).

The Act identifies seven well-being goals; A Prosperous Wales; A Resilient Wales; A More Equal Wales; A Healthier Wales; A Wales of Cohesive Communities; A Wales of Vibrant Culture and Welsh Language; A Globally Responsible Wales. The Act makes it clear that the public bodies must work to achieve all of the goals, not just one or two. The Act also sets out five ways of working needed for public bodies to achieve the seven well-being goals. These include the fundamental requirement to balance short-term needs with the needs to safeguard the ability to also meet long-term needs.

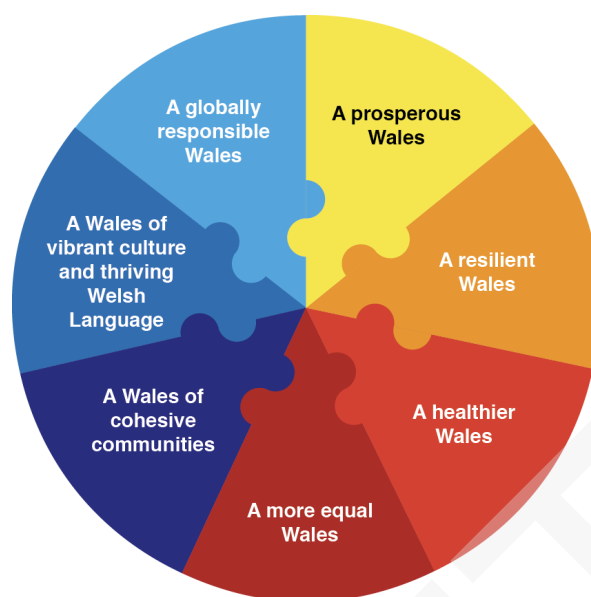


Figure 6: Well-being Goals

## 4.2. National Planning Policy

The key national planning policy that provides material context to the proposed development is comprised of:

- Planning Policy Wales (2024) Ed. 12
- Future Wales: The National Plan 2040

Collectively, these documents provide the guide to ensure the delivery of sustainable development proposals.

### Planning Policy Wales (2024) Ed. 12

Planning Policy Wales (Edition 12) (PPW) is the Welsh Government's land use planning policy for Wales. The primary objective of PPW is to ensure the planning system contributes towards the delivery of sustainable development, and improves the social, economic, environmental and cultural well-being of Wales, as required by the Wellbeing of Future Generations (Wales) Act. PPW selects placemaking as the process of creating sustainable places and maximising wellbeing. It identifies key planning principles that include: growing our economy in a sustainable manner; making best use of resources; facilitating healthy and accessible environments; creating and sustaining communities; and, maximising environmental protection and limiting impact.

PPW sets out the four key themes which contribute to placemaking:

Strategic and spatial choices, including how to achieve good design that enables access and inclusivity, environmental sustainability and respect for local character; and healthier places, including enabling opportunities for outdoor activity and recreation. Active and social places, including encouraging the multiple use of open space and facilities, where appropriate, to increase their effective use. Productive and enterprising places, including the promotion of healthy lifestyles, and physical and mental health and wellbeing; provision of integrated green infrastructure and resilience to climate change. Distinctive and natural places, including the need to conserve and enhance the historic environment and its assets; protecting and enhancing green infrastructure assets; protection and enhancement of biodiversity; protection of trees and woodland where they contribute towards the ecological, character or green infrastructure functionality of an area; and to integrate Sustainable Drainage Systems to minimise flood risk and maximise other benefits. The way these different principles, themes and targets integrate when considering planning proposals is summarised in Figure 5 below. The conclusion of this process should result in a proposal that contributes towards a sustainable place and achieving the Well-being Goals and National Sustainable Placemaking Outcomes that developments are expected to meet.

The updated chapter 6 has been initially set out in guidance, titled 'Addressing the nature emergency through the planning system:update to Chapter 6 of Planning Policy Wales. This has now been incorporated into the Edition 12 of PPW.

The main Chapter 6 changes to policy requirements are:

**Green Infrastructure:** A stronger emphasis would be placed on a proactive approach, covering cross-boundary considerations, identifying key outputs of green infrastructure assessments, the submission of proportionate green infrastructure statements with planning applications and signposting Building with Nature standards.

**Net Benefit for Biodiversity and the Step-wise Approach** (see Figure 6 below): Off-site compensation is acknowledged as a last resort, and the need to consider enhancement and long-term management at each step is recognised. Green infrastructure statements are set out as a requirement to demonstrate the 'step-wise approach' i.e. avoid, minimise, mitigate/restore, compensate on-site, compensate off-site. This links to the DECCA framework of ecosystem resilience to evidence adequate enhancements (Diversity, Extent, Condition, Connectivity and resultant Adaptation/resistance/recovery aspects). **Trees and Woodlands:** A close alignment is taken with the step-wise approach, as well as promotion of new planting as part of development based on securing the right tree in the right place. For any trees that may be removed as part of a proposed development, consideration of their GI value including carbon, landscape amenity and

ecological resilience sets a baseline from which a proportionate ratio of planting compensation shall be considered. Furthermore, the prescribed minimum ratio or areas of tree cover to compensate for any tree/woodland loss should be regarded.



Figure 7: Applying PPW principles in decision-making

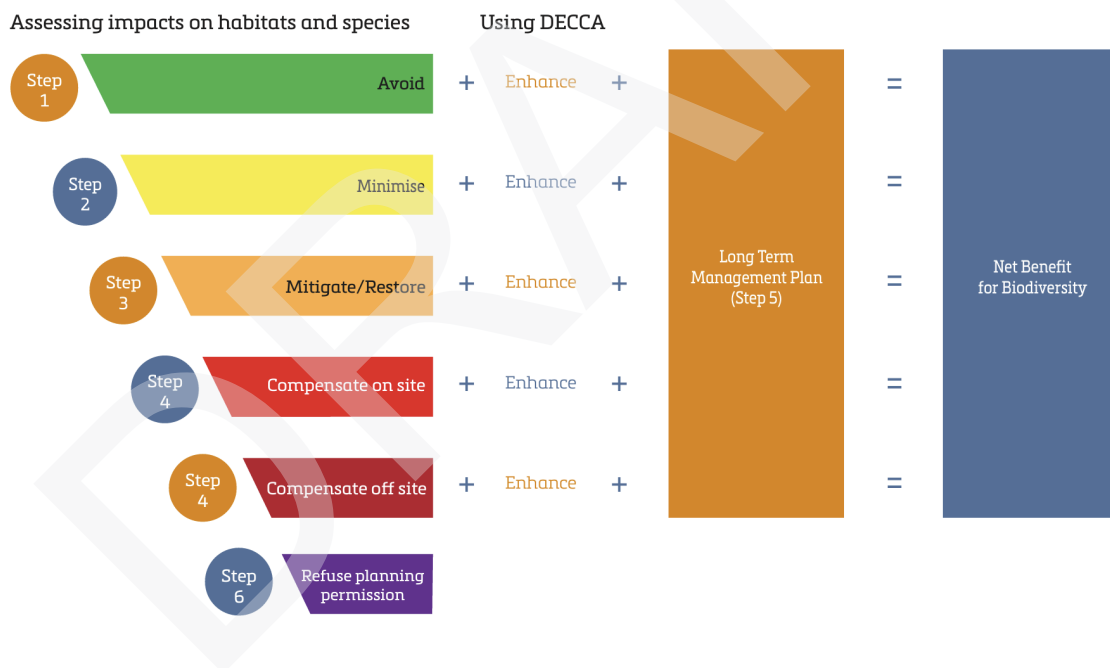


Figure 8: Summary of the Step-Wise Approach

### Future Wales: The National Plan 2040

Future Wales: The National Plan 2040 was adopted in February 2021 as the national development framework setting the direction of development in Wales to 2040. The document is part of the development plan and provides a strategy to address key national priorities through the planning system, including developing a vibrant economy, developing strong ecosystems, achieving decarbonisation and climate resilience and improving the health and wellbeing of communities.

Future Wales provides a series of national policies, with those most relevant to this submission considered to be:

- **Policy 1** - Where Wales will grow;
- **Policy 2** - Shaping Urban Growth and Regeneration - Strategic Placemaking;
- **Policy 7** - Delivering Affordable Homes;
- **Policy 9** - Resilient Ecological Networks and Green Infrastructure;
- **Policy 12** - Regional Connectivity
- **Policy 33** - National Growth Area - Cardiff, Newport and the Valleys

**Policy 1** identifies that South Wales is a key location for future growth and **Policy 2** sets out the key Strategic Placemaking Principles: mixtures of uses; a variety of housing; walkable scales; increased densities in towns and cities; integration with street networks; plot-based development; and green infrastructure. **Policy 33** acknowledges that Cardiff will remain the primary settlement in the region, its future strategic growth shaped by its strong housing and employment markets. **Policy 9** seeks to ensure development proposals contribute towards the protection and enhancement of biodiversity, ecosystems and green resources. Finally, **Policy 12** emphasises the importance of Active Travel.



### 4.3. Technical Advice Notes

In addition to the above overarching development policies, a series of Technical Advice Notes (TANs) support PPW and provide design guidance to development proposals. Those most relevant to the development are identified below.

#### **TAN 2: Planning and Affordable Housing (2006)**

Provides practical guidance on the role of the planning system in delivering such housing. The guidance provides advice to local planning authorities on how to determine affordability, to undertake local housing market assessment, include affordable housing targets, and outlines the planning obligations and conditions in securing affordable housing provided through the planning system.

#### **TAN 5: Nature Conservation and Planning (2009)**

Instructs how planning should be used to protect and enhance biodiversity and geological conservation. It sets out the key principles for nature conservation, which can be summarised as creating a partnership between local and national authorities and key stakeholders whilst integrating nature conservation into all aspects of planning.

#### **TAN 11: Noise (1997)**

Whilst relatively dated, this TAN seeks to ensure noise does not lead to unacceptable disturbances and suggests measures to mitigate noise impacts.

#### **TAN 12: Design (2016)**

Aims to equip all those that are involved in the design of the development with advice on how sustainability, through good design, may be facilitated through the planning system. It sets out the core design principles that any development proposal must follow to help create a sustainable environment and exhibit a high level of design quality. These are structured via the five key objectives of good design illustrated below.



Figure 9: TAN12 Design Objectives

### TAN15: Development, Flooding and Coastal Erosion (2025)

TAN15 provides technical guidance in relation to flooding including a framework for flood risk and advice on consequences. It identifies defended zones for both rivers and sea meaning there is a minimum Standard of Protection of 1 in 100 year events for rivers and 1 in 200 year events for the sea.

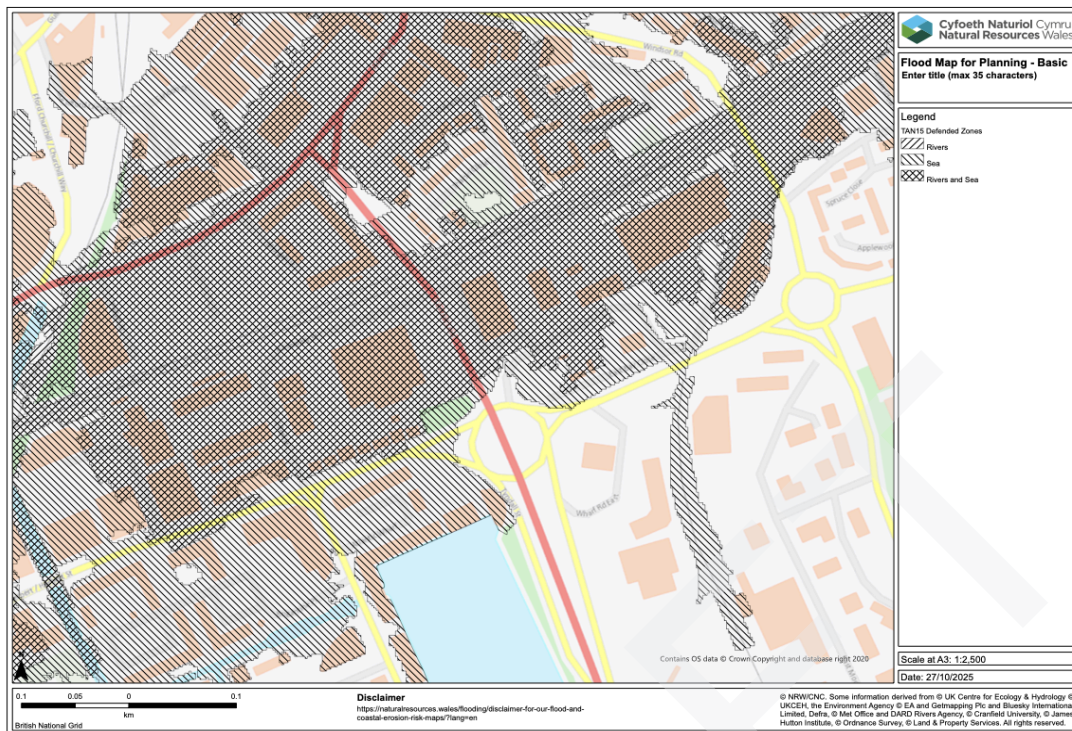


Figure 10: TAN15 Defended Zone (Natural Resources Wales)

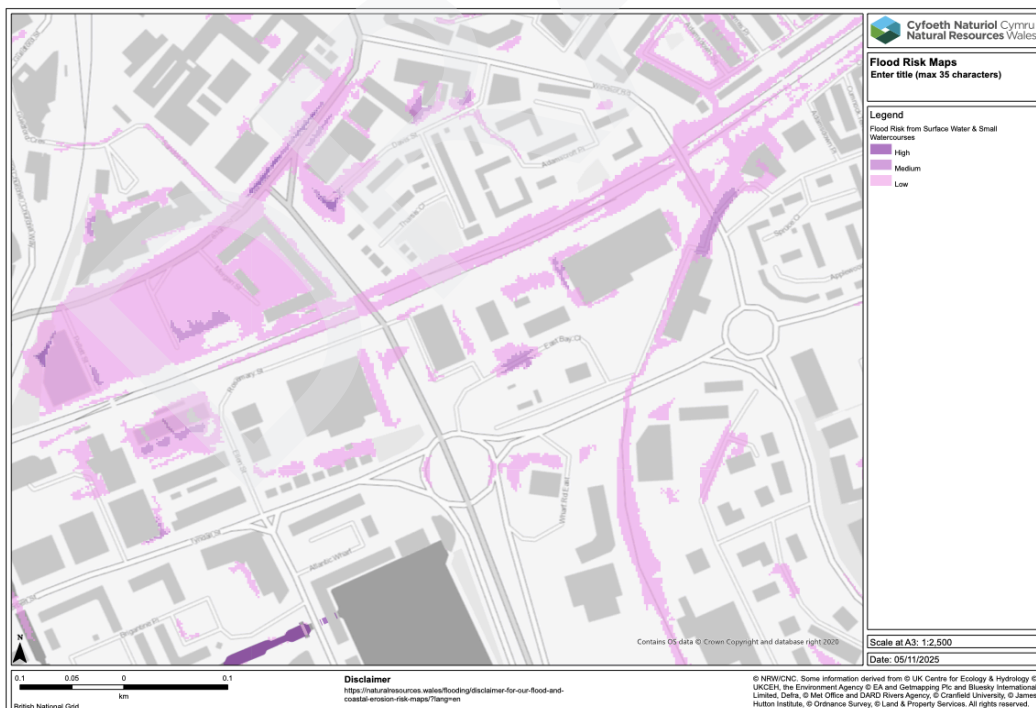


Figure 11: Surface Water Flood Zones (Natural Resources Wales)

**TAN 18: Transport (2007):**

TAN 18 recognises that the integration of land use planning and development of transport infrastructure has a key role to play in addressing the environmental aspects of sustainable development. It acknowledges that new development will require access to the local road network and states that access points should reflect the character of the area and volume of traffic created.

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#### 4.4. Local Policy

The statutory development plan for the site comprises the Cardiff Local Development Plan 2006-2026 which was adopted in January 2016.

The policies considered relevant to the proposed development are identified below; these are the policies the development will need to satisfy in order to secure planning permission.

- KP2(a): Cardiff Central Enterprise Zone and Regional Transport Hub
- KP5: Good Quality and Sustainable Design
- KP7: Planning Obligations
- KP8: Sustainable Transport
- KP15: Climate Change
- KP18: Natural Resources
- EC1: Existing Employment Land
- EC3: Alternative Use of Employment Land and Premises
- EN7: Priority Habitats and Species
- EN8: Trees, Woodlands and Hedgerows
- EN10: Sensitive Design
- EN12: Renewable Energy and Low Carbon Technologies
- EN13: Air, Noise, Light Pollution and Land Contamination
- EN14: Flood Risk
- T1: Walking and Cycling
- T5: Managing Transport Impact
- C3: Community Safety/Creating Safe Environments
- W2: Provision for Waste Management Facilities in Development

A summary of the policy requirements can be found in Appendix 2 of this Statement.

#### **Supplementary Planning Guidance**

The Local Development Plan is supported by a suite of Supplementary Planning Guidance. The documents most relevant to this submission are considered to be:

- Green Infrastructure
- Infill Sites
- Managing Transportation Impacts (Incorporating Parking Standards)
- Planning Obligations
- Residential Design Guide

- Safeguarding Business and Industrial Land and Premises
- Student Accommodation
- Tall Building Design Guide

The contents of the supplementary planning guidance is summarised in Appendix 2.

### Emerging Local Plan

Cardiff Council is preparing a replacement Local Development Plan (2021-2036) to replace the aforementioned LDP. Consultations on the Preferred Strategy and Candidate Sites closed in October 2023 whilst consultation on changes to the local heritage list closed in September 2024. The Replacement LDP Revised Delivery Agreement (February 2025) set an indicative target of September 2025 - March 2026 for Development Plan submission. The Deposit Plan (January 2025) has recently been consulted on and at the time of writing this Statement, the Council's cabinet has been resolved to make "no major changes" and submit the Plan for inspection subject to full council approval.

The emerging Local Plan is therefore considered to be a material consideration in the determination of this application, albeit carrying relatively limited weight given that it is yet to be submitted for inspection. In any event and based on the available information, the aims and objectives are largely consistent with the adopted LDP. Most notably, the application site is proposed to remain Cardiff Enterprise Zone and is not proposed to be formally adopted as employment land. The site is also not proposed for formal allocation, although the emerging plan does note the commitment to deliver over 100 dwellings on the adjacent site and there is a strong focus on the development of brownfield land as opposed to greenfield sites throughout the emerging LDP. The Deposit Plan policies most relevant to this proposal are set out in Appendix 3 and listed below:

- SP1: Providing for Sustainable Growth
- SP4: Securing Good Quality and Sustainable Design
- SP5: Securing New Infrastructure
- SP6: Securing Planning Obligations
- SP18: Delivering Sustainable Transport and Active Travel
- SP20: Securing Climate Resilience, Decarbonisation and Renewable Energy in New Developments
- SP21: Maintaining and Enhancing Green Infrastructure and Biodiversity
- H6: Student Accommodation
- EC1: Cardiff Central Enterprise Zone and Regional Transport Hub

- D1: Tall Buildings
- C3: Community Safety/Creating Safe Environments
- HF1: Health, Wellbeing and Food Sustainability
- BG2: Ecological Networks and Features of Importance for Biodiversity
- BG3: Priority Habitats and Species
- BG4: Net Benefits for Biodiversity and the Green Infrastructure Statement
- BG5: Trees, Woodlands and Hedgerows
- T1: Prioritising Walking and Cycling
- T4: Managing Transport Impacts
- W3: Flood Risk
- PC1: Air, Noise, Light Pollution and Contaminated Land
- MW9: Provision for Waste Management Facilities in Development

#### 4.5. Key Planning Issues

The key policy issues arising from the proposals are set out in the table below. The acceptability of the proposals will reflect how they respond to these issues.

Theme	Subject	National		Adopted LDP	SPG
		PPW & TANs	Future Wales		
Strategic Planning	Principle of Development	Section 2: People and Places, Section 3: Strategic and Spatial Choices	Policy 1 (Where Wales will Grow), Policy 2 (Shaping Urban Regeneration), Policy 33 (National Growth Area)	KP2(a): Cardiff Central Enterprise Zone and Regional Transport Hub, EC1: Existing Employment Land, EC3: Alternative use of Employment Land	Safeguarding Business and Industrial Land and Premises
Design		Section 4: Active and Social Places, Section 6: Distinctive and Natural Places, TAN11: Noise, TAN12: Design	Policy 12: Regional Connectivity	KP5: Good Quality and Sustainable Design, EN10: Sensitive Design, C3: Community Safety/Creating Safe Environments, W2: Provision for Waste Management Facilities.	Infill Sites, Residential Design Guide, Student Accommodation, Tall Building Design Guide
Transport	Active Travel; Parking Standards	Section 4: Active and Social Places,		KP8: Sustainable Transport, T1: Walking and	Managing Transportation Impacts

Theme	Subject	National		Adopted LDP	SPG
		PPW & TANs	Future Wales		
		TAN18: Transport.		Cycling, T5: Managing Transport Impact	
Environmental	Ecology; Biodiversity; Green Infrastructure; Flooding; Trees/Hedgerows /Woodland	Section 5: Productive and Enterprising Places, Section 6: Distinctive and Natural Places, TAN5: Nature Conservation and Planning, TAN15: Development, Flooding and Coastal Erosion	Policy 9: Resilient Ecological Networks and Green Infrastructure	KP15: Climate Change, KP18: Natural Resources, EN7: Priority Habitats and Species, EN8: Trees, Woodlands and Hedgerows, EN12: Renewable Energy and Low Carbon Technologies, EN13L Air, Noise, Light Pollution and Land Contamination, EN14: Flood Risk	Green Infrastructure
Planning Obligations		TAN2: Planning and Affordable Housing	Policy 7: Delivering Affordable Homes	KP7: Planning Obligations	Planning Obligations



## 5. Planning Assessment

### 5.1. Introduction

The Planning and Compulsory Purchase Act 2004 (Sec. 38(6)) sets out that planning applications must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. To demonstrate how the development proposal satisfies the adopted Development Plan, this section of the statement assesses the proposal against the relevant Development Plan policies as well as wider national policy, legislation and guidance where relevant. It also summarises how the scheme meets the emerging policy context with the replacement LDP, although noting that the plan is still subject to the inquiry stage.

### 5.2 Assessment

#### Principle of Development

Policies 1, 2 and 33 of the National Plan identify Cardiff as a highly sustainable national growth area. The site is within the allocated settlement boundary and also falls within the Cardiff Central Enterprise Zone, further highlighting the sustainability of the location whereby major, high density development is generally supported. Similarly, the city centre location means the site is in accordance with the aims of the Student Accommodation and Tall Building Design Guide SPGs which seek to direct this type of development to central locations.

Whilst the neighbouring East Bay Close site is on previously allocated employment land, the proposed PBSA is not within this allocation and the principle of residential development in this area has been established by the adjacent approval in any event. It is noted that neither site is allocated for commercial development in the emerging Development Plan. Cardiff Council recently approved application reference 24/01238/FUL for PBSA on Newport Road whereby the Officer Committee Report set out that there is an evidenced need for PBSA with student numbers increasing and existing accommodation close to capacity; the provision of PBSA in a highly sustainable location is therefore a key benefit to the proposal. In summary, the proposed high-density student accommodation is to be located in a highly sustainable location in accordance with national and local policies and guidance including the emerging LDP.

#### Design

As above, the proposal is located in an area where both student accommodation and tall buildings are supported. The existing character of the area follows no distinct character with a mix of uses

and densities. There are no nearby heritage assets, making the area suitable for the proposed contemporary design approach. The design comprises three separate blocks with the two end blocks being 10 storeys in height and the central block being 2 storeys higher. The Cardiff Tall Buildings Design Guide advises that well-designed tall buildings can add significant value to the city, particularly in clusters in the city centre or along railway lines, as is proposed here. In addition, the adjacent approval at East Bay Close sets a precedent for tall buildings in this area so there are no significant concerns in terms of existing views or vistas. It is noted that the emerging LDP also supports the provision of tall buildings in highly sustainable and accessible areas such as this.

The SPG for student accommodation acknowledges that room sizes can vary from normal residential accommodation and that this type of accommodation does not need to be held to the same amenity standards as ordinary housing. This is reflected in the emerging LDP which requires appropriately sized rooms with *reasonable* outlook, privacy and natural light. Occupants will, however, benefit from extensive shared facilities such as the gym, roof terrace and lounge/bar so will enjoy good levels of amenity and a high standard of living. These facilities are largely on the lower levels as recommended by H6 of the emerging LDP. A daylight and sunlight assessment has been submitted which concludes that the vast majority of rooms will surpass BRE recommendations. It states that 85% of habitable rooms surpass minimum recommendations. However, it states that it would be reasonable to apply a lesser target to studio rooms which are effectively bedrooms, in which case the pass rate increases to 99%. Whilst there are some instances where the standards are not met, the assessment finds that this is not abnormal for urban living. Occupants will also strongly benefit from city centre living and being able to access an array of amenities and public transport nodes on foot or bicycle. In approving application reference 24/01238/FUL, Cardiff Council found 27% of units failed to achieve adequate light but found that; *“given the transient nature of the student accommodation use, this degree of impact is considered as part of the wider planning balance.”* (Officer Committee Report, September 2024).

Similarly, a Noise Assessment has been undertaken which considers the impact of the surrounding road and rail facilities, albeit it should be noted that tall buildings and student accommodation are directed towards these locations by the relevant SPGs and emerging LDP. The Noise Assessment found that the surrounding commercial development would not adversely impact amenity. It, however, identifies a number of areas of the facades that may require additional sound insulation measures but the standards set out in the Building Regulations will generally offset any adverse impacts. Building Regulations require rooms to be ventilated without the need to open windows but the Assessment has still considered potential impacts of doing so for completeness. Finally, the Noise Assessment states that the proposed central courtyard will not be adversely impacted by rail or road sources but the roof terrace will experience a higher range of

noise from nearby roads. However, British Standard 8233:2014 advises that this may be acceptable in city centres or adjoining strategic transport networks which is in line with the aforementioned local guidance which directs student accommodation to these locations. In short, noise impacts affecting the proposed development are limited and can be controlled by sound insulation measures. Impacts should be weighed against policy which directs development to this location, the accepted lower amenity standards for student accommodation and potential for mitigation measures at later stages of the development process.

In terms of neighborhood amenity, there is an existing row of residential dwellings along Tyndall Street to the south west of the application site. They are well separated from the site by the dense existing landscaping to the south of the site and the existing theatrical services building. There are a number of taller buildings already close to the dwellings including 4 storey buildings on the south side of Tyndall street and 5 storey buildings to the west and north west - and taller buildings slightly further afield. Given that the existing buildings are to the south of the development site, there are no significant concerns in terms of loss of light or overshadowing. However, the proposal has been designed with the existing dwellings in mind and the taller part of the development is sited further to the north, away from the existing dwellings.



Figure 12: Site Context (Rutter/Google Earth)

Given this and the existing context, it is not expected that the sympathetically sited and designed building will result in unacceptable levels of overbearing or loss of privacy in accordance with current and emerging design policies.

There may be some views from higher proposed units located in the southern tower towards the existing dwellings. However, given the terraced nature of the dwellings and other surrounding tall buildings, the rear gardens already experience some level of overlooking. Similarly, given the city centre location, some level of overlooking is to be expected. The closest habitable room window of the existing residential properties is approximately 25m from the site boundary, and at an obscure angle, so the window-to-window distances will be comfortably clear of the 21m requirement set out in the Residential Design Guide SPG. In summary, it is considered that any potential overlooking will be obscured due to the orientation of the proposed building and separation distance and therefore, any increase is not considered to be unacceptable. However, any harm and perceived policy conflict from potential overlooking would be minimal and could be outweighed by the other benefits of the scheme discussed throughout this statement.

The Student Accommodation SPG and emerging Student Accommodation policy seek to promote balanced development of student accommodation so the scheme benefits from the close relationship with the adjacent approval for open-market housing and serviced apartments. This mix of accommodation is expected to bring an element of vibrancy to an otherwise underused area of the city. Overall, it is considered that the developments combined will bring vitality to an otherwise characterless and largely brownfield area and is in accordance with local design policies (LDP: EN10 and ELDP: H6, D1, SP4) and SPGs. Whilst it is considered that any amenity harm is minimal, should this be perceived to be at odds with policy, this is considered to be outweighed by the strong public benefits including: bringing vitality to the area, providing PBSA and ecological and green infrastructure enhancements.

### **Environment and Green Infrastructure**

A detailed Green Infrastructure Statement has been submitted with the application and has met the standards of the emerging GI Policy, BG4. In summary, the proposal seeks to improve the green infrastructure of the site through tree re-planting at a 3:1 ratio, improved connectivity between habitats, removal of non-native species and ecological enhancements such as bat and bird boxes. As per the accompanying Green Infrastructure Statement, there will be a gain in biodiversity and overall the development is considered to comply with local green infrastructure and ecological policies, namely EN7 and EN8 of the adopted LDP and BG2, BG3, BG4 and BG5 of the emerging LDP. Any potential impacts upon natural resources, such as air quality, can be suitably mitigated through sensitive construction practices as set out in the accompanying Air Quality Assessment in accordance with policies KP18 and EN13 of the LDP and MW9 of the emerging plan.

### **Flooding and Drainage**

The site falls within a TAN15 defended zone meaning there is a minimum Standard of Protection of 1 in 100 year flood events from rivers and 1 in 200 year events for sea events. Elements of the site are also subject to surface water flooding risk, albeit classified as low risk. All of the above has been accounted for in the drainage and SUDS proposals. The Drainage Strategy submitted with this submission concludes that the site is at a low overall risk of flooding. Therefore, development on the site is generally in accordance with Policy KP15 (Climate Change of the Cardiff LDP, W3 of the emerging LDP and national guidance.

In terms of mitigation, the accompanying Drainage Strategy suggests a number of tidal mitigation measures despite the low risk of the site. These include raised wiring and power outlets, air brick covers, use of damp proof membranes and signing up to flood warning systems. It is expected



that the Drainage Strategy could be conditioned should the LPA feel this necessary. It is not expected that the proposal will increase flood risk off-site. In terms of surface water, it is recommended that an existing redundant balancing pond is located off site and is filled in. Otherwise, the SUDS hierarchy has been followed with connection to on-site private drainage networks likely to be the most feasible solution with rainwater gardens and green roofs also able to be directed to the private network. A separate SAB consent application will be submitted as required but, overall, there is a low risk of flooding and national and local policies are complied with.

## Transport

Both national and local policy seek to reduce reliance on the private car and encourage sustainable transport methods, particularly in sustainable city centre locations such as the application site. Similarly, the SPG for Student Accommodation specifically sets out that car use should be discouraged with a maximum parking standard of 1 space per 25 beds for operational parking. The scheme is essentially 'car free' which is in accordance with this current policy approach and meets the requirements of the emerging LDP which sets a 75% target for sustainable transport journeys. The plans do, however, show land for emergency vehicle access and turning and significant levels of cycle parking. The submitted Transport Assessment discusses a number of other 'car free' schemes across Cardiff to further demonstrate the consistency of this approach, with the application site more centrally located than many of the other cited PBSA sites. The accompanying Air Quality Assessment concludes that both construction and operational traffic will be well below the relevant thresholds. In summary, the 'car free' nature of the scheme means that there would not be a severe residual impact on the highway network. This could be secured through tenancy agreements or conditioning the Travel Plan where necessary.

The principal vehicular access is taken from Rosemary Street which experiences low levels of traffic and low vehicle speeds. The access leads to the main parking area and Manual for Streets compliant visibility splays can be achieved. The main pedestrian and cycle access is also from Rosemary Street, albeit it will be possible for access to be taken through Easy Bay Close if necessary. There is a pedestrianised route around the entire building which is also linked to the proposed cycle storage. Overall, the proposed development meets the local and national aims of reducing car use and promoting sustainable transport whilst ensuring highway safety.

## Obligations

Policy KP7 allows the council to seek obligations to mitigate the impact of a development on a case by case basis - this approach is maintained in the emerging LDP. National guidance requires

the contributions to be necessary, directly related to the development and reasonable. The local Planning Obligations SPG states that PBSA is a sui-generis use and as such, affordable housing contributions are not required. The submitted plans show open-space is provided on-site but it is acknowledged that there may be negotiations for other contributions but only where they meet the tests set out above.

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## 6. Summary and Conclusion

This Statement has outlined the development site and proposal, highlighted the relevant planning history and policies and set out how the scheme meets these policies. In summary, the site is in a highly sustainable location where the provision of student accommodation and tall buildings is supported by national and local policy, as well as specific SPGs. The design will bring vitality to an otherwise relatively characterless area and it is considered that any amenity harm will be very minimal. Any perceived harm could be outweighed by the strong benefits of the scheme which include; bringing vitality to the area, green infrastructure enhancements and the provision of student accommodation in a highly sustainable area. Finally, there are no adverse impacts in terms of flood risk and there will be a net gain in biodiversity. Overall, the proposed development is considered to meet the relevant national and local policies and if there is any perceived policy conflict, this is considered to be comfortably outweighed by the strong benefits of the development when taken as a whole.



## Appendix 1: Site Planning History

Reference	Proposal	Date	Decision
02/00722/C	Extension to warehouse area	10/05/2002	Granted - not implemented
17/01300/MJR	Erection of Student Block to form 711 student rooms and ancillary accommodation plus landscaping and car parking	27/02/2018	Granted
19/02684/MJR	Variation of condition 2 of 17/01300/MJR (Approved plans) to alter configuration and increase no of approved units from 711 to 728, minor elevational alterations and slight reduction of building footprint.	20/03/2020	Granted
22/01404/MJR	Development of 353 dwellings with associated access, landscaping, drainage, parking and other associated works	20/06/2023	Granted
24/00964/VAR	Variation of Condition 2 (Approved Plans) of 22/01404/MJR to amend the proposed scheme as follows: 1) Reduce private residential units to 319, from the approved 353, and provide 85 serviced residential units.	18/12/2024	Granted
24/00564/NM A	Non-Material Amendment to Planning Permission 22/01404/MJR - Change the description of development to: 'Proposed residential development with associated access, landscaping, drainage, parking, and other associated works	25/04/2024	Granted
25/02543/VAR	Variation of Condition 2 (Approved Plans) of 22/01404/MJR to amend the proposed scheme as follows: 1) Reduce private residential units to 319, from the approved 353, and provide 85 serviced residential units. (Approved 18/12/2024-24/00964/VAR):- Variation of Conditions 2 (Approved Plans) of 24/00964/VAR to amend the approved scheme as follows: 1)Reduce the proposed developable area of the Site.	Ongoing	Under Consideration

## Appendix 2: Summary of Local Development Plan Policies

Policy	Summary
<b>Cardiff Local Development Plan 2006-2026</b>	
KP2(A): Cardiff Central Enterprise Zone and Regional Transport Hub	Refers to the Cardiff Central Enterprise Zone and supports major employment-led development as well as transport enabling infrastructure. Seeks that densities are maximised with high quality way finding and public realm.
KP5: Good Quality and Sustainable Design	Seeks to ensure high quality design to support the development of Cardiff as a world-class city. The principles to do so include responding to local character and context, providing legible and interconnected development, creating balanced and healthy communities and promoting renewable energy development. In terms of tall buildings in particular, it seeks to direct these to highly accessible locations near to other tall buildings.
KP7: Planning Obligations	Sets the policy basis for the Council to seek financial contributions in order to mitigate the impacts of development on local infrastructure.
KP8: Sustainable Transport	Aims for a 50:50 modal split between car and sustainable transport journeys and overall seeks to reduce the reliance on private cars.
KP15: Climate Change	Seeks to mitigate the effects of climate change by reducing emissions, avoiding development in areas of high flood risk and promoting energy efficiency in design.
KP18: Natural Resources	Requires proposal to take full account of the city's natural resource by minimising pollution, remediating contamination and protecting air quality.
EC1: Existing Employment Land	Seeks to protect employment sites by promoting only B uses. Land at Easy Bay Close is one such site albeit the application site to the west of the flyover is not included within the designation.
EC3: Alternative Use of Employment Land and Premises	Permits non business, industrial or warehousing uses where the land is no longer well-connected for these uses, where there is no realistic prospect of the employment use continuing, where there is no demand for the land for these uses or where the change of use will not result in unacceptable operating conditions on existing businesses.

EN7: Priority Habitats and Species	Only permits development that will have significant effect on protected habitats or species where the need for development outweighs the conservation importance, or where there is no satisfactory alternative or where effective mitigation is provided.
EN8: Trees, Woodlands and Hedgerows	Does not permit development that would cause unacceptable harm to trees, woodlands or hedgerows of significant value.
EN10: Sensitive Design	Requires water-sensitive urban design solutions to manage water demand, supply, flooding and run-off.
EN12: Renewable Energy and Low Carbon Technologies	Requires development proposals to maximise renewable energy by incorporating low carbon technologies into schemes.
EN13: Air, Noise, Light Pollution and Land Contamination	Seeks to protect local amenity and character from air, noise or light pollution as well as unacceptable levels of land contamination.
EN14: Flood Risk	Only permits development that is justified in line with national guidance and is designed to alleviate the threat of flooding, including the prevention of flood defences and additional flooding in other locations. Requires the incorporation of SUDS where appropriate.
T1: Walking and Cycling	Supports development which incorporate sustainable design, legible and safe walking and cycling routes, measures that minimise vehicle speeds whilst giving priority to pedestrians and cyclists and the provision of car free zones.
T5: Managing Transport Impact	Aims to ensure new developments properly address the demand for travel by seeking provision for various transport modes where necessary.
C3: Community Safety/Creating Safe Environments	Requires new development to promote safe environments and minimise the opportunity for crime by maximising natural surveillance, having well defined routes, maintaining distinction between public and private spaces and providing a good standard of lighting.
W2: Provision for Waste Management Facilities in Development	Seeks provision for the storage of waste in new development where appropriate.

Supplementary Planning Guidance	
Green Infrastructure	Comprises various technical guidance notes in relation to ecology and biodiversity, trees, public right of way, open spaces, rivers and soils in order to guide development from a green infrastructure perspective.
Infill Sites	Refers to gap-site development, backland development and site redevelopment usually in relation to smaller scale development. Overall, aims to protect residential amenity and make a positive contribution to places and communities while making efficient use of brownfield land.
Managing Transportation Impacts	Provides guidance for the submission of Transport Assessment and other supporting documents as well as technical highways guidance. Sets out the parking standards for Cardiff which includes 1 car parking space per 25 beds for operational parking for purpose built student housing, as well as a cycle space per every 2 beds. The SPG acknowledges that there is a need to encourage a shift to sustainable transport methods and that parking standards are maximum standards.
Planning Obligations	Sets the detailed contribution targets for the Council where a development will result in necessary mitigation measures. Acknowledges that purpose built student accommodation is a sui generis use and as such does not result in an affordable housing contribution. However, other obligations such as open space may be required either on or off site.
Residential Design Guide	Sets out recommended design processes and seeks to ensure development creates places that are part of the neighborhood, avoiding highways or car dominance.
Safeguarding Business and Industrial Land and Premises	Seeks to support local policies in relation to the loss of employment land and ultimately clarifies that the loss of employment land will not be at the expense of the local economy. States that the Council will assess all applications on their individual merits.
Student Accommodation	Seeks to provide guidance for balanced development of student accommodation to ensure it can positively contribute to immediate communities and the wider city. Acknowledges that the same standards of size or amenity do not need to be provided as ordinary residential accommodation and sets average sizes of different types of student accommodation, although states that the SPG does not aim to be overly perceptive in this respect. The SPG seeks to generally direct development to the city centre and bay business area and states that development should discourage car use. Finally, the SPG sets out types of planning obligations that may be sought including in relation to; highways, employment, community facility and public open space.

Tall Building Design Guide	Defines tall buildings in the city centre as those greater than 8 storeys or 25m. Acknowledges that well-designed tall buildings in appropriate locations have the potential to add significant value to Cardiff. Attempts to direct tall buildings into clusters, along railway corridors and urban city centre sites. States that proposals must avoid negative impacts on important views or vistas, the setting of heritage assets, overshadowing or overlooking. Requires detailed proposals to exhibit high architectural standards with high quality materials, exemplary cycle storage and to enhance the public realm.
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## Appendix 3: Summary of Emerging Development Plan Policies

Policy	Summary
<b>Cardiff Replacement LDP - Deposit Plan January 2025</b>	
SP1: Providing for Sustainable Growth	Overarching policy that sets a target of 26,400 dwellings and 32,300 new jobs in the plan period.
SP4: Securing Good Quality and Sustainable Design	Strategic design policy which supports sustainable design, the creation of distinct health places, multi-functional green spaces, accessible spaces and community safety
SP5: Securing New Infrastructure	Requires new development to contribute to infrastructure which includes sustainable drainage and affordable housing.
SP6: Securing Planning Obligations	States that planning obligations will be sought to mitigate direct impacts of development on a case by case basis.
SP18: Delivering Sustainable Transport and Active Travel	Sets a target of 75% of journeys to be made by sustainable transport, reduce car demands and enhance sustainable modes of transport.
SP20: Securing Climate Resilience, Decarbonisation and Renewable Energy in New Developments	Requires development proposals follow an energy hierarchy to prevent carbon sinks and unnecessary burden on the city.
SP21: Maintaining and Enhancing Green Infrastructure and Biodiversity	Generally seeks to protect green and blue infrastructure on a site level but also in terms of exciting trees, woodlands and hedgerows.
H6: Student Accommodation	Specific student accommodation policy which is largely in accordance with the current SPG. Seeks to locate this form of development in the Central or Bay Business areas or within close proximity to existing campuses. Requires appropriately sized rooms with <i>reasonable</i> outlook, privacy and natural light. Supports the inclusion of communal facilities and active ground

	floor spaces.
EC1: Cardiff Central Enterprise Zone and Regional Transport Hub	Refers to the Cardiff Enterprise Zone and whilst there is a focus on employment development, also supports high density residential units.
D1: Tall Buildings	Largely in accordance with current policy and guidance in directing tall buildings to highly accessible locations. Defines a tall building in the city centre or Cardiff Bay as 8 storeys or more and requires that they do not negatively impact heritage assets or neighborhood amenity whilst promoting good design, biodiversity enhancement and reasonable living space.
C3: Community Safety/Creating Safe Environments	Requires that new development promotes a safe and secure environment through natural surveillance, defined routes and well defined public/private spaces.
HF1: Health, Wellbeing and Food Sustainability	Supports development that encourage positive health and wellbeing through a number of approaches including active travel and green infrastructure.
BG2: Ecological Networks and Features of Importance for Biodiversity	Does not permit development that will adversely impact sites or features of ecological importance unless the need for development outweighs the harm and there is no satisfactory alternative location.
BG3: Priority Habitats and Species	Only permits development that will have a significant adverse effect on the vitality of legally protected habitats or species where the need for development outweighs the harm, where there is no alternative location or where mitigation measures are self-sustaining and provided by the developer.
BG4: Net Benefits for Biodiversity and the Green Infrastructure Statement	Requires that GI Statements demonstrate a net benefit in biodiversity.
BG5: Trees, Woodlands and Hedgerows	Seeks to generally protect or enhance existing trees, woodlands or hedgerows.
T1: Prioritising Walking and Cycling	Only permits development which prioritises walking, cycling and public transport.

T4: Managing Transport Impacts	Requires that new development shows how the need to travel is reduced and states that it should be located where alternative modes of transport are present and where there are local facilities within convenient walking distance.
W3: Flood Risk	Only permits development on tidal or fluvial flood plains where it is justified in accordance with national guidance.
PC1: Air, Noise, Light Pollution and Contaminated Land	Seeks to avoid harm to health, amenity and the character and quality of green infrastructure resulting from pollution or land contamination,
MW9: Provision for Waste Management Facilities in Development	Where appropriate, seeks recycling storage and other waste management in new development.