

Date: 29/02/2024  
Our Ref: 24.112

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Dear Sir/Madam,

Town and County Planning Act 1990 (As Amended)

Variation of Condition 1 (Subdivision of Unit) of Planning Permission 05/01944/C to allow subdivision of unit and to reduce minimum level of floorspace permitted.

Unit 2C, City Link Retail Park, Newport Road, Adamsdown, Cardiff, CF24 1PQ

Planning Portal Reference No: PP-12793594

Asbri Planning is appointed as planning agent to Starburst UK Limited in respect of the above variation of condition application for the proposed variation of Condition 1 (subdivision of unit) of planning permission 05/01944/C to allow for the subdivision of the unit and to allow for the reduction of minimum level of floorspace permitted, at Unit 2c, City Link Retail Park, Newport Road, Cardiff.

The planning application has been submitted via Planning Portal and is accompanied by the following list of documents and plans:

Drawing/document name (reference where applicable)	Prepared by
Application Forms	Asbri Planning
Planning Letter (this letter)	Asbri Planning
Site Location Plan	Jones Hargreaves Building & Project Consultants
Lease Plan (LP-01)	Jones Hargreaves Building & Project Consultants

The relevant application fee for a variation of condition application is calculated as £230.00 and has been paid directly to Cardiff Council.

#### Site Description

##### Description/Context

The application site comprises a vacant retail unit at 2c City Link Retail Park, a well-established retail park in the east of Cardiff. As such, the surrounding context is largely retail, with additional leisure and food and drink uses located in

close proximity along Newport Road. To the west of the site is a larger retail unit, occupied by Home Bargains at present. Other occupiers within City Link Retail Park include Dunelm, Aldi, Shoezone, TK Maxx, and Poundland. The site is well served in terms of existing parking provision and is located in close proximity to a number of bus stops which provide public transport connections to a range of destinations across Cardiff and to nearby Newport.

A review of NRW's Development Advice Map for flooding indicates that the site is located within Flood Zone A, and as such is not considered to be at risk of flooding. In addition, a review of NRW's Flood Map for Planning (TAN15), which is due for imminent adoption, indicates that the site is located within Flood Zone 3 for rivers and sea flooding.

### Planning Background

A review of Cardiff Council's online planning register confirms that the following planning history is of relevance to the proposed development:

Ref: 05/01945/C – 'Variation of Condition L attached to planning permission 88/529R to allow for a catalogue retailer to trade from part of unit 2'. Approved November 2005;

Ref: 05/01944/C – 'Modification of Condition K of 88/529R to allow subdivision'. Approved November 2005.

Ref: PA/20/00025/MJR – 'Variation of Conditions to allow other occupiers of the units'. Decision unknown.

At present, the existing use of the unit is established by planning permission 05/01945/C, as above, as stipulated within Condition 1. This states:

"Unit 2b shall either be used for a catalogue showroom retailed (defined for the purpose of interpreting this condition as a retailer selling a wide range of goods selected by the visiting public primarily from a catalogue and supplied fully packaged) or for the sale of home improvement and DIY products, plumbing and hardware goods, timber and building products, paint and wallpaper, garden supplies, furniture, carpets and other floor coverings, soft furnishings, homewares, electrical goods, gas appliances, computers, office equipment and supplies, pets and pet products and motor accessories. Unit 2b shall not be used for any other purpose including those set out in Class A1 of the Schedule for the Town and Country Planning (Use Classes) Order 1987 or any Order revoking, amending or re-enacting that order with or without modification.

Reason: To prevent other retail uses or changes to the format of retail sales which may harm the vitality or viability of defined development plan centres or threaten strategies for their protection or enhancement."

Notwithstanding, the proposed development seeks to amend Condition 1 of 05/01944/C, which in itself varied 88/529/R to allow the subdivision of Unit 2c, City Link Retail Park into two units. Condition 1 of 05/01944/C is written in full below:

"Unit 2, identified on plan 0324 - PD05B, shall not be sub-divided to form more than two self-contained shop units. None of the units shall contain less than 878m<sup>2</sup> gross retail floorspace.

Reason : To prevent changes to the format of retail floorspace."

### Planning Policy Overview

National Planning Policy

Future Wales the National Plan: 2040

Future Wales – the National Plan 2040 is our national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining, and developing a vibrant economy, achieving decarbonisation and climate resilience, developing strong ecosystems and improving the health and well-being of our communities.

Policy 2 of the Plan relates to Shaping Urban Growth and Regeneration – Strategic Placemaking and in respect of a variety of housing advises the following:

“To ensure places are socially mixed and cater for varied lifestyles, they should have a mix of housing types and tenures and space that allows for home-working. Urban growth and regeneration should cater for families, couples and single people of different ages Policy 2 provides the basis for local planning authorities to support intensification in and around town centres. This will support the future of our town centres and provide opportunities for small-scale development, including new housing and mixed-use development.”

Cardiff, Newport, and the Valleys are identified as a National Growth Area for socioeconomic growth within Policy 33 of Future Wales. This states that Cardiff will continue to serve as the primary national centre for economic growth, as a core city on the UK stage.

#### Planning Policy Wales

National planning policy is contained within the twelfth edition of Planning Policy Wales (PPW), published by the Welsh Government in February 2024. PPW is supported by 19 topic-based Technical Advice Notes (TANs), which are also relevant. PPW is the Welsh Government’s principal planning policy document, setting out the context for sustainable land use planning policy, within which Development Plans are prepared and development.

Sustainable development is defined in PPW 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.”

Paragraph 3.45 recognises that “The evidence to identify suitable areas and sites for development should not be confined by local authority boundaries. It should reflect realities like housing markets, travel to work areas, retail catchments and the nature of activity or development itself. This will ensure that the best use is made of previously developed land and the loss of greenfield sites is minimised.”

Paragraph 5.4.13 of PPW states that planning authorities should promote the re-use of previously developed, vacant, and underused land, while Paragraph 5.6.6 advises that new development sites should, wherever possible, be located within or adjacent to defined settlement boundaries, preferably where there is public transport provision.

#### Local Development Plan

Adopted in 2016, the Cardiff Local Development Plan covers the period 2006-2026 and comprises the statutory Development Plan for the city of Cardiff. In terms of LDP policy, the LDP Proposals Map indicates that the application site comprises unallocated ‘white’ land, located within the defined settlement boundary for Cardiff. A review of the LDP Constraints Plan indicates that the site is not subject to any identified constraints.

The following LDP policies are considered to be of relevance to the proposal:

LDP Policy	Relating to
Key Policies	
KP1	Level of Growth
KP3(B)	Settlement Boundaries
KP5	Good Quality and Sustainable Design
KP15	Climate Change
Detailed Policies	
T2	Strategic Rapid Transit and Bus Corridors

LDP Policy KP3(B) 'Settlement Boundaries' indicates Cardiff Council's preference for development to be located within the defined settlement boundary, and states that "in order to strategically manage the spatial growth of Cardiff, settlement boundaries are proposed as shown on the Proposals Map. In all areas outside the defined settlement boundaries, otherwise referred to as countryside, there will be a corresponding presumption against inappropriate development".

Policy KP5 'Good Quality and Sustainable Design' details the Council's approach to securing high quality design in all new development across the city. Within this policy, development is required to respond to its local character, provide a healthy environment, achieve climate responsive design, promote the efficient use of land, and ensure that streets and spaces are accessible for all.

The Council's approach to mitigating the impacts of climate change is detailed within Policy KP15 'Climate Change', which states that development proposals should take into account reducing carbon emissions where possible, be adaptable to the implications of climate change, promote efficient design, and avoid and prevent flood risk.

Newport Road is identified as a bus corridor enhancement corridor, as per Policy T2 'Strategic Rapid Transit and Bus Corridors'. This states that improvements to the wider bus network, including the provision of new infrastructure including new routes and services will be supported along these routes to provide sustainable travel options.

### The Proposed Development

The proposed development seeks to vary Condition 1 of planning permission 05/1944/C (subdivision), which states:

"Unit 2, identified on plan 0324-PD05B, shall not be sub-divided to form more than two self-contained shop units. None of the units shall contain less than 878m<sup>2</sup> gross detail floorspace.

Reason: To prevent changes to the format of retail floorspace."

The proposed development seeks to vary the above condition in order to reduce the level of retail floorspace permitted within the subdivided units at Unit 2 by planning permission 05/01944/C. The proposed development would allow for the further subdivision of Unit 2c into two units, which would allow for the unit to be put back into viable trading use. This is considered to contribute towards socioeconomic growth locally and would achieve several of the growth goals detailed within national and local planning policy.

It is the intention of the applicant for one of the subdivided units to be occupied by a pet store, which is considered to be permitted under Unit 2c's existing use as a retail unit – with the sale of pet products being referenced as

permitted use within Condition 1 of 05/01944/C. For further context, a separate variation of condition application has been submitted to vary Condition 1 of 05/01945/C to include Use Class D1 (Non-residential Institutions) within Unit 2c's permitted use, which would permit the occupancy of the remaining sub-divided unit as a dental surgery. Whilst these are separate applications, it is considered that they should be considered alongside each other given that they are complimentary in achieving the occupancy of Unit 2c and contribute towards achieving socio-economic growth within City Link Retail Park and further afield.

### Principle of Development

#### Sustainability

The application site can be classed as previously developed 'brownfield' land, located within the settlement boundary where new development is encouraged to be located. As such, it is considered to represent a very sustainable location for new development in accordance with national and local planning policy, and that the proposed development complies with the Welsh Government's overarching sustainability objectives with regard to development on brownfield sites and good connectivity to active travel networks.

#### Viability

Of high consideration in formulating this development proposal is Unit 2c's evident viability at present, which is currently vacant and has been in a vacant state for a number of years. It therefore offers no contribution towards socio-economic growth or towards achieving sustainable development currently. As such, it is considered that the proposed variation of Condition 1 of 05/01944/C would allow for Unit 2c to be put back into viable and operational use, through the further subdivision of the unit and occupancy of two 'sub-units'. This would align with national and local planning policy towards making effective use of land within the boundaries of town and city centres, and securing socioeconomic growth through the development process.

#### Transport and Active Travel

With regard to transport, the site is considered to be located within a highly sustainable location. The application site is located within immediate walking and cycling distance of key public transport hubs, in addition to a range of local services and facilities.

Welsh Government data on active travel routes indicates that Newport Road is an identified Future Walking and Cycling Route (Reference C2), while the lower part of Newport Road (towards the city centre) is an identified Existing Cycle Route, serving bicycle traffic into and out of Cardiff's city centre. As such, the proposed development presents opportunities to connect positively to the local active travel network.

Given the context of Newport Road, it is recognised that there may still be an element of car dependency within the development proposals. However, no changes to the existing parking provision outside the front of Unit 2c are proposed. No In addition, no new means of access into the site boundary are proposed.

#### Nearby Similar Uses

The application site is located within a well-established area for mixed use development, including retail, food and drink, warehousing, and leisure uses. This includes City Link Retail Park, which is an established retail destination in the east of Cardiff and is complimentary to the surrounding context along Newport Road.

The proposed variation of Condition 1 of 05/01944/C, and subsequent reduction in the minimum floorspace levels permitted at Unit 2c City Link Retail Park, would allow for over half of the subdivided unit to be occupied by a pet

store - thereby operating under Use Class A1 (Retail) and in accordance with the unit's permitted use and complimentary to the wider surrounding context.

As such, it is considered that the variation of Condition 1 of 05/01944/C for the reduction of permitted floorspace levels would make efficient use of vacant space and would facilitate further retail trading within an established retail context.

### **Conclusion**

This planning application proposes the variation of Condition 1 of planning permission 05/01944/C, in order to allow for the reduction of minimum floorspace levels permitted (878m<sup>2</sup>) at Unit 2c, City Link Retail Park, Cardiff. This letter has outlined the key planning and non-planning context and has outlined the development proposals, in addition to demonstrating the principle and appropriateness of the proposed development. The variation of Condition 1 of 05/01944/C, through the reduction of the permitted floorspace levels, would allow for the further subdivision of the unit and in turn would allow for Unit 2c to be put back into viable and operational use, in an established retail and mixed use context. The proposed development is therefore considered to not only contribute towards improving the vitality and viability of the unit and its immediate vicinity, but to also contribute towards socioeconomic growth within Cardiff and as such satisfy national and local growth policies.

Therefore, it is respectfully requested that Cardiff Council grant planning permission for the proposed variation of Condition 1 of 05/01944/C to reduce the permitted levels of floorspace at Unit 2c, City Link Floorspace. I trust that the submitted documents allow for the validation of the application and look forward to receiving details of the name of the case officer, application reference number, and target determination date in due course. If you have any queries in the meantime, please do not hesitate to get in touch.

Yours sincerely,



**George Milburn**  
**Planner**

cc *Starburst Retail Limited.*