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**Committee** PLANNING COMMITTEE

**Date and Time of Meeting** WEDNESDAY, 13 JANUARY 2016, 2.30 PM

## SUPPLEMENTAL PAPERS

**Please find attached supplemental papers for the above meeting**

**Marie Rosenthal**  
**Director, Governor & Legal Services**  
Date: 13 January 2016  
Contact: Kate Rees, 029 2087 2427, [krees@cardiff.gov.uk](mailto:krees@cardiff.gov.uk),

a Late Reps (*Pages 1 - 10*)

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**LATE REPRESENTATIONS SCHEDULE**  
**PLANNING COMMITTEE – 13<sup>TH</sup> JANUARY 2016**

<b>PAGE NO. 60</b>	<b>APPLICATION NO. 15/02513/MJR</b>
<b>ADDRESS:</b>	<b>FORMER CARDIFF AND VALE COLLEGE, TROWBRIDGE ROAD, TROWBRIDGE</b>
<b>FROM:</b>	Neighbourhood Services Officer
<b>SUMMARY:</b>	<p>Revised noise comments have been submitted by the Environmental Health Officer which allow for a relaxation in the times for using the sports facilities and floodlighting originally proposed and covered by conditions 14 and 15 and requires a new condition in respect of plant and equipment on the school building.</p> <p>The Environmental Health Officer would be happy to agree to a trial period for the MUGA site to operate until 20:00hrs for a period of 1 year following opening/use of the site and providing no complaints have been received, would then be happy to allow the MUGA condition to fall in line with the other sports pitches. These comments have been forwarded to the applicant.</p> <p>The agent has questioned the need to split educational and community use in the hours of use condition 14 and on reflection this is a matter that can be properly managed by the school in conjunction with the college.</p> <p>The agent also sought to vary condition 4 so that it could in part be agreed prior to occupation rather than prior to development. The condition is in the standard format used by the Council in line with the Circular on use of planning conditions.</p>
<b>REMARKS:</b>	<p>Amend conditions 14 and 15 and add extra condition 23 to read as follows:-</p> <p>14. The opening hours of the school building shall be limited to Monday to Saturday 08:00 to 22:00; Sunday 08:00 to 20:00, the use of the school MUGAs shall be limited to 08:00 to 20:00 on any day and the school sports pitches shall be limited to 08.00 to 22.00 on any day unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure the amenity of occupiers of residential premises in the vicinity are protected.</p> <p>15. The floodlighting of the sports facilities shall be manually controlled and not be operated between 20:00 hours and 08:00 hours for the MUGAs and between 22.00 and 08.00 hours for the sports pitches unless otherwise agreed in</p>

	<p>writing by the Local Planning Authority. Reason: To ensure that the amenities of occupiers of residential premises in the vicinity are protected and in the interests of biodiversity.</p> <p>23 Prior to the school being brought into beneficial use a noise assessment shall be carried out and submitted to the Local Planning Authority to ensure the noise emitted from fixed plant and equipment on the site achieves a rating noise level of background -10dB at the nearest noise sensitive premises when measured and corrected in accordance with BS 4142: 2014 (or any British Standard amending or superseding that standard).</p> <p>Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.</p>
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<b>PAGE NO. 83</b>	<b>APPLICATION NO. 15/2597/MJR</b>
<b>ADDRESS:</b>	<b>LAND OFF SCHOONER WAY, ATLANTIC WHARF</b>
<b>FROM:</b>	Agent.
<b>SUMMARY:</b>	<p>Amended plans dated 12.1.16 have been received to take account of a change to the red line boundary omitting a small projection on to County Hall land on the southern boundary of the site.</p> <p>As a result of the change the parking court has been relocated to the north of the apartment block. This results in the loss of a small area of amenity space which is considered acceptable given the presence of parks and play areas in the immediate vicinity, and Atlantic Wharf. The pedestrian route to the dockside is maintained and there is space for the planting of trees and landscaping to soften the area.</p> <p>Cycle storage has been relocated to the south of the apartment block in a more secure location and closer to the main entrance to the apartments.</p> <p>Condition 2 to be amended to read: 'D9B Amended Plans *L(90)001C; L(90)002C; L(90)003D; L(90)020B; L(00)010D; L(00)011D; L(00)012B; L(00)013B; L(00)014B; L(00)120B; L(00)115B; L(00)210; L(00)212B; L(00)222B; L(00)232B; L(00)242B; L(00)252B; L(00)253B; L(00)271B; L(00)272B; L(00)273B*</p>
<b>REMARKS:</b>	Parking numbers (61 spaces) are maintained. The amendments are acceptable.

<b>PAGE NO. 83</b>	<b>APPLICATION NO. 15/2597/MJR</b>
<b>ADDRESS:</b>	<b>LAND OFF SCHOONER WAY, ATLANTIC WHARF</b>
<b>FROM:</b>	Agent – Noise report
<b>SUMMARY:</b>	The agent confirms in an email dated 12 <sup>th</sup> January that a noise report will be carried out in order to discharge the road traffic noise condition. The survey has been held up due to bad weather and the Christmas closedown of the steelworks.
<b>REMARKS:</b>	None.

<b>PAGE NO. 103</b>	<b>APPLICATION NO. 15/2641/MJR</b>
<b>ADDRESS :</b>	<b>COLLEGE BUILDINGS, 1 COURTENAY ROAD, SPLOTT</b>
<b>FROM:</b>	Mr. Claridge via Cllr. Robson.
<b>SUMMARY:</b>	<p>Mr. Claridge in an email dated 12 January 2016 to Cllr. Robson, enclosing a further letter to Mr. Ken Skates, Deputy Minister.</p> <p>The letter provides details of the process followed by CADW in reaching their decision, consisting of an email trail set out in the WG site of correspondence on the University Settlement building, and further historical context on its early development.</p> <p>The letter concludes by urging the Deputy Minister to reconsider his decision not to list the building</p>
<b>REMARKS:</b>	<p>How the decision not to list the building was arrived at and the merits of demolition are not a consideration in determining the prior approval application.</p> <p>CADW confirmed in their email dated 22.12.15 that there is no basis to reconsider the decision as all the issues have already been very carefully assessed by the Deputy Minister.</p>

<b>PAGE NO. 103</b>	<b>APPLICATION NO. 15/2641/MJR</b>
<b>ADDRESS :</b>	<b>COLLEGE BUILDINGS, 1 COURTENAY ROAD, SPLOTT</b>
<b>FROM:</b>	CADW
<b>SUMMARY:</b>	Email from CADW dated 22.12.15 stating that they have reviewed the information provided by Mr and Mrs Shurrock

	<p>and have advised them that it does not include any evidence that has not already been considered.</p> <p>The email goes on to state; 'The decision not to list took account of all aspects of the development of the site and we see no basis to reconsider the decision as all the issues have already been very carefully assessed by the Deputy Minister.'</p>
<b>REMARKS:</b>	None.

<b>PAGE NO. 103</b>	<b>APPLICATION NO. 15/2641/MJR</b>
<b>ADDRESS:</b>	<b>COLLEGE BUILDINGS, 1 COURTENAY ROAD, SPLOTT</b>
<b>FROM:</b>	Cllr. Rees and concerned members of the public.
<b>SUMMARY:</b>	<p>The following late representations have been received:</p> <ol style="list-style-type: none"> <li>1. Mr. Claridge emails to Cllrs. Patel, Michael, and Rees dated 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup> January, enclosing a letter (undated) sent to Mr. Ken Skates, Deputy Minister for Culture, Tourism and Sports, objecting to the demolition of an extremely important historic building and asking that he reconsider the decision not to list the building. He stresses in his letter the importance of the building as a symbol of the relationship between what is now Cardiff University and the people, and especially the working class, of Cardiff.</li> <li>2. Cllr. Rees email to Mr. Claridge, copied to Cardiff Planning and dated 10.1.16, objects to the demolition of the building as it will result in the loss of a building of significant historical importance to the city, and will have a significant visual impact on the street scene, changing the nature and character of the area. She suggests that the building frontage is preserved.</li> <li>3. Mr. MacCormac email dated 9.1.16 objects to the demolition of a building with a long and distinguished history of educational excellence with many outstanding alumni.</li> <li>4. Mr. Sears email dated 8.1.16 asks whether the additional summertime survey work requested in the original bat survey has been carried out.</li> </ol>
<b>REMARKS:</b>	1, 2 & 3. The architectural and historical importance of the building has been considered by CADW and the Minister decided in October 2015 that the building did not meet the

	<p>listing criteria. Under the prior approval process the merits of the building are not a material consideration as explained in paragraphs 5.1 to 5.3 of the report.</p> <p>4. Measures to address the possible presence of bats are outlined in paras 5.6 and 5.7 of the report. Under the prior approval procedure a condition requiring the carrying out of an additional summertime survey cannot lawfully be imposed as there is no power under Part 31 of the Permitted Development Order to impose conditions which do not relate to the matters under consideration, namely the proposed method of demolition and restoration of the site.</p> <p>The applicant has however amended the demolition method statement to take account of the possible presence of bats, including handstripping of potential bat roosting sites, and the appointment of an ecological consultant to maintain a watching brief during removal of the roof. In the event bats are discovered all works will stop and the Council's ecologist and NRW notified immediately.</p> <p>A further recommendation has been added to this effect.</p>
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<b>PAGE NO. 109</b>	<b>APPLICATION NO. 15/2766/MJR</b>
<b>ADDRESS:</b>	<b>BLOCK H, CAPITAL QUARTER, TYNDALL STREET, ATLANTIC WHARF</b>
<b>FROM:</b>	Agent.
<b>SUMMARY:</b>	<p><b>Email received 11<sup>th</sup> January 2016.</b>  Pointing out that condition 15 refers to an earlier Flood Consequences Assessment (FCA) report and requests that the condition be amended to refer to the correct FCA.</p> <p>Condition 15 to be amended to read:</p> <p>'The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Consequence Assessment report dated 3rd November 2015 submitted by RVW Consulting, and the following mitigation measure detailed within the FCA report: Finished floor level of the proposed undercroft shall be set no lower than 7.10 metres above ordnance datum (AOD). Reason: To reduce the impact of flooding on the proposed development and future occupants.'</p>
<b>REMARKS:</b>	None.



<b>PAGE NO. 109</b>	<b>APPLICATION NO. 15/2766/MJR</b>
<b>ADDRESS:</b>	<b>BLOCK H, CAPITAL QUARTER, TYNDALL STREET, ATLANTIC WHARF</b>
<b>FROM:</b>	Pollution Control (Contaminated Land).
<b>SUMMARY:</b>	<b>Consultation response received 30<sup>th</sup> December 2015.</b> No objection subject to standard imported soils and imported aggregates conditions, and a contamination and unstable land advisory.
<b>REMARKS:</b>	The requested conditions and advisory form part of the report to committee. Nothing further needs to be added.

<b>PAGE NO. 121</b>	<b>APPLICATION NO. 15/01268/MNR</b>
<b>ADDRESS :</b>	<b>1 HEOL DON, WHITCHURCH, CARDIFF</b>
<b>FROM:</b>	Occupier of 1a Heol Don
<b>SUMMARY:</b>	<p>With regard to the amended plans, the occupier confirms that he maintains his objection to the proposed development. He considers that the principle of the development has not changed and continues to represent an over development of the site and will have an adverse effect on the character and appearance of the Conservation Area.</p> <p>The external works plan looks like it has been adjusted in order to make it appear that the development is more spacious and has less impact on important trees within and bounding the site. Siting car parking areas and dwellings close to existing trees will inevitably lead to pressure to remove them in the future. This can be avoided by not putting the development there in the first place.</p> <p>The occupier acknowledges that parking spaces opposite his driveway have been re-sited and the first floor side facing window removed. However, he states that these changes do not remove his concerns that additional extra traffic movements associated with the new houses will materially and significantly affect his residential amenities.</p> <p>In view of the more recently proposed changes to the road systems with the introduction of traffic calming measures, the introduction of a new entrance from Heol Don to the Vaynor complex would pose significant traffic complications in view of the pavement, curb and roadway.</p>
<b>REMARKS:</b>	Refer to the analysis section of the Committee report.

<b>PAGE NO. 161</b>	<b>APPLICATION NO: 15/02479/MNR</b>
<b>ADDRESS:</b>	<b>UNIT 11, DOMINION WAY INDUSTRIAL ESTATE, DOMINION WAY, PENYLAN</b>
<b>FROM:</b>	Natural Resources Wales
<b>SUMMARY:</b>	<p>We have <b>no objection</b> to the application as submitted but provide your authority with the following advice.</p> <p><b>Flood Risk.</b></p> <p>The application site lies entirely within Zone C2 as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). Our Flood Map information, which is updated on a quarterly basis, confirms the site to be within the 0.1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability flood outlines of the Roath Brook, a designated main river.</p> <p>We have reviewed the Flood Consequences Assessment submitted in support of this application – Savills, Unit 11 Dominions Way, FCA, dated August 2015, prepared by WYG Environmental Planning Transport. The FCA states:-</p> <ul style="list-style-type: none"> <li>- The proposal of the new site will involve no changes to the footprint of the existing building. However, the layout of the building may change significantly.</li> <li>- It is advised that certain measures are put in place during any refurbishment in order to minimise the impact any flood event would have on the development.</li> </ul> <p style="padding-left: 40px;">If any future works are proposed within 7 metres of the Roath Brook at this location then a Flood Defence Consent will be required and NRW must be re-consulted.</p> <p>Given the scale of the proposed development we consider the risk could be acceptable subject to the developer being made aware of the potential flood risks, and advised to install flood-proofing measures as part of the development.</p> <p>In areas at risk of flooding, we recommend that consideration be given to the incorporation of flood resistance/resilience measures into the design and construction of the development. These could include flood barriers on ground floor doors, windows and access points, implementation of suitable flood proofing measures to the internal fabric of the ground floor, and locating electrical sockets/components at a higher level above possible flood levels.</p>
<b>REMARKS:</b>	Noted



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