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LATE REPRESENTATIONS

Committee PLANNING COMMITTEE

**Date and Time
of Meeting** WEDNESDAY, 23 JANUARY 2019, 1.30 PM

Please see attached Late Representation Schedule received in respect of applications to be determined at this Planning Committee

Late Reps 23.01.19 (Pages 1 - 12)

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LATE REPRESENTATIONS SCHEDULE
PLANNING COMMITTEE –23rd JANUARY 2019

PAGE NO. 1	APPLICATION NO. 18/01639/MJR
ADDRESS:	LAND AT LAMBY WAY INDUSTRIAL ESTATE, LAMBY WAY, WENTLOOG
FROM:	Applicant
SUMMARY:	<p>The applicant has requested that the wording of Condition 5 be amended to allow future potential for use of floodlighting outside of the hours 07:30 to 20:30 if it can be demonstrated that this would result in no harm to the amenities of occupiers of other premises within the vicinity.</p> <p>If it is considered that, subject to no harm being caused to the amenity of occupiers of neighbouring premises, the principle of the floodlighting being used outside of the stated hours is acceptable.</p>
REMARKS:	<p>The following replacement Condition 5 is, therefore, proposed:</p> <p><i>The floodlighting shall only be operated between 07:30 hours and 20:30 hours on any day unless a scheme is submitted to and agreed in writing by the Local Planning Authority demonstrating that floodlighting can operate outside of these hours without detriment to the amenity of other occupiers in the vicinity. The floodlighting shall thereafter only be operated outside of the hours 07:30 to 20:30 in accordance with the approved details.</i></p>

PAGE NO. 24	APPLICATION NO. 18/2500/MJR
ADDRESS:	HOWARDIAN ADULT LEARNING CENTRE, HAMMOND WAY, PENYLAN, CARDIFF
FROM:	Transport Officer
SUMMARY:	<p>Following our recent meeting with Simon Gilbert, can the following changes be made to the Committee Report :</p> <ul style="list-style-type: none"> • Remove drawing '184020_A01_A3 Site Access General and Visibility Splays' from the list in Condition 2. • Insert amended Condition 29 (Travel Plan) as below. <p><i>29. Prior to development commencing on the residential units details of secured covered cycle parking, and access routes to them, shall be submitted for the approval of the Local Planning Authority and then be implemented as approved prior to the residential units being brought into</i></p>

	<i>beneficial use. Reason: To encourage cycling as an alternative mode of transport and in the interests of health (LDP policies T1 and T5).</i>
REMARKS:	Noted

PAGE NO. 24	APPLICATION NO. 18/2500/MJR
ADDRESS:	HOWARDIAN ADULT LEARNING CENTRE, HAMMOND WAY, PENYLAN, CARDIFF
FROM:	Head of Planning
SUMMARY:	It is considered that the number of pavements proposed within shared surfaces are unnecessary and their omission would allow for larger front gardens and help further improve the overall appearance of a well designed layout.
REMARKS:	<p>1) Amend condition 31 to read</p> <p>Notwithstanding the approved plans and prior to development commencing on site details of the design and final surfacing materials for roads, pavements, and defining the edge of carriageways shall be submitted to and approved by the Local Planning Authority and then implemented as approved. Reason: To allow the good design of shared surfaces and to ensure the suitability of the final layer of road and surfacing material (LDP policies KP5, T1 and T5)</p> <p>2) Reference to LDP policy H6 should be replaced by policy EN6 and EN8 in the reasons for conditions 12-15(inclusive). Reason: in the interests of visual amenities and biodiversity. Reference to LDP policy H6 should be replaced by policy KP5 in the reasons for conditions 23-25 (inclusive) and condition 27.</p>

PAGE NO. 84	APPLICATION NO. 18/2519/MJR
ADDRESS:	EASTERN HIGH SCHOOL, NEWPORT ROAD, RUMNEY, CARDIFF
FROM:	Transport Officer
SUMMARY:	The existing footway on the eastern boundary of the site that runs between Newport Road and Caer Castell Place is to be diverted through the site and run as a 3m shared cycleway connecting with the existing signalled crossing. This is

	acceptable in-principle although no pedestrian connection between the site (near plot 162) and the proposed area for future development is shown.
REMARKS:	<p>Add additional condition 38 :</p> <p>Prior to commencement of development, details of a pedestrian link from the cycleway/footpath to the future development site shown on the approved plans shall be submitted to and agreed with the Local Planning Authority. The development hereby approved shall be implemented in accordance with the agreed details.</p> <p>Reason: To provide a safe and convenient connection between the application site and residential areas further to the south and a future development site (LDP policies T1 and T5)</p>

PAGE NO. 84	APPLICATION NO. 18/2519/MJR
ADDRESS:	EASTERN HIGH SCHOOL, NEWPORT ROAD, RUMNEY, CARDIFF
FROM:	Cadw
SUMMARY:	<p>Additional comments from Cadw</p> <p>An archaeological setting assessment produced by GGAT has been submitted for this development. This concludes that whilst the development will not block the identified significant views from the scheduled monument it will have an adverse impact on the setting of the monument as the proximity of the new buildings will affect how the monument is understood, experienced and appreciated. The scale of this impact will depend on the future management of the scheduled monument, but it could be considerable. However, the scheduled monument is not in the applicant's control and therefore they cannot manage the monument in a manner which will ensure that the setting of the monument is not significantly compromised. We therefore recommend that this possible impact is offset by the provision of an interpretation board in the open area to the south of scheduled monument which will explain its' history and significance. The provision of this interpretation board should be ensured by the attachment of a suitable condition to any planning consent that is granted to this application.</p>
REMARKS:	REMARKS:

	<p>In view of Cadw's comments an additional condition as recommended by Cadw is proposed.</p> <p>RECOMMENDATION:</p> <p>Add additional condition 39</p> <p>Prior to first occupation of the hereby permitted development details of a historical interpretation board explaining the history and significance of scheduled monument Caer Castell Camp (GM216) shall be submitted to and approved in writing by the Local Planning Authority and installed as approved. The approved interpretation board shall thereafter be retained and maintained in a good, legible, condition."</p> <p>Reason: To compensate for the damage to the setting of the scheduled monument and make residents are aware of the history of the area (LDP policy EN9)</p>
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PAGE NO. 84	APPLICATION NO. 18/2519/MJR
ADDRESS:	EASTERN HIGH SCHOOL, NEWPORT ROAD, RUMNEY, CARDIFF
FROM:	Head of Planning
SUMMARY:	Amend references to LDP policy numbers in reasons for conditions
REMARKS:	Reference to LDP policy H5 should be replaced by policy KP5 in the reasons for conditions 21-27(inclusive), condition 29 and 33. Reference to LDP policy H6 should be replaced with policy EN6 in the reasons for conditions 11-14 (inclusive).

PAGE NO. 84	APPLICATION NO. 18/2519/MJR
ADDRESS:	EASTERN HIGH SCHOOL, NEWPORT ROAD, RUMNEY, CARDIFF
FROM:	Transport Officer
SUMMARY:	<p>Following our recent meeting with Simon Gilbert, can the following changes be made to the Committee Report :</p> <ul style="list-style-type: none"> • Revised conditions 35 (swept path) and 37 (safeguarding pedestrian link) as below. • 5.8, 5th bullet point, final sentence – remove 'Whilst'; add

	<p>“TRO” after “a”.</p> <p>35. Notwithstanding the approved plans and prior to development commencing on site a swept path assessment shall be submitted to and approved in writing by the Local Planning Authority. Reason: In the interests of highway safety (LDP policy T5).</p> <p>37. The existing pedestrian link from Caer Castell Place to Newport Road shall be maintained until the cycle/pedestrian route adjoining the principal estate road has been created linking Caer Castell Place to Newport Road. Reason: In the interests of highway safety (LDP policies T1 and T5).</p>
REMARKS:	

PAGE NO. 171	APPLICATION NO. 18/02698/MNR
ADDRESS:	19 LLANDENNIS AVENUE, CYNCOED
FROM:	Mrs Maureen Weaver, 23 Llandennis Avenue, Cyncoed
SUMMARY:	<p>I have lived at number 23 Llandennis Avenue for 32 years and have observed with dismay how in recent years planning permission has been granted for the building of properties which are too large for their plots and are entirely out of keeping with the style of other properties in this area. In the case of the planning application for number 19 Llandennis Avenue, I note that the documents provided to support the application show pictures of various other properties which also appear to contravene the Council's own published guidelines for infill properties. Like those illustrated, the application for the new development at number 19 fails to respond to the context and character of the area in its style, size, number of storeys and materials used. Rather than contravene the Council's own guidelines again, I strongly urge the planning department to reject this application.</p>
REMARKS:	<p>Comments noted.</p> <p>With regard to other developments which have previously taken place along Llandennis Avenue, this has been considered under paragraph 8.39 of the committee report.</p> <p>In terms of whether the proposed dwelling would fit into the</p>

	<p>context/character of the area, this is covered under paragraphs 8.3 – 5.5 of the committee report.</p> <p>The scale and massing of the proposed dwelling are considered under paragraphs 8.6 – 8.11 of the committee report</p>
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PAGE NO. 171	APPLICATION NO. 18/02698/MNR
ADDRESS:	19 LLANDENNIS AVENUE, CYNCOED
FROM:	Councillor Bablin Molik
SUMMARY:	<p>Could I please request a site visit for this application? I request the site visit to ensure committee can place the planning proposal into prospective of its surrounding. It will help committee to visualise the road and assess the impact and impression such proposal will have on the area.</p>
REMARKS:	Comments noted. The motion will be put to committee at the meeting.

PAGE NO. 171	APPLICATION NO. 18/02698/MNR
ADDRESS:	19 LLANDENNIS AVENUE, CYNCOED
FROM:	Mr Winston Roddick CB QC
SUMMARY:	<p>1. I have serious concerns about the contents of your report to the planning committee not the least of which is that it fails altogether to acknowledge the fact the proposal completely ignores the Council's own guidelines. and particularly the Supplementary Planning Guidance on infill sites.</p> <p>2. Your report states that “the scale, massing, siting and layout of the proposed development is considered to appropriately respond to the surrounding built form”</p> <p>Can the council please explain in detail how does this bulky, flat roofed, three storey, surveyor-designed (someone not trained in building design) alien proposal, "appropriately respond to the surrounding built form". With great respect to you, it is utter nonsense to suggest it does.</p> <p>3. Page 5 of the Infill Sites SPG (see copy attached) gives examples of infill developments, which ‘successfully employ elements of contemporary design whilst also responding to character and context’. As is claimed in the report that Llandennis Avenue has</p>

“an evident variety in the design, arrangement, roof forms and finish of the properties along the street” the successful examples referred to also show an ‘evident variety’ of styles, but are viewed as being successful because

- their scale and massing is appropriate to neighbouring dwellings
- (their) design reinvents the various shapes and features in the adjacent buildings.

In light of this: can the Council explain how the scale and massing of a three storey flat roof house is appropriate to neighbouring dwellings, which are all two storey with pitched roofs. Furthermore can it be explained how this particular design ‘reinvents’ the various shapes and features in the adjacent buildings?

4. Paragraph 3.8 of the SPG requires infill development - which this proposal undoubtedly is - to be

- sensitive to its context. It is important that in residential areas where there is a clear existing pattern and form of development... that new buildings...complement the character of the surroundings

Paragraph 3.18 of the SPG requires infill development to

- take account of and respond to ...scale and massing of buildings **in the street** (emphasis is mine)

The Report completely ignores the fact that all existing properties in Llandennis Ave are two storey (notwithstanding the fact that some may have accommodation within their roof-space) and that all have tiled or slated pitched roofs. Why has the Report completely ignored the above referred to requirements of the Council's own SPG?

5. Please provide the committee with paragraph 2.7 of the council's Supplementary Planning Guidance including the photographs on that page.

6. I would be grateful if you assure me that the concerns spelt out here will be drawn to the attention of the planning committee.

7. I conclude with an important request which I make in light of the following three matters –

(i) that your recommendation is expressed to be “on

	<p>balance” demonstrates you are not sure that the proposal is an acceptable form of development and complies with the relevant planning policies, (ii) the particular policies applicable to this proposal, (iii) the specific nature of my objections and of the other points/questions raised in this letter.</p> <p>The request is that you recommend to the committee that before they decide whether to accept your recommendation or not they visit the site together. If they do so, I am sure that the force of the objections and of the points made here will persuade them of the unacceptability of the proposal. I rely on you to read to them this last paragraph.</p>
<p>REMARKS:</p>	<p>Point 1 – Noted</p> <p>Point 2 – Paragraphs 8.5 – 8.16 of the Committee Report consider the effects of the proposed development on the character and appearance of the street scene and area.</p> <p>Points 3 & 4 – As point 2 – The Infill Sites SPG sets out a number of criteria against which applications for infill development will be assessed. Due consideration has been given to the contents of the SPG including those elements which collectively create character. (See Paragraph 8.5 – 8.16 of the report)</p> <p>Point 5 – The request for members to be made aware of a particular page within the Infill Sites SPG is acknowledged. However, the contents of the Infill Sites SPG has been fully considered in the Committee Report, whilst Members of the Planning Committee will be aware of guidance contained within the SPG.</p> <p>Furthermore numerous images will be provided within the presentation to Planning Committee to enable members to understand the characteristics of the area.</p> <p>Point 6 – Noted – Included here as a late representation.</p> <p>Point 7 – With regard to the request for the Members of Planning Committee to visit the site, Members will vote on whether they wish to visit the site before considering the application.</p>

PAGE NO. 171	APPLICATION NO. 18/02698/MNR
ADDRESS:	19 LLANDENNIS AVENUE, CYNCOED
FROM:	Mr Gagg
SUMMARY:	<p>I note the reference to your 'on balance' approval. Your recognition of doubt about the proposal is welcome but your conclusion is disappointing, if not puzzling.</p> <p>The obvious incongruity of the proposed design is all too clear and surely on any reasonable interpretation does not sit well with the surrounding built form. While varied, there exists at present a consistency of design of broadly vernacular character in Llandennis Avenue which would be endangered if the development were to proceed. In terms of both size and configuration I believe that few would see your interpretation as standing up to scrutiny in this respect.</p> <p>The Council's own SPG requires that new builds should be sensitive to and complement the existing pattern of development. There is indeed another new build in the road that well reflects this obligation with the result that it has aroused no opposition as far as I am aware. The contrast with the present proposal could not be more evident.</p> <p>The planning application makes reference to the sustainability of the new development. Suffice to say that a justification of sustainability that involves the destruction of an existing sustainable property is by its very nature self-contradictory.</p> <p>A site visit in relation to this unique and ill-starred project is arguably the way forward and it is to be hoped that the Planning Committee will see this as a logical next step.</p>
REMARKS:	<p>Comments noted.</p> <p>All planning applications have competing interests that need to be considered in their determination and material considerations are not always clear, especially on subjective matters such as design, which the Committee Report recognises, . However, advice within Para 3.16 PPW states, inter alia, the LPA should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions. It is considered that having regard to national and local design principles that the scheme meets the objective of good design and has considered the pertinent points, as referenced within the report.</p>

	<p>The contents of the Council's Infill Sites SPG has been considered in reaching the recommendation. Paragraphs 8.5 – 8.16 of the Committee Report considered the impact of the proposal on the character and appearance of the street scene.</p> <p>With regard to the request for the Members of Planning Committee to visit the site, Members will vote on whether they wish to visit the site before considering the application.</p>
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