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LATE REPRESENTATIONS

Committee	PLANNING COMMITTEE
Date and Time of Meeting	WEDNESDAY, 2 MARCH 2022, 1.30 PM

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

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LATE REPRESENTATIONS SCHEDULE
PLANNING COMMITTEE – 2nd MARCH 2022

AGENDA ITEM 5a	PAGE NO. 1
APPLICATION NO:	21/02848/MJR
LOCATION:	International Sports Village, International Drive, Grangetown
PROPOSAL:	Construction of a 333m Outdoor Velodrome With Clubhouse and Stand

Three late representations have been received in respect of the above application which, largely raise the same or related issues, and which are summarised below: -

SUMMARY:

- It was disappointing to read that the committee report recommends that planning permission be granted - 39 out of 40 people objected to the scheme and the objections have been ignored which is a very poor disregard of local democracy.
- There seems to be a systemic problem here where people's legitimate concerns are ignored by the Council which makes the whole process pointless for everyone. Perhaps a Public Inquiry is needed as this is also not an isolated Council planning failure?

The representations also provide the following (summarised) comments on the committee report:

- *Para 1.8 : The applicant has designed the track to allow for all ages (levels of ability) and all types of bikes and it has been evidenced in supporting documents*

This incorrectly gives the impression that the facility will be a suitable replacement for the existing velodrome at Maindy. A recent letter from Maindy Flyers clearly evidences that this design will exclude a vast number of their younger members and they will not be able to replicate current uses.

The design specifications detailed in the documentation state that the angle of the velodrome banking will be 28 degrees. Cycling clubs have been advised by the project and technical teams that the final design is for 32 degrees banking. Both of these steep banking angles would make the velodrome a performance focused and mostly track bike specific velodrome. It would exclude the bulk of riders specified in Section 1.8 detailed above and many those that use the existing facility.

Due to a number of concerns, including the steepness of the banking, Maindy Flyers coaches and committee wrote to Russell Goodway, Huw Thomas and Peter Bradbury. As a result, a meeting was held 16/02/2022 between Neil Hanratty and the velodrome team and representatives from clubs and sports governing bodies. The velodrome and technical team agreed to go back to the designers to establish if the needs of the clubs and users could be accommodated.

To conclude, the clubs have rejected the current design for 28 (or 32) degrees as unsuitable. Therefore, until this matter is resolved, we maintain that the plans cannot be approved. If the plans are approved then the new velodrome would not be an adequate replacement and would be unusable for the majority of users of the existing site.

In addition, the facility doesn't include disabled access or, unlike Maindy velodrome, the facility cannot be used by disabled cyclists. Why are the disabled being treated as second class by Cardiff Council?

- *Para 8.1 The key material considerations in the determination of this application are: Land use /Principle of development; the impact upon the character of the area; impact upon the adjoining uses, flooding, transportation and ecology/ landscaping.*

Given that you have had sight of the Maindy Flyers letter, surely key consideration should be given to the concerns / shortcomings surrounding the new design that have been highlighted by the main user of the existing track ? To have total disregard seems rather irresponsible.

- *Paras 8.8 to 8.10 (The wider Council consultation on the ISV Masterplan / replacement of the existing velodrome at Maindy Leisure Centre)*

The proposed new velodrome is supposed to be a direct replacement for the existing velodrome at Maindy in that it replicates all the current uses as a minimum. Maindy Flyers have confirmed in writing that the design of the new proposed velodrome is not an adequate replacement as it will not enable replication of all current uses for all users.

- I am slightly bemused that the report states that a decision on replacing / retaining the current velodrome is outside the current regulatory planning process, it is a matter for the Council. The replacement / retention is a matter for the Council, not planning but this is not the issue here.
- The decision is not about whether to replace / retain Maindy, it is a decision on whether the new facility replicates Maindy.
- The PAC report summary multiple times mentions *'design of the existing Maindy velodrome is not considered relevant to the design of the new proposed velodrome'*. Obviously this flies in the face of the Councils brief.
- Whilst it is true that it is not the role of the planning department to *'design'* the proposal, there were numerous objections and the Maindy Flyers letter which identified that there were flaws with the specifications / design and that it would not replicate all uses for all users of current Maindy velodrome,
- Surely when deeming a planning application worthy of merit all factors for this type of development should be taken into account and if not why not?
- This is a very specialist / technical development and applying key considerations such as land use / principle of development hardly seem relevant in this scenario.
- Additionally concerned that the case officer refused to accept representations from local councilor who supplied a copy of the Maindy Flyers letter, who was told the Flyers had to supply a copy themselves. The letter was also sent directly by the Flyers to senior members of Cardiff Council who should have made its contents available to the planning team as a matter of urgency. They had direct knowledge that the current design is not fit for purpose, undermining any approval for the plans to be recommended to go before your committee.
- Until this major concern over the usability and suitability of the new velodrome is addressed, we maintain that the plans, as they stand, cannot be approved.
- In light of all the above the recommendation to approve planning permission should be withdrawn. The letter from the Maindy Flyers and the current Maindy velodrome

design should be material considerations in this application as the new proposed velodrome is supposed to replicate all the uses for all users of the current velodrome

RESPONSE:

The following response is made to the late representations: -

- All representations received as part of the planning application have been assessed within the report, and it is therefore incorrect to say that these have been ignored. Reports will always have regard to all representations and reach an appropriate conclusion having regard to the Development Plan and other material considerations.
- Matters that are material to an application are established by case law and in particular they must relate to the development proposed. In this case, while the connection with the Maindy site is acknowledged within the report, this application has to be assessed on its own planning merits. Therefore, purely in planning terms a comparison between the existing facility at Maindy and the proposed velodrome is not material to consideration of the merits of this proposal.
- The *Maindy Flyers* letter was sent to Cabinet members, with a photograph of the letter sent by Gabalfa ward councillor. However, the letter not been submitted as part of this application, and the Councillor was advised that the photograph could not be considered as a representation from the Maindy Flyers. It is also not the role of cabinet members to highlight all such matters to case officers.
- In any event it is emphasised that the planning application before Committee must be considered on its own planning merits (and separate from any other process relating to the potential loss of the Maindy velodrome, including a decision by Council on the future of that site). Whether this building is a replacement for the existing Maindy site is a matter for the Council *as developer*. It is therefore not the role of the planning committee to decide if this is a better or worse site than the existing Maindy site. i.e this application could not be refused planning permission on such grounds.
- The views relating to the design specifications, notably the angle of the velodrome banking are noted, and Officers are aware these issues have been raised with Members and Senior Officers separate from the planning process. In this respect it is noted that the developer has had sight of the representation and believe that the detailed track design for the velodrome will be able to cater for all abilities (see [Cardiff International Sports Village-Frequently Asked Questions](#)).
- The developer considers that the proposal meets governing bodies standards and whilst the representations may dispute this, it is not the role of the planning system to decide if the cycle track does or does not meet those standards. Most importantly, however, it is emphasised that this planning application could not be refused because it does not meet Maindy Flyers (or any other specific groups) requirements. The planning system does, however, allow for alterations to be made to a development at a later stage should the detailed design specifications require changes (such as changing the angle of the track). This, however, would be in response to any decision by the Council (as developer) following a separate process outside of planning.
- The proposed Velodrome will be disabled friendly with a drop off point directly outside the site, and access to the upper floor via a lift. The track itself can be used by disabled cyclists, and it is considered that there is no discrimination of future users