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LATE REPRESENTATIONS

Committee PLANNING COMMITTEE

Date and Time of Meeting WEDNESDAY, 15 JUNE 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 – 15th JUNE 2022

AGENDA ITEM 7b	PAGE NO. 17
APPLICATION NO.	18/00736/MNR
LOCATION :	71 Church Road Whitchurch, Cardiff, CF14 2DY
PROPOSAL :	Proposed demolition of existing garage / outbuilding construction of new 2 storey detached dwelling, detached replacement garage with studio above and glazed link to existing dwelling
FROM:	The Occupier 1 Wingfield Road
SUMMARY:	<p>The occupier notes the officer report states that the proposed access is onto Church Road whereas the entrance is onto Heol Don (A4054).</p> <p>The Occupier states that the Transportation Officer are misleading and that he has failed to address Technical Advice Note 18 in his comments.</p> <p>Specifically, the occupier comments as follows:</p> <p>TAN 18 states that any new accesses require the X distance (from the kerb) to be 2.4m wide; not the 2m that is proposed by the applicant. TAN 18 notes that a distance of 2m may only be considered “in <i>very lightly trafficked areas</i>”. Those in the locality know that the proposed access point onto the A4054 is not lightly trafficked (let alone “<i>very lightly trafficked</i>”) and is therefore substandard. A significant conflict would arise, especially at peak times, with numerous pedestrians and cyclists coming from four directions to use the pedestrian crossing. Destinations include several primary and secondary schools, bus stops, the Taff trail cycleway into the city centre and the railway station. The introduction of the proposed access would cause unnecessary and avoidable danger to pedestrians and cyclists alike, including many of a young age, who would have to pass the proposed access.</p> <p>This access is proposed in a potentially dangerous position subject to a significant level of pedestrian and cycle movement particularly at peak times. It is therefore surprising that the highways officer should effectively ignore or misapply Welsh Government guidance and advice on visibility requirements.</p> <p>As a matter of course, the occupiers request a site visit, at a school run time, so all members of the planning committee</p>

	<p>can witness the level of traffic encountered at applied access to the A4054 from the new build planning.</p>
<p>REMARKS:</p>	<p>The Transportation Officer comments as follows:</p> <p>The late representation correctly identifies that the new access to the application site is taken from Heol Don rather than Church Road and that the former is an A road, while the latter is not (it is an unnumbered C road). However, this fact has no particular bearing on the consideration of the application. The submitted plans clearly identify the location of the new access, and this is the basis of the consideration of the proposed development.</p> <p>The late representation suggests that Church Road is “lower density” than Heol Don and that this is a “critical misrepresentation” without explaining what this means or why it has a material bearing on consideration of the application. Both roads in question are residential in nature, flanked by predominantly semi-detached properties with drives and off-road parking, and both (in the vicinity of the site) are subject to 20mph speed limits and traffic calming. In reality, both roads are very similar in nature.</p> <p>The road name confusion possibly stems from the property being addressed Church Road, while being accessed from Heol Don.</p> <p>Regard to the second point made in the late representation in relation to TAN 18, it can confirm that this and other guidance such as Manual for Streets, where they talk about sight lines and visibility spays, are taken to apply to side road junctions with other roads rather than residential drives.</p> <p>If we look at TAN 18, Annex B, paragraphs B5 and B6 quoted in the late representation, it will be noted that these paragraphs come under the heading “Visibility Spays at Junctions” and are described as being the requirements at “...priority junctions and crossroads...”. Private drives are not considered to be priority junctions or crossroads and are therefore not subject to the minimum X distance of 2.4m.</p> <p>It would therefore appear that the late representation has incorrectly interpreted TAN18 and applied it to this application erroneously. I must therefore reiterate that the submitted access arrangement has been assessed and is considered to be acceptable, including the appropriateness of the visibility splay provision.</p>

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PROPOSAL :	Proposed demolition of existing garage / outbuilding construction of new 2 storey detached dwelling, detached replacement garage with studio above and glazed link to existing dwelling
FROM:	The occupier of 1 Wingfield Road to Director of Planning Environment and Transportation
SUMMARY:	<p>The occupier raised concerns in relation to process, communication, and transparency regarding the planning application as follows (summary):</p> <p>Due process</p> <ul style="list-style-type: none"> • Despite the Council's stated aim to decide applications within eight weeks, no determination has been made on the application in the 4 years since submission, with three resubmissions enabled since the original application. By contrast, application 18/02429/MNR - similar in nature and submitted within the same residential area - was decided within a two-month period, in line with suggested timeframes on the Cardiff council website. • Despite a date set for planning committee in March 2021 (three years post the original submission) and confirmed receipt of a petition to enable community representation at this, consideration of the application did not proceed. • Two further revisions of the application have been received since the original application and subsequent amendments were scheduled for planning committee consideration in March 2021. • These two further revisions are part-submissions – not complete on their own – meaning understanding of the application requires substantial reading and cross-referencing between documents submitted over a four-year period. <p>Communication</p> <ul style="list-style-type: none"> • This application was last advertised in the press in April 2018. • In March 2021 information was provided that the failure to progress to planning committee was due to the ill health of the planning officer. No further update was received.

	<ul style="list-style-type: none"> • After the second resubmission/third submission confirmation was requested from the planning officer that the previously submitted petition remained valid (as the application has not been determined) and would enable community representation at planning committee. The response received noted that the planning officer was on leave and that a response would follow on their return. None has been provided despite a third resubmission/fourth submission being received. <p>Transparency</p> <ul style="list-style-type: none"> • There are four iterations of documents for this application – the original application and three revised submissions. Documents relating to the proposed revisions do not stand alone and require significant cross-referencing. In some instances, it is unclear whether or which aspects of previous iterations have been superseded. This undermines transparency and scope for informed consultation. It has also created an unreasonable burden and barrier to meaningful public consultation. • Inaccuracies (e.g., identifying the location as a B and not an A road) and omissions (of protected trees) have previously been identified. Not all have been corrected over the multiple re-submissions. <p>To support public confidence, it is believed that planning applications should be underpinned by a requirement for clear and accurate information; meaningful opportunity for consultation; transparency in process; and determination in a reasonable timeframe.</p>
REMARKS:	<p>Regarding comments received concerning procedural aspects relating to the determination of the application, following the initial notification of neighbouring occupiers, residents have been notified of amended plans/additional details on two further occasions giving opportunity to comment. Site notices have been displayed on two occasions. Although the application was submitted in 2018, it is being assessed in relation extant planning policy guidance. Final representation received from Council officers are referenced in the Committee report.</p>

AGENDA ITEM 7c	PAGE NO. 50
APPLICATION NO:	21/02883/MJR
LOCATION:	Phase 2, Plot 1, Central Quay At Former Brewery Site , Crawshay Street, Butetown, Cardiff
PROPOSAL:	Full planning application for a mixed-use building providing commercial uses at ground floor/mezzanine level (use classes A1/A2/A3/B1/D1/D2) and residential development above (Use Class C3), landscaping including a new public square (chimney square), associated car and cycle parking, access, drainage and other infrastructure works required for the delivery of central quay (Phase 2, Plot 1)

REPORT ADDITIONS / CORRECTIONS

Paragraph 3.11 p56 currently reads *“8 car parking spaces are proposed, which will be allocated to residential units, 3 of which are designated disabled parking bays. The car park is situated to the north-east of the site and will be accessed using a rear service lane, with a turning head to the north-eastern corner. This will then lead to the part two-way vehicle route of the boulevard, connecting to the existing Crawshay Street access.”*

This paragraph requires correction to the following:

3.11 **18** car parking spaces are proposed, which will be allocated to residential units, 3 of which are designated disabled parking bays. The car park is situated to the north-east of the site and will be accessed using a rear service lane, with a turning head to the north-eastern corner. This will then lead to the part two-way vehicle route of the boulevard, connecting to the existing Crawshay Street access.

Paragraph 9.43 p83 currently reads *“The proposed residential units are considered a reasonable size and will receive sufficient levels of outlook and ventilation. The application proposes 78 balconies for the 316 units which equates to 25% of the overall units.*

This paragraph requires correction to the following:

9.43 The proposed residential units are considered a reasonable size and will receive sufficient levels of outlook and ventilation. The application proposes 78 balconies for the **402** units which equates to 25% of the overall units.....

AGENDA ITEM 7d	PAGE NO. 116
APPLICATION NO:	21/02884/MJR
LOCATION:	Phase 2, Plot 2, Central Quay At Former Brewery Site , Crawshay Street, Butetown, Cardiff
PROPOSAL:	Full planning application for a mixed-use building providing commercial uses at ground floor/mezzanine level (use classes A1/A2/A3/B1/D1/D2) and residential development above (Use Class C3), landscaping including a new public square (central quay square) and associated car and cycle parking, access, drainage and other infrastructure works required for the delivery of central quay (Phase 2, Plot 2)

REPORT ADDITIONS / CORRECTIONS

Paragraph 10.46 p151 currently reads *“The proposed residential units are considered a reasonable size and will receive sufficient levels of outlook and ventilation. The application proposes **61** balconies for the 316 units which equates to 19% of the overall units.....”*

This paragraph requires correction to the following :

10.46 The proposed residential units are considered a reasonable size and will receive sufficient levels of outlook and ventilation. The application proposes **59** balconies for the 316 units which equates to 19% of the overall units.

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