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LATE REPRESENTATIONS

Committee PLANNING COMMITTEE

Date and Time of Meeting WEDNESDAY, 15 JUNE 2016, 2.30 PM

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

Late Reps (*Pages 1 - 10*)

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LATE REPRESENTATIONS SCHEDULE
PLANNING COMMITTEE – 15th JUNE 2016

PAGE NO. 1	APPLICATION NO. 14/02188/MJR
ADDRESS	LAND SOUTH OF PENTREBANE RD
FROM:	Planning Directorate, Welsh Government
SUMMARY:	<p>The Planning Directorate provide the following advice:</p> <ol style="list-style-type: none"> 1. We are currently awaiting confirmation from the Minister that she is content with our recommendation; we are unable to issue our decision letter until we are in receipt of this. I hope to be able to issue our decision letter prior to the committee but I cannot guarantee this. 2. The committee can proceed to make a decision without the outcome of the call in request being known to them. The Welsh Ministers can consider call in at any time up until the final decision notice is issued. The call in request should not be considered as a third party representation as it is not a matter for the LPA, it is solely a matter for the Welsh Ministers to consider.
REMARKS:	That the above advice be noted.

PAGE NO. 115	APPLICATION NO. 14/2886/MJR
ADDRESS:	COLLEGE BUILDINGS, 1 COURTENAY ROAD, SPLOTT
FROM:	Email from Local Member Cllr. Gretta Marshall received 5.6.16 – objection
SUMMARY:	<p>Objects to the development on the following grounds:</p> <ol style="list-style-type: none"> 1. Lack of parking 2. Loss of amenity to neighbouring properties 3. Inappropriate development in an already densely populated inner city area 4. Lack of local facilities to accommodate residents eg. GP surgeries, dentists, open space & lack of arts space
REMARKS:	<ol style="list-style-type: none"> 1. See paras 8.6 to 8.9 of the committee report and the consultation response from Transportation. 2. See paras 8.14 to 8.18 of the committee report. 3. See paras 8.4 and 8.5 of the committee report. 4. It is not realistic to expect a scheme of this size to deliver communal facilities/public open space on site. In accordance with policy the scheme does however deliver Section 106 financial contributions to improve existing facilities/ open space in the local area. Lack of arts space is not a planning matter.

PAGE NO. 115	APPLICATION NO. 14/2886/MJR
ADDRESS:	COLLEGE BUILDINGS, 1 COURTENAY ROAD, SPLOTT
FROM:	Electronic petition of opposing the development (no grounds for objection provided, 336 names) received 7.6.16 from Local Member Cllr. Ed Stubbs
SUMMARY:	The petition lists printed names and postcodes. It is not valid (see Cardiff Council Constitution) as it does not contain postal addresses and is not signed. The petitioner has been informed.
REMARKS:	None

PAGE NO. 132	APPLICATION NO. 15/00362/MJR
ADDRESS:	599 NEWPORT ROAD
FROM:	Councillor Parry
SUMMARY:	Objection.....I still have very real deep concerns regarding the height of the large number of flats re this application. They would be un neighbourly,...overlooking the rear of smaller properties in Castle Ave. This would adversely affect amenity and privacy of these 1920 s homes. I believe that this would be an overdevelopment ,overlooking these homes ,especially from block B. (Castle Ave) is a small cul de sac with a history of very limited parking space . The large number of flats and their parking needs would also have a detrimental affect on the very limited parking space in Castle Ave . Hence my objection to this application still stands .
REMARKS:	The issue of parking, scale and overlooking have been debated by Committee, who identified overlooking as a possible reason to refuse consent. The amended plans submitted seek to overcome those concerns. Officer recommendation remains the grant of consent.

PAGE NO. 132	APPLICATION NO. 15/00362/MJR
ADDRESS:	599 NEWPORT ROAD
FROM:	Mrs S Lewis – Castle Avenue resident
SUMMARY:	Objects to the proposals on the following grounds: <ul style="list-style-type: none"> • Traffic safety and parking; • Dangerous walking conditions across New Road • Loss of privacy due to overlooking into the rear of dwellings on Castle Avenue; • Lack of community facilities;

	<ul style="list-style-type: none"> • Impact on wildlife
REMARKS:	<p>The comments are noted.</p> <p>The issues raised are addressed in the Report to Committee.</p> <p>With regard to the issue of safe pedestrian movement, the OM Transportation has raised no concern.</p> <p>The amended plans have sought to overcome the issue of overlooking raised by Members and this will be the subject of further scrutiny.</p>

PAGE NO. 132	APPLICATION NO. 15/00362/MJR
ADDRESS:	599 NEWPORT ROAD
FROM:	The Occupier, 605 Newport Road
SUMMARY:	<p>Objects to the proposals on grounds of:</p> <p>Lack of parking provision for number of flats; The design is out of character; The 4 storey scale of the flats; Loss of light; Loss of privacy</p>
REMARKS:	The comments are noted and the issues raised are discussed in the report to Committee.

PAGE NO. 157	APPLICATION NO. 15/02271/MJR
ADDRESS:	FORMER RIVA BINGO AGATE STREET
FROM:	Agent
SUMMARY:	<p>Further to the planning Officer's request, the agent has modified the building presentation and lowered the highest elements of the scheme in response to requests that the building be made lower. A further datum survey has been submitted which now includes the apex heights of the existing structure for greater clarity of comparison between old and new. In summary the building is now confirmed as being one metre lower than the apex of the former building.</p> <p>These drawings will be shown at Committee.</p>
REMARKS:	<p>Noted and welcomed.</p> <p>No change to recommendation to approve outline Planning Permission.</p>

	That the approved plans cited in condition 13 be amended to indicate P 516_L_210 Rev B and P516_L_211 Rev B.
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PAGE NO. 157	APPLICATION NO. 15/02271/MJR
	FORMER RIVA BINGO AGATE STREET
FROM:	Head of Planning
SUMMARY:	<p>Further to the receipt of additional information from the agent, it is confirmed that references to the eaves and ridge height of the existing building described in the report are incorrect.</p> <p>Further datum survey indicates the existing building to have an eaves height of some 9.8 metres and a ridge height of some 14.3m measured from pavement level on the corner of Agate St and Pearl St.</p> <p>The building now proposed is confirmed to have a parapet height of some 11m and a flat roof height of some 13.3m (set back by some 1.25m) in this location.</p> <p>NB The proposed building now has a maximum roof height a metre lower than the ridge height of the existing building.</p>
REMARKS:	Noted for clarity

PAGE NO. 185	APPLICATION NO. 16/00547/MJR
ADDRESS:	PLOT 5, PIERHEAD STREET, CARDIFF BAY
FROM:	Highways & Transportation – consultation response
SUMMARY:	<p>Consultation response dated 8.6.16 in full:</p> <p>A Transport Assessment (TA) was submitted in support of the hybrid application for a 210 bed hotel plus outline for 2 office buildings, of circa 15,687 sq/m with 112 car parking spaces, at Plot 5 Pierhead Street, Cardiff Bay.</p> <p>In accordance with the agreed scope the junctions of: Pierhead Street/Bute Place; Pierhead Street/Falcon Drive/Plot 5; Pierhead Street/Tyneside Road; and the A4232/A4234 Queens Gate roundabout have been surveyed and assessed using LinSig software and traffic signal information provided by either Cardiff Council or Welsh Government. Up to date traffic counts were undertaken at each of the identified junctions on Tuesday 20th October 2015 and covered the peak periods of 07:30 – 09:30 and 16:00 – 18:00.</p>

As identified in the submitted TA, travel demand projections are based on:

- Multi-modal Person Trip Rates from the TRICS database;
- The mode split breakdown derived from a 2015 Arup office Travel Survey (the Arup office is opposite Plot 5 on Pierhead Street);
- Traffic distribution has been based upon the utilisation of two sets of data:
 - For the Office element - 2011 origin/destination census travel to work data (WU03EW), which is considered to be representative of site generated traffic; and
 - For the Hotel element - the Cardiff Council/Cardiff Research Centre document 'Cardiff Visitor Survey'.

Comparable sites have been identified in the TRICS (v7.2.3) database to obtain total person trip rates for the proposed land uses, with due regard being given to the scale, location and accessibility of the site in determining suitable site selection parameters. The TA also takes into account vehicle trips as identified in the submissions for, and associated with the committed developments of: Plot 6 Capital Waterside, Porth Teigr residential development and the Eastern Bay Link Road.

The assessment identifies that the committed developments are forecast to create additional traffic demand. However the capacity testing indicates that even with the addition of traffic related to Plot 5, the operation of the highway network remains acceptable. The level of impact predicted for the proposed development of Plot 5 is also less than forecast in relation to the extant permitted development of the site. In summary the TA concludes that the proposed development at Plot 5 does not significantly affect the performance of the local highway network.

The availability of local public parking has been surveyed and the assessment confirms that some 2,568 spaces are available in four main car parks within the surrounding Bay area, consisting of three multi story and one surface car park, three of which (2,318 spaces) are considered to be within easy walking distance of the proposed development. The Pierhead Street MSCP is the closest, being immediately north of Plot 5, and was designed to provide adequate car parking provision for both users and visitors of the Cardiff Waterside Estate (including development on Plot 5). In addition there is also an amount of on-street, predominantly Pay & Display, parking available throughout the Bay.

The application proposes 112 car parking spaces for the outline office element of the hybrid application, which

includes 6 disabled spaces for the detailed hotel use. However, in accordance with the adopted Access, Circulation and Parking Standards SPG, no parking is being provided for hotel patrons, who are expected to make use of the Pierhead Street MSCP. The submission also confirms that cycle parking will be provided for all uses in accordance with the standards detailed in the Council's adopted SPG.

The site is well located in terms of its proximity to public transport, with both inbound and outbound bus stops on Bute Place immediately adjacent to the site, with a 10 minute Monday to Friday service frequency; 15, 20 and 30 minute weekend and evening frequency. The site is also within 500m of the Cardiff Bay Rail Station, located at the junction of Lloyd George Avenue and Hemmingway Road, with 5 services an hour (12 minute service frequency).

The site Masterplan includes measures to facilitate cycling, with the provision of cycle parking and direct access to shared/segregated cycle facilities on Bute Place, and connections to the Taff Trail, Cardiff Barrage and other cycle routes and facilities locally.

The site is therefore considered to be very well located in terms of access to a range and frequency of sustainable transport options and alternatives to the use of private cars. The site is also well located in terms of proximity to public car parks for visitors who do choose to drive, to support the proposed hotel use and visitors to the outline office developments.

Direct access to Plot 5 is facilitated via a junction off the Pierhead Street MSCP access road, which has been designed with the appropriate visibility splays and highway geometry to accommodate the proposed uses. Swept path analysis has also been undertaken to ensure that the access and internal layout will enable an articulated lorry to enter and leave the site in a forward gear.

The submitted Transport Assessment also includes a Framework Travel Plan which will be consolidated into an agreed Travel Plan document for the proposed development, to be secured by condition or inclusion in a S106 agreement. The plan will set targets and measures to improve access to sustainable transport options and reduce reliance on single occupancy car journeys.

Conditions: Cycle Parking – Standard condition C3S. Note: operational/residential/long stay cycle parking to be undercover and secure;

Retain Parking Within Site – Standard condition E3D;

Phasing Plan condition – Prior to the commencement of

development a phasing plan for the construction of publicly accessible areas shall be submitted to and agreed with the LPA. The phasing plan shall identify phases of construction of development and where required shall ensure safe and convenient pedestrian, cycle and vehicular access through those areas not under construction or where construction is complete. The development shall be carried out in accordance with the approved phasing plan unless otherwise agreed in writing with the LPA. Reason: To ensure an orderly form of development with safe access through and within the site;

Construction management plan condition – Prior to commencement of each phase of development a scheme of construction management shall be submitted to and approved by the Local Planning Authority, to include details of construction traffic routes, site hoardings, site access, contractor parking and wheel washing facilities. Construction of the development shall be managed strictly in accordance with the scheme so approved. Reason: In the interests of highway safety and public amenity;

Highway Works condition – Prior to commencement of development details of the site access junction arrangements and improvements to the footways adjacent to the site are to be submitted to and approved in writing by the LPA. The scheme to include as required, but not limited to, surfacing, kerbs, edging, drainage, lighting, lining, signing, telematics/signal equipment, street furniture and soft landscaping as may be required as a consequence of the scheme. The agreed scheme to be implemented to the satisfaction of the LPA prior to beneficial occupation of the development. Reason: To facilitate safe and efficient access to the proposed development, in the interests of highway and pedestrian safety.

Condition or S106: Travel plan – No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the LPA. The Travel Plan shall set out proposals and targets, together with a timetable to limit or reduce the number of single occupancy car journeys to the site, and to promote travel by sustainable modes. The Travel Plan shall be implemented in accordance with the timetable set out in the plan, unless otherwise agreed in writing with the LPA. Reports demonstrating progress in promoting the sustainable transport measures detailed in the Travel Plan shall be submitted annually to the LPA, commencing from the first anniversary of beneficial occupation of each phase or element of the development.

Second recommendations: The Highway Works condition and any other permanent works to existing or proposed adopted public highway are to be subject to an agreement

	<p>under Section 38 and/or Section 278 Highways Act 1980 between the developer and Local Highway Authority.</p> <p>Any construction over the adjacent public highway (as identified for the second, office phase of development) will be subject to licence under Section 177 of the Highways Act 1980.</p> <p>Conclusion: Given the acceptable nature of the proposed development I must conclude that an objection on parking or traffic grounds would be unsustainable and any reason for refusal on this basis would not withstand challenge. I therefore have no objection to the application subject to the above requested conditions and S106.</p>
REMARKS:	None.

PAGE NO. 185	APPLICATION NO. 16/00547/MJR
ADDRESS :	PLOT 5, PIERHEAD STREET, CARDIFF BAY
FROM:	Head of Planning – amended conditions
SUMMARY:	<p>Following receipt of the Transportation consultation response, and comments from the agent, draft conditions 2 and 25 are to be amended as follows:</p> <p>2. A. Approval of the details of the layout, scale and appearance of the buildings, and the landscaping of the site (hereinafter called “the reserved matters”) in respect of the two office buildings and associated surface and undercroft car parking (Phase 2) shall be obtained from the LPA in writing before any development is commenced</p> <p>B. Plans and particulars of the reserved matters referred to in condition 2A above, relating to the layout, scale, and appearance of the buildings, and the landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.</p> <p>C. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.</p> <p>D. The Phase 2 development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of the last of the reserved matters to be approved, whichever is the later.</p> <p>Reason: A. In accordance with the provisions of Article (3)1 of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2008; B, C & D. In accordance with the provisions of Section 92 of</p>

	<p>the Town and Country Planning Act 1990.</p> <p>25. Prior to commencement of development details of the site access junction arrangements and improvements to the footways adjacent to the relevant phase of the site development are to be submitted to and approved in writing by the LPA. The scheme to include details of surfacing, kerbs, edging, drainage, lighting, lining, signing, telematics/signal equipment, street furniture and soft landscaping as may be required as a consequence of the scheme. The agreed scheme to be implemented to the satisfaction of the LPA prior to beneficial occupation of the development. Reason: To facilitate access to the proposed development and in the interests of visual amenity.</p> <p>The following conditions are to be added:</p> <p><u>To be inserted after condition 2:</u> ‘Prior to the commencement of development a phasing plan for the construction of publicly accessible areas shall be submitted to and agreed with the LPA. The phasing plan shall identify phases of construction of development and where required shall ensure safe and convenient pedestrian, cycle and vehicular access through those areas not under construction or where construction is complete. The development shall be carried out in accordance with the approved phasing plan unless otherwise agreed in writing with the LPA. Reason: To ensure an orderly form of development with safe access through and within the site.’</p> <p><u>To be inserted at the end:</u> ‘No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the LPA. The Travel Plan shall set out proposals and targets, together with a timetable to limit or reduce the number of single occupancy car journeys to the site, and to promote travel by sustainable modes. The Travel Plan shall be implemented in accordance with the timetable set out in the plan, unless otherwise agreed in writing with the LPA. Reports demonstrating progress in promoting the sustainable transport measures detailed in the Travel Plan shall be submitted annually to the LPA, commencing from the first anniversary of beneficial occupation of each phase or element of the development.’</p>
REMARKS:	None.