

LATE REPRESENTATIONS

Committee PLANNING COMMITTEE

Date and Time of Meeting

WEDNESDAY, 11 JANUARY 2017, 2.30 PM

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

Late Reps Schedule - 11 January 2017 (pages 1 - 18)



LATE REPRESENTATIONS SCHEDULE PLANNING COMMITTEE – 11TH JANUARY 2017

PAGE NO. 1	APPLICATION NO. 16/01209/MJR
ADDRESS:	LLANISHEN HIGH SCHOOL, HEOL HIR, LLANISHEN, CARDIFF
FROM:	Mr & Mrs Jones, 69 Everest Avenue
SUMMARY:	As a resident of Everest Avenue, I feel scant regard has been given to our objections to this proposal .We now understand from the Media that tomorrow's planning meeting will basically rubber stamp this application for approval. It seems really unjust that the our quality of life should be spoilt by what is a massive pitch, the like of which has never before been agreed to in Wales, along with all the additional noise and lighting, which we will have to endure to the end of our lives. I wonder how many of the planning committee would approve of such a large scale development at the bottom of their gardens. As no acknowledgement of our written objections has ever been received I trust you will give our position some serious thought before approving this proposal.
REMARKS:	Noted. Refer to Section 8 of the Committee report for an analysis on residential amenity impact.

PAGE NO. 1	APPLICATION NO. 16/01209/MJR
ADDRESS:	LLANISHEN HIGH SCHOOL, HEOL HIR, LLANISHEN, CARDIFF
FROM:	Tim Hughes, 73 Everest Avenue
SUMMARY:	Since this application was removed, at very short notice, from the agenda of the originally arranged planning meeting on 14/12/2016, affected residents consider that it is worth resending the document responding the planning committee report, in preparation for the rearranged inclusion in the planning meeting of 11-1-2017. The document highlights some of the issues of great concern to affected residents, not least the worries they have that noise mitigation will not be effective and impact assessments are incomplete. The document seeks to provide evidence that this is the case. The residents feel it is vital these issues are discussed in detail in order that the correct decision can be made by the committee. The residents would very much appreciate your consideration of the attached report.
REMARKS:	See paragraphs 7.11 and 8.18

ADDRESS: LLANISHEN HIGH SCHOOL, HEOL HIR, LLANISHEN, CARDIFF Christine Bennett, 72 Heol Hir Christine Bennett, 72 Heol Hir (i) Reiterates her deeply held objections to the propose development. It is a major development, totally inappropriate for the site, being in the middle of a quiet residential area and surrounded on all sides by family homes; (ii) The noise at the school is already high and anti-soce behaviour has been a concern to residents, with littering, shouting, swearing and trespass on to their property being a regular occurrence and worry. Has tried to ask the school directly on several occasions tackle these issues, but to no avail. It would appear the staff simply aren't interested in good community relations; The inclusion of the rugby club will undoubtedly impact residents even further as nobod will be able to control or police it and residents are unlikely to be considered. (iii) Does not believe that the impact on the residents whose property boarders the school, (or indeed the wider community whose streets would undoubtedly be used for the purposes of relieving inadequate parking provision within the school itself on match of training days), has been adequately addressed or properly considered. This proposal is for major development within the school grounds, the like of which is unprecedented in Wales and England. From
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speaking to friends, family and others in the wider community and other areas of Cardiff that there is a considerable amount of unrest regarding the outcome of this decision, for fear that other areas might fall for of such a development and their rights to live peacefully destroyed. (iv) The noise impact studies have not been done with any real consideration for the actual numbers of supporters who will undoubtedly attend to shout for their team and the figures therefore misrepresent the potential impact on this otherwise quiet residential area. Residents will undoubtedly feel the need to be

- living around the school giving cause for complaint about noise impact.
- (v) Llanishen police station is only manned part time. The impact on the public purse will increase as officers will have to be called from other areas to deal with the result of the anti-social behaviour, such as shouting, swearing, damage to property, and the fouling of surrounding streets that is inherent in rugby club culture becomes more apparent and complaints are inevitably made.
- (vi) The light pollution from the proposed floodlighting has not been properly addressed and residents questions and concerns need to be more adequately addressed before the application is given any consideration at all, as will the impact on wildlife such as the local bat population and migrating birds who visit the area studies of which have not been undertaken at all to date?
- (vii) In addition to these issues their human right to live peaceably within what should be the quiet residential area that I purchased my home in is under threat here - as is the value of my property and level of investment that she has worked hard for and she would like to know how the School or local council intend to mitigate the losses of local residents in this regard?
- (viii) As the mother of two girls, she has major concerns about the wisdom of permitting the development of a rugby club within the grounds of a school. It is completely at odds with and contradictory to the safeguarding of pupils who attend the school and indeed the safety and well-being of children within the local area also. School staff are routinely screened and measures are quite rightly put in place to ensure that those accessing the school boundaries are permitted and, most importantly, safe to be around children who are (by the very status of being children), vulnerable and potentially at risk from all sorts of unwelcome behaviour. The inclusion of the rugby club would completely undermine those safeguarding checks and potentially expose vulnerable children to unwelcome or unlawful acts on school property! Neither the school, Llanishen Rugby Club or Cardiff City Council have any way of policing those who would freely be able to enter school property either to attend as part of a team or to support a team, nor would they be able to provide any assurances to parents of pupils attending Llanishen High School, many of whom will be on school property after school hours attending extra-curricular

	(ix)	activities during the hours that the rugby club is intended to be in use. She fears is that this is an abuse waiting to happen, and wonders how the School, Rugby Club or Council will be able to mitigate loss or control the damage to the community in the event that an incident occurs, particularly when it is already known that opposition to these plans was made very public and concerns about safeguarding the children raised. Being the first proposal of its kind in England and Wales it would be a travesty if the quiet semi-rural community that is Llanishen became known nationally for all the wrong reasons - especially if a child's safety were to become compromised on school property? I believe that this issue on its own is surely significantly serious enough to deny permission for this development to go ahead? She has taken two days holiday already to attend the planning meeting where this proposal was meant to be heard, only to find that the meeting has been postponed to another day, but I fully intend to be there whenever it does go ahead to register my objection to this development going ahead as the weight of concern and objection within the community needs to be heard, recognised and adequately addressed.
REMARKS:	(i) (ii) (iii) (iv) (v) (vi) (vii) (viii) (ix)	The objection is noted; It not considered that the development would result in an unacceptable level of anti-social behaviour; The report assesses the relationship between the development and neighbouring properties and considers impact upon residential amenity; The Operational Manager, Environment (Noise & Air), is satisfied with the scope of the noise report; As (ii); Recommended conditions require further details on floodlighting to be approved in advance. The Council's Ecologist does not consider that the impact upon wildlife will cause unacceptable harm; Section 8 of the committee report responds to the Human Rights Act; Safeguarding of children is a matter of the school and rugby club. It is not a planning matter; Noted.

PAGE NO. 1	APPLICATION NO. 16/01209/MJR
ADDRESS:	LLANISHEN HIGH SCHOOL, HEOL HIR, LLANISHEN,
	CARDIFF
FROM:	Lynne Davies
SUMMARY:	Requests a copy of the full internal consultee response to the report from the operational manager for the environment (Noise & Air) as this is not available on line. Also ask whether this person will be in attendance at the planning meeting on 11.1.17 or someone who can address the specific concerns pertaining to the acoustic bunds and noise levels. So far the residents surrounding this proposed development are not reassured that these concerns have been adequately addressed.
REMARKS:	Consultee comments are not available online as it would be impractical and potentially misleading to publish advice until such time as all discussions have been concluded with applicant and the LPA and final comments are known. Therefore, at any point of time, comments are often 'work in progress' with the final comments, summarised in the committee report, considered to most accurately reflect the consultee position. The committee report captures all material factors, including consultee responses, which informs the analysis and officer recommendation. The Operational Manager, Environment (Noise & Air) has provided his representations in the Committee report and additional comments in response to other late reps therefore he is not attending Committee.

PAGE NO. 1	APPLICATION NO. 16/01209/MJR
ADDRESS:	LLANISHEN HIGH SCHOOL, HEOL HIR, LLANISHEN, CARDIFF
FROM:	Anthony Davies
SUMMARY:	Has discussed the environmental report submitted with a specialist environmental consultant. A number of points were raised as to the thoroughness of its findings based on their unique siting.
	The placement of a sound monitor at the school entrance in no way gives an accurate reading of existing noise levels that would be received at the Everest Avenue properties. Noise levels at that point are considerably lower and would

therefore show a far greater impact than stated in the report.

The bunds do not compensate for sound levels at elevated properties. Bunds will mute sound at like for like levels, their elevated location is unique and requires more in depth investigation. Has any assessment been made for reflected sound from school buildings?

Lighting levels presently are almost at blackout condition of an evening (as you can see from the enclosed video clip) and will be completely lost. It will affect wildlife significantly. He also encloses a day time video showing the ambient noise and visual conditions for the hours when the school is not in use as these are lacking from the current studies.

On inspection a number of areas within the environmental impact report are lacking and do not satisfactorily address many issues that will have a massive impact on all concerned .

As their representative at government level they urge that you instruct the applicant to carry out much more comprehensive and reliable studies before any approval is granted. The current studies are not fit for purpose and it would be a travesty if the committee were to consider this application on fundamentally flawed evidence. They consider this to be a major project that requires detailed study BEFORE any decision is made.

REMARKS:

- (i) The Operational Manager, Environment (Noise & Air) has confirmed his satisfaction with the submitted noise report and commented on the proposed mitigation measures.
- (ii) The monitoring location is not at the school entrance, rather it is at the southwest corner of the proposed pitch.
- (iii) Mr Davies has been advised that the video clips cannot be accessed by officers and representations must be written.
- (iv) The Council's ecologist has considered the wildlife impact and has no objection.
- (v) Officers consider that the application and reports therein are sufficient to enable the impacts of the application to be properly assessed. The application is therefore presented for determination.

PAGE NO. 1	APPLICATION NO. 16/01209/MJR
ADDRESS:	LLANISHEN HIGH SCHOOL, HEOL HIR, LLANISHEN, CARDIFF
FROM:	Lynne & Anthony Davies
FROIVI.	Lynne & Anthony Davies
SUMMARY:	Notification of the cancellation of the application from December's Planning Committee was received too late for many individuals who were on route to the meeting – many of whom had taken time from work, such is the strength of feeling against this development by the residents living around the site. Needless to say this has only added to their level of frustration and disappointment in the system.
	Having taken advice from a practising environmental impact assessment specialist it has been found the impact of this proposal has been grossly under estimated and misrepresented by the studies undertaken. Flaws in the other reports have also been identified and are certainly worthy of further scrutiny. However, the following comments are purely in relation to the noise impact assessment. The only monitor was situated in the noisiest location of the proposed development on the Heol Hir entrance to the school. Not only is this misrepresenting the ambient conditions but also provides a false context from which the impact assessment is based. It is to be noted that the residents living in the properties at this site will be significantly affected by the increased noise from traffic that will occupy the area 357 days of the year late into the evening. Of interest the noise impact assessment was only carried out over a four day period over a weekend which again is not truly representative. Fig 4087 F2 of the report shows the range of pitch noise levels at critical properties compared with the range of existing ambient noise levels. As can be seen the ambient noise level averages 45 decibels. Had this base line been established from Everest Avenue it would be much lower and the predicted impact much worse. Questions how the noise assessment can accurately predict the effect of the development on receptors that have not been monitored. At the very least another monitor positioned to the north or east of the site would have provided a much more balanced and accurate assessment. There is no evidence in the report to show the noise
	attenuation provided by the bunds will be fit for purpose. Questions how the effectiveness of management measures can be assessed when no information has been presented. Notwithstanding the main impact source from the spectators' viewing area does not even get mentioned. The bunds will purely present an eyesore and security risk for the

residents due to their height and profiling along with the pathway which is within 6m of some properties that will allow clear views into gardens and homes that are currently completely private. Furthermore there is no mention about reflected noise from school buildings.

It is imperative that further studies/analyses are undertaken which are accurate and representative of the whole site. The results based on the data available currently cannot be presented to the committee as solid and reliable and as such the committee cannot make a proper informed decision based on them.

REMARKS:

The Operational Manager, Environment (Noise & Air) responds as follows:

- (i) "Unrepresentative background measurement position" - It has been stated that the choice of background monitoring location "misrepresents" the ambient conditions and "provides a false context from which the assessment is based." The email continues this argument by questioning Fig 4087 F2 (page 8) and states that "How can the noise assessment accurately predict the effect of the development on receptors that have not been monitored? These statements assume that the assessment methodology relies upon comparison with the existing ambient noise level. The noise report instead choses to consider the likely noise levels of the development and compares them to the World Health Organisation Criteria, which are absolute values based upon the likely health effects of the noise upon nearby residents.
- (ii) "No evidence that the noise attenuation provided by the bunds will be fit for purpose" In assessing the noise assessment he considered the impact of the proposed bund geometry shown in Fig 4087/D1. He is satisfied that the level of attenuation provided to the nearest half of the pitch is adequate to sufficiently attenuate the expected noise. In relation to the noise from the furthest half of the pitch, he calculated that the additional distance between the source and the receiver were such that the noise level from this element of the pitch would be adequately attenuated by distance. This conclusion also applies to any noise reflected from the façades of the school buildings.
- (iii) By considering these issues, it is his professional opinion that there will be a noise impact from this development to neighbouring premises, but the introduction of the bund and the limiting of the hours

(iv)	will provide sufficient control to the noise that the impacts will not lead to be unreasonable harm. He therefore considers that the application is in accordance with policy EN13 of the Cardiff Local Development Plan. He is not satisfied that a more detailed noise assessment will result in a different outcome to the assessment. As such, he is content that the development may proceed.
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PAGE NO. 1	APPLICATION NO. 16/01209/MJR
ADDRESS:	LLANISHEN HIGH SCHOOL, HEOL HIR, LLANISHEN, CARDIFF
	CARDIT
FROM:	Occupier, 57 Everest Avenue
SUMMARY:	Immensely concerned at the application. They are not reassured that the reports submitted on behalf of the applicant are sufficient for the committee to make an informed decision. As the community in the immediate vicinity, they are vulnerable and exposed to the detrimental effects of this huge development due to its proximity to our homes, the scale of which has never been approved in Wales or England.
REMARKS:	The amended application, including its accompanying reports, are considered to adequately assess the impacts of the development. The Committee report accurately summarises the key issues and the recommendation to Committee has been made having regard to the application and reports therein. Sufficient information is therefore before the Committee to allow for determination of the application. Members will recall that permission has been given for similar floodlit astroturf sports pitches within the grounds of
	other secondary schools within Cardiff.

PAGE NO. 1 ADDRESS:	APPLICATION NO. 16/01209/MJR LLANISHEN HIGH SCHOOL, HEOL HIR, LLANISHEN, CARDIFF
FROM:	Occupier, 1 Everest Avenue
SUMMARY:	Strongly objects and remains concerned at the amended plans even. They are not reassured that the reports submitted on behalf of the applicant are adequate or

	sufficient for the committee to make an informed decision regarding this serious development at the rear of their property. As part of the community in the immediate vicinity of the school grounds, they are particularly vulnerable and exposed to the detrimental effects of this huge development due to the proximity to their homes, the scale of which has never been approved in Wales or England. Noise, Lighting, Parking, Property Values, Serenity and Security, just to mention a few, are issues are at stake.
REMARKS:	The amended application, including its accompanying reports, are considered to adequately assess the impacts of the development. The Committee report accurately summarises the key issues and the recommendation to Committee has been made having regard to the application and reports therein. Sufficient information is therefore before the Committee to allow for determination of the application. Members will recall that permission has been given for similar floodlit astroturf sports pitches within the grounds of other secondary schools within Cardiff. Matters relating to noise, lighting, parking, property values, serenity and security are addressed in the report.

PAGE NO. 33	APPLICATION NO. 16/01817/MJR
ADDRESS	CATHEDRAL ROAD
FROM:	Planning Officer
SUMMARY:	Requests the following new condition be added to those recommended
	Each habitable room exposed to external road traffic noise in any residential unit, shall be subject to a scheme of sound insulation measures, details of which having first been submitted to and approved by the local planning authority in writing, and implemented in full prior to the beneficial use of the unit. Reason: To ensure that the amenities of future occupiers are protected.
REMARKS:	Action

PAGE NO. 71	APPLICATION NO. 16/02301/MNR
ADDRESS:	5 SOBERTON AVENUE, GABALFA, CARDIFF, CF14 3NJ
FROM:	Cllr Bridges on Behalf of Residents of Soberton Avenue
SUMMARY:	Change of use: Residential to Care Home
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	The proposed site is located in a residential area where
	occupiers could reasonably expect a level of amenity
	concurrent with the property. The use of the property as a
	care home introduces a diverse element that by reason of
	the use is likely to result in noise, disturbance and nuisance
	to the detriment of neighbour's residential amenity.
	• Since this proposal is for an additional care home in
	Since this proposal is for an additional care home in Schorten Avenue, residents would like to call upon the
	Soberton Avenue, residents would like to call upon the
	Committee to consider how many care homes can be
	reasonably accommodated within a small residential
	street, before it impacts upon the character of the area
	and reduces the housing stock for use by families.
	The applicant's admissions criteria as published on their
	website states that: "Individuals with a past history of
	challenging behaviour, which have either resulted in
	significant problems in the community or are, reasonably
	expected to do so, are accepted". Whilst we accept the
	need for residential care homes within the community, we
	would call on the Committee to question whether a care
	home supporting such particular needs as these is
	appropriately situated in a terraced house in a densely
	populated area, where noise and disturbance is likely to
	significantly impact neighbouring residents.
	The lack of adequate sound insulation between the
	properties, also leads to serious concerns relating to the
	confidentiality and data protection of residents of the care
	home, especially due to a staff office being sited alongside a
	bedroom of the adjoining property, where highly sensitive
	information could be overheard due to the lack of sound
	insulation.
	The Discouries Office of the College
	The Planning Officer has failed to address this aspect of
	the application; as a minimum it would be expected that
	conditions be put in place upon the applicant to address
	this issue.
	Rear Extension

lack of accurate data in this proposal. These inaccuracies are highlighted (in detail) in the objections, within the permitted timescales, enabling amended drawings to be submitted by the applicant. Contrary to paragraph 8.3 in the Planning Committee Schedule (dated 4th January, 2017); as of 8th January, 2017, submitted drawings do not contain any height dimensions and are not to scale.

- The Planning Officer references a height of 2.9m (Ref 2.DC.005 Planning Committee Schedule, paragraph 8.3), but this cannot be validated appropriately with the current information publicly available from the planning department. If there are accurate drawings available, we kindly ask for these to be shared so that they can be analysed, and the appropriate process of right to reply given to residents.
- As referenced in the objections, the proposed rear extension design context is significantly out of character with existing buildings and the surrounding area.
 - The proposed extension is of a non-descript, poorly conceived design and out of context with the Edwardian properties in the area.
 - The proposed shape and pitch of roof (flat) is out of context with existing buildings.
 - The use of fibre glass material and rendered blocks is out of context with the character with the property's existing roofing material

Security

The proposal does not include any rear gates or security features. The lack of rear gates and security features will provide open access to parked cars and to adjoining properties, leaving them exposed, and vulnerable to crime.

Residents are extremely concerned that this security risk has not been addressed, since current design is away from council guidelines. Also, all 14 objections submitted reference evidence that 18 Soberton Avenue suffered a burglary after the rear access at 16 Soberton Avenue was left open and without adequate gates or security in the same way (when developed by the same applicant).

 The Planning Officer has failed to address this aspect of the application; as a minimum, it would be expected that conditions be put in place upon the applicant to adequately address this issue.

Parking

Intensification of use and insufficient parking space will adversely affect the amenity of surrounding properties through roadside parking on Soberton Avenue, Banastre Avenue, Clodien Avenue and other adjacent streets.

- The Planning Officer states that off-street parking is not covered by planning legislation, however we would call upon the Committee to consider the impact of the development and seek appropriate remedies. This is an area which already suffers with a saturated parking level, as highlighted by local Councillors, who have argued on behalf of residents for the Council to secure more resident-only parking bays.
- The unprecedented car park design of 4 car parking spaces and the recent installation of secured lane gates between Soberton Avenue and Clodien Avenue will impede regular vehicle access on a practical basis. These factors significantly increase the likelihood of staff and visitors accessing the care home to park on Soberton Avenue itself.

In summary, we believe the proposal to contravene planning guidance as it is to the detriment of the quality, character and amenity value of the area, as outlined in the points above, and would urge the Committee to reject the application.

We would also wish to note that:

- the Planning Officer did not respond to emails and telephone calls from residents wishing to discuss the application during the consultation period, which was disappointing, as we believe the residents can provide supporting qualitative evidence and context to aid decision-making with regard to this particular proposal.
- the Committee date for the application to be considered was published at incredibly short notice, minimising the timeframe for residents and the Ward Councillor to have a reasonable and appropriate right to reply.

We would therefore welcome the opportunity to meet with a representative of the planning department to illustrate our objections at first hand.

REMARKS:

Noted

PAGE NO. 100	APPLICATION NO: 16/02600/MNR
ADDRESS	18 DAN-Y-BRYN AVENUE, RADYR
FROM:	Cllr Rod McKerlich
SUMMARY:	Reiterates objections of no. 16 Dan-Y-Bryn Avenue in regard to Drainage, Building Line and access to the garages.
REMARKS:	Noted, these issues are included in the main report.

PAGE NO. 112	APPLICATION NO. 16/02730/MJR
ADDRESS	LONGSHIPS ROAD
FROM:	Planning Officer
SUMMARY:	Requests the following be noted and actioned.
	That condition 2 be amended as follows;
	2. Prior to the commencement of development, the developer shall notify the Local Planning Authority of the commencement of development, and shall display a site notice and plan on, or near the site. Reason: in accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure)(Wales)(Amendment) Order 2016.
	That condition 18 be amended as follows;
	18. The measures indicated in the 'Reptiles - Precautionary Working Method Statement' submitted at appendix 5 of the Outline Construction Environmental Management Plan shall be implemented prior to and during the course of construction as indicated in the statement. Reason: To ensure that appropriate working methods and mitigation are applied in order to maintain the favourable conservation status of reptiles / protected species.
	And a new condition be added:

	27 Conditions 6 -10 above may, at the discretion of the local authority pollution control officer, be discharged on a sub parcel basis should the development come forward in phases. Reason: For the avoidance of doubt.
REMARKS:	Action

PAGE NO. 138	APPLICATION NO. 16/02783/MNR
ADDRESS:	INROADS, 96-98 NEVILLE STREET, RIVERSIDE, CARDIFF, CF11 6LS
FROM:	Cllr Caro Wild
SUMMARY:	I would like to outline my opposition to the request from Inroads. Whilst I am not fundamentally opposed to the project they are looking to start, I oppose the 24-hour element and would like to see further consultation with local residents to look at alleviating concerns they have.
REMARKS:	Noted.

PAGE NO. 138	APPLICATION NO. 16/02783/MNR
ADDRESS:	INROADS, 96-98 NEVILLE STREET, RIVERSIDE, CARDIFF, CF11 6LS
FROM:	A worker from the local area.
SUMMARY:	Representation in support of the application, summarised as follows:
	I have worked in the local area for many years, and worked in the garage next door when Inroads was based in Lower Cathedral Road. Inroads are a reputable service and I am sure they would run the service responsibly and not pose a threat to the community.
DEMARKS.	
REMARKS:	Comments noted. Application is recommended for approval. It is also noted that Inroads was previously located at 43 Lower Cathedral Road prior to its current location, planning permission 97/01927/W was granted for use as a drugs counselling project (non-residential) and no condition was imposed to restrict opening hours.

