

## LOCAL MEMBER OBJECTION / PETITION

COMMITTEE DATE: 12/10/2016

APPLICATION No. **16/01652/MJR** APPLICATION DATE: 12/07/2016

ED: **CYNCOED**

APP: TYPE: Full Planning Permission

APPLICANT: Cardiff Metropolitan University  
LOCATION: CARDIFF METROPOLITAN UNIVERSITY CYNCOED  
CAMPUS, CYNCOED ROAD, CYNCOED, CARDIFF, CF23  
6XD

PROPOSAL: CONSTRUCTION OF PHASE 2 OF THE SPORTS COMPLEX  
INCORPORATING A NEW 25 METRE SWIMMING POOL,  
TRAMPOLINE FACILITY, 3 X SQUASH COURTS, FITNESS  
CENTRE AND HEALTH RELATED EXERCISE STUDIO,  
DANCE STUDIO, CLASSROOM AND ASSOCIATED  
CIRCULATION AND AMENITY SPACE

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**RECOMMENDATION 1** : That, subject to relevant parties entering into a binding planning obligation, in agreement with the Council, under **SECTION 106** of the Town and Country Planning Act 1990, within 6 months of the date of this resolution unless otherwise agreed by the Council in writing, in respect of matters detailed in paragraph 5.1 of this report, planning permission be **GRANTED** subject to the following conditions:

1. The development permitted shall be begun before the expiration of 5 years from the date of this planning permission.  
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. This consent relates to the following approved plans and documents:

Plans numbered:

L(90)001 rev1; 002 rev2; 003 rev1; 004 rev1; 100 revB.  
L(00)100 rev1; 101 rev1; 102 rev1; 300 rev1; 301 rev2.

Austin-Smith: Lord Design & Access Statement, June 2016

Asbri – Planning Statement, June 2016

Asbri – Transport Statement, June 2016

Thompson Ecology, Preliminary ecological Appraisal, March 2016

ARUP, Drainage Strategy ref: CMU-ARP-00-XX-RP-C-002 issue 1 13  
June 2016, with plan no. 247910/SK001 rev P1

MACH Acoustics, Acoustic Performance Specification rev 1, 29 April  
2016

Ian Farmer Associates (1998) Ltd. Ground Investigation Report ref:

70261 March 2016

Gavin Jones, Arboricultural Impact Assessment ref: MSURV/Cardiff Met Uni/CV/03-2015, 20 February 2016

Cardiff Metropolitan University, New Sports Complex Phases 1 & 2 Facility Operational Plan

Reason: For the avoidance of doubt.

3. Details of refuse storage and management shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the beneficial use of the development and shall thereafter be retained and maintained.  
Reason: To ensure an orderly form of development and protect the amenities of the area.
4. Prior to the commencement of development a scheme of construction management to include (but not be limited to) any; site hoardings, site access, wheel washing facilities, HGV movements and management of all activities affecting the highway shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme.  
Reason: in the interests of highway safety and public amenity.
5. C7Zd CLM - UNFORESEEN CONTAMINATION
6. D7Z Contaminated materials
7. E7Z Imported Aggregates
8. Any site won materials, including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the local planning authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the local planning authority shall be reused.  
Reason. To ensure that the safety of future occupiers is not prejudiced in accordance with policy 2.63 of the Cardiff Unitary Development Plan.
9. The sports hall hereby approved shall only be available for use between the hours of 07:30-22:00 Mondays to Fridays, 08:00-22:00 on Saturdays and 08:00-18:00 on Sundays and Bank Holidays.  
Reason. To ensure the amenities of other occupiers in the vicinity protected.
10. A Noise assessment under BS4142 2014 shall be undertaken and shall be submitted to and approved in writing by the local planning authority prior to beneficial use. The assessment criteria will be to ensure that any fixed plant and equipment on the site shall achieve a rating level of background -10dB at any residential property when measured and corrected in accordance with BS 4142: 2014(or any British Standard

amending or superseding that Standard).

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

11. Prior to any amplified music being played, the Gym as identified on the approved plans shall be insulated for sound in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority.

Reason: To ensure the amenities of other occupiers in the vicinity protected.

12. Notwithstanding the submitted plans and Arboricultural Impact Assessment, details of additional tree screen planting to that part of the application site that fronts the boundary to Circle Way West shall be submitted to and approved in writing by the Local Planning Authority. Any scheme shall allow for (but not be limited to) provision of evergreen tree species. The approved planting shall take place in the first planting season after completion of the development, or beneficial occupation, whichever is the sooner.

Any retained or planted trees or plants which within a period of 5 years from the completion of the development die, are removed, become seriously damaged or diseased, or (in the opinion of the Local Planning Authority) otherwise defective, shall be replaced in the planting season following their death with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity.

13. Notwithstanding the submitted plans, details of the cycle parking facilities for 10 cycles shall be submitted to and approved in writing by the local planning authority. The approved facilities shall be provided prior to any beneficial use of the development and shall thereafter be retained and maintained.

Reason: To ensure appropriate provision for cyclists and in the interests of promoting alternative means of transport.

14. D3D Maintenance of Parking Within Site

15. The site drainage scheme shall be implemented in accordance with the Drainage Strategy and plan, prior to the beneficial use of the development and shall thereafter be retained and maintained.

Reason: To ensure an orderly form of development.

16. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

## 17. E1B Samples of Materials

**RECOMMENDATION 2** : To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays. The applicant is also advised to seek approval for any proposed piling operations.

**RECOMMENDATION 3** : The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

- (i) determining the extent and effects of such constraints and;
- (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates / soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under section 33 of the environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site:
  - Unprocessed / unsorted demolition wastes.
  - Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
  - Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and
- (iii) the safe development and secure occupancy of the site rests with the developer.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

**RECOMMENDATION 4:** 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, in

accordance with the requirements of Article 12 of the Town & Country Planning (Development Management Procedure)(Wales)(Amendment) Order 2016.

## 1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 A full application for the construction of a new multi-purpose sports hall (Phase 2) with associated changing/wc and storage facilities, within the grounds of an existing University campus. The proposed building will be set on land currently occupied by hard surface tennis courts and sports pitch and will provide indoor facilities for:

### Ground Floor

- 25m swimming pool
- 3x squash courts
- 348sqm gym/trampoline hall

### First Floor

- 306sqm fitness centre
- 104sqm dance studio
- 105sqm health related fitness area
- 68sqm classroom

A ground floor doorway will provide access between the phase 1 hall (currently under construction) and the proposed phase 2 hall.

- 1.2 The proposed hall comprises a number of elements in terms of the external form, which come together to complete the building.

The pool area is set to the internal (to the campus) side of the building. This element has a mono-pitch roof with a max. height of approx. 10.4m. The pool area benefits from glazing to the elevation facing into the campus, with angled louvres providing a sun screen. The roof slopes back towards the gym/trampoline hall, which also has a mono-pitch roof. This element is, at approx. 11.0m, the tallest part of the building, with the roof height reducing to approx. 8.8m, where it meets a flat roof area of approx. 8.4m height. This flat roof area is that element of the building that links to the phase 1 hall.

The length of new frontage to the site boundary with Circle Way West is approx. 27.8m (with a further 18.4m set back and above part of the phase 1 hall). The width of the building (facing onto the existing hockey pitch) is approx. 54.6m.

- 1.3 The proposed hall is to be finished in a standing seam cladding, a bronze cladding, Buff coloured facing brick and glazing. The proposed materials are consistent with those approved under the phase 1 consent.
- 1.4 Whilst the proposals include the provision of cycle parking for 10 bikes, no additional car parking is proposed.

## 2. **DESCRIPTION OF SITE**

- 2.1 The site is within the curtilage of the University campus, surrounded by mixed use & design buildings, set on varying ground levels (increasing to towards the north).

The site is bounded by the phase 1 hall (under construction) and existing indoor tennis centre to the south, a hard surface sports pitch to the north (with Indoor Athletics Centre beyond), and the tree lined campus boundary to the east.

Access (existing) to the site lies to the north, adjacent to the Indoor Athletics Centre, with further access available via Cyncoed Road (existing).

- 2.2 To the east, outside the campus grounds and across Circle Way West is the residential area of Ael-Y-Bryn, with a number of two storey houses, having angled views towards the campus boundary and application site. There are a number of mature street trees to the grass verge of Circle Way West between the houses and the carriageway.

## 3. **SITE HISTORY**

- 3.1 13/897DCO – Construction of a synthetic football and hockey pitches and associated works - Approved.

15/609MNR – Replacement running track, rugby pitch, field athletics areas and camera masts – Approved.

15/01163/MJR – New sports hall – Approved.

16/01760/MJR – 7 storey student accommodation, 2 storey Forum building and associated works – Under consideration.

## 4. **POLICY FRAMEWORK**

- 4.1 Planning Policy Wales, Edition 8, January 2016

- 4.2 The adopted Cardiff Local Development Plan, 2006-2026:

Policy KP5 (Good Quality and Sustainable Design)

Policy C4 (protection of Open Space)

Policy T1 (Walking and Cycling)

Policy T5 (Managing Transport Impacts)

- 4.3 The following Guidance was supplementary to the development Plan, now superseded by the Local Development Plan. However, it is considered consistent with adopted Local Development Plan policies and provides relevance to the consideration of this proposal to help and inform the assessment of relevant matters:

Access, Circulation and Parking Requirements, 2010

5. **INTERNAL CONSULTEE RESPONSES**

5.1 The Transportation Manager has no objection, making the following comments:

*The current proposal represents the second phase of the proposed sports complex and includes the provision of a 25 metre pool, a trampolining facility, 3 squash courts, fitness centre and dance studio. My understanding is that these will represent an improvement to facilities currently available to students who will already be on site i.e. they won't in themselves generate any additional parking demand from users travelling to the site, though the facilities will be available for use by the general public after college hours – at times when most students will have left and on-campus parking should be readily available. On that basis, as with my comments with respect to the first phase of this development, I consider that it would be difficult to sustain an objection on the grounds of overspill parking*

*Notwithstanding that I acknowledge the petition and the large number of objections that have received on the grounds of the overspill parking of students' vehicles that currently takes place on roads in the vicinity of the college, and I appreciate the annoyance that this causes to those residents – though as explained above I don't consider that the current application would significantly worsen the existing situation.*

*In line with advice in Planning Policy Wales TAN 18 from the Welsh Assembly Government current Council policy is aimed at reducing congestion by restricting parking provision in association with new developments and instead seeking to promote measures to encourage and promote alternative modes of travel to the private car. In line with this policy Cardiff Met currently operate a comprehensive Travel Plan across its various facilities in the city.*

*In order to be effective such Plans often require a 'carrot and stick' approach in order to change habits and attitudes and in this respect the college has recently introduced parking charges for on-campus parking – though unfortunately this 'stick' approach has resulted in many students choosing instead to park on-street rather than opting for alternative modes of travel. Addressing the safety issues which this overspill parking has caused has cost the Council a considerable amount staff time and expense in terms of promoting the Traffic Orders and parking restrictions required to address problems of congestion and highway safety. It seems that changing attitudes is going to require a balanced long-term approach.*

*In this context, though as I've explained the current proposal may be expected to have limited impact in terms of exacerbating the existing problem, I think it's reasonable to require a financial contribution from the college towards the cost of addressing these problems. I would request a contribution of £25,000 - which would include the cost of installing bollards to prevent the illegal parking which currently takes place on Parks land adjacent to Circle Way West.*

*I welcome the proposed provision of 10 cycle stands which will serve to encourage this mode of travel and would request condition CS3 in this respect and also condition D3D (car parking) and the same Construction Management Plan condition which was applied to the first phase approval (15/1163/MJR).*

*For information the Council is very mindful of the concerns that have been expressed regarding the overspill parking that may ensue as a consequence of current policy – not only at this location but also in other parts of the city, and is currently investigating ways in which the ‘stick’ element can be strengthened. As I’ve explained I don’t consider that this particular application would exacerbate this problem to any significant degree – though the separate residential application (16/1760/MJR) may be more pertinent and this issue will be addressed in greater depth in conjunction with that application.*

*In terms of the current application I would request that the requested **£25,000** S106 contribution be secured towards ‘measures to control overspill on-street parking in the vicinity of the site’.*

- 5.2 The Pollution Control Manager (Contaminated Land) has no objection, subject to conditions relating to unforeseen contamination and imported materials, with further advice regarding contamination and unstable land.
- 5.3 The Pollution Control Manager (Noise & Air) has no objection subject to the imposition of conditions in respect of plant noise and hours of operation.
- 5.4 The Parks Manager has been consulted and any comments received will be reported to Committee
- 5.5 The Council's Tree Protection Officer raised concerns in respect of an original proposal to provide two pitted trees in front of the entrance to the hall. These have been removed from the application.
- 5.6 The Council's Ecologist has no concerns regarding the impact of the development.

## 6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 Welsh Water have considered the application, with specific regard to the submitted drainage strategy and have no objection, subject to a condition relating to connection to the public sewerage system.

## 7. **REPRESENTATIONS**

- 7.1 Local Members have been consulted and the following representations are made:

Cllr. B Kelloway / Cllr J Boyle

*The Cyncoed Campus of Cardiff Metropolitan University is situated in Cyncoed Ward and, as elected members for the adjoining ward of Penylan, we would not*



*normally submit local member observations. However, the boundary of the application site (Cyncoed Campus) follows the boundary between the two electoral divisions and activities at the University Campus have the potential to impact upon residents of Penylan. We, therefore, wish to register our objection to the above application.*

*The application is for a sports complex incorporating a new 25 metre swimming pool, trampoline facility, 3 squash courts, fitness centre and health related exercise studio, dance studio, classroom and associated circulation and amenity space. This represents a further intensification in use of an already densely used site and no additional parking is proposed.*

*Cardiff Metropolitan University is currently considered by many people living in its immediate vicinity to be a bad neighbour because students, staff and visitors to the campus routinely park in the local residential road network, often in a dangerous and inconsiderate manner, sometimes in contravention of the guidance given in the Highway Code at rule 243 which states “Do not stop or park .... opposite or within 10 metres of a junction.” This type of parking can be witnessed on a daily basis in Penylan, Pentwyn and Cyncoed wards in roads such as Cyncoed Road, Ffordd Bodlyn, Clos Edno, Cefn Coed Road, Cefn Coed Crescent (which is also a designated access only road) and roads further afield. The number of vehicles associated with the University Campus that park in the local residential road network is such that inconvenience and hazard are caused to residents and other road users. The Council’s Highways Service has attempted to address the acknowledged road safety issues that have arisen by introducing No Waiting At Any Time (NWAAT) orders at various locations – but this has tended to displace the problem to other places. The Council has recently introduced parking measures at Ffordd Bodlyn, but these are most likely to create problems in other roads such as Carisbrooke Way and Ty Gwyn Road which are a little further away. This problem has emerged and intensified since Cardiff Metropolitan University introduced its so called sustainable travel policy which involved the introduction of an on campus parking charge and a range of measures to supposedly encourage alternative travel modes. The major issue is that, while there may have been a small shift in the way that people travel to University from the car and into alternative modes of travel, an obstinately large number of travellers persist in travelling by car and opting not to pay the campus car parking charge*

*The University makes much of its “award winning” sustainable Transport Plan and, while it contains many fine words and worthy sentiments, the unfortunate fact of the matter is that it is not working. The ultimate measure of success of the Transport Plan will be when the residential road network around the Cyncoed Campus is free of cars parked there by people associated with the University. The current application has the potential to attract more visitors to the Cyncoed Campus and, therefore, to exacerbate the existing de-facto parking congestion issues in the locality which the University authorities seem unable or unwilling to address. We, therefore, request that this application be refused on the grounds that it has the potential to further prejudice road safety and compromise the free flow of traffic in the immediate vicinity.*

*We ask that our comments be drawn to the attention of the members of the planning committee when they consider this application. We also request that, in view of the interest this application has generated and the number of objections that have been submitted by Councillors representing several wards, this application be determined by the Planning Committee and not by delegation.*

Cllr K Lloyd

*I object to this as an over development of the site, loss of amenity to residents surrounding the site, you only have to drive around this part of Cyncoed to see the way that the area is being turned yellow in an effort to reduce the problem of parking by students and staff. While some of the yellow lines are necessary for road safety reasons (e.g. access for emergency vehicles and Council refuse vehicles in the side streets) local residents have been inconvenienced for a considerable time as their visitors are no longer able to park in the vicinity. This a high Council tax area and I believe our residents deserve better.*

Cllr P Chaundy

*I am formally writing to object to these two planning applications.*

*Recent years have seen significant increase of vehicular activity by students and visitors to Cyncoed Campus; this has resulted in considerable numbers of dangerously and illegally parked vehicles within our community. Both Police and Council resources are increasingly stretched to manage enforcement and the continuous danger this creates. The application 16/01760/MJR will attract additional parked motor vehicles that will further exacerbate an already dangerous situation.*

*The 'asbritransport' Transport Statement at paragraph 3.7.4 states:-*

***Quote:** 'The proposed development will not result in a requirement for additional parking provision on campus as it is a car free establishment.'*

***Unquote.***

*This 'car free' establishment is created by increasing numbers of cars parking in surrounding residential community! Referring to good 'Travel Planning' just as it did some years ago before the existing (forecast) crisis of dangerous parking became reality, the repeated anthem of this same 'Travel Planning' is a work of fiction if the plan can neither **be enforced** or **regulated**.*

*The simple truth is that this application **will** significantly increase the number of motor vehicles and associated dangers. This proposal impacts directly on our community and their environment endangering residents health. Most significantly impacting the vulnerable, the elderly, families and children, having the additional risks to their travel to and from nearby services, school, home etc. Additional health dangers of increasing air pollution and noise; physical dangers or hazards to visibility, access of homes along with increased volume of highway traffic and increased dangerous, illegal parking.*

*In summary as it stands this current proposal is a dangerous proposal and should not be permitted.*

Cllr J Woodman

*I am formally writing to you to object to these two planning applications .*

*My reasons are as outlined below;*

*1.The University is operating as a bad neighbour to the surrounding community , both Llanedeyrn side and Cyncoed side. They refuse to address the ongoing parking problems which arise from their students, visitors and staff.Because they charge for parking on site, many will not pay the charge but instead park on roads outside the campus causing real and dangerous situations to occur.Whilst the university has a good travel plan in place, it is disregarded by the majority .Removal of the parking charge would be a significant help in ensuring no issues, but alas , despite representation from local members , it falls on deaf ears.*

*2.To now propose to build a 7 storey building to house at least 500 extra students , and have no dedicated parking for them will greatly exacerbate the problems.It will not help the fact that visiting families for the students , students themselves and non student users and events audiences will also not have sufficient parking and will disperse into neighbouring estates causing significant and real health and safety issues.Students do bring cars with them , as proven in every university and college throughout the UK .The council has already incurred significant expenditure in installing double yellow lines and/or bollards to deter grass verge parking within estates.This cost will significantly increase as ward members will have no option to request these following pressure from local residents .I believe it will only be a matter of time before a serious accident occurs which may result in a death.Police can provide road traffic incidents data for Llanedeyrn side.I have had such in the past.*

*3.I understand a few trees from the ancient woodland will be removed under these application and it is proposed to do some replacement replanting of new trees.I have requested details of exactly which trees , their type/genus , and how many.I still await these details.However, from the applications I see no works at all to ensure the remaining ancient woodland will be protected.With a vbuilding so close to the woodland, it is concerning that students/visitors etc will actually venture into the woodland for recreational purposes.This will potentially result in trees being damaged, litter dispersal and ground flora and fauna being damaged.Whilst our woodland is for our enjoyment, I see no restrictions, fencing or punitive actions being proposed to ensure the University take proactive measures to offer substantial protection to the woodland.Or , like parking measures , are they expecting the council to pay?*

*4 .The new opening onto Circle Way for emergency vehicles and construction traffic will be hazardous .There is a nearby primary school ( All Saints ) with a large volume of traffic to and fro and located on a hill.Students from the proposed 7 storey build will use the offroad parking area in place for school parent parking , due to its nearest location and laziness, rather than considering health and safety.The volume of traffic using the existing entrance will also increase due to extra staffing. Students, visitors .The access and egress of building contractors vehicles also has to be accommodated.The road Circle Way West is also a bus route .The fumes generated will increase and be detrimental to the local community and particularly children within the nearby school.*

5. When works to signalise Llanedeyrn interchange were done, this was classed as phase one. When Labour took control of the council in 2012, phase two was made a shelf scheme by the then Cabinet member Ralph Cook. Subsequent questions raised by me resulted in being told as there have been no major accidents since, phase two will remain on the shelf. These development proposals will increase traffic numbers at this interchange. I see nothing from officers to say surveys will be carried out in relation to usage of the interchange. This is of concern as vehicles going to the campus use the interchange whether they come through Cyncoed or Llanedeyrn. Why is there nothing on this from officers who would have been in discussion with the University in regard to traffic impact please?

Residents within my ward are very unhappy about the proposals. The University has not taken into account the views of residents or local councillors and their genuine concerns. This application is a step too far, being too large for a residential area. I formally request that planning committee make the decision on these applications due to the amount of objections not by delegation.

Cllr J Carter

I am writing to register my objections to the two planning applications by Cardiff Metropolitan University to build a 518 bedroom halls of residence, a separate forum and a new sports hall. This is a huge project and we propose it for the following reasons.

### **Visual impact**

Both the halls of residence and sports hall are large buildings that will tower over other nearby houses. Existing students flats are 2 or 3 storeys, whilst much of the site is not much taller than 4 storeys. Although it is further down the hill the 7 storey block of flats will be significantly taller than the vast majority of buildings in Cyncoed, Llanedeyrn and Penylan, towering over the flats and visible from a long way. The existing sports hall approved last year towers over trees on Circle Way West. The new hall will be as equally large and impact on surrounding houses.

### **Woodland**

The halls of residence plans will see ancient trees removed and change the ecology of the area. This area is relatively quiet and undisturbed. The layout of the site appears to encourage the 500+ students to use the woods for their leisure space. This will destroy habitat and scare wildlife. The university and their architects are keen to point to the small number of trees that will be immediately affected, but we are concerned about the long term damage to the trees and wildlife during construction and beyond.

### **Noise**

The noise caused by the construction and of all 3 buildings, combined with the noise of 518 students in a close proximity will have a negative impact on the residents living directly around the site. On the Llanedeyrn side students do not currently live near houses so the only noise comes from late night sporting events, when the noise from cheering and shouting can be heard 200 metres

away. 518 students in a close proximity are going to make a lot of noise and this will have a negative impact on the residents as well as the wildlife.

### **Parking**

My ward colleagues and I were shocked that neither planning application has included additional parking spaces around it. With regard to 16/01652 the proposed application is for a sports complex incorporating a new 25 metre swimming pool, trampoline facility, 3 squash courts, fitness centre and health related exercise studio, dance studio, classroom and associated circulation and amenity space. This will be open to the public as well as the general public and yet there is no additional parking.

The current parking issues tend to worsen in the evenings with more cars parking along Circle Way West due to non-students using the site. The expansion will only worsen this problem.

If the council built a new leisure centre or a private company such as David Lloyd or Virgin built a new sports centre, there would be an expectation for free parking to be provided, yet for some reason Cardiff Metropolitan University feel that they should work to different rules.

The halls of residence and forum (16/01760) come with their own parking problems. Whilst we don't expect every student to have a car, a significant percentage will have a vehicle and want to park it somewhere. Without parking on site, they will instead park around the surrounding streets in Llanedeyrn.

Students halls of residences can be built in the city centre without parking as there is nowhere for anyone (student or non-student) to park for free. This is not the case in Llanedeyrn, Penylan and Cyncoed, and this will lead to residents suffering.

### **Consultation**

In June Cardiff Metropolitan University surprised us by holding their own consultation event and asking people to give their views. Seeing how negative the feedback from the community was, we had expected the university to listen to the concerns of residents and councillors. Instead they ignored everyone around them and proceeded with virtually identical plans to the ones they presented in June.

## **Safety**

*My final concern is that of public safety. This development is very close to All Saints Primary School and I am concerned for the safety of children going to and from the school. The large construction vehicles entering the site via Circle Way West and the increased volume of cars using spaces outside the school once the halls of residence is open, will increase the prospect of a child being hit. I feel this development presents too many risks to children.*

*In conclusion, this is a huge development that will negatively impact of residents and wildlife around it. The university has failed to listen to any concerns of local residents and councillors, and this development is simply too large for the site.*

7.2 Adjacent occupiers have been consulted and the application has been advertised on site and in the press in accordance with adopted procedures. 47 letters/emails have been received. However, it should be noted that in many cases, whilst this application has been referenced (by application number) in the representations, the comments and objections made refer to application 16/01760/MJR, for the development of student accommodation and 'Forum' building to the southern part of the campus site. Nonetheless, the following issues have a relevance to this application:

- Increased traffic, causing congestion and safety issues on the surrounding highways;
- Lack of any additional on-site parking exacerbating instances of unauthorised/illegal on-street parking on the surrounding streets;
- Light and noise nuisance;
- The proposed hall will be an eyesore;
- The proposals will adversely affect property values;
- Pre-application comments from the community (Applicant consultations) have been ignored;
- The existing tree screen to Circle Way West should be retained and enhanced;
- There will be disturbance from excessive amounts of construction traffic, also causing dangerous highway conditions;
- The proposed hall is too large and has an overbearing scale on adjacent occupiers;
- The proposals will result in unacceptable surface water run-off which will flood Circle Way West.

7.3 A petition of 97 signatures has been received in objection to the proposals (in tandem with the Student Accommodation application). The grounds for objection are that the development of the campus is 'over capacity' at present and that the current proposals will exacerbate current off site traffic/parking problems on the surrounding streets, having an adverse impact on residents.

## **8. ANALYSIS**

8.1 A full application for the construction of phase 2 of a new multi-purpose sports

complex, replacing hard surfaced tennis/sports courts within an existing university campus.

- 8.2 The existing use of the application site and wider area is one of teaching and sports orientated activities. In this regard, the proposed hall is consistent with the use of the land.

The application site is located within the settlement boundary as defined by the LDP proposals map. The site has no specific designation or allocation but falls within the existing university campus and the context of the surrounding area is therefore educational use. The application site comprises an area of existing hardstanding used for outdoor tennis courts and adjoins the new sports hall.

It is noted that part of the site is identified as open space in the most recent open space survey. In view of this, Policy C4 of the adopted Local Development Plan (LDP) and approved Supplementary Planning Guidance (SPG) on Open Space (March 2008) are relevant. Although it is noted that the Open Space SPG was approved in connection with the now superseded City of Cardiff Local Plan, pending approval of new SPG it is considered relevant to the development management process as it is consistent with the new policy framework set out in the adopted LDP.

Policy C4 seeks to protect open space that has significant functional (including land that can accommodate formal/or informal recreational uses), conservation, environmental or amenity value through only allowing proposals where:

- they would not cause or exacerbate a deficiency of open space in accordance with the most recent open space study; and
- the open space has no significant functional or amenity value; and
- the open space is of no significant quality; or
- the developers make satisfactory compensatory provision; and in all cases
- the open space has no significant nature or historic conservation importance.

This policy reflects national planning policy relating to open space set out in Planning Policy Wales and Technical Advice Note 16 relating to Sport, Recreation and Open Space (January 2009).

The site comprises an area of existing hardstanding used for outdoor tennis courts. The latest open space survey classifies this site as educational open space and it is noted that site is generally not accessible to the public so the key considerations in relation to Policy C4 are whether the open space has any visual amenity or nature conservation importance.

Paragraph 3.8 of the approved Open Space SPG offers the following guidance on assessing visual amenity value and I have reproduced it below:

*3.8 Visual Amenity - For a site to possess visual amenity value, it must be located where the general public can gain significant "visual access". It must*

*contribute to the visual character and environmental quality of the surrounding area. There will be an objection to proposals which would adversely affect the appearance of open spaces which significantly contribute to the visual appearance of an area.*

Given the nature of the existing use on the site it is considered that the visual amenity value of the site is limited and it is also noted that there will be limited impact on visual amenity as views from nearby residential properties situated on the opposite side of Circle Way West will be minimal, due in part to the existing trees along the site boundary. In addition it is important to note that this proposal will deliver significant qualitative improvements in the form of modern fit for purpose sports facilities for the University.

Given this, subject to no impact on nature conservation interests I confirm that this proposal raises no land use planning policy concerns.

- 8.3 The design of the proposed hall is consistent with the innovative approach taken on phase 1. The mono-pitched roof elements fall inwards towards the link between the phase 1 and phase 2 buildings, making a single new indoor sport complex (it is of note that the height of the Gym area is required in order to meet the needs for trampoline activity). The proposed phase 2 building is set to the north of the phase 1 building and has a max. height that is approx. 1.8m lower than the max. height of the phase 1 building. The proposed building is approx. 14m off the campus boundary to Circle Way West (at its nearest) and approx. 38m from the side elevation of the nearest dwelling (no. 184 Ael Y Bryn). There are no windows proposed to the elevation facing Circle Way West, and the windows to the elevation facing the existing Athletics Centre are set at roof height.

The proposed building is to be finished in materials that replicate the phase 1 development, being facing brick, and coloured metallic cladding.

Given the site context, it is considered that the proposed hall is of a scale and design that is in keeping with the campus setting, adding a degree of visual interest when viewed against the existing structures adjacent and nearby that hold little aesthetic quality.

- 8.4 The proposed hall is of a scale that may be visible from positions outside of the campus boundaries, particularly from the east. Whilst it is noted that there are several dwellings along Circle Way West, which face in the general direction of the application site, these views are considerably constrained by trees adjacent to the site and on the highway verge, differing ground levels, and the degree of angle of view. It is also of note that a condition is recommended seeking the enhancement of the existing tree screen with further tree planting, of an evergreen species, in order to provide further visual screening over the autumn/winter period.

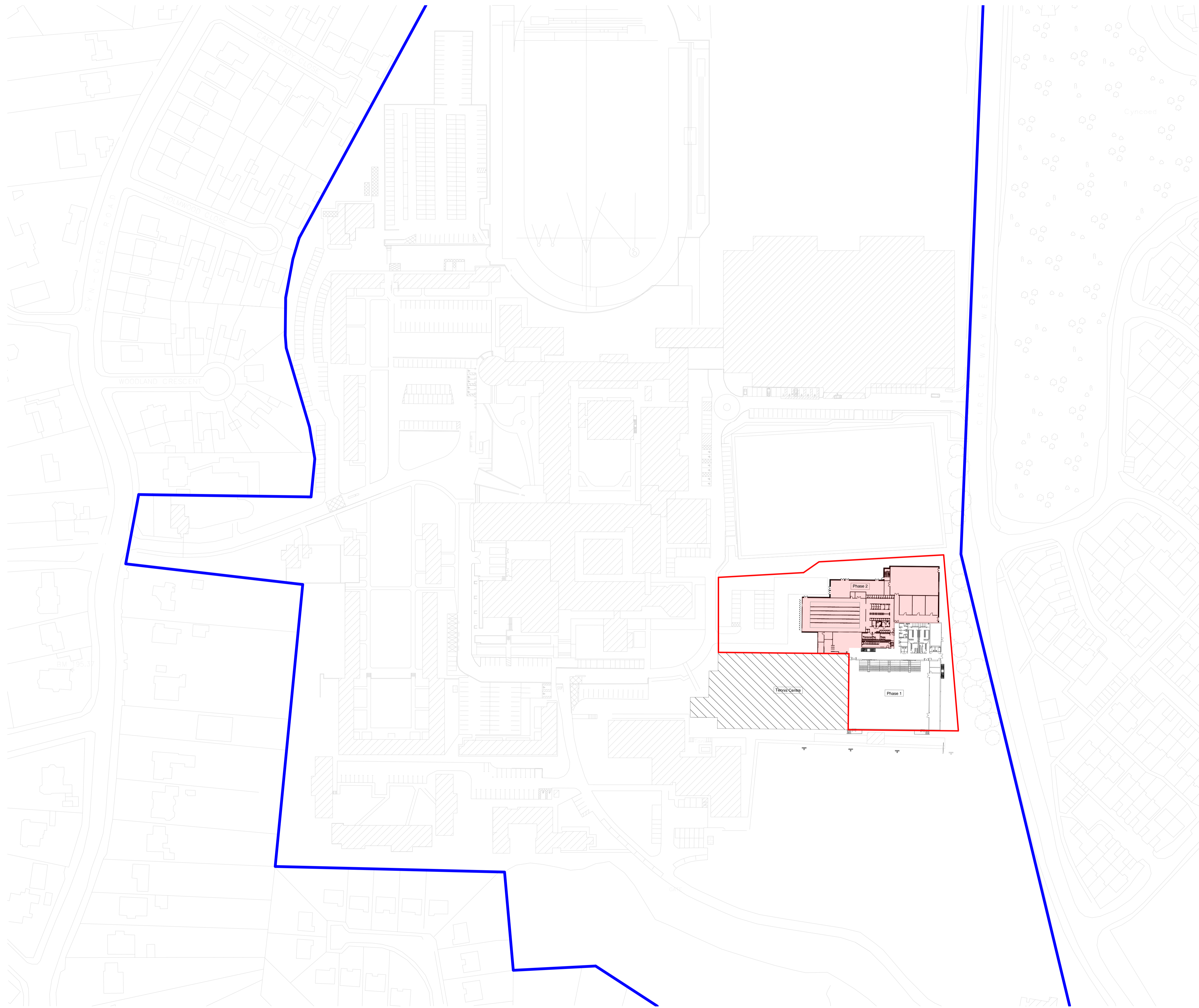
Having regard for this situation, it is considered that any views residents of the dwellings fronting Circle Way West would have of the proposed building would not cause sufficient harm to visual amenity as to warrant or sustain refusal of planning permission.



8.5 With regard to other issues raised by Local Members and nearby residents (as they relate to the proposals subject of this application):

- The development proposals and submitted Transport Statement have been assessed by the Council's Transportation Manager, whilst having due regard to the concerns raised. The Transportation Manager has indicated that there would be no sustainable grounds to refuse consent in terms of Highway safety, on-site parking provision, or off-site impact. Notwithstanding this position, the concerns relating to off-site issued have been noted and a contribution is requested, to be utilised to help overcome overspill parking issues;
- The proposals have been considered by the Council's Pollution Control (Noise & Air) Manager, who has no objection, subject to conditions in respect of hours of use and soundproofing. In this case, there are no sustainable grounds for refusal of consent in terms of light/noise nuisance;
- The perceived impact on property values is not a material planning consideration;
- Prior to the 1<sup>st</sup> August 2016, applicants were under no obligation to carry out a consultation in respect of their proposals. In this case, whilst a pre-application process was undertaken, planning permission cannot reasonably be withheld where applicants do not take any action in respect of any comments received;
- Although these proposals have no impact on the existing tree screen to Circle Way West, a condition is recommended above to secure additional evergreen planting in order to provide a better screen during winter months;
- The issue of visual impact has been considered above, and it is concluded that there are no sustainable grounds for refusal of consent;
- Whilst it is acknowledged that the construction period of development can result in increased disturbance, this is not grounds for refusal of consent. The recommendation above includes a condition which requires the submission and approval of a site management plan. This plan will be assessed by the Transportation Manager in due course, should consent be granted;
- The proposals, including the submitted drainage strategy have been considered Dwr Cymru/Welsh Water, who raise no objection.

8.6 In light of the above, and having regard for adopted planning policy guidance it is recommended that planning permission be granted, subject to conditions and the completion of a legal agreement.



- Application Boundary
- Ownership Boundary
- Proposed Sports Complex Phase 2

**Site Location Plan**  
1 : 1000

Revision	Description	By	Chkd By	Date
1	Planning Issue	MW	TY	21.06.2016

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 Date: 21/06/2016  
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**Austin-Smith: Lord**  
 Project: Cardiff Metropolitan University Sports Complex Phase 2  
 Description: Site Location Plan  
 Job No: 315307    Drawing No: L(00)001    Revision: 1



Revision	Description	By	Chkd By	Date
1	Planning Issue	MW	TY	21.06.2016
2	Updated to Reflect Alterations to Parking Layout	MW		09.08.2016

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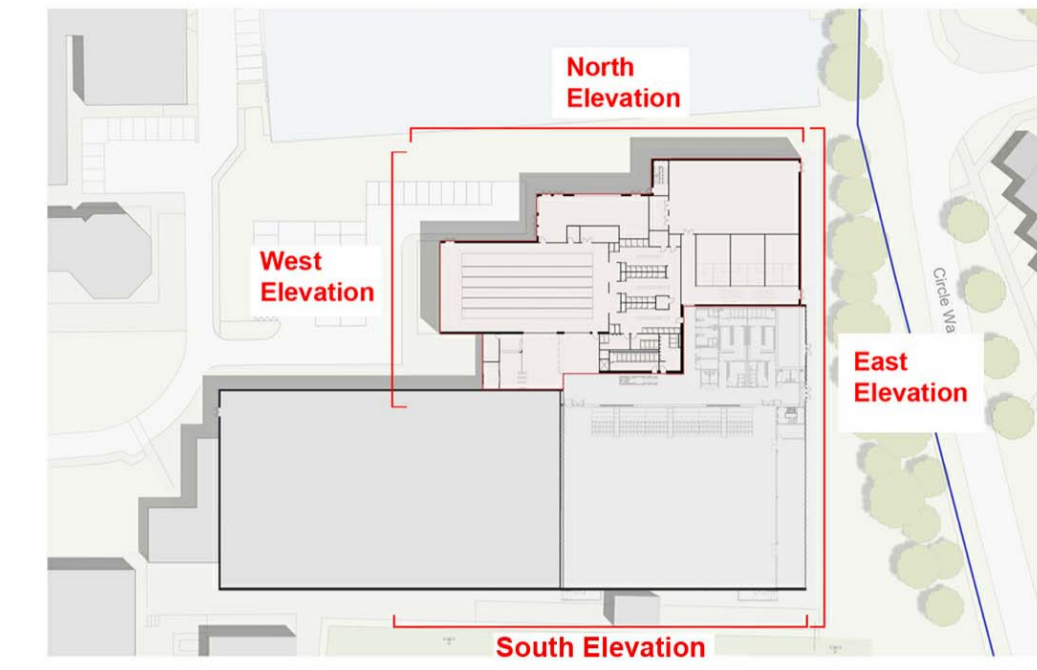
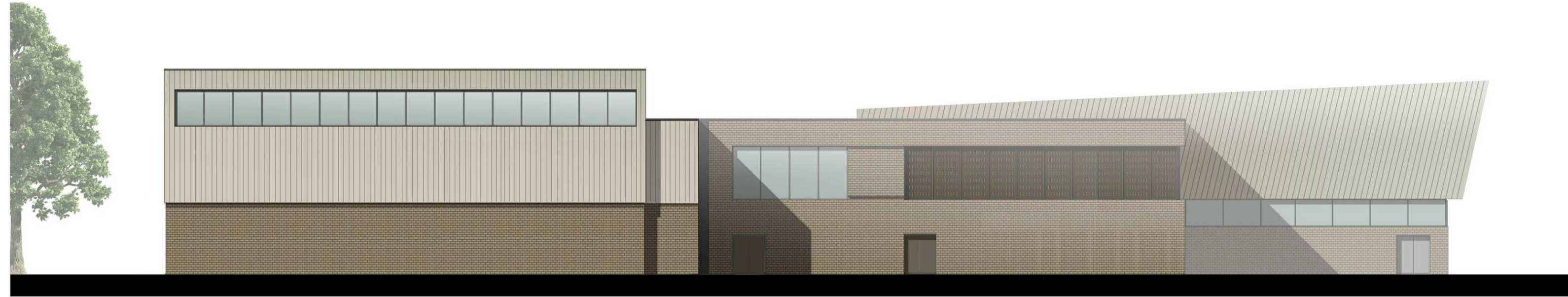
Drawn MW  
 Date 21/06/2016  
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**Austin-Smith:Lord**  
 Project Cardiff Metropolitan University Sports Complex Phase 2

Description Site Layout Plan

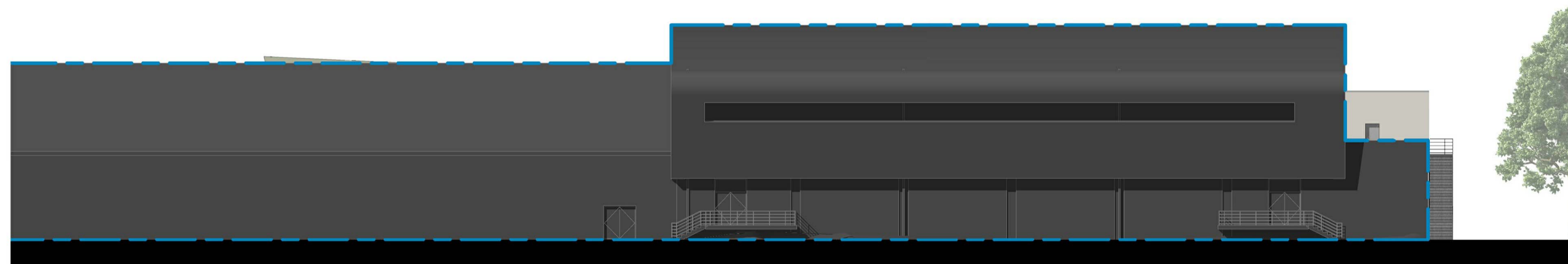
Job No. 315307 Drawing No. L(90)002 Revision 2



0m 5m 10m

**KEY**

- Existing Buildings (Phase One and Tennis Centre)
- Metal Cladding
- Brick
- Perforated Metal Screen
- Glazing



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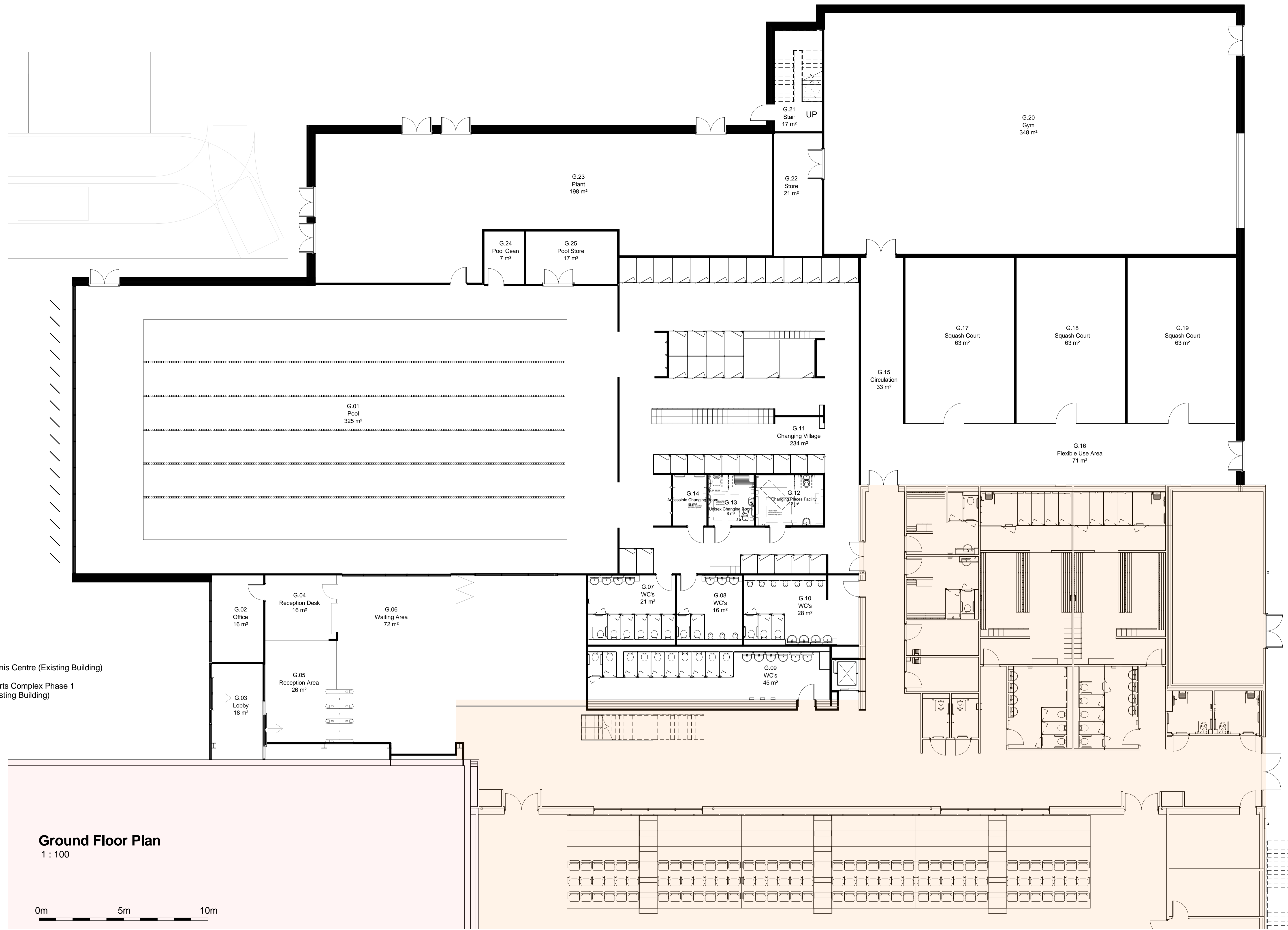
**Austin-Smith: Lord**

Project Cardiff Metropolitan University Sports Complex Phase 2

Description Proposed Elevations

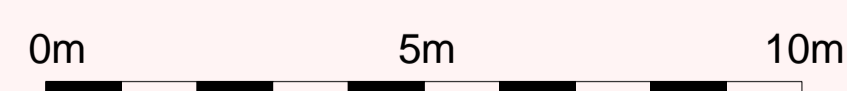
Job No. 315307 Drawing No. L(00)301 Revision 2

Revision	Description	By	Chkd By	Date
1	Planning Issue	MW	TY	21.06.2016
2	Revised Scale		MW	12.07.2016



- Tennis Centre (Existing Building)
- Sports Complex Phase 1 (Existing Building)

**Ground Floor Plan**  
1 : 100

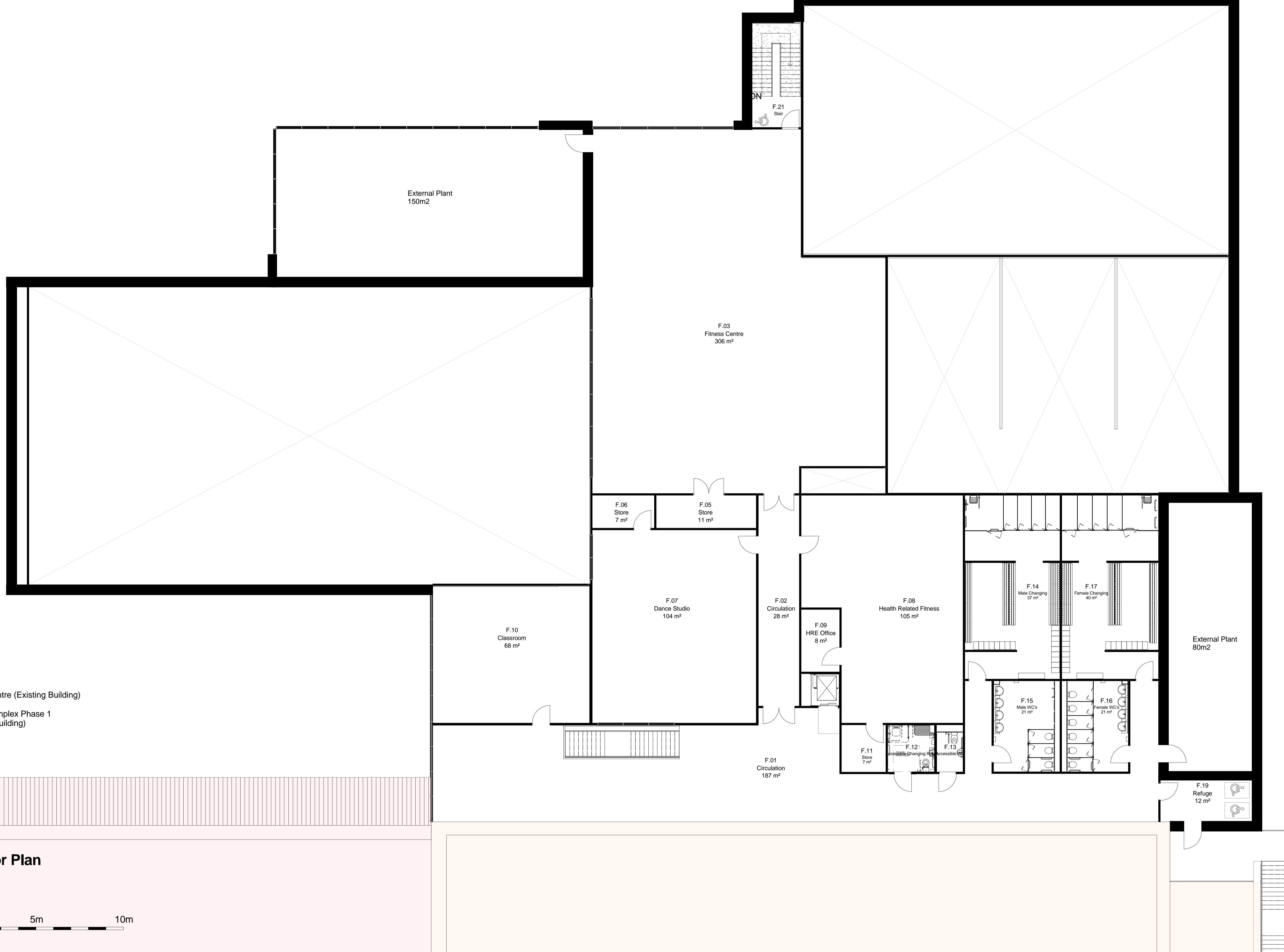


Revision	Description	By	Chkd By	Date
1	Planning Issue	MW	TY	21.06.2016

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**Austin-Smith: Lord**  
Project: Cardiff Metropolitan University Sports Complex Phase 2  
Description: Proposed Ground Floor Plan  
Job No: 315307  
Drawing No: L(00)100  
Revision: 1



- Tennis Centre (Existing Building)
- Sports Complex Phase 1 (Existing Building)

**First Floor Plan**  
1 : 100



Revision	Description	By	Chkd By	Date
1	Planning Issue	MW	TY	21.06.2016

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**Austin-Smith: Lord**  
Project: Cardiff Metropolitan University Sports Complex Phase 2  
Description: Proposed First Floor Plan  
Job No: 315307 Drawing No: L(00)101 Revision: 1