

LATE REPRESENTATIONS SCHEDULE
PLANNING COMMITTEE – 17TH JUNE 2015

PAGE NO. 1	APPLICATION NO. 14/01445/DCO
ADDRESS:	HOWELLS SCHOOL
FROM:	Council's Ecologist
SUMMARY:	No comments as he does not believe there are likely to be any impacts upon nature conservation interests arising from the development.
REMARKS:	Noted

PAGE NO. 1	APPLICATION NO. 14/01445/DCO
ADDRESS:	HOWELLS SCHOOL
FROM:	Agent
SUMMARY:	Confirms that the proposed operating hours of the pavilion have not been explicitly altered since those that were initially submitted. They propose that Pollution Control's imposed 'opening' hours should be amended to 8am on the basis that the facility has an integral functional curricular requirement to be usable at this time to enable morning lessons to commence and the school, and in particular this area of the school, is currently 'active' during this time in any event.
REMARKS:	Noted

PAGE NO. 22	APPLICATION NO. 14/01563/DCO
ADDRESS:	HOWELLS SCHOOL
FROM:	Council's Ecologist
SUMMARY:	Summary: His only concern is to the impact upon bats, in that it may be that the lighting causes disturbance to these species. However, the immediate habitat is not particularly suitable for foraging bats, and he does not see that it is likely to be of any strategic significance for habitat connectivity for bats. Also, he does not see that any potential roost sites are likely to be impacted, although there may be some spillage onto the trees to the rear of No. 62 Pencisely Rd. Overall, there is not enough potential for impact upon bats to justify the delay and expense of carrying out a bat survey. However, in order to reduce any risk still further, light spillage onto nearby amenity grassland and trees/shrubs should be avoided by all mean possible. In this respect, he welcomes the measures already proposed to achieve this, and requests that they be secured by planning condition.

REMARKS:	Noted

PAGE NO. 79	APPLICATION NO. 15/00328/MJR
ADDRESS:	CHURCHILLS HOTEL
FROM:	Agent
SUMMARY:	Confirms acceptance of POS contribution of £26,862
REMARKS:	Noted

PAGE NO. 79	APPLICATION NO. 15/00328/MJR
ADDRESS:	CHURCHILLS HOTEL
FROM:	Agent
SUMMARY:	Further to discussion between the Planning Officer and the Agent, the Landscape Architect has provided a revised landscape proposal to provide two Sorbus Trees in Planted Beds to the middle of the site and an additional bay window to the Northern elevation of Plot 5
REMARKS:	<p>Welcomed.</p> <p>Additional Condition Required.</p> <p>This permission relates to the application as amended by the revised plans (tree retention and landscaping – Fenestration revision to plot 5) received on 16th June 2015 attached to and forming part of this planning application. Reason: The plans amend and form part of the application.</p>

PAGE NO. 79	APPLICATION NO. 15/00328/MJR
ADDRESS:	CHURCHILLS HOTEL
FROM:	Trees Officer
SUMMARY:	<p>Requires additional tree related conditions as follows:</p> <ul style="list-style-type: none"> <i>Additional condition-Unless otherwise agreed in writing with the LPA, no site preparation, demolition, construction or landscaping shall take place that does not accord with the submitted</i>

David Rice Forestry Arboricultural Method Statement revised on 2nd June 2015 and the Corscadden Associates Tree Protection Plan (revision H) dated 16th June 2015.

- *Additional Condition - Notwithstanding the submitted Arboricultural Method Statement and Tree Protection Plan, an auditable system of arboricultural site monitoring shall be agreed in writing with the LPA and implemented during all stages of development. The system shall make provision for the production of site monitoring reports to be made available to the LPA.*
- *Replace condition 29 - Notwithstanding the submitted Arboricultural Method Statement and Tree Protection Plan, no landscaping shall take place within the Root Protection Area of a retained tree that requires any of the following; mechanical cultivation or other cultivation likely to result in the loss of or harm to roots; fertilisation likely to transfer to tree roots or their associated mycorrhizal fungi and impact detrimentally on their healthy functioning; herbicide application likely to transfer to tree roots or their associated mycorrhizal fungi and impact detrimentally on their healthy functioning; increases or decreases in levels likely to asphyxiate or destroy tree roots.*
- *Replace Condition 23 - Any pruning necessary to implement the planning permission shall be undertaken in accordance with British Standard 3998: 2010 'Tree Work' or any Standard that replaces it.*
- *Replace condition 21-All planting, seeding, turf-laying and paving shown on the approved plans shall be carried out in the first planting and seeding season following the occupation of the*

	<p><i>building or the completion of the development, whichever is sooner.</i></p> <p><i>Any newly planted trees, plants or hedgerows, which within a period of 7 years from the completion of the development die, are removed, become seriously damaged or diseased, or in the opinion of the Local Planning Authority (LPA) otherwise defective, shall be replaced in the first available planting season and to the specification shown on approved plans and in supporting documents, unless the LPA gives written consent to any variation.</i></p> <ul style="list-style-type: none"> <i>Additional condition- The topsoil and sub-soil specification for all soft landscaping shall accord with the 2009 DEFRA Construction Code of Practice for the Sustainable Use of Soils on Construction Sites. Prior to the importation of new/reuse of any site won soils for landscaping purposes, a topsoil and sub-soil specification including an analysis in accordance with BS 3882:2007 and BS 8601:2013 that demonstrates fitness for purpose for all proposed planting soils; a site specific product suppliers specification for structural soil, including composition and installation; annotated sections for all planting types (tree pits, shrub beds and hedging, grassland); a planting methodology; 5 year aftercare methodology including a chronological matrix of aftercare tasks and an implementation programme, shall be submitted to and approved by the Local Planning Authority in writing and the landscaping shall thereafter be undertaken in accordance with the approved details.</i>
	<p>Noted and actioned</p>

PAGE NO. 79	APPLICATION NO. 15/00328/MJR
ADDRESS:	CHURCHILLS HOTEL
FROM:	4 Pontcanna Court
SUMMARY:	Has written in in respect of parallel applications for Conservation area consent and Listed Building Consent but raises issues over the construction/demolition management; the perceived over dominance of plot 5 (Highway frontage); the safety of steps and front access to plot 5; the use of yellow brick; traffic congestion at peak hours and makes suggestions of increasing capacity of Western Avenue from Ely Bridge
	Construction Management is controlled by condition; aesthetic and scale are covered within the report; The proposed 'stock' brick can have a variation in colour from grey to yellow dependant on source material and is controlled by condition; and the traffic flow of a maximum of 24 vehicles is not considered to affect traffic flows to any greater degree than the existing hotel flows (potentially 46 outward movements). Proposals to extend Western Ave are not before committee to consider.

PAGE NO. 79	APPLICATION NO. 15/00328/MJR
ADDRESS:	CHURCHILLS HOTEL
FROM:	Planning Officer
SUMMARY:	Requests a modification of condition 17
REMARKS:	Noted and actioned. No gates shall be erected to the proposed vehicle access without first obtaining the express authorisation of the Local Planning Authority

PAGE NO. 79	APPLICATION NO. 15/00328/MJR
ADDRESS:	CHURCHILLS HOTEL
FROM:	Planning Officer
SUMMARY:	The agent has asked for confirmation that Pre-commencement

	Conditions 2,3,4,12,15,18,24 and 25 shall not relate to activities of stripping out or refurbishment of the existing Victorian Villas; but to the new build development only .
REMARKS	This is confirmed

PAGE NO. 118	APPLICATION NO. 15/00301/MNR
ADDRESS:	Land North of Heol Goch, Pentyrch
FROM:	Head of Planning
SUMMARY:	<p>The S106 obligation attached to the outline consent for this development requires, prior to the submission of the reserved matters application for the Development, the submission to the Council, for the Council's written approval, of a scheme to provide On Site Public Open Space including details of:</p> <ol style="list-style-type: none"> 1) the location, amount and type of On Site Public Open Space, 2) a timetable for implementation; 3) details of drainage of the On Site Public Open Space. <p>A variation to the S106 Obligation is required in order to address the fact that the applicant failed to submit the required details of On Site Public Open Space before applying for the approval of Reserved Matters. Details have subsequently been submitted and the Parks Operations officer has confirmed that he has no objections to the amendment of the relevant part of the S106 obligation as follows:</p> <p>“Prior to implementation of the Planning Permission, to submit to the Council for the Council's written approval (such approval not to be unreasonably withheld or delayed) a scheme to provide the On Site Public Open Space “The Public Open Space Scheme”) including details of:</p> <ol style="list-style-type: none"> 1.1 The location, amount and type of the On Site Public Open Space that is to be included within the Development, to include plans, drawings, section schedules and specifications for the landscaping, laying out, equipping and maintenance of the On Site Public Open Space 1.2 A timetable for implementation to ensure that the construction and provision of the On Site Public Open Space shall be completed by practical completion of 75% of Housing Units within the Development 1.3 Details of the future management and maintenance of the On Site Public Open Space 1.4 Details of the drainage of the On Site Public Open Space and how the sustainable drainage system for the Development will impact on the On Site Public Open

	Space.” A Deed of Variation will have to be signed before the S106 obligation can be amended. The approval of reserved matters should not be granted until agreement has been reached on the terms of any variation needed to remedy the breach.
REMARKS:	It is recommended that the wording of the Report to Planning Committee be amended as follows: RECOMMENDATION 1: That, subject to the satisfactory completion of a Deed of Variation of the Planning Obligation under SECTION 106 of the Town and Country Planning Act 1990 dated 15 th December 2014 relating to planning permission 13/00836/DCO, encompassing the matters referred to in the late representation by the Head of Planning to the Planning Committee on 17 th June 2015 relating to reserved matters application 15/00301/MNR, approval of reserved matters be GRANTED subject to the following conditions:

PAGE NO. 146	APPLICATION NO. 15/00839/MNR
ADDRESS:	314 CAERPHILLY ROAD
FROM:	Cllr Lyn Hudson
SUMMARY:	Councillor Hudson supports the application commenting as follows: <i>As the business has been established for many years and no complaints have been received, it is fair to assume that there have been no problems associated with either the opening times or the service. The applicant is not seeking to vary the opening times but to be able to sell hot food as a takeaway service and not for consumption on the premises. I feel that this is totally understandable as it will enable the business to compete with other similar outlets in the area. This, in my opinion, will not cause any major problems to either residents or other businesses in the area. There is therefore no valid reason to refuse to vary the condition and I as a means of encouraging business in the Heath ward, I would hope that this request would be looked at favourably.</i>
REMARKS:	

PAGE NO. 146	APPLICATION NO. 15/00839/MNR
ADDRESS:	314 CAERPHILLY ROAD
FROM:	Petition (75 signatures)
SUMMARY:	<p>A petition from local residents objecting to the application for the following reasons:</p> <p><i>Prolonged and pervasive strong smells;</i> <i>Increased pedestrian traffic - which we know is associated with crime and nuisance;</i> <i>Increased motor traffic, where there is very limited access and parking;</i> <i>Additional motor traffic bringing risks to families with small children in the street;</i> <i>Parking of cars/vehicles will lead to damage to the footpath and services underneath;</i> <i>Vermin (rats) associated with food production and food litter</i> <i>Substantially increased noise and pollution, especially later in the day.</i></p>
REMARKS:	Refer to Officer's report