

**LATE REPRESENTATIONS SCHEDULE**  
**PLANNING COMMITTEE – 2<sup>ND</sup> FEBRUARY 2022**

<b>PAGE NO. 1</b>	<b>APPLICATION NO. 19/02648/MJR</b>
<b>ADDRESS:</b>	<b>LAND NORTH OF TY-DRAW ROAD, PONTPRENNAU, CARDIFF</b>
<b>FROM:</b>	Applicant
<b>SUMMARY:</b>	<p>Provides the following comments on the committee report:</p> <ul style="list-style-type: none"> <li>(i) Cycle Parking - every flat has its own private cycle store, the cycle stores are not communal. This is clearly shown on drawing 102 which is listed as an approved drawing;</li> <li>(ii) Natural Surveillance (Paragraph 8.49(i)) – the report is incorrect. There are ground floor side windows in the side elevations of both houses 41 and 45 that look straight at the link as the new wall and hedge terminates at the end of their back gardens. In addition the property directly opposite the link (No. 16) also has two windows that look directly down the route of the link;</li> <li>(iii) Biodiversity enhancement - All of the ecology mitigation measures are shown on drawing 102 which is an approved drawing.</li> <li>(iv) Tree Losses – paragraph 8.35 refers to the loss of 2 No. B category oak trees. This is not part of this application.</li> </ul> <p>They also request that:</p> <ul style="list-style-type: none"> <li>• Conditions 8 (Cycle Parking), 10 (Travel Plan), 18 (Landscape Design), 20 (LEMP) and 26 (Potable Water) are amended to require discharge prior to construction above damp-proof course as they do not need to be discharged prior to the commencement of development.</li> <li>• Further explanation is given on Condition 21 (nesting birds) as they cannot imagine that the LPA will be able to discharge the condition within 48 hours.</li> <li>• that the following conditions be re-worded as they appear impractical as currently drafted: <ul style="list-style-type: none"> <li>(i) 15 (Refuse Storage) requires all of the bin stores some at the front of the site and some on the last units to be built, at the back of the site, to be constructed before a single affordable home can be occupied and the development is brought into beneficial use. I would expect that these bin stores need to be delivered before the associated homes are brought into beneficial use.</li> <li>(ii) 9 (Car Parking) poses a similar problem, as written we need to provide every single parking space on</li> </ul> </li> </ul>

	<p>the whole scheme and all EV parking space before a single affordable home can be occupied. Would normally expect that the parking spaces would be delivered before the associated home is occupied especially as this could be a circa 24 month construction project.</p> <p>(iii) 12 (Samples of External Finishes) – Are samples required?</p>
<b>REMARKS:</b>	<p>In response to the comments on the committee report:</p> <p>(i) Cycle Parking – delete ‘communal’ from paragraphs 5.12 and 8.19. Amend condition 8 to read: “Notwithstanding the plans approved under condition 1, prior to the commencement of development above damp-proof course, details...”</p> <p>(ii) Natural Surveillance – The report is considered to be accurate. To clarify, the northeast elevation of No. 41 contains secondary windows at ground and first floor and a glazed doorway. The southwest elevation of No. 45 contains a secondary window at first floor and secondary or high-level windows at ground floor. The windows in the northeast elevation of No. 16 are secondary habitable room windows with views across the highway.</p> <p>Amend reason for condition 11 to read: “To ensure a satisfactory finished appearance of the development and to safeguard the privacy and amenity of neighbouring occupiers in accordance with Local Development Plan Policy KP5 (Good Quality and Sustainable Design)”</p> <p>(iii) Biodiversity enhancement – noted. Amend condition 25 to read:</p> <p>The biodiversity enhancement features hereby approved on the ‘External Works Layout’ (drawing ref: 1686 102 Revision Q) shall be installed prior to the occupation of the relevant dwelling. Reason: To provide enhanced nesting and roosting opportunities in accordance with Local Development Plan Policy EN7 (Priority Habitats and Species).</p> <p>(iv) Tree Losses – noted.</p> <p>In response to the comments on certain conditions:</p>

	<p>(i) 8 (Cycle Parking) – see (i) above</p> <p>(ii) 9 (Car Parking) – Amend to read:</p> <p>The car parking spaces hereby approved, including the 5 no. electric vehicle charging points shown on the 'Planning Layout' hereby approved (drawing ref. 1686 100 Revision AK), shall be provided prior to the beneficial occupation of the dwelling to which each parking space and charging point relates. Thereafter the spaces shall be maintained and shall not be used for any purpose other than the parking of vehicles.</p> <p>(iii) 10 (Travel Plan) – agreed by the Operational Manager, Transportation. Amend to read: "Prior to the commencement of development above damp-proof course, a Travel Plan..."</p> <p>(iv) 12 (Samples of External Materials) – Amend to read: "Details of external finishing materials..."</p> <p>(v) 15 (Refuse Storage) – Amend to read: "The communal refuse storage facilities serving Plots 1-4, 26-29 and 38 and 39 hereby approved shall be constructed before the dwelling(s) to which each storage facilities relates is brought into beneficial use. The refuse storage facility shall be thereafter retained."</p> <p>(vi) 18 (Landscape Design). Needs to remain pre-commencement. Required before any below-ground works commence.</p> <p>(vii) 20 (LEMP) – Not agreed. Requested by Natural Resources Wales as a pre-commencement condition. Required before any development commences.</p> <p>(viii) 21 (Nesting Birds) – wording is considered to be appropriate. Applicant is required to demonstrate to the satisfaction of the Council's Ecologist that there are no nesting birds present in the relevant vegetation up to 2 days before work commences.</p> <p>(ix) 26 (Potable Water) – needs to remain pre-commencement. Requested by Welsh Water</p>
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<b>ADDRESS:</b>	<b>LAND NORTH OF TY-DRAW ROAD, PONTPRENNAU, CARDIFF</b>
<b>FROM:</b>	Chris Rawle on behalf of the residents of Conway Park
<b>SUMMARY:</b>	<p>In addition to his previous objections, he wishes to state his strong opposition to the above application for the following reasons:</p> <p>i. He and his neighbours purchased their properties in the knowledge that the development was protected in a number of ways. Condition 6 of planning permission 94/00733/N was included in the Local Land Charges and states:</p> <p><i>The hedgerow abutting Ty Draw Road shown for retention on the plan submitted with the application shall be preserved and maintained and in the event of any tree or shrub dying, being removed or becoming seriously damaged or diseased a replacement tree or shrub of a similar species shall be planted and maintained unless the local planning authority gives written consent to any variation. Reason: The trees are of value in the local environment and should be protected and maintained in the interests of visual amenity.</i></p> <p>ii. Condition 6 clearly protects the hedgerow, in the interests of the community of Conway Park as a whole, from any damage, wilful or otherwise.</p> <p>iii. Approximately 10.4 metres of this hedgerow would be removed to create the alleyway from Ty Draw Road to Clos Nant Glaswg.</p> <p>iv. The applicant purchased 43 Clos Nant Glaswg on 31 July 2021 and is burdened by the same condition.</p> <p>v. He seeks confirmation that:</p> <ul style="list-style-type: none"> <li>• The applicant has not requested that Condition 6 be waived;</li> <li>• Condition 6 ensures that the hedgerow is maintained as a visual amenity for the residents of Conway Park. As such any request for its removal would require the consultation of and agreement with all of the residents of Conway Park;</li> <li>• No such consultation has been carried out;</li> <li>• The Planning Department accepts that there has been strong, unanimous opposition to the above planning application from the residents</li> </ul>

	<p>of Conway Park and therefore to any change to the hedgerow;</p> <p>Any recommendation from the Planning Department to Committee in favour of the above application could be taken by the applicants as granting authority to remove the hedgerow. This would contravene condition 6 which only provides the planning authority with the discretion not to insist on the replacement of an individual 'damaged or diseased' tree or shrub. There is no provision for the planning authority to allow the removal of a healthy tree or shrub.</p>
<b>REMARKS:</b>	<p>i. Planning application no. 94/00733/N was granted permission on 14 June 1994 for the substitution of 3 no. house types (two-storey detached) and associated works. A review of the approved plans confirms that the 3 plots relate to 32, 39 and 40 Clos Nant Glaswg;</p> <p>ii. Condition 6 was attached to the permission at the time to ensure for the continued protection and maintenance of the hedgerow in relation to that permission. Condition 6 does not prevent the Local Planning Authority from resolving to approve the partial removal of this hedgerow under the current application, if it is minded to do so, having had regard to the material planning considerations.</p>

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<b>FROM:</b>	Chris Rawle, 2 Clos Nant Coslech
<b>SUMMARY:</b>	<p>Submits an affidavit stating the main selling points for buying their house in 1996:</p> <p>(i) A number of covenants prevent changes being made. E.g. maintenance of trees and hedgerows, commercial vehicles not permitted;</p> <p>(ii) Fields visible on Ty Draw Road would one day be built on though the houses would be far enough away not to be intrusive;</p> <p>(iii) There would be no further changes to Conway Park as they were the penultimate purchasers.</p> <p>(iv) The cul-de-sacs would provide a safe environment for their children to play in.</p> <p>Any change to the structure of Conway Park would be a breach of contract.</p> <p>Separately, he also states the following:</p>

	<p>(i) the alleyway will detrimentally affect residents and children in Clos Nant Glaswg and will not be used by residents of the new development.</p> <p>(ii) Arguments in favour of the alleyway:</p> <ul style="list-style-type: none"> <li>• provides an alternative route for pedestrians to access bus stops on Heol Glandulais and Pentwyn Road and access to local amenities;</li> <li>• allows the developer to argue that a 50:50 modal split between private vehicle use and sustainable transport methods will be achieved in line with the Council's LDP 2016.</li> </ul> <p>(iii) Arguments against:</p> <ul style="list-style-type: none"> <li>• would destroy many of the advantages of living in a cul-de-sac which attracted people to buy their homes;</li> <li>• would change the nature of the road to the detriment of residents and children. It would increase anti-social behaviour, drug dealing/abuse, car crime, burglary and impose greater restrictions on children playing and developing with their peers;</li> <li>• it is not necessary. It won't be used by the new residents. Clos Nant Glaswg journey analysis (see late rep) shows that only 7% of journeys are by bus or foot. In the unlikely event that a resident of will want to catch a bus they will probably go down Ty Draw Road (TDR) to Pentwyn Road to access Roath and Llanishen or up TDR to Heol Glandulais via St Mellon's Road to access Cardiff Gate and the City Centre. As Highways Officers have stated, the gradients and elevation changes will discourage residents from undertaking any journey by foot whether the alleyway exists or not;</li> <li>• The existing residents of TDR have not suffered from a lack of such an alleyway and have confirmed to members of WPAG that if the alleyway were to be built, they would not use it – it would not be beneficial to them.</li> <li>• The only requirement for the alleyway is from the Planning Department. It is a futile attempt to meet the requirement set out in the LDP of 2016 that new developments should achieve a 50:50 modal split between private car use and sustainable transport methods. It is common knowledge throughout the Council that public transport does not meet the requirements of communities on the outskirts of the city. St. Edeyrns is an example of such. A survey of journeys in and out of this development showed</li> </ul>
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	<p>that less than 2% of journeys were by bus or on foot, even though the X59 bus service runs through the estate and bus stops are within 50 metres of most people's front doors.</p> <ul style="list-style-type: none"> <li>• It is a requirement of the LDP 2016 that high-density development of affordable homes should be on a Rapid Transit Corridor. Why has this requirement been ignored? If this can be ignored why should the 50:50 modal split be adhered to?</li> <li>• The applicant has spent approximately £500,000 purchasing No. 43 CNG. A conservative estimate would indicate that the developers will have to invest a further £500,000 to demolish no.43, build the alleyway and associated parallel crossing together with necessary services, e.g. power and drainage. How will this additional cost of £1,000,000 be funded? Will Edenstone Homes fund it from their profits? – Unlikely. Will United Welsh fund it from reserves? – Unlikely. So, who will pay? Edenstone will include it in the total cost of building the development. United Welsh will then calculate the rent per dwelling to recover their investment and therefore charge their tenants for an alleyway they will not use. Is it morally acceptable to force residents to incur this cost when they are unlikely to benefit from it?</li> <li>• Lighting on the zebra crossing and the alleyway will be life changing to nearby residents.</li> <li>• The occupants of Nos. 41 and 45 have been advised by the South Wales Police Crime Prevention Design Advisor to install fences 2.4m high to protect themselves and their property.</li> <li>• There will be no 'natural surveillance' from any property in CNG.</li> <li>• Residents of CNG, Clos Nant Coslech and Clos Nant Mwlan have signed petitions, written letters and sent emails over the last 11 months objecting to the application;</li> <li>• The alleyway is not necessary and will only lead to ill feeling between the communities of Conway Park, particularly CNG, and the new development.</li> </ul> <p>(iv) It would be wrong to inflict this unwanted, inappropriate, unnecessary, unjustified alleyway onto a successful and happy community. It is admirable to seek to increase the availability of Affordable Homes across Cardiff but not at any cost. This proposed development is in the wrong place, or more accurately in the wrong place at the wrong time. The application should be rejected. However, the development could</p>
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	<p>proceed, even though the location is problematic, if connectivity to Clos Nant Glaswg was removed. The Council has imposed this condition, it is therefore in the Council's power to remove this requirement.</p>
<b>REMARKS:</b>	<p>The Council's Solicitor advises that the submission is not an affidavit unless there are other documents that have been sworn on oath. Affidavits are a means of adducing sworn, written evidence. Affidavits include a statement set out at the end of the document swearing or affirming the evidence given and stating when, where and before whom it was sworn. Usually 'before' or in front of an independent practising solicitor or commissioner for oaths. Nevertheless, it is a valid planning objection.</p> <p>While the report is considered to have largely addressed the identified issues, the following response is provided to other matters raised:</p> <ul style="list-style-type: none"> <li>(i) The proposed footway/cycleway link is considered to provide a safe and commodious route that will encourage active travel and improve access to local services, amenities and public transport, in line with national and local planning policies;</li> <li>(ii) Relevant conditions are recommended to ensure good design influences the construction of the link and prevent any unacceptable impact upon the privacy or amenity of neighbouring occupiers;</li> <li>(iii) The link would not be used by vehicles. Clos Nant Glaswg would therefore remain a cul-de-sac, albeit with a connection to / from the new development;</li> <li>(iv) The proposed link, subject to conditions, will create a safe and secure environment and minimise opportunities for crime in accordance with LDP Policy C3 (Community Safety/Creating Safe Environments). Refer to the advice of the South Wales Police Crime Prevention Design Advisor from paragraph 6.15 and also paragraphs 8.48 – 8.52;</li> <li>(v) The late rep from West Pontprennau Action Group (below) summarises the journey analysis carried out by local residents and the Council's response;</li> <li>(vi) The development proposes 45 dwellings on approximately 1 hectare of land, which is consistent with the recommended densities for development around the edge of Pontprennau as set out in LDP Policy KP2(F);</li> <li>(vii) The developer's costs in constructing the development are not a material consideration for the determination of this application. The properties will be</li> </ul>

	<p>social rented homes, with the rent level set by the Registered Social Landlord (RSL). Registered Social Landlords (RSL) are expected to have their own rent and service charge policies, but they are regulated by Welsh Government, and must set them and any annual rental increases within the boundaries of published Welsh Government rent policy.</p> <p>(viii) Lighting – refer to conditions 5 and 24;</p> <p>(ix) Boundary fencing to Nos. 41 and 43 – refer to condition 11</p> <p>(x) Natural Surveillance – refer to paragraph 8.49(i)</p> <p>(xi) The petitions and objections received have been considered in the processing of the application. Refer to section 7 for a summary of all representations received. The recommendation is made to Committee having weighed up the benefits and dis-benefits of the application (as amended);</p> <p>(xii) The amended application to introduce the footway/cycleway link has been submitted to the LPA for determination. The LPA has a duty to determine the amended application on its planning merits.</p>
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<b>FROM:</b>	Chris Rawle on behalf of the West Pontprennau Action Group (WPAG) and Pontprennau residents.
<b>SUMMARY:</b>	<p>WPAG initially submitted representations requesting that the application was removed from the agenda to allow adequate time to consult with their neighbours and prepare their response. In response, officers advised that the report was published in advance of Committee in accordance with standard practice on all applications, having also been subject to extensive publicity and receipt of representations. Accordingly, there was no reason for the application to be deferred from being considered at Planning Committee. Moreover, it is considered that the report accurately summarises the local objections to the application. The report is balanced and sound, making a recommendation having assessed and weighed the material planning considerations. There is no justification in withdrawing the report from the agenda.</p>

A subsequent representation was received which objects in the strongest terms to the proposed alleyway from Ty Draw Road (TDR) to Clos Nant Glaswg (CNG).

They state that the alleyway is required to provide safe pedestrian access to bus stops on Heol Glandulais and Pentwyn Road though the residents of the new properties will not use it. They will make journeys by car; cars that are essential for residents living in the area.

The objection also notes that:

- i. TDR is safe for pedestrians provided they are wary of passing vehicles and walk in single file near the edge of the road. Many have walked along this road many times without incident;
- ii. TDR is potentially dangerous if used by less careful, unsupervised children and teenagers. When the existing homes were first built, a gap in the hedgerow was used by pupils of Corpus Christi School (CCS) and others to access TDR. The alleyway would recreate a dangerous 'short cut' which should be sufficient reason to recommend refusal. It would be hypocritical to argue TDR is unsafe for adults whilst being accessible to children.
- iii. No open space is provided. The suggestion that residents will access Butterfield Park via the alleyway for such an amenity is absurd and a classic example of sophistry at its most callous;
- iv. As no open space is being provided, children will potentially congregate in the only space available – the alleyway. Once here, the opposite alleyway on the CNG side could prove to be an irresistible attraction. The potential for young, unsupervised children to rashly cross the road has safety implications

In September and October 2021, residents of CNG and Clos Nant Coslech (CNC) completed journey logs for a continuous period of 7 days as follows:

	Car	Foot	Bus	Total
Work	72	0	3	75
School	28	4	0	32
Social/Leisure	55	6	0	61
Shopping	27	0	0	27
Totals	<b>182</b>	<b>10</b>	<b>3</b>	195
%age	93.33	5.13	1.54	

The results show bus use is almost non-existent – as is the case in the more recent development in St Edeyrns (below);

There is no evidence to suggest that journeys from the proposed development will differ - the residents will have a similar level of car ownership (1.4 cars per home) and live at least as far, if not further, from local amenities.

The alleyway is pointless as residents will prefer their cars. It will cause increased crime levels, mental stress and upset and potentially severe injury to children and young adults mis-using the parallel crossing.

On Wednesday October 27 2021, he conducted a survey of people entering and leaving St Edeyrns between 7.15am and 8.34am (rush hour) as follows:

IN	Car	Van	Bus	Foot	Bike	Totals
7.15-7.30	18	13	-	0	0	31
7.30-7.45	17	9	0	0	1	27
7.45-8.00	18	8	0	0	0	26
8.00-8.15	18	7	-	2	0	27
8.15-8.30	13	4	1	0	0	18
8.30-8.34	5	0	-	0	0	5
<b>Totals</b>	<b>89</b>	<b>41</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>134</b>
%age	66.4	30.6	0.75	1.5	0.75	

OUT	Car	Van	Bus	Foot	Bike	Totals
7.15-7.30	21	6	-	1	0	28
7.30-7.45	40	7	0	2	0	49
7.45-8.00	28	8	-	0	0	36
8.00-8.15	53	4	0	1	0	58
8.15-8.30	39	2	-	2	0	43
8.30-8.34	10	0	3	0	0	13
<b>Totals</b>	<b>191</b>	<b>27</b>	<b>3</b>	<b>6</b>	<b>0</b>	<b>227</b>
%age	84.14	11.90	1.32	2.64	0	

NB:

1/ This survey was conducted in the Autumn half-term. The X59 service does not pass Bro Edern, St Teilo's or Corpus Christi Secondary Schools. Furthermore, parents do not use it to access Primary Schools. Therefore, during term-time the number of car journeys would be higher.

2/ The Covid pandemic has negatively affected bus usage. However, it has had little effect on usage in St Edeyrns where passenger numbers have always been low.

3/ The survey was extended by four minutes to include the third return journey of the X59. Only 4 passengers were

	<p>carried by this service over a period of one hour and fifteen minutes.</p> <p>These tables show bus use in St Edeyrns is almost zero despite the X59 service running through the estate. Surely bus use will be even lower in the proposed development where the nearest bus stop is seven hundred metres away.</p> <p>The proposed alleyway has reportedly cost the applicant c.£500k to date (to purchase no.43 CNG). Costs will balloon dramatically if development proceeds. He assumes residents will receive higher rent to cover this cost. It is immoral to ask residents to pay for something they will not use.</p> <p>Alleyway amendments have resulted in the number of affordable homes reducing by two to 45. It is reprehensible to lose much needed housing to create a pointless alleyway that will be of no benefit.</p> <p>The costs should instead be used to create open space with play for residents.</p>
<b>REMARKS:</b>	<p>While the report is considered to have largely addressed the identified issues, the following response is provided to other matters (having liaised with the Operational Manager, Transportation):</p> <ol style="list-style-type: none"> <li>1. The proposed pedestrian/cycleway link is not considered to be an 'alleyway' given its width and its intended functionality.</li> <li>2. Whilst it is acknowledged that Ty Draw Rd does not comprise a good quality link for pedestrians and cyclists, it is not considered to be dangerous, with no recent recorded accidents on the link. While a small number of Corpus Christi pupils may find the proposed link of benefit, pupils to the south and west of it are unlikely to use the connection. The benefits of the link are described in the report, and in that context the issues raised are not considered to be a sustainable reason for a transport objection.</li> <li>3. The proposed parallel crossing facility design has been considered and will be assessed in further detail in relation to highways design standards in the event that permission is granted. It will also be subject to a Safety Audit.</li> <li>4. The travel surveys conducted by residents are noted, however they do not have any formal status. In any event, any current low use of sustainable transport modes is not a reason to refuse permission but rather demonstrates the importance for new developments to be designed to encourage modal shift including through the creation of safe and commodious routes.</li> </ol>

	<p>5. Open Space – The applicant has agreed to contribute £85,598 towards the provision of new open space, or the design, improvement and/or maintenance of existing open space in the locality, given that demand for usage of the existing open spaces would increase in the locality as a result of the development (paragraphs 5.68 – 5.64).</p> <p>6. The children’s play area at Butterfield Park is within 400 metres of the proposed housing development (via the proposed link), well within the recommended 600m in the Council’s Planning Obligations Supplementary Planning Guidance (2017).</p> <p>7. The housing development has been designed to shared space standards where design features restrict vehicle speeds and pedestrians have equal priority. Such an environment has the potential to provide informal play opportunities for future occupiers.</p> <p>8. Future rental arrangements are not a material planning consideration.</p> <p>9. The proposed number of dwellings was reduced from 47 to 45 as a result of amendments to the site layout, not as a result of the proposed footway/cycleway link.</p>
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<b>FROM:</b>	WPAG
<b>SUMMARY:</b>	<p>WPAG has also submitted a lengthy (11 page) late representation which they state seeks to ‘detail the shortcomings of the Officers report to Committee’. The representation provides extensive comments on the report paragraph by paragraph, and while it has been reviewed in full by officers – and WPAG will have the opportunity to address Members at Committee on such matters – the following is a summary only of the main points from the representation:</p> <p>1. Travel Plan – WPAG surveys indicate that private <b>car</b> use in the area is currently <b>93%</b> of all journeys. Journeys by <b>foot</b> account for a further <b>5%</b> and less than <b>2%</b> by <b>Bus</b>. It would appear unrealistic, even with the proposed incentive of £300 to potential residents that these figures would be very different in Llangattock. Indeed, given that the properties will be even further away from the amenities that the alleyway is supposed to access we contend that sustainable transport at the development will be less than 10% for the foreseeable future.</p>

	<ol style="list-style-type: none"> <li>2. It is hypocritical to require trees and hedgerows to be replaced by condition when allowing hedgerow removal, this disregarding conditions on Conway park</li> <li>3. #1.3 (vi) – proposes the removal of 3no. 'B' Category oak trees - Why hasn't the Council insisted on trees being protected</li> <li>4. 1.3 (vii) - calls for 'ransom-free future vehicle/pedestrian/cycleway connection to wider Strategic Site F. Why then is the alleyway from TDR to CNG required? (see earlier comments from WPAG also)</li> <li>5. #2.5 – describes TDR as a lane 'of varying widths with narrowings and sharp bends'. This at best is an understatement, at worst it seems to minimise a major problem with this application. TDR is currently a difficult road to navigate by car. Serious accidents, and near misses, have already occurred along its length and the proposed development will significantly increase the likelihood of further accidents in the future.</li> <li>6. The report seeks to argue that sustainable transport is viable from this site – it is not as our journey analyses demonstrate. Residents will use their cars.</li> <li>7. The residents would not use the alleyway – it would however be used by criminals, youths intent on causing anti-social behaviour and pupils of Corpus Christi School as a cut-through to the, as yet, undeveloped land bordering TDR</li> <li>8. #5.64 – this is unclear. How will a financial contribution address the lack of a suitable play area within 600m. Children from the site will play in the only open space available – the alleyway to TDR, where the opposite alleyway will provide an irresistible attraction and result in young unsupervised children crossing TDR.</li> <li>9. this proposal does not provide for the integration of Affordable Housing into a mixture of other forms of housing as required in the LDP?</li> <li>10. #6.17 – the South Wales Police Crime Prevention Design Advisor (Mike Harvey)'s report has not been included but states that 'Pedestrian/cycle routes must be designed to ensure that they are visually <b>open, direct, overlooked, lit and well used</b>. The proposed alleyway from TDR to CNG will not be overlooked by anyone</li> <li>11. #7.11 – relates to the petitions submitted by the residents of West Pontprennau. We would like to state that each signature normally represents an average of three people at each address.</li> <li>12. While we accept that the CO provides a fair summary of the hundreds of letters submitted by many individuals throughout West Pontprennau, we would like to explain that the opposition to the application is from across the community of approximately 1500 people. Indeed, there</li> </ol>
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	<p>is not a single comment in support of the application from anyone within West Pontprennau or nearby areas who might consider the alleyway useful. This again reinforces our statement that residents will not use the alleyway and do not want it to be built.</p> <p>13.#8.4 (i) – the CO describes this application as medium density (35-45+ dwellings per hectare). The definition for high density is 45-50+ dwellings per hectare. The original application was for 47 dwellings in 0.9 hectares, equivalent to 52 dwellings per hectare (the reduction to 45 dwellings to allow for the alleyway from the site to TDR equates to 50 dwellings per hectare). It would appear that the more appropriate category for this application would be 'high-density'.</p> <p>14.The application is high density and does not comply with KP2(F) which requires that:  <i>Development <b>shall</b> be undertaken in a comprehensive manner and <b>accord with the following key masterplanning requirements</b> (as depicted, where appropriate, on the Schematic Framework):</i></p> <ul style="list-style-type: none"> <li>• <i>Provide a range of densities with <b>high density (minimum of 45-50+ dwellings per hectare) mixed-use development within District/Local Centres and along rapid transit corridors.</b> Medium density (35-45+ dwellings per hectare) around the edge of Pontprennau and to the north of the site. Lower densities to be provided around the edge of Lisvane;</i></li> <li>• <i>Initial phases towards the West of the site with middle phases towards the centre and south (including District/ Local Centres) and later phases to the north and east of the site.</i></li> </ul> <p>15.Not only is this development in an inappropriate location but also that the proposal to demolish a well-built, well-insulated four-bedroom property to create an alleyway is UNPRECEDENTED.</p> <p>16.In a detailed critique of the Interim Travel Plan (ITP), WPAG stated that the development will add 42,000 car journeys per annum to TDR. This document is on the Portal, dated October 21st, 2021. Why is it not mentioned in the CO's report? It is a detailed, paragraph by paragraph analysis of the ITP running to some 2618 words. The arguments made within it have not been contested by either the applicants or the CO. How can the report, in its current form, be considered complete? This is one of many such documents written by WPAG and residents of Conway Park that have not been included in the report.</p> <p>17.Why does the CO believe that it is now appropriate, almost 30 years after the first residents moved into Conway Park, that an example of good planning should</p>
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	<p>be jeopardised by creating an unwanted alleyway leading to a dangerous road crossing?</p> <p>18. The only reason that this alleyway was proposed was because the applicants have no other way to pursue their application. Any suggestion that the applicants chose to add the alleyway by claiming that it 'demonstrates accessibility by non-car modes of travel' is misleading.</p> <p>19. WPAG strongly dispute assertion in report that 'The amended application is more likely to assist in meeting the LDP's aim to achieve a 50:50 modal split in trips by car and non-car modes of transport (Policy KP8)'.</p> <p>20. there is a known risk to placing a crossing in this location, particularly in relation to southbound traffic. Any decision in favour of the application must consider this risk</p> <p>21. #8.13 – the report states 'The proposed link will improve safe ... access to existing local services and facilities'. No, it will not.</p> <p>22. The proposed link will not 'become even more strategically important in the context of the wider SSF'. As more land is developed better forms of connectivity will become available to the west of TDR so the alleyway would be further under-used for the purpose intended and become an ever-greater amenity for criminals, anti-social behaviour, drug dealing, etc.</p> <p>23. #8.55 (i) – To state that CNG will remain a cul-de-sac is disingenuous – it is the movement of people with bad intent that we object to. Also, we are aware of a situation where a residential road was given the designation 'Close' but because of the footpath at the enclosed end had to be renamed 'Drive'. Can the CO confirm that CNG would remain a 'Clos' and confirm this is a fact in Law?</p>
<b>REMARKS:</b>	<ol style="list-style-type: none"> <li>1. Travel Plan – no comment</li> <li>2. And 3. Tree and Hedgerow removal – careful consideration is given before supporting the removal of any Category B trees. Any removal must be adequately compensated for in the proposals. See conditions 16-20.</li> <li>4. The future connection will provide vehicle access with the neighbouring land.</li> <li>5. The proposed development will be required to conform to the necessary highway safety standards.</li> <li>6. The submitted journey analyses do not have any formal status</li> <li>7. The proposed link is considered to accord with LDP Policies KP5 and C3 relating to good design, community safety and the creation of safe environments.</li> <li>8. The financial contribution for open space, to be secured via Section 106 Agreement, ensures compliance with LDP Policy C5. The shared space design of the</li> </ol>

	<p>residential layout may also encourage informal play within the site.</p> <p>9. The application is for 100% affordable housing as opposed to a private development within which affordable housing would need to be integrated.</p> <p>10. Refer to the Police Crime Prevention Design Advisor's comments from paragraph 6.15. Natural surveillance of the proposed link is limited rather than non-existent.</p> <p>11. The signatures on the petitions have been counted and recorded.</p> <p>12. And 13. The objections are noted and have been considered. The development proposes 45 dwellings on approximately 1 hectare of land, which is consistent with the recommended densities for development around the edge of Pontprennau as set out in LDP Policy KP2(F);</p> <p>14. Regardless, the LPA must determine the application on its merits;</p> <p>15. The Operational Manager, Transportation, is satisfied with the submitted interim travel plan. See condition 10.</p> <p>16. And 17. The LPA is required to determine each application on its merits.</p> <p>18. Noted</p> <p>19. Refer to 8.11 – 8.13</p> <p>20. The opinion is noted</p> <p>21. See 7</p> <p>The cul-de-sac will continue to have a single point of access/egress for vehicles.</p>
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<b>PAGE NO. 1</b>	<b>APPLICATION NO. 19/02648/MJR</b>
<b>ADDRESS:</b>	<b>LAND NORTH OF TY-DRAW ROAD, PONTPRENNAU, CARDIFF</b>
<b>FROM:</b>	WPAG
<b>SUMMARY:</b>	<p>WPAG also specifically requested that the following points were emphasised:</p> <p>1. The proposed development is high density. It comprises of 45 dwellings in 0.9 hectares which equates to 50 dwellings per hectare. This satisfies the definition of high density as stated in KP2 of the LDP, namely 45-50+ dwellings per hectare. As such according to KP4 it should be 'focused along a public transport corridor'. Ty Draw Road is not a public transport corridor, it is a narrow, twisty rural road unsuitable for any vehicle larger than a transit van.</p> <p>2. All of the properties in Conway Park, which consists of Clos Nant Glaswg, Clos Nant Coslech, and Clos Nant</p>

	<p>Mwlan, are subject to Condition 6 of their Local Planning Charges. This states that the 'hedgerow abutting Ty Draw Road shall be maintained'. The Council has a Duty to ensure that this Condition is not breached. We believe that any vote to approve this Application would, in effect, breach this Condition.</p> <p>3. In February 2021, the Applicants submitted a revised application that included the extension of the red line into Conway Park. In his report the Case Officer refers to two Legal Cases which he states give Legal Precedence for the amendment to be accepted. We believe that the issues involved, i.e. extending the red line across a 60mph rural road into a mature residential housing estate to allow for the demolition of no.43 Clos Nant Glaswg and to replace it with an alleyway is a 'Novel' case and should be tested in a Court of Law.</p> <p>4. The Applicants' Agents, Vectos, have supplied details of the proposed parallel crossing. They have stated visibility splays that do not conform to the Department for Transport's Local Transport Note 2/95 - The Design of Pedestrian Crossings. We are obviously not experts on this issue and appreciate that Vectos may be working to a more relevant standard. However, this Transport Note would suggest that the Parallel Crossing is unsafe and could result in serious injury or worse to any cyclist or pedestrian using it if due care and attention is not being exercised by all road users.</p>
<b>REMARKS:</b>	<p>1. The development proposes 45 dwellings on approximately 1 hectare of land, which is consistent with the recommended densities for development around the edge of Pontprennau as set out in LDP Policy KP2(F);</p> <p>2. See 2<sup>nd</sup> late rep from Chris Rawle on behalf of the residents of Conway Park. Condition 6 was attached to planning permission no. 94/00733/N to ensure for the continued protection and maintenance of the hedgerow in relation to that permission. Condition 6 does not prevent the Local Planning Authority from resolving to approve the partial removal of this hedgerow under the current application, if it is minded to do so, having had regard to the material planning considerations.</p> <p>3. Noted. No further comment.</p>

	4. The Operational Manager, Transportation (from paragraph 5.1) has raised no objection to the proposed parallel crossing design, which will be subject to detailed approval by the Highways Authority in the event that planning permission is granted. The crossing will also be subject to a Safety Audit.
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<b>PAGE NO. 1</b>	<b>APPLICATION NO. 19/02648/MJR</b>
<b>ADDRESS:</b>	<b>LAND NORTH OF TY-DRAW ROAD, PONTPRENNAU, CARDIFF</b>
<b>FROM:</b>	10 no. Properties in Clos Nant Glaswg
<b>SUMMARY:</b>	<p>Affidavits have been submitted that state:</p> <p><i>We purchased our house in the belief that the development would remain unchanged for the period we live here. The fact that we live in a cul-de-sac with no through route for vehicles, cyclists, or pedestrians was key to our decision to buy. If the Council approves planning application 19/02648/MJR we will consider this to be an unacceptable breach of our right to continue to live in the same safe environment that we have enjoyed for many years.</i></p> <p><i>The proposed alleyway, which would lead onto an unsafe crossing, would make Clos Nant Glaswg a magnet for burglars, drug dealers, and anti-social behaviour and create 'stranger danger' for the children who live here.</i></p> <p><i>While we appreciate that Affordable Homes are required throughout Cardiff, we don't believe that the alleyway is necessary for this development. It appears to us that this proposed alleyway would cause upset and distress to a well-established community for the questionable benefit of another community. Surely this is unfair and immoral.</i></p>
<b>REMARKS:</b>	<p>The Council's Solicitor advises that the submission is not an affidavit unless there are other documents that have been sworn on oath. Affidavits are a means of adducing sworn, written evidence. Affidavits include a statement set out at the end of the document swearing or affirming the evidence given and stating when, where and before whom it was sworn. Usually 'before' or in front of an independent practising solicitor or commissioner for oaths.</p> <p>In respect of the planning issues raised:</p>

	<p>(i) Parallel Crossing Safety – refer to the advice of the Operational Manager, Transport (paragraphs 5.6 &amp; 5.9), and the report analysis (paragraphs 8.11-8.13, 8.15);</p> <p>(ii) Crime and Anti-Social Behaviour – refer to the advice of the South Wales Police Crime Prevention Design Advisor (from paragraph 6.15) and the report analysis (Paragraphs 8.48 – 8.52);</p> <p>(iii) The footway/cycleway link is considered to be necessary to provide a safe and commodious route to and from the site for sustainable transport modes.</p>
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<b>PAGE NO. 1</b>	<b>APPLICATION NO. 19/02648/MJR</b>
<b>ADDRESS:</b>	<b>LAND NORTH OF TY-DRAW ROAD, PONTPRENNAU, CARDIFF</b>
<b>FROM:</b>	Mr & Mrs Fashan, 37 Clos Nant Glaswg
<b>SUMMARY:</b>	<p>They submit an affidavit which states the main selling points for buying their house in 2010 were:</p> <p>(i) The street was closed and completely secure and this was protected by the Covenants;</p> <p>(ii) They were aware that the fields on Ty Draw Road could one day be built on however they felt the houses would be far enough away not to be intrusive and there was no access through to their road;</p> <p>(iii) Accessibility to the M4, balanced against a lack of facilities, having previously lived walkable distances to local amenities, schools, shops, and public transport routes.</p> <p>They are now parents and believe they have the right to protect the safety and security it offers them. They will consider any change to the structure of Conway Park to be a breach of covenant and will consider taking legal action.</p>
<b>REMARKS:</b>	<p>The Council's Solicitor advises that the submission is not an affidavit unless there are other documents that have been sworn on oath. Affidavits are a means of adducing sworn, written evidence. Affidavits include a statement set out at the end of the document swearing or affirming the evidence given and stating when, where and before whom it was sworn. Usually 'before' or in front of an independent practising solicitor or commissioner for oaths.</p> <p>Regarding access to local amenities and services, refer to paragraph 8.55(iv). The remaining points are noted.</p>

<b>PAGE NO. 1</b>	<b>APPLICATION NO. 19/02648/MJR</b>
<b>ADDRESS:</b>	<b>LAND NORTH OF TY-DRAW ROAD, PONTPRENNAU, CARDIFF</b>
<b>FROM:</b>	Leanne Donovan, 15 Clos Nant Glaswg
<b>SUMMARY:</b>	<p>She is disappointed to read the comments and recommendations within the committee report. She reiterates the following concerns:</p> <ul style="list-style-type: none"> <li>(i) The alleyway is opposed by the entire community of West Pontprennau;</li> <li>(ii) The alleyway would have a negative impact on all residents, and particularly on the children, on people living on their own and on Senior Citizens;</li> <li>(iii) The alleyway would not be used for the purpose intended, i.e. for residents of the new development to access local amenities (shops, schools, etc.) as they will use their cars;</li> <li>(iv) The alleyway would result in an increase in car crime, burglary, anti-social behaviour and drug dealing</li> </ul>
<b>REMARKS:</b>	<ul style="list-style-type: none"> <li>(i) The access into Pontprennau is more accurately described as a 'footway/cycleway link' due to its width and intended functionality. Officers and Members are aware of the levels of opposition, as evidenced in Section 7 of the report;</li> <li>(ii) The views of local residents are summarised in Section 7 and have been considered by officers;</li> <li>(iii) It is considered that the proposed link provides an attractive alternative to car travel by encouraging active forms of travel.</li> <li>(iv) It is considered that, subject to further details secured by conditions, the proposed link can be designed to minimise the risk of crime and anti-social behaviour to comply with LDP Policy C3. Refer to paragraphs 8.48 – 8.52.</li> </ul>

<b>PAGE NO. 1</b>	<b>APPLICATION NO. 19/02648/MJR</b>
<b>ADDRESS:</b>	<b>LAND NORTH OF TY-DRAW ROAD, PONTPRENNAU, CARDIFF</b>
<b>FROM:</b>	Chris, Linda and Joshua Hughes-Jones, 1 Clos Nant Coslech
<b>SUMMARY:</b>	<p>They are opposed to this planning application to knock down a perfectly good 4 bedroom house to open up a safe close for the following reasons:</p> <ul style="list-style-type: none"> <li>(i) The alleyway is opposed by the entire community of West Pontprennau.</li> <li>(ii) The alleyway would have a negative impact on all residents, and particularly on the children, on people living on their own and on Senior Citizens.</li> <li>(iii) The alleyway would not be used for the purpose intended, i.e. for residents of the new development to access local amenities (shops, schools, etc.) as they will use their cars.</li> <li>(iv) The alleyway would result in an increase in car crime, burglary, anti-social behaviour and drug dealing - there have already been at least 2 car break-in incidents in Clos Nant Coslech in the past month.</li> <li>(v) Increased car parking, littering, dog mess, noise, light pollution, collisions with bikes etc</li> </ul>
<b>REMARKS:</b>	<ul style="list-style-type: none"> <li>(i) The access into Pontprennau is more accurately described as a 'footway/cycleway link' due to its width and intended functionality. Officers and Members are aware of the levels of opposition, as evidenced in Section 7 of the report;</li> <li>(ii) The views of local residents are summarised in Section 7 and have been considered by officers;</li> <li>(iii) It is considered that the proposed link provides an attractive alternative to car travel by encouraging active forms of travel.</li> <li>(iv) It is considered that, subject to further details secured by conditions, the proposed link can be designed to minimise the risk of crime and anti-social behaviour to comply with LDP Policy C3. Refer to paragraphs 8.48 – 8.52; and</li> <li>(v) The proposed development will provide car parking in accordance with the Council's parking standards; The Operational Manager, Transportation, is satisfied that the development will accord with highway safety standards;</li> </ul>

	<p>Littering and Dog Mess are not matters controlled under planning legislation, although it should be noted that conditions are attached to ensure satisfactory refuse storage facilities are provided within the development;</p> <p>Noise – conditions are recommended to control the demolition and construction phases of development in order to protect residential amenity. Recommendation 2 advises the developer of permitted hours of construction (controlled under Environmental Health Legislation);</p> <p>Lighting – refer to conditions 4, 5, 6, 18 &amp; 24</p>
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<b>PAGE NO. 69</b>	<b>APPLICATION NO. 21/01720/MJR</b>																										
<b>ADDRESS:</b>	<b>FORMER BRANDON HIRE PLC, 151-153 BUTE STREET, BUTETOWN, CARDIFF</b>																										
<b>FROM:</b>	Head of Planning																										
<b>SUMMARY:</b>	<p>Incorrect plan numbering in condition 2.</p> <p>20017-B-A-(00)_011 P14 Proposed First Floor Plan</p> <p>This plan should be revision P13</p>																										
<b>REMARKS:</b>	<p>Amend condition 2 as follows:</p> <table border="0"> <tr> <td>2. 20017-B-A-(00)_001 P10</td><td>Location Plan</td></tr> <tr> <td>20017-B-A-(00)_003 P15</td><td>Proposed Site Plan</td></tr> <tr> <td>20017-B-A-(00)_010 P14</td><td>Proposed Ground Floor Plan</td></tr> <tr> <td><b>20017-B-A-(00)_011 P13</b></td><td>Proposed First Floor Plan</td></tr> <tr> <td>20017-B-A-(00)_012 P13</td><td>Proposed Second Floor Plan</td></tr> <tr> <td>20017-B-A-(00)_013 P13</td><td>Proposed Third Floor Plan</td></tr> <tr> <td>20017-B-A-(00)_014 P13</td><td>Proposed Fourth Floor Plan</td></tr> <tr> <td>20017-B-A-(00)_015 P13</td><td>Proposed Fifth Floor Plan</td></tr> <tr> <td>20017-B-A-(00)_016 P13</td><td>Proposed Roof Plan</td></tr> <tr> <td>20017-B-A-(00)_210 P10</td><td>Proposed East Elevation</td></tr> <tr> <td>20017-B-A-(00)_211 P11</td><td>Proposed North Elevation</td></tr> <tr> <td>20017-B-A-(00)_212 P10</td><td>Proposed West Elevation</td></tr> <tr> <td>20017-B-A-(00)_213 P10</td><td>Proposed South Elevation</td></tr> </table> <p><u>Documents</u></p> <p>Grays, Flood Consequences Assessment – Riverside Community Living &amp; Community Building, Bute Street,</p>	2. 20017-B-A-(00)_001 P10	Location Plan	20017-B-A-(00)_003 P15	Proposed Site Plan	20017-B-A-(00)_010 P14	Proposed Ground Floor Plan	<b>20017-B-A-(00)_011 P13</b>	Proposed First Floor Plan	20017-B-A-(00)_012 P13	Proposed Second Floor Plan	20017-B-A-(00)_013 P13	Proposed Third Floor Plan	20017-B-A-(00)_014 P13	Proposed Fourth Floor Plan	20017-B-A-(00)_015 P13	Proposed Fifth Floor Plan	20017-B-A-(00)_016 P13	Proposed Roof Plan	20017-B-A-(00)_210 P10	Proposed East Elevation	20017-B-A-(00)_211 P11	Proposed North Elevation	20017-B-A-(00)_212 P10	Proposed West Elevation	20017-B-A-(00)_213 P10	Proposed South Elevation
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	<p>Cardiff, Ref: GRYS-9850-REP01-R2-FCA, dated October 2021 incorporating Appendix A and B (FCA)</p> <p>Terra Firma Geotechnical and Geo-environmental Report – Proposed Residential Development at 151 Bute Street, Cardiff. Ref: 12770, August 2014.</p> <p>Lime Transport, Transport Statement version D2g dated 07 Jan 2022</p> <p>Wardell-Armstrong, Noise and Vibration Assessment Report, no. 0001 rev. V1.0 dated July 2021</p> <p>AAHM, Community Living – Bute Street, Design &amp; Access Statement. Rev. P02 dated January 2022</p> <p>AHMM, Daylight Analysis Report. Ref: 20017, rev. A dated February 2021</p> <p>LRM Planning, Planning Statement. Ref: 21.126 dated July 2021</p> <p>Reason: To avoid doubt and confusion as to the approved plans.</p>
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<b>PAGE NO. 69</b>	<b>APPLICATION NO. 21/01720/MJR</b>
<b>ADDRESS:</b>	<b>FORMER BRANDON HIRE PLC, 151-153 BUTE STREET, BUTETOWN, CARDIFF</b>
<b>FROM:</b>	Head of Planning
<b>SUMMARY:</b>	Following review, the proposed hours of opening are longer than indicated on the application form.
<b>REMARKS:</b>	<p>The proposed hours do not have any increase impact on residential amenity.</p> <p>Amend condition 20 as follows:</p> <p>In respect of the Community Sports Hall, no activities shall be carried out which create noise audible at the boundary of any residential accommodation outside the hours of <b>08:30</b> and <b>21:30</b> on any day.</p> <p>Reason. In the interests of residential amenity (LDP Policy EN13)</p>

<b>PAGE NO. 69</b>	<b>APPLICATION NO. 21/01720/MJR</b>
<b>ADDRESS:</b>	<b>FORMER BRANDON HIRE PLC, 151-153 BUTE STREET, BUTETOWN, CARDIFF</b>
<b>FROM:</b>	Councillor S Ebrahim
<b>SUMMARY:</b>	<p>Councillor Ebrahim supports the proposals, making the following comments:</p> <p><i>I am writing in support of the above-named application. I have engaged with many similar organisations and am happy this initiative will provide a great facility for elders in our community.</i></p> <p><i>Developing this empty site on Bute Street will improve the character of the street and reduce the opportunity for antisocial behaviour.</i></p> <p><i>I encourage officers to recommend this application be granted and would be happy to speak in its favour were it to be considered at committee.</i></p>
<b>REMARKS:</b>	<p>Councillor Ebrahim's comments are noted.</p> <p>The application is recommended for approval.</p>