

ITEMS RECEIVED AFTER THE PRODUCTION OF THE REPORT
FOR THE PLANNING COMMITTEE
TO BE HELD ON 7 SEPTEMBER, 2017

Page	Application	Location	Item No.	Description
P.49	2017/00564/FUL	Land East of B4256 between Boverton and Eglwys Brewis, St. Athan (Northern Access Road, St. Athan)	1.	Objections from three local residents
			2.	Comment from Alun Cairns MP
			3.	Comment from Aston Martin
			4.	Amendments to various conditions. Deletion of two conditions and addition of one condition
P.100	2017/00541/FUL	Northcliffe, Penarth	5.	Comments received in respect of alleged inaccuracies in Officer's report

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 7 September 2017

1.
1.

Application No.: 2017/00564/FUL	Case Officer: Mr. I. Robinson
Location: Land East of B4265 between Boverton and Eglwys Brewis, St. Athan	
Proposal: Proposed construction of a new highway (called the Northern Access Road) with footways and a cycleway, new junctions, lighting, signs, fencing, flood alleviation works, acoustic barriers and other environmental mitigation measures, landscaping, demolition of garage at Rose Cottage, and all associated engineering and building operations	

From: Three residential properties in the area.

Summary of Comments:

Objections on the following (summarised grounds):

- Money would be better spent on improving Eglwys Brewis road, widening St. Athan Road from Cowbridge through to St. Mary Church or works to the B4268 near Llysworney.
- Improvements to benefit the wider community should be considered, not just improvements to assist the Business Park.
- Money would be better spent on a Dinas Powys bypass.
- Traffic flow will not work well as a consequence of the roundabout.
- The road is not needed for Aston Martin.
- Loss of trees.
- Loss of agricultural land.
- Noise and air pollution.
- Llantwit Major possesses inadequate infrastructure to deal with the additional dwellings that the road would facilitate.
- The development may result in Llantwit Major, Boverton and Llanmaes coalescing.

Officer Response:

The rationale for selecting the NAR is discussed in the officer's report and the options are appraised in the application submissions. In respect of the specific parts of the highway network referred to in the objector's email, it should be noted that with regard to St.Athan road from Cowbridge through to St Mary's church, improvements will be required as part of the development of any housing forming part of the allocation MG (2) 19 within the Council's LDP. With regard to the B4268 through Llysworney, planning application 2014/01505/OUT provides for a bypass of both Llysworney and Cowbridge to be constructed.

It is considered that the road would not lead to the coalescence of the above referenced settlements. The application is only for the road and the impact of new residential allocations on the 'identity' of settlements is not relevant to this application.

The other matters listed above are covered in the officer's report.

Action required: Members to note.

Comment for planning application 2017/00564/FUL

Application Number	2017/00564/FUL
Location	Land East of B4265 between Boverton and Eglwys Brewis, St. Athan
Proposal	Proposed construction of a new highway (called the Northern Access Road) with footways and a cycleway, new junctions, lighting, signs, fencing, flood alleviation works, acoustic barriers and other environmental mitigation measures, landscaping, demolition of garage at Rose Cottage, and all associated engineering and building operations
Case Officer	Mr. I. Robinson
Name	Mr Timothy draper
Address	7 Colhugh Street,Llantwit Major,CF61 1RE
Type of Comment	Objection
Type	Other
Comments	Other type details: Local resident . Comment: 1.It is unnecessary as the existing road could be upgraded for less money. 2.The new road would carve across agricultural land losing valuble natural habitat 3.It will increase noise and air pollution 4. It has the potential to be a gateway to many more houses being built without the infrastructure improvements that are needed in Llantwit Major. Without jobs in the local area people will have to drive long distances to work adding to pollution in the Vale 5. The proposed road is very expensive and the money would be better spent on Eglwys Brewis Road, Eglwys to Cowbridge road, and Llysworney not to mention Dinas Powis 6. Development in this area close to Llantwit , Llanmaes and Boverton could soon lead to the merging of each town/ village and damage the Vales identity
Received Date	29/08/2017 23:38:05
Attachments	

Comment for planning application 2017/00564/FUL

Application Number	2017/00564/FUL
Location	Land East of B4265 between Boverton and Eglwys Brewis, St. Athan
Proposal	Proposed construction of a new highway (called the Northern Access Road) with footways and a cycleway, new junctions, lighting, signs, fencing, flood alleviation works, acoustic barriers and other environmental mitigation measures, landscaping, demolition of garage at Rose Cottage, and all associated engineering and building operations
Case Officer	Mr. I. Robinson
Name	Mr Ian Perry
Address	17 Heol Merioneth, Boverton, CF61 2GS
Type of Comment	Objection
Type	Neighbour
Comments	<p>I object to this proposal as the current bypass for Boverton is one of the better roads in the area already and there are many other roads which need attention such as a by pass for Dinas, the road to Llandow recycling to name but 2. In addition the plans show a rundabout on a space of road which already has traffic lights and so the traffic flow will not work so well. There are existing roads that could be better used. This road is not a requirement for Aston Martin. The residents of Boverton have already had and are still having months of road works to deal with. I am appalled that you wish to take away the trees which currently provide a sound barrier between our houses and the road. This should not be done just to facilitate future house building which the rest of the local infrastructure cannot support.</p>
Received Date	24/08/2017 13:59:58
Attachments	

From: Goldsworthy, Marcus J
Sent: 21 August 2017 10:33
To: [REDACTED]
Cc: Robinson, Ian; Cilia, Jaci
Subject: Planning Application 2017/00564/FUL Land East of B4265 between Boverton and Eglwys Brewis, St. Athan

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr Hawkins,

Your email has been passed to the planning Department by the leader of the Council and I would advise you that your comments will be considered as part of the planning application process for the above road.

With regard to your comments concerning St.Athan road from Cowbridge through to St Mary's church, I would advise that improvements will be required as part of the development of any housing forming part of the allocation MG (2) 19 within the Councils Local Development Plan, including a road re-alignment and this will be required to be funded by the developer.

In addition with regard to the B4268 through Llysworney, I would advise you that the planning application 2014/01505/OUT provides for a bypass of both Llysworney and Cowbridge to be constructed, and it is understood from developers that the construction of this new road is near to commencement. The road will ensure that traffic to and from Llantwit Major and Llandow will travel directly to the A48 where a new roundabout will be constructed. To access Llysworney vehicles will be required to turn off the main road. This road and the associated improvements are being provided by the developers of the Darren Farm housing scheme at no cost to the Council or Welsh Government.

Regards

Marcus Goldsworthy
 Head of Regeneration and Planning / Pennaeth Adfywio a Chynllunio
 Director's Office - Resources / Swyddfa'r Cyfarwyddwr - Adnoddau
 Vale of Glamorgan Council / Cyngor Bro Morgannwg

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Correspondence is welcomed in Welsh or English / Croesewir Gohebiaeth yn y Gymraeg neu yn Saesneg.

From: denis hawkins [REDACTED]
Sent: 18 August 2017 14:30
To: Thomas, John W (Cllr)
Subject: Proposed new access road

Hello Mr Thomas

My name is Denis Hawkins and I live in Chestnut ave. and I should like to comment on this proposed new road , I used to think that the proposed new road would be great for the area BUT after constantly travelling the other routes around this area I have come to the conclusion that it is not.

If they have this money available then they should complete the following:-

A) Eglwys Brewis road - widening improvement from the bus stop by Eagles rd., demolish the Old Brewery pub thro to the Aston Martin / business pk. entrance

B) St.Athan road from Cowbridge thro to St Mary's church - widening improvements particularly in view of the proposed new housing development adjacent to Cowbridge rd. St.Athan and the increased use from the Llantrisant and Cowbridge areas who will require access to the new house and the business park.

C) I anticipate that a great deal of employees will come via Pencoed, Bridgend and will use the B4268 thro Llysworney. We all now the problems that involves. This should be widened to accommodate or By-passed.

These existing roads will see a big increase in traffic to the Aston Martin site incl the business park and will need improvements to prevent chaos when this business park is fully operational as most of the traffic will be coming from these directions. We should consider the improvements to benefit the wider community and not just the Business park.

regards
Denis Hawkins

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 7 September 2017

Application No.: 2017/00564/FUL	Case Officer: Mr. I. Robinson
<p>Location: Land East of B4265 between Boverton and Eglwys Brewis, St. Athan</p> <p>Proposal: Proposed construction of a new highway (called the Northern Access Road) with footways and a cycleway, new junctions, lighting, signs, fencing, flood alleviation works, acoustic barriers and other environmental mitigation measures, landscaping, demolition of garage at Rose Cottage, and all associated engineering and building operations</p>	

From: Alun Cairns MP

Summary of Comments:

Concerns/objections are raised in respect of:

- Aston Martin do not need the NAR.
- There is no longer any need generated by the former proposed Defence Technical College.
- There is insufficient demonstrated need for the development.
- The development would be intrusive.
- There is no cost benefit analysis.
- Upgrading Eglwys Brewis Road would be a better option.

Officer Response:

The road would serve the development at St Athan Enterprise Zone and Business Park as a whole and not just to serve the new Aston Martin development. Moreover, the Council is considering an application for planning permission for a road to serve the Business Park and as such, it will have to weigh up the likely economic benefits it provides along with the benefits of the associated drainage improvements (in conjunction with the Council's Llanmaes flood prevention scheme) against any negative effects of the construction and provision of the road.

The Council's recently Adopted Local Development Plan, supports the provision of the road at Policies MG16(14) and SP7(02) and the plan was found to be sound through an independent public enquiry.

Action required:

Members to note.

From: BENNETT, Antony
Sent: 22 August 2017 16:40
To: Cabinet Responses
Cc: ROWLANDS, Kay B
Subject: Planning Application Objection.

RECEIVED ²⁴~~27~~ AUG 2017

Dear Mark,
Our Ref: VoG/KR/N/A/Aug17

Could I ask that the following be forwarded to the Planning Department please for the attention of Mr. Robinson in relation to the Planning Application for the Northern Access Road, Llantwit Major. Could you also acknowledge receipt of the enquiry separately as it does relate to a specific application.

Mr I Robinson
Planning Department
Vale of Glamorgan Council
Dock Offices
Ffordd Y Mileniwm
Barry
CF63 4RT

Dear Mr Robinson,
Planning Application: 2017/00564/FUL

I write on behalf of my constituents regarding land east of B4265 between Boverton and Eglwys Brewis, St. Athan. Residents object to the referenced planning application for the following reasons; The Northern Access Road (NAR) was historically mapped to serve the proposed St Athan MoD Defence Training College (DTC) project. You will be aware that that DTC is now defunct. The DTC was anticipated to create an additional 3500 employees, this figure is now obsolete. There is a projection by Aston Martin of an extra 750 employees who will use the access road however, Aston Martin have stated that they do not require the NAR.

The applicant has not produced any further documentation in support of the need for this development. When RAF St Athan was fully operational and there were many thousand service personnel and civilians living in the area and travelling daily to St Athan, it should be noted, the existing road network served the area sufficiently. Any access road should be of appropriate design, specification and construction. Constructing an intrusive access route is unnecessary. Improvements to the existing Eglwys Brewis Road may be more reasonable and more reasonably economically achieved. Upgrading the existing road would facilitate access to the two LDP housing sites proposed by the Vale Council and the Safe Routes to Schools improvements.

The Welsh Government has failed to provide a cost benefit analysis of this project and though consider it an essential part of the LDP have given absolutely no evidence to support the arguments that it will attract business to the ABP.

Kind regards,

Alun.

Rt Hon Alun Cairns MP.
Vale of Glamorgan Constituency.
Constituency Office,
29 High Street / 29 Y Stryd Fawr, Barry / Y Barri, CF62 7EB

t: 01446 403814
t: 020 7219 7175
email: alun.cairns.mp@parliament.uk

2.2

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MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 7 September 2017

Application No.: 2017/00564/FUL	Case Officer: Mr. I. Robinson
<p>Location: Land East of B4265 between Boverton and Eglwys Brewis, St. Athan</p> <p>Proposal: Proposed construction of a new highway (called the Northern Access Road) with footways and a cycleway, new junctions, lighting, signs, fencing, flood alleviation works, acoustic barriers and other environmental mitigation measures, landscaping, demolition of garage at Rose Cottage, and all associated engineering and building operations</p>	

From: Aston martin (submitted via the applicant's Planning Consultant)

Summary of Comments:

"For the record, Aston Martin supports the development of the Aerospace Business Park (ABP) and the associated Northern Access Road, which will improve access and infrastructure to both our site and the wider ABP. The planned investment by the Welsh Government in the ABP and associated infrastructure was one of the key decision making factors in our assessment of the St Athan site. We as a company are focused on making Aston Martin St Athan a world leading manufacturing facility, producing cars that Wales can be proud of. This infrastructure investment, will be key to us achieving this goal."

Action required: members to note.

From: paul.vining [REDACTED]
Sent: 05 September 2017 11:07
To: Robinson, Ian
Cc: Goldsworthy, Marcus J; Laurence Aaron - Welsh Government (Laurence.Aaron@gov.wales); Mander, Rhys
Subject: NAR
Importance: High
Follow Up Flag: Follow up
Flag Status: Flagged

Hello Ian

Application 2017/00564/FUL

Please see below an e-mail from Welsh Government, below which is an e-mail from Aston Martin setting out their view of the NAR. I should be grateful if you would treat this as a late representation for report to committee.

Regards

Paul Vining
 Director

WYG
 5th Floor, Longcross Court, 47 Newport Road, Cardiff, CF24 0AD
Tel: +44 2920 320 765
Mob: +44 7899 928 401

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 Registered Office: Arndale Court, Otley Road, Headingley, Leeds, West Yorkshire LS6 2UJ VAT No: 431-0326-08.



From: Laurence.Aaron@gov.wales [REDACTED]
Sent: 05 September 2017 10:49
To: paul.vining <paul.vining@wyg.com>; rhys.mander@aecom.com
Subject: FW: NAR St Athan - Aston Martin supports the development of the Aerospace Business Park (ABP) and the associated Northern Access Road
Importance: High

Paul,

Thank you for our telephone conversation earlier this morning. Please see below an e-mail from Aston Martin confirming support for the development of the Aerospace Business Park (ABP) and the associated Northern Access Road. In this e-mail Aston Martin confirm *'the planned investment by the Welsh Government in the ABP and associated infrastructure was one of the key decision making factors in their assessment of the St Athan site.'*

Mark agrees that it would be a very good idea for you to bring this to the attention of the Planning Authority on our behalf.

Kind Regards,

Laurence.

Laurence Aaron BSc CEng MICE
Senior Manager Project Delivery,
Adran Datrysiadau Busnes / Business Solutions
Economi Gwyddoniaeth a Thrafnidiaeth - Economy, Science and Transport
Llywodraeth Cymru - Welsh Government
Llys-y-Ddraig - Llys-y-Ddraig
Parc Busnes Penllergaer - Penllergaer Business Park
Abertawe - Swansea
SA4 9NX
e-bost /

Please note new e-mail address:-

[REDACTED]

Please note new Numbers:-

[REDACTED]

Dylai'r datganiadau neu'r sylwadau uchod gael eu trin fel rhai personol ac nid o reidrwydd fel datganiadau neu sylwadau gan Llywodraeth Cymru, unrhyw ran ohono neu unrhyw gorff sy'n gysylltiedig ag ef. Any of the statements or comments made above should be regarded as personal and not necessarily those of the Welsh Government, any constituent part or connected body.

From: Stephens, James [REDACTED]
Sent: 05 September 2017 09:47
To: Davies, Mark (ESNR-Sectors & Business-Business Solutions); Karseras, John (ESNR-Sectors & Business-Business Solutions)
Cc: Evans, John (Business Solutions Team); Munday, Christopher (ESNR-Sectors & Business-Business Solutions)
Subject: Northern Access Road - St Athan
Importance: High

Mark / John,

We continue to watch the developments regarding the Northern Access Road with great interest, as this is a Welsh Government led project we have not sought to get involved in the planning process, other than a simple response to Llanmaes Community Council, which I have attached for reference.

For the record, Aston Martin supports the development of the Aerospace Business Park (ABP) and the associated Northern Access Road, which will improve access and infrastructure to both our site and the wider ABP. The planned investment by the Welsh Government in the ABP and associated infrastructure was one of the key decision making factors in our assessment of the St Athan site. We as a company are focused on making Aston Martin St Athan a world leading manufacturing facility, producing cars that Wales can be proud of. This infrastructure investment, will be key to us achieving this goal.

If you have any further questions on this please do not hesitate to contact me.

Best

James



ASTON MARTIN

James M Stephens – Head of Corporate & Government Affairs
Aston Martin Lagonda, Banbury Road, Gaydon, Warwick, CV35 0DB, England



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MATTERS ARISING FOR COMMITTEE

4.

COMMITTEE DATE : 7 September 2017

Application No.: 2017/00564/FUL	Case Officer: Mr. I. Robinson
Location: Land East of B4265 between Boverton and Eglwys Brewis, St. Athan	
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From: Case officer

Summary of Comments: Minor amendments to various conditions, deletion of 2 conditions and an additional condition.

Amended condition 2:

The development shall be carried out in accordance with the following approved plans and documents:

Aecom Arboricultural Report March 2017, Drawings CT0151-0158, CT3001-3008, CT3020, CT051-057, CT100, CT0120-0128, CT0160 CT0201-0208, CT0301-0308, CT0402- 0403, CT0501-0507, CT0551-0557, CT0595, CT0601-0605, CT0611-0617, CT0701-0707, CT1101-1108, CT1009, CT1201-1207, CT1211-1212, CT1221-1227, CT1250, CT1310, CT2606, WYG DAS, Air Quality Report, F03-14, Geo Environmental Assessment, GI Factual Report, Aecom LVIA, Historic Environment DBA, Drainage Strategy, Landscape and Ecological Management and Maintenance Plan, Ecological Assessment, Noise and Vibration Assessment, Air Quality Study, CT0521-0528, SK014, Hazel Dormice Method Statement May 2017, CT0652.

Amended condition 3:

Prior to the construction of the proposed roundabout junction along the B4265, a modelled assessment of the traffic impacts of the development on the signal controlled junctions of the B4265 / Eglwys Brewis Road and the B4265 / Llanmaes Road shall be carried out; and submitted to and approved in writing by the Local Planning Authority. The submissions shall include an assessment of whether any traffic mitigation measures are required within the limits of the adopted highway at either of those junctions, or along the stretch of the B4265 between them.

Amended condition 5:

Notwithstanding the submitted plans, full engineering details of all sections of the new road and all junctions through the route, including details of cycle/footways, vision splays, sections, street lighting, surface water drainage and the details of the location of all new signage and changes to existing signage (and including full engineering details of any structures, drainage systems and culverts abutting or adjacent to the existing / proposed highway), shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of any operational development involved in the construction of the section of the road that the details relate to. The development shall be implemented and at all times thereafter maintained in accordance with the approved details.

Amended condition 6;

Prior to the first operational use of the new northern access road or the new roundabout and signalised junctions, the approach to the new roundabout shall be re-surfaced, in accordance with details that shall first be submitted to and approved in writing by the Local Planning Authority.

Amended Condition 8;

Prior to the commencement of any operational development involved in the construction of the new road, a professionally qualified highway maintenance consultant shall be appointed to carry out a full and comprehensive condition survey of the local highway network (the relevant scope of which shall be first agreed in writing with the Local Planning Authority) and the survey shall be submitted to and approved in writing by the Local Planning Authority.

Amended Condition 9:

Following the construction of the development and prior to the road being opened to public use, a professionally qualified highway maintenance consultant shall be appointed to carry out a full and comprehensive condition survey of the highway network referred to in Condition No. 8 above, so as to identify any difference in the condition of the highway since the commencement of the construction of the development, and any repairs required as a consequence. The survey shall be submitted to and approved in writing by the Local Planning Authority.

Deletion of Condition 15 (the requirements are covered by condition 13).

Amended Condition 16:

The development shall be carried out in accordance with the Aecom Flood Consequences Assessment (FCA) March 2017, or any FCA subsequently approved in writing by the Local Planning Authority, ensuring that all flood mitigation measures set out in the approved FCA are carried out in full prior to the road being opened for public use.

Amended Condition 24:

No work on the construction of the road shall commence, including any works of demolition, until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include details of the following:

- i) the parking of vehicles of site operatives and visitors;

- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control and mitigate the emission of dust, smoke, other airborne pollutants and dirt during construction;
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- viii) hours of construction;
- ix) lighting;
- x) management, control and mitigation of noise and vibration;
- xi) odour management and mitigation;
- xii) diesel and oil tank storage areas and bunds;
- xiii) measures for the protection of the adjacent brook from pollution during the course of construction
- xiii) how the developer proposes to accord with the Considerate Constructors Scheme (www.considerateconstructorsscheme.org.uk) during the course of the construction of the development; and
- xiii) a system for the management of complaints from local residents which will incorporate a reporting system.

The construction of the development shall be undertaken in accordance with the approved CEMP.

Deletion of Condition 29- the measures are now covered by the amended Condition 24.

Additional condition:

None of the conditions shall preclude the implementation of the advance works, which comprise: archaeological investigation; geotechnical site investigation; felling of trees; translocation of hedgerows and other ecology measures; the construction of the flood alleviation measures; and the installation of a noise mitigation fence along the B4265.

Reason:

In order to manage the timely implementation of the permission and to ensure compliance with Policy MD2 of the LDP.

Action required: Members to note.

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 7 September 2017

Application No.: 2017/00541/FUL	Case Officer: Mrs. Y. J. Prichard
Location: Northcliffe Lodge, Northcliffe Drive, Penarth	
Proposal: Demolition of existing dwelling and outbuilding, erection of 30 apartments, new access and alterations to adjacent parking area, replacement tree planting and landscaping and associated works (resubmission application)	

From:

1. Anne Greagsby, Penarth Heritage
2. Max Wallis, Friends of the Earth, Barry & Vale

Summary of Comments:

1. Refer to biased and misleading/inaccurate statements in Planning Committee report. Cadw report not on website. Council's Housing Strategy team comments misleading. Highways response is misleading and inaccurate on sustainability. Stunned by Conservation officers report.
2. Query reference in report to Conservation Officers comments and former Tree Officer and requesting information (notes, e-mails or documents) relating to these. Further letters a) questioning the ecology assessment as regards bats; and b) the Treescene assessment of the value of the trees. Also questions assessment of the setting of the listed buildings and setting of the Conservation Area. Two separate letters relating to 'Disclosure of records of Inspection of Bats on Northcliff Lodge site' and 'Inadequate consideration of the landscape and conservation values of the mature woodland that would be lost by the Northcliffe Lodge development'.

Officer Response:

1. Report not biased/misleading/inaccurate and references the responses as received. Cadw comments are available on the website. The comments from Council's Housing Strategy, Highways and Conservation officer are not misleading and/or inaccurate simply because you do not agree with the views expressed. As regards the issue of sustainability/parking, again Penarth is identified in the LDP as a highly sustainable service centre due to its good public transport links and access to key services, as opposed to a rural settlement, and it is your officers opinion that the level of car parking proposed is sufficient.
2. The quote from the report was included in the Conservation officers comments on the original application. It was retained in the latest report to ensure that it remains clear that there will be a loss of existing tree coverage. It does not alter the Conservation Officer's conclusions that the setting of the conservation area will not be adversely affected. As regards the ecology issues Mr Wallis was previously advised on the earlier application that our Ecologist was satisfied with the information received and would not be requesting further details in order to assess

the scheme.

5.1

Action required:

None

From: max wallis [REDACTED]
Sent: 06 September 2017 11:56
To: Planning
Subject: Late reps to 7th Sept meeting:Planning Application No. 2017/00541/FUL Northcliffe Lodge,
Attachments: BatSurveyRequest-refused 17Oct'16.doc; TreeSurveyCrit+InfoRefused16Oct'16.doc; Distance_WindsorTerr850m googlemap.pdf

Friends of the Earth, Barry & Vale. Late reps

Planning Application No. 2017/00541/FUL Northcliffe Lodge, Penarth

We attach our letters

a) questioning the Ecology assessment as regards bats; we requested to see records by DCE consultants to show they carried out work in accord with the BCT Guidelines, as they say. This request was refused by the case officer with no reason. Our criticisms were not forwarded to DCE consultants to ask them to amend their out-of-date report. They still stand in respect of the resubmitted report.

b) the Treescene assessment of the value of the trees. We pointed out this assessment did not cover the landscape values and cultural-conservation values of the trees in the mature woodland, under British Standards 5837:2012, but only individual aboricultural value. We asked for any other information used by the Council officers in determining the trees' TPO value. This was refused by the case officer without reason. Their values have not been reassessed for this application, so our criticisms stand.

Regard to the Setting of listed buildings

The report is inaccurate in reporting the legal phrasing as

"... the need to give weight to the desirability of preserving the asset and its setting."

Inaccurate: the wording is 6.5.11: "give special regard to the desirability..."

No mention of TAN24 (31 May) yet the Report asserts

it is recognised that there is the potential for the development to affect the setting of either the listed buildings or the Conservation Area. The scheme has been assessed against the above policy and guidance,

The Conservation Officer report does not mention the new *Welsh Government's TAN24-Historic Environment*, which gives detailed prescription of evaluating the Setting. In particular it advises the use of photomontages; he does not refer to those provided by the developer. The new Welsh documents issued on 31 May are important; the applicant declines to use them (or the draft available earlier in May) on grounds that the consultant prefers the English guidance. The Conservation Officer is remiss not to take up this difference.

Without using the Welsh guidance, in force from 31 May, the Conservation Officer's assessment cannot be taken as sound. The immediate woodland backdrop as setting to the Custom House and Marine Buildings is of great importance; it's wrong of the report to ignore it.

Regard to the Setting of the Conservation Area

As the report cites

6.5.20 There should be a general presumption in favour of the preservation or enhancement of the character or appearance of a conservation area or its setting.

The Conservation Officer's report says there is potential for the development to affect the setting of ... the Penarth Conservation Area. However his report considers only the main site development, not recognising that the access road significantly affects the 'Setting' in removing mature trees alongside Paget Place.

.. the CA boundary runs down Paget Place; houses are in the CA.

..the mature woodland boundary is part of the setting of the CA... would largely go.

The CO's report specifically says:

Penarth Conservation Area In terms of setting, the issues relating to the conservation area are similar to the Church above. Short range setting of the conservation area in this area is largely constrained by existing development that lies outside the conservation area boundary. I am, therefore, of the opinion that the setting of the Penarth Conservation Area will not be adversely affected.

He has overlooked the specific impact on Paget Place, so his conclusion is therefore unsound:

I am satisfied that there will be no adverse impact on the setting of the listed buildings or conservation area arising from the proposed development.

The woodland bordering Paget Place has a TPO on it. Treescene considered individual trees within it, but not the woodland as a whole, that would be lost.

The Report's overall conclusion " *the proposal will not harm the character and appearance of the area and will serve to preserve the setting of.... the Penarth Conservation Area*" is untrue in respect of Paget Place.



Planning Case Officer, Mrs. Y. J. Prichard
Vale of Glamorgan Council

Amended from e-mail of 9 October 2016

Northcliffe Lodge development: App No. 2015/01449/FUL

Disclosure of records of Inspection for Bats on the Northcliff Lodge site

The high potential for bats roosting in the on-site trees and structures is recognised by the applicant's consultants David Clements Ecology Ltd. They give no evidence that they followed or could have followed the current Bat Conservation Trust guidelines, which are endorsed by the Chartered Institute CIEEM. As the "Council's Ecology Comments_201501449FUL" on the planning application site accept the unevidenced claim to have followed the guidelines, we ask that you seek this information from them. We ask too, that they document their statements about pipistrelle bats.

1. The June 2015 report from the tree consultants, Treescene, has recommendations which included *further investigation of suspected (tree) defects that require more detailed assessment and potential for wildlife habitat*. Their inspection from the ground reported much obscuring by ivy and other vegetation. Tree defects that could provide bat habitat/roosts are covered by this recommendation.
2. The DCE report of Dec. 2015 says "all the trees within the site boundary are mature specimens and were subject to a ground level inspection for their potential to support roosting bats following the BCT Guidelines (2012)". It reported the results as "No trees within the site were felt to be more than a category 2 tree (BCT guidelines, Appendix 5) with only a few limited features suitable for bats."
3. DCE's Additional Biodiversity Strategy of June 2016 states that nearby gardens are well used by foraging pipistrelle bats (as residents know) but offers no observations on this. Curiously it does not report what residents know well, that the Lodge grounds are also well used by bats (that may be pipistrelles). It does not say how they were identified as pipistrelles and not rarer species, as could have been readily determined by normal bat detectors.
4. This June 2016 document reports "visual inspection for (should read 'from') the ground for their potential to support roosting bats. No trees within the site were felt to be more than a category 2 tree (BCT guidelines, Appendix 1)".
5. We have accessed the BCT guidelines (3rd Edn, issued January 2016) from their website, which says the guidelines are endorsed by the Chartered Institute CIEEM). They describe 'preliminary ground level roost assessment' as a *detailed inspection of the exterior of the tree from ground level to look for features that bats could use for roosting. It prescribes systematic inspection around all parts of a tree and recording results in standard format. All trees surveyed should be numbered and marked on a map or plan of the site...should at least record the location (grid reference) and tree species....enable ecologists to locate the tree on subsequent visits...marking individual trees with a tag or some tape may be essential*.
6. A map or plan showing the trees surveyed with numbering, and a listing showing species and the claimed 'category' complying with the guidelines should therefore be available.
7. Could you therefore obtain from the applicant of DCW their records of their 'ground level inspection' of Dec. 2015 and their 'visual inspection' of June 2016? Also please ask for records that show the bats were pipistrelles and did not include other species.
8. We emphasise that the Council would be in breach of the Habitats Regs if you failed to consider the harm that would be caused to bat habitat including possible roosting places in the trees on the basis of the comment: *We note the findings of the reports, that no bat roost was found at Northcliff Lodge... We withdraw the holding objection to the scheme... (Council's Ecology Comments_201501449FUL)*

Barry & Vale Friends of the Earth
 Cyfeillion y Ddaear, Y Barri/A'r Fro
 14, Robert Street, Barry, CF63 3NX
 E-mail [REDACTED]

17 OCT 2016
 Regeneration
 and Planning



Cyfeillion y Ddaear

Planning Case Officer, Mrs. Y. J. Prichard
 Vale of Glamorgan Council

16 October 2016

Northcliffe Lodge development: App No. 2015/01449/FUL

Inadequate consideration of the landscape and conservation values of the mature woodland that would be lost by the Northcliffe Lodge development

1. We point out that this site is Lowland mixed deciduous woodland, a priority habitat under the Biodiversity Action Plan and in the Section 7 list under the Environment Act. While this List is under review, the NRW accepts this site would be covered. There is no recognition of this status in either the Council's ecologist Comments, nor in the applicants' reports.

2. The June 2015 Treescene survey did not consider the landscape and conservation values of trees that would be lost by the development, nor could it be used to judge these. Under the British Standards 5837:2012, regard has to be given to:

2 Mainly landscape values and 3 Mainly cultural values, including conservation.

The Treescene report lists and assesses trees and tree-groups only on 1 arboricultural grounds.

3. Some of the Treescene assessments of limited lifetime are clearly contestably low estimates:

17m Corsican Pine T13 Notable specimen of variable form.... Evidence of slight thinning and die-back in upper crown which is normal for a specimen of this age. Category B 20-40yrs

7m Yew T18 Tree of reasonable form with evidence of slight thinning of crown 20-40yrs

17m Pine T51 Tree of good form with extensive die-back and thinning throughout crown. Category C 10-20yrs

17m group of Ash and Sycamore G58 Trees generally of reasonable form but some specimens exhibit signs of mild die-back. Category C 20-40yrs

4. As the Treescene report did not follow the British Standards in terms of assessing *landscape values and cultural values, including conservation* and its appraisals being apparently biased to short lifetimes, this report could not be reliably used to justify the TPO Order no.11. We therefore ask the Council to disclose other evidence that they used to determine the small fraction of the trees given TPO protection in this Order.

5. The visually important setting (from the sea and from much of Cardiff Bay) of the wooded headland is recognised as important in Council planning documents (including the Penarth Conservation Area SPG). However, the applicants present no relevant pictures or photo-montages from various locations, just an artist's sketch from a position unknown or imagined, while the issue is unmentioned in officer reports and Memos. In view of the council's duty to consider the landscape impacts of the development, would you refer this issue to the officer responsible for landscape issues?

In Summary: We

- Seek further information underpinning the reduced TPO order on the on-site trees, as apparently ignoring landscape issues
- Ask that the officer responsible for biodiversity comment regarding the site's status as priority habitat under the Biodiversity Action Plan and in the Section 7 list under the Environment Act.
- Ask for the officer responsible for landscape to comment on impact on the wooded headland, as setting for Penarth and particular setting for the listed buildings (Custom House, Marine Buildings, St Augustine's Church).



Map data ©2017 Google United Kingdom 100 m

Measure distance

Total distance: 851.11 m (2,792.36 ft)