

**DEVELOPMENT CONTROL COMMITTEE on 19 JULY 2018**

**AMENDMENT SHEET**

**The Chairperson accepts the amendment sheet in order to allow for Committee to consider necessary modifications to the Committee report to be made so as to take account of late representations and corrections and for any necessary revisions to be accommodated.**

<u>ITEM NO.</u>	<u>PAGE NO.</u>	<u>APPLICATION NO.</u>
8	13	P/17/1073/FUL

A late representation letter was received by the Local Planning Authority on 16 July 2018 from Lisa and Ioan Jenkins of 1 Healthy Close, Pen Y Fai and this letter has been sent to all Members of the Planning Committee. The letter raises a number of concerns regarding:

- Land stability and structural damage;
- Changes to the Public Rights of Way.
- Clearance of trees and vegetation without the appropriate licence from NRW

#### LPA Response

- Firstly, the letter states that the application has been refused. This is incorrect as the application was deferred at the last committee (7 June 2018) for further information to be reported regarding land drainage and ground stability/suitability.
- With regard to land stability and structural damage, the site investigation report has been undertaken by Integral Geotechnique and submitted with the planning application. The document has been fully assessed by the Council's Structural Engineer who has raised no objections to the proposed development. With regard to structural damage to private property as a result of the proposed development, this is a civil matter between the developer and any affected party although it is obviously within the developer's interests to ensure that their development does not have any detrimental impact on any adjoining properties.
- With regard to the proposed changes to the Public Right of Way, the current Row is not DDA compliant and although a scheme for the implementation of 12 steps has been proposed, a condition has been attached to the recommendation requesting details of a scheme for the provision of a shared use pedestrian/cycle route linking the northern plateau to the southern plateau to be submitted and agreed by the LPA. The Council's Rights of Way section raised no objection to the proposed changes.
- Prior to the submission of this application, clearance works were undertaken by the applicant such as the removal of vegetation and works to trees that are not protected. These works did not require the benefit of formal planning permission and whilst these works are subject to a separate licensing regime operated by Natural Resources Wales, this is not a material planning consideration and separate action will be taken by NRW if required.

In addition, a late representation was hand delivered to the Planning Department on the 12 July 2018 by Cllr David Lewis on behalf of Mr and Mrs Nicholas of 6 Clos Smyrna. The submitted documents are a copy of the original letters of objection received in relation to the proposed development and the concerns raised have been summarised and addressed within the appraisal section of the Officer's report. As a result of the concerns raised regarding overlooking and privacy issues, an instant 2.4m high hedge is to be planted to the rear of 5 and 6 Clos Smyrna and a condition is attached to the recommendation requiring the re-positioning of the hedge closer to the footpath to provide an access corridor to ensure that the hedge is maintained.

A late representation letter was received by the Local Planning Authority on 16 July 2018 from Mr and Mrs G Edwards 5 Clos Smyrna, Pen Y Fai and this letter has been sent to all Members of the Planning Committee. The letter raises a number of concerns regarding:

- Topographical Survey;
- Public Rights of Way and access to playing field;
- Visibility splays;
- Impact on daylight protection zones on existing houses of Plot 20; and;
- Boundary Treatments

#### LPA Response

- The topographical details are included on the submitted Engineering Strategy Drawing No. 2209 – 500K and these details have been exported onto the Council's website for viewing by the public.
- With regard to the proposed changes to the Public Right of Way, the current Row is not DDA compliant and although a scheme for the implementation of 12 steps has been proposed, a condition has been attached to the recommendation requesting details of a scheme for the provision of a shared use pedestrian/cycle route linking the northern plateau to the southern plateau to be submitted and agreed by the LPA. The Council's Rights of Way section raised no objection to the proposed changes. The new access to the playing fields is to improve the access for both pedestrian and maintenance vehicles into the playing fields
- With regard to the visibility splays, the Council's Highway Officer has raised no concerns regarding this matter and therefore the proposed development complies with current policies and legislation.
- With regard to the impact of the proposed development on the daylight protection zone in relation to 5 Clos Smyrna, the LPA are satisfied that the proposed development does not have an unacceptable impact and accords with the guidance set out in the Council's Supplementary Planning Guidance SPG02: Householder Development Note 2.
- The proposed hedge will be erected in order to protect the privacy of the neighbouring properties known as 5 and 6 Clos Smyrna and will be re-positioned closer to the footpath in order to allow for a maintenance corridor and these details are required to be submitted under Condition 8 attached to the recommendation. Once these details are received by the LPA, they can then be fully assessed and consultation undertaken with the local residents prior to formal discharge of the condition.

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**P/18/174/FUL**

Whilst the report on the agenda is for noting and a full report on the application will be presented to the DC Committee on 30 August 2018 for determination, a full Development Control Committee site visit was undertaken on Wednesday 18 July 2018.

The Local Ward Member (Cllr. Alex Williams) who is also a DC Committee Member and the agent(s) for the scheme (Asbri Planning Ltd) attended the site visit.

**MARK SHEPHARD**  
**CORPORATE DIRECTOR COMMUNITIES**  
**19 JULY 2018**

