

ITEMS RECEIVED AFTER THE PRODUCTION OF THE REPORT
FOR THE PLANNING COMMITTEE
TO BE HELD ON 29 MAY, 2019

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MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 29 May 2019

Application No.: 2018/01155/FUL	Case Officer: Mr. Mark Stringer
Location: Tregolan House, Bradford Place, Penarth	
Proposal: Refurbishment of existing building containing 4 No. flats to form additional 2 No. self contained flats, associated side and rear extensions, vehicular access and external works	

From: Director of Lindens Penarth Limited

Summary of Comments:

Letter requests that due to the complexities of the adjoining site and it's relation to the proposed extension that Members carry out a site visit to enable the impact of the proposed development to be properly assessed.

Following review of the Planning Officer's report the letter considers that that certain aspects of the impact of the proposed development are difficult to visualise without a site inspection and have not been given sufficient weight, namely:

- Overlooking and loss of privacy
- Effect on daylight and sunlight amenity enjoyed by neighbours
- Impact on the character and appearance of the street scene

Officer Response:

A site will be undertaken to view the impacts of the proposal. The other matters raised are considered to be fully assessed in the officer's report.

Action required:

None

Planning Application: 2018/01155/FUL

Tregolan House, Bradford Place, Penarth

Dear Councillor,

I understand that the above application is to be considered by Members at the meeting on the 29th May 2019 and is recommended for approval by the Planning Officer.

On behalf of the residents of the directly neighbouring properties, The Lindens and Waltham House, I wish to submit additional representation against the application, for Members' consideration.

Due to the complexities of the site and its relation to the proposed, stepped multi-storey balconied extension we would also ask that Members carry out a site visit to enable the impact of the proposed development to be properly assessed. I believe this was suggested by Councillor N. Thomas in his email response to the Planning Officer regarding the revised plans submitted by the developer. We have read the Planning Officer's comprehensive report but feel that certain aspects of the impact of the proposed development are difficult to visualise without a site inspection and have not been given sufficient weight, namely:

- Overlooking and loss of privacy
- Effect on daylight and sunlight amenity enjoyed by neighbours
- Impact on the character and appearance of the street scene

Overlooking and loss of privacy

The potential overlooking has clearly been recognised and in mitigation the balconies are required to have frosted glazing as 1.8 metre high privacy screens where they directly face the neighbouring properties. There are two balconies proposed on the first floor and another much wider balcony on the second floor, all of which have clear screens of around 1.1 metre height to the rear. This is clearly inadequate to prevent loss of privacy as:

- The two first floor balconies would overlook up to 70% of the private gardens of flat 2 The Lindens and Waltham House.
- The almost full width second floor balcony would overlook up to 80%, and would also include a view into most of the private garden of flat 1 The Lindens.
- As the clear screens to the rear are only just over a metre in height then it would be very easy and surely irresistible to peer around the privacy screens to overlook up to 100% of the neighbouring gardens.
- Other than the intrusive view of someone else's garden, all the balconies look out onto the flat roof of the proposed single storey extension, the unmade lane behind and the backs of properties in Clive Place. Their only justification for being there seems to be to compensate for the lack of amenity space (page 120 of the Planning Officer's report) created by squeezing too many units into too small a site, solely to maximise profit.
- The first floor rear bedroom window would overlook both gardens equally
- The first and second floor side windows towards Waltham House have been angled to avoid a direct view into their private windows but that is only a partial remedy as direct side views would still be possible. They would also afford a considerable view of the side and rear

gardens of Waltham House and therefore fail to adequately mitigate against likely overlooking impacts.

- The proposed hallway within the side extension sits within 1 metre of the boundary with Waltham House and is to have clear glazed windows facing the rear which again will overlook much of the gardens of Waltham House.
- Each of these issues seem to have been considered in isolation only, but cumulatively the overall affect is a considerable loss of privacy currently enjoyed by the occupiers of the neighbouring properties.

Effect on daylight and sunlight amenity enjoyed by neighbours

There are two issues here, the effect of the proposed development on daylight received within the respective premises and the effect on the level of daylight and sunlight currently enjoyed within both sets of gardens.

Dealing with The Lindens first, the original plans were revised, and the proposed 3 storey extension stepped back, to reduce the loss of daylight into the light well that provides the only source of natural daylight into 5 rooms. This is a feature of the original building and was clearly designed for that purpose. One of the rooms in question is a ground floor dining room used as a craft workshop by the occupier of flat 2 [REDACTED]. The revised plans still mean that the existing first floor pitched roof alongside the light well is to be replaced by a two storey rectangular block and that will inevitably impact on the amount of daylight received into the dining room. Indeed there would no longer be any sky at all directly visible from her craft table by the window. That would make craftwork virtually impossible. Other areas that would be badly affected include 2 kitchens, a bathroom, bedroom and a corridor, details of which have been provided in an earlier representation.

I notice also that on the submitted plans a 45 degree angle has been drawn from the mid-point of the rear wall of The Lindens to the end of the proposed first floor balcony and I assume that this is intended to represent the limit of the length of a neighbouring extension that is thought generally acceptable for planning purposes. However, if it relates to the usual rule of thumb calculation for acceptable loss of daylight amenity from a 2 storey extension I believe it should be taken from the midpoint of the window affected and not the midpoint of the rear wall of the property. There is a rear window whose midpoint is within 1.8 metres of the proposed development and a line drawn from there to the furthest point of the first floor balcony would give an angle of around 60 degrees not 45 which would indicate an unacceptable loss of daylight through that window.

As to Waltham House, the proposed extension is not only overbearing but would block out a lot of direct daylight in the rooms to the west side and the rear of the dwelling, especially the kitchen.

Properties in Bradford Place are aligned NNW to the rear and the proposed development would overshadow both gardens and considerably reduce the level of daylight and sunlight received, in the morning within the garden of flat 2 The Lindens and later in the day within the gardens of Waltham House.

Impact on the character and appearance of the street scene

The scale of the proposed extension is disproportional in size to the original property, the plot within which it sits and to neighbouring properties. Reference has been made in the Planning Officer's report to the extension to The Lindens as an example of what has already been permitted, but there is really no comparison nor does it justify any precedent. The Lindens and Tregolan were originally built for the shipping line owner, Thomas Morel and his mother respectively but, although semi-detached, they are completely different. The Lindens was built as a far larger dwelling than Tregolan and it sits within extensive grounds at least 4 times greater in area. Its' extension was to the side only, not to the rear, had no effect on any other property, nor was it overlooking or close to any property and it was built within much larger grounds. It is sympathetic in style and blends in with the original frontage of The Lindens. The proposed extension to Tregolan would be the only contemporary structure in a row of Edwardian houses and its overbearing mass would be completely out of character with the area.

The side elevation plans, purporting to show the relative proportions of the proposed development and neighbouring properties, are still somewhat misleading. Page 118 of the report gives the height of the established boundary wall with The Lindens to be approximately 3 metres when in fact it tapers to 2 metres at its lowest point. Given that the maximum height of the proposed first floor extension is 3.6 metres (Page 107) then I disagree that it is "of a commensurate height and would as such be largely obscured from view within the garden area" (page 118)

Were the proposed development to be allowed, access for construction traffic would presumably be via the narrow back lane which provides garage access to a number of properties. This would present difficulties for a number of residents who use this lane. The noise and disturbance of construction traffic would also adversely affect the living conditions of neighbours, especially the occupiers of Waltham House, none of whom enjoy the best of health.

Summary

We consider that the proposed development neither maintains nor enhances the character of the Conservation Area. It is unneighbourly, excessively large for the plot within which it sits and is visually incongruous within the existing street scene. It would adversely affect the living condition of neighbours considerably, through loss of privacy and an unacceptable reduction in the amenity of daylight and sunlight. It also has inadequate amenity space for the expected number of occupiers. Weighed against the above there is little or no benefit to the community, no Affordable Housing Contribution and any additional Council Tax income will cover only a fraction of the proportionate costs of services provided. Neither does it appear to be of much benefit to the developer whose projected profit margins are clearly so low that he is unable to make an Affordable Housing Contribution.

William Stonehouse,

Director of Lindens Penarth Limited

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 29 May 2019

Application No.: 2018/01155/FUL	Case Officer: Mr. Mark Stringer
Location: Tregolan House, Bradford Place, Penarth	
Proposal: Refurbishment of existing building containing 4 No. flats to form additional 2 No. self contained flats, associated side and rear extensions, vehicular access and external works	

From: Occupier of 9 Kymin Terrace, Penarth

Summary of Comments: Concern has been raised in respect of the recommendation to approve the scheme with no parking provision on site. It is stated that all 6 flats will require parking on the highway, leading to serious congestion, and parking problems in Bradford Place and adjacent roads.

It is also stated that objectors, have not had a chance to formally comment on the lack of parking as the proposal to remove the scheme of parking comes from the authority.

Officer Response:

The officer's report fully considers the impact of the proposal and the consideration of parking demands against the impacts on the character of the Conservation Area, in pages 116, 120 and 121 of the Committee Report.

Action required:

None

Butler, Stephen

From: JOHN LEAN <[REDACTED]>
Sent: 24 May 2019 11:32
To: Planning
Subject: Application No: 2018/01155/FUL--Tregolan House, Bradford Place, Penarth

Mr Lankshear

I have now taken in your authority's recommendation re the above. , and what staggers me is your intention to allow the development, with no parking provision on site whatsoever, and indeed a restriction forbidding any such planning.

Thus parking for 6 flats has to be all on the highway. And on highways, Bradford Place and adjacent roads which over the last 20 years have become parking areas for the Penarth town centre, and which are normally choc-a-bloc during daytime hours , certainly during shopping hours..

I look for some comment on this proposal from your highways department but I can see none.

We thus have, effectively, a completely new proposal re the development, i.e all parking off site, which we, any objectors, have not had a chance to formally comment on--because the proposal comes from your own authority.

This is more than unsatisfactory, and will lead to serious congestion, and parking problems In Bradford Place and adjacent roads.

I did not intend to propose to speak at the planning committee, but have now, because of this, filled in your form to this intent.

John Lean

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 29 May 2019

Application No.: 2019/00368/FUL	Case Officer: Mr. S. D. Butler
Location: Stanwell School, Archer Road, Penarth Proposal: Variation to Condition 6 of Planning Permission Ref. 2014/00427/FUL to extend the use of the pitch between 7.30 am to 21:00 Monday to Fridays (during the months March to October) and 8.30 am to 17.30 Saturdays & Sundays (all year round to include the use of floodlighting)	

From: Occupier of 4 Salisbury Avenue, Penarth

Summary of Comments:

An objection is raised to the application on the basis of staff parking on the road and school delivery vehicles enter and leave the school entrance from 6:30am. Opening the sports facility earlier will cause further major disruption and safety issues with traffic and pedestrians crossing.

Concern is also raised in respect of the use of the school for filming with associated noise and disturbance, parking on the highway and litter.

Officer Response:

The concerns raised in respect of the impacts from the extended use of the pitch have been addressed in the officer's report.

The concerns raised in relation to the use of the wider school and parking on the public highway, associated with filming, whilst noted, fall outside of the scope of the planning application.

Action required:

None

I formally object to the application to the Variation to Condition 6 of Planning Permission Ref. 2014/00427/FUL to extend the use of the pitch between 7.30 am to 21:00 Monday to Fridays (during the months March to October) and 8.30 am to 17.30 Saturdays & Sundays (all year round to include the use of floodlighting) for the following reasons;

1. Nothing has changed in regard to the current hours imposed as part of the original planning submission so why should they be varied?

2. Extended hours will further endanger the users of the school and residents. The current road traffic along Salisbury Avenue is already ridiculous with staff parking on the road from 6:30 am and school delivery vehicles entering and leaving the school entrance from 6:30am. Opening the sports facility earlier will cause further major disruption and safety issues with traffic and pedestrians crossing. It is already almost impossible for any emergency vehicles to access the area during peak hours and for residents to exit the area between 8-9am and 2:30-3:30pm.

2. The school frequently open the school gates at 6am on weekends and school holidays for film crews and others to use the car park without informing local neighbours causing disruption early in the morning and throughout the night. Extending hours of use will further impact on local residents/ The school does not currently control out of hours activities and simply opens the gates and allows users to 'get on with things' for example allowing vehicles to enter and leave the site throughout the night and early hours, outside catering (noisy and smelly) and smoking (including throwing butts on the floor) to take place within the school premises. Nice example to students! Is this in accordance with planning?

3, on weekends and evenings as a neighbour I regularly ask users to park in the school and not block residents' driveways and am met with abuse. The school does not manage outside hour use.

4. During sports and music events, which already commence at 7:30 on weekends, is this in breach of current planning?, I have to constantly ask users not throw their cigarette butts on the floor outside of the school gates and end up with abuse and sweeping up at the end of the day to ensure a good image for the school the following morning, again no control or respect from the school in managing third party use. I complain to the event organisers and ask for a bin to be put outside of the school gates and they inform me that the school do not want to get involved as its outside of the school grounds – nice from a school in the heart of a local community promoting health and wellbeing! – again no control from the school over outside use and no respect for the local neighbourhood.

5. Users are often waiting at the school gates from 7am on weekends in noisy groups which is not neighbourly to those living opposite. Again, no control from the school and no respect for the local neighbourhood.

The school does not control outside hours use at the moment, allows anti social behaviour outside its gates, causes traffic issues in the area which is a potential safety disaster waiting to happen and has no respect for its neighbours due to a failure to communicate which as neighbours we are constantly complaining about. Extending hours of use will only exasperate local matters. The school didn't even bother to consult with local neighbours ahead of this planning application! Even today we were woken by film crews entering the school at 6am on a bank holiday Monday, no communication from the school!

Regards

Simon Cook
4 Salisbury Avenue

Stanwell School, evidence of uncontrolled parking during events in Salsbury Ave rather than the school car park.

The school doesn't manage or coordinate events out of hours further supporting the objection of extending its hours of use.

Double booking events with car park being used by a film crew and an evening event on bank holiday Monday resulting in Salsbury Ave beining used for event parking and stacking at the school entrance as vehicles couldn't get out or in – no management of events or thoughts about the neighbourhood.

Cars stacking due to congestion in the school as full with film crew trying to enter and leave at 7:30pm, no room for other evening event cars arriving at 7:30pm so Salsbury Ave full as being used by school users.



School car park packed with film crew being feed at 6:30 am. Other 'film' vehicles arriving at 6am on bank holiday Monday and entering the school at 22:30 the night before.



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From: Cllr Lis Burnett

Summary of Comments:

Has requested that Committee consider the complete planning history of this site, where the use has risen incrementally and local residents now face 07.30 to 21.00 Monday to Friday and 08.30 to 17.30 on weekends.

I support local residents concerns regarding use of floodlights during these hours however my greatest concern is over traffic, parking and noise.

Local residents are very proud and supportive of Stanwell School, however, I feel that this application is probably a step too far and should be refused.

Officer Response:

All of the issues raised have been fully considered in the officer's report.

Action required:

None

2019/00368/FUL

Stanwell School, Archer Road, Penarth

Variation to Condition 6 of Planning Permission Ref. 2014/00427/FUL to extend the use of the pitch between 7.30 am to 21:00 Monday to Fridays (during the months March to October) and 8.30 am to 17.30 Saturdays & Sundays (all year round to include the use of floodlighting)

I would be grateful if the following comments could be taken into consideration by committee when determining the above application.

On initial reading the application would appear to request only minor alteration to the earlier condition. However I would ask committee to consider the complete planning history of this site.

If my reading of the report is correct it goes back to 1995 where use was allowed from 09.00 to 19.00 Monday to Saturday and just four hours 10.00 to 14.00 on Sunday. This has risen incrementally until local residents now face 07.30 to 21.00 Monday to Friday and 08.30 to 17.30 on weekends.

I support local residents concerns regarding use of floodlights during these hours however my greatest concern is over traffic, parking and noise.

The operation of the site within these specified hours means that traffic, parking capacity and noise will be an issue from at least 30 minutes before and after these times. Access to the site is from a small residential side-road which does not have the capacity to provide parking for events. Displacement parking is experienced by local residents in many surrounding roads during the normal operation of the school.

Local residents are very proud and supportive of Stanwell School and rightly so. I'm also supportive of opportunities for physical activity and sport within our communities. However, I feel that this application is probably a step too far and should be refused.

Many thanks

Lis

Lis Burnett MSc FRSA
 Deputy Leader / Dirprwy Arweinydd
 Cabinet Member, Education and Regeneration / Aelod Cabinet, Addysg ac Adfywiad
 Councillor for Stanwell Ward / Cynghorydd Ward Stanwell
 Democratic Services / Gwasanaethau Democraidd
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28.05.2019