

## LOCAL MEMBER OBJECTION

COMMITTEE DATE: 13/12/2017

APPLICATION No. **17/01253/MNR** APPLICATION DATE: 01/06/2017

ED: **CYNCOED**

APP: TYPE: Full Planning Permission

APPLICANT: Mrs PEARCE

LOCATION: 212 CYNCOED ROAD, CYNCOED, CARDIFF, CF23 6RS

PROPOSAL: PROPOSED DEMOLITION OF EXISTING DWELLING & ERECTION OF NEW DEVELOPMENT TO FORM 5 FLATS

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**RECOMMENDATION 1** : That, subject to relevant parties entering into a binding planning obligation, in agreement with the Council, under SECTION 106 of the Town and Country Planning Act 1990, within 6 months of the date of this resolution unless otherwise agreed by the Council in writing, in respect of matters detailed in paragraph **8.20** of this report, planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

P458a L\_001, P458a L\_002 B, P458a L\_200 B, P458a L\_201 B, P458a L\_211 B, P458a L\_210 B, Planting Plan dated September,2017.

Scoping and dusk emergence survey for presence of bat roost sites from Spectrum Ecology dated 9<sup>th</sup> September, 2017.

Arboricultural Survey Report, 20<sup>th</sup> September, 2017.

Reason: To ensure satisfactory completion of the development and in line with the aims of Planning Policy Wales to promote an efficient and effective planning system.

3. Details of the cycle and bin stores shown on the approved plans shall be provided prior to the development being brought into beneficial use and thereafter the stores shall be maintained and shall not be used for any purpose other than the parking of vehicles.

Reason: To provide for cyclists in accordance with Policy T5: Managing Transport Impacts of the Cardiff Local Development Plan.

4. Prior to the construction of the building above foundation level, details of the external finishing materials shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the finished appearance of the development is in keeping with the area in accordance with Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan.

5. Notwithstanding the submitted information, further details of the means of site enclosure shall be submitted to and approved by the Local Planning Authority. The means of site enclosure shall be constructed in accordance with the approved details prior to the development being put into beneficial use.

Reason: In the interests of visual and residential amenity, in accordance with Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan.

6. No equipment, plant or materials shall be brought onto the site for the purpose of development until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include an implementation programme. and a basic soil assessment based on the preparation of trial pits to establish the suitability of the soil for its intended end use together with a strategy for soil handling, storage and placement. The landscaping shall be carried out in accordance with the approved design and implementation programme.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity and to ensure that all usable soil resources are appropriately recovered and protected, and not lost, damaged or sterilised during the construction process, in accordance with Policies KP5: Good Quality and Sustainable Design and KP:15 Climate Change of the Cardiff Local Development Plan.

7. Any trees, plants or hedgerows which within a period of five years from the completion of the development, die are removed, become seriously damaged or diseased or become (in the opinion of the Local Planning Authority) otherwise defective, shall be replaced in the current planting season or the first two months of the next season, whichever is the sooner, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity, in accordance with Policy KP5: Good Quality and Sustainable Design.

8. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing within 2 days to the Local Planning Authority, all associated works shall stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and

submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the Local Planning Authority within 2 weeks of the discovery of any unsuspected contamination.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, in accordance with Policy EN13: Air, Noise, Light Pollution and Land Contamination of the Cardiff Local Development Plan.

9. Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes. Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the Local Planning Authority.

Reason: To ensure that the safety of future occupiers is not prejudiced, in accordance with Policy EN13: Air, Noise, Light Pollution and Land Contamination of the Cardiff Local Development Plan.

10. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes. Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the Local Planning Authority.

Reason: To ensure that the safety of future occupiers is not prejudiced, in accordance with Policy EN13: Air, Noise, Light Pollution and Land Contamination of the Cardiff Local Development Plan.

11. Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the

reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused. Reason: To ensure that the safety of future occupiers is not prejudiced, in accordance with Policy EN13: Air, Noise, Light Pollution and Land Contamination of the Cardiff Local Development Plan.

12. Prior to the erection of the flats hereby approved, a scheme for the drainage of the site and any connection to the existing drainage system shall be submitted to and approved in writing to the Local Planning Authority. Prior to the submission of the drainage details, ground permeability tests shall be undertaken to ascertain whether sustainable drainage techniques can be utilised and the results of the tests shall be incorporated in the submitted scheme. No part of the development shall be occupied until the scheme is carried out and completed as approved. Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment and in accordance with Policy EN10: Water Sensitive Design of the Cardiff Local Development Plan.
13. The first floor windows on the side elevations of the building shall be non-opening below a height of 1.7 metres above internal floor level, glazed with obscure glass and thereafter shall be so retained. The roof lights in the side roof planes facing towards 210 and 214 Cyncoed Road shall be constructed such that their lower sill level is a minimum of 1.7 metres above internal floor level. The first and second floor windows on the rear elevation of the building, shown on drawing P458a L\_211 B as being glazed with opaque glass, shall be non-opening and obscurely glazed and thereafter shall be so retained. Reason: To ensure that the privacy of adjoining occupiers is protected in accordance with Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan.
14. The shared amenity area shown on the approved plans shall be provided before the development hereby permitted is occupied and thereafter the amenity areas shall be retained for the benefit of existing and future occupiers of the site. Reason: To provide adequate amenity space for future residents of the development in accordance with Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan.
15. The car parking spaces and manoeuvring areas shown on the approved plans shall be provided prior to the development being brought into beneficial use and thereafter shall be maintained and shall not be used for any purpose other than the parking and manoeuvring of vehicles. Reason : To ensure that the use of the proposed development does not interfere with the safety and free flow of traffic passing along the highway, in accordance with Policy T5: Managing Transport Impacts of the Cardiff Local Development Plan.



16. No removal of the roof or masonry shall take place between 1st March and 15th August unless otherwise approved in writing by the Local Planning Authority. This approval will be granted if a consultant ecologist can evidence that there are no birds nesting in these features immediately (48 hrs) before their removal.  
Reason: To avoid disturbance to nesting birds which are protected under the Wildlife and Countryside Act 1981: Part 1,1(1)(b). It is an offence to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built.
17. The trees shown for retention shall be protected during development in accordance with the measures outlined in the Arboricultural Survey Report.  
Reason: To safeguard trees shown for retention in the interests of visual amenity, in accordance with Policies KP5: Good Quality and Sustainable Design and EN8: Trees, Woodlands and Hedgerows of the Cardiff Local Development Plan.
18. The proposed development shall be carried out in accordance with the recommendations outlined in the bat survey report from Spectrum Ecology dated 9th September, 2017. Further details of the measures specified in the report to enhance the existing habitat and to ensure no net loss of bat roosting opportunities shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The approved measures shall be implemented prior to the beneficial occupation of the development.  
Reason: In the interests of biodiversity and in accordance with Policy EN7: Priority Habitats and Species of the Cardiff Local Development Plan.

**RECOMMENDATION 2** : To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays. The applicant is also advised to seek approval for any proposed piling operations.

**RECOMMENDATION 3** : The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

- (i) determining the extent and effects of such constraints and;
- (ii) ensuring that any imported materials (including, topsoils, subsoils,

aggregates and recycled or manufactured aggregates / soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under section 33 of the environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site:

- Unprocessed / unsorted demolition wastes.
- Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
- Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and

(iii) the safe development and secure occupancy of the site rests with the developer.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

**RECOMMENDATION 4** : The applicant is advised to contact [highways@cardiff.gov.uk](mailto:highways@cardiff.gov.uk) prior to undertaking the works associated with the access in order to obtain the necessary licence.

**RECOMMENDATION 5** : Welsh Water/Dwr Cymru has advised that the application site is crossed by a public sewer and that no development (including the raising or lowering of ground levels) would be permitted within 3 metres either side of its the centreline. The Company advises that the applicant contacts them to discuss the proposal further and the possibility of divert this sewer.

## 1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 This planning application relates to the site of 212 Cyncoed Road where permission is sought to demolish the existing dwelling and redevelop the site with a building containing 5 no. two bedroom flats. The scheme has been amended following discussions with the agent from 6 no. flats and reduced in scale, particularly in respect of the design of the rear annexe. A flat roof projection on the front elevation/roof plane has been removed so as to make the appearance of the building more in keeping with the surrounding streetscape. Additional landscaping has been added to the front of the site to provide a softer and more natural solution.
- 1.2 Details of the siting and appearance of the development are shown on the attached plans. Accommodation would be provided on three floors with the

second floor largely contained within the roof space. Six off street parking spaces are provided at the front of the site. This area would be enclosed by 0.9 metre high brick boundary walls with 0.5 metre high ornamental railings above. Areas of soft landscaping are shown along the back edge of footway and next to the boundary with 214 Cyncoed Road.

- 1.3 The property currently benefits from an 'in-out' drive arrangement. The scheme proposes the retention of the crossover access adjacent to the neighbouring property at 210 Cyncoed Road and the blocking up of the crossover access next to 214 Cyncoed Road.
- 1.4 The proposed building rises to a height of approximately 5.8 metres at eaves level and approximately 9.0 metres to the ridge line. It has a depth of approximately 18.0 metres from front to back with the rear 5.0 metres set further in from the boundaries of the site than the main bulk of the structure. In this regard, the building would be sited between 2.4 metres and 4.0 metres from the side boundaries with its neighbours at 214 and 210 Cyncoed Road.
- 1.5 Viewed from the front, the building appears as a 2 ½ storey hipped roof structure with full height projecting gable elements at either side and a flat roof element positioned between the two gables projecting above eaves level. Both the front and rear elevation contain relatively extensive areas of glazing.
- 1.6 Proposed materials comprise primarily white rendered walls with limited use of anthracite coloured rain screen/cladding together with slate grey roof and ridge tiles.
- 1.7 The building is shown to be set back approximately 14.0 metres from the back edge of footway along Cyncoed Road, broadly in line with its neighbours and the existing dwelling it seeks to replace.
- 1.8 To the rear of the building approximately 750 sq metres of the garden would be retained as a shared amenity area enclosed by 2.0 metre high timber fencing.
- 1.9 The layout provides for 2no.bin and cycle stores located next to the side boundaries with the neighbouring properties.
- 1.10 There are numerous trees and shrubs in the front and rear garden of the property which will need to be removed to facilitate the construction of the building and associated frontage parking area. None of the trees are protected by preservation order and the submitted tree survey identifies the trees in question as category C trees, i.e., trees of low quality and value that provide only an adequate contribution. The report comments that the loss of trees at the front of the property will be compensated for by planting within a shrub bed along the road frontage and the boundary with 214 Cyncoed Road. A landscape scheme has been submitted to illustrate how this would be achieved.

## 2. **DESCRIPTION OF SITE**

- 2.1 212 Cyncoed Road comprises a detached dwelling which occupies a large rectangular plot on the eastern side of Cyncoed Road, approximately 60.0 metres north of its junction with Celyn Avenue. The dwelling contains with some first floor accommodation within relatively steeply pitched roofs. The building is shown on the submitted plan to rise to a ridge height of approximately 7.6 metres and an eaves height of approximately 2.8 metres. At the rear, the main part of the dwelling is attached to a pitched roof single element which directly adjoins the garage of the neighbouring dwelling at 214 Cyncoed Road. That property is a dormer style dwelling house with first floor accommodation contained within the roof space. It is separated from the application site by the width of its driveway and occupies a slightly higher ground level.
- 2.2 To the south, the application site adjoins 210 Cyncoed Road; a hipped roof two storey dwelling with further accommodation contained within its roof space. That property is sited approximately 2.5 metres from the boundary with the application site and occupies a slightly lower ground level (approximately 0.6 metres). There is currently no means of enclosure along the front part of the boundary between the neighbouring properties.
- 2.3 There are numerous trees and shrubs and shrubs in the front and rear garden of the application site which is served by an in-out drive arrangement.
- 2.4 This part of Cyncoed Road generally comprises two storey detached and semi-detached dwellings of varying designs and external appearance . The properties generally occupy generous plots with spacious gardens.
- 2.3 The rear (eastern) boundary of the site back onto the Hillrise/Springwood estates.

## 3. **SITE HISTORY**

- 3.1 14/02630/MNR: Demolition of dwelling and erection of new development comprising 7no.flats. The application was refused 27<sup>th</sup> January, 2015 for the following reasons:
1. *The proposal would represent an unacceptable intensification of the site and form an incongruous and unneighbourly form of development, out of character with the pattern, form and urban grain of the locality contrary to Policies 11 (Good Design) and 30 (Inappropriate and Insensitive Infilling) of the City of Cardiff Local Plan (1996), Policy 2.20 of the Deposit Cardiff Unitary Development Plan (2003) and the approved Supplementary Planning Guidance: Infill Sites (2011).*
  2. *The proposed development would have a prejudicial impact upon the amenities of the adjoining neighbours due to its height, length, scale and setting of the proposed development in close proximity to the adjoining boundaries, contrary to policy 11 (Good Design) of the City of Cardiff Local Plan (1996), Policy 2.24 (Residential Amenity) of the Deposit*

*Cardiff Unitary Development Plan (2003) and the approved Supplementary Planning Guidance: Infill Sites (2011)*

3. *The proposed road layout and rear parking area would have a prejudicial impact upon the amenities of the adjoining neighbours contrary to Policy 2.20 of the Deposit Cardiff Unitary Development Plan (2003) and the approved Supplementary Planning Guidance: Infill Sites (2011)*
4. *The submitted plans show habitable room windows sited an insufficient distance from adjoining boundaries and would have a prejudicial impact upon the privacy of adjoining neighbours, contrary to Policy 2.24 (Residential Amenity) and the approved Supplementary Planning Guidance: Infill Sites (2011).*
5. *Insufficient information has been received in order to determine the likely impact upon the adjoining trees of amenity value, contrary to the advice given in Unitary Development Plan policy 2.45 (Trees, Woodlands and Hedgerows), the approved Trees and Development Supplementary Planning Guidance and the Infill Development Supplementary Planning Guidance.*

3.2 03/02253/N: Detached dwelling refused, 20/11/2003.

3.3 07/02090/E: Detached dwelling refused 25/10/2007 and subsequently dismissed at appeal.

3.4 11/00866/DCO: Conversion of existing dwelling into two self-contained flats, granted 28/07/2011.

3.5 It is of note that planning permission was granted in 2009 for a contemporary three storey block of 6 no. flats nearby on land currently occupied by 169 Cyncoed Road. The planning permission has recently been renewed.

#### 4. **POLICY FRAMEWORK**

4.1 The Cardiff Local Development Plan 2006-2026 provides the local planning policy framework. Relevant policies include:

KP5: Good Quality and Sustainable Design;

KP7: Planning Obligations;

KP 15: Climate Change;

EN13: Air, Noise, Light Pollution and Land Contamination;

T5: Managing Transport Impacts;

H3: Affordable Housing

EN10 (Water Sensitive Design);

EN7: Priority Habitats and Species;

EN8: Trees, Woodlands and Hedgerows;

W2 (Provision for Waste Management Facilities in Development).

- 4.2 Supplementary Planning Guidance: Design Guidance for Infill Development (2011)  
Supplementary Planning Guidance: Access, Circulation and Parking (January, 2010)  
Supplementary Planning Guidance: Waste and Collection and Storage Facilities (2016)  
Supplementary Planning Guidance: Trees and Development (2007).  
Supplementary Planning Guidance: Biodiversity (June 2011).  
Supplementary Planning Guidance: Cardiff Planning Obligations (January, 2017).

4.3 Planning Policy Wales Edition 9 (2016):

1.2.5 Provided that a consideration is material in planning terms it must be taken into account in dealing with a planning application even though other machinery may exist for its regulation. Even where consent is needed under other legislation, the planning system may have an important part to play, for example in deciding whether the development is appropriate for the particular location. The grant of planning permission does not remove the need to obtain any other consent that may be necessary, nor does it imply that such consents will be forthcoming.

4.4.3: In contributing to the Well-being of Future Generations Act goals, planning policies, decisions and proposals should (inter alia):

- Promote resource-efficient and climate change resilient settlement patterns that minimise land-take and urban sprawl, especially through preference for the re-use of suitable previously developed land and buildings, wherever possible avoiding development on greenfield sites
- Minimise the risks posed by, or to, development on or adjacent to unstable or contaminated land and land liable to flooding. This includes managing and seeking to mitigate the consequences of climate change by building resilience into the natural and built environment.
- Locate developments so as to minimise the demand for travel, especially by private car
- Ensure that all local communities – both urban and rural – have sufficient good quality housing for their needs, including affordable housing for local needs and for special needs where appropriate, in safe neighbourhoods

4.7.4: Local Planning Authorities should assess the extent to which developments are consistent with minimising the need to travel and increasing accessibility by modes other than the private car. Higher density development, including residential development, should be encouraged near public transport nodes or near corridors well served by public transport (or with the potential to be so served).

4.11.9: Visual appearance, scale and relationship to surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions.

4.11.11: Local Planning Authorities and developers should consider the issue of accessibility for all.

4.11.12: Local Authorities are under a legal obligation to consider the need to prevent and reduce crime and disorder in all decisions that they take.

5.2.9: Local Planning Authorities should seek to protect trees, groups of trees and areas of woodland where they have natural heritage value or contribute to the character or amenity of a particular locality.

5.5.11 The presence of a species protected under European or UK legislation is a material consideration when a local planning authority is considering a development proposal which, if carried out, would be likely to result in disturbance or harm to the species or its habitat.

9.1.2 Local Planning Authorities should promote sustainable residential environments, avoid large housing areas of monotonous character and make appropriate provision for affordable housing. Local Planning Authorities should promote, inter alia, development that is easily accessible by public transport, cycling and walking, attractive landscapes around dwellings with usable open space and regard for biodiversity, nature conservation and flood risk; greater emphasis on quality, good design and the creation of places to live that are safe and attractive, well designed living environments, where appropriate at increased densities.

9.2.13: Sensitive design and good landscaping are particularly important if new buildings are successfully to be fitted into small vacant sites in established residential areas.

9.3.3: Insensitive infilling or the cumulative effects of development or redevelopment should not be allowed to damage an area's character and amenity. This includes such impact on neighbouring dwellings such as serious loss of privacy or overshadowing.

12.4.1: The adequacy of water supply and the sewerage infrastructure are material considerations in planning applications and appeals.

12.7.3: Adequate facilities and space for the collection, composting and recycling of waste materials should be incorporated into the design of any development and waste prevention efforts at the design stage, construction and demolition stage should be made by developers.

13.2.1: Flood risk is a material planning consideration.

- 4.4 TAN Technical Advice Note 12 (Design): provides further WAG guidance on design issues. Paragraph 4.9 advises that 'opportunities for innovative design will depend on the existing context of development and the degree to which the historic, architectural, social or environmental characteristics of an area may demand or inhibit a particular design solution. A contextual approach should not necessarily prohibit contemporary design

## 5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 The Operational Manager, Transportation advises that he has no objection on parking or highway safety grounds subject to appropriate conditions. He comments that the provision of 6 no. off street parking spaces is policy compliant where the minimum provision is 0.5 spaces per unit. The Officer notes the concerns raised by neighbouring and local residents, including parking on nearby Celyn Avenue, but comments that an objection on highway grounds would not be sustainable. He comments that one side of Cyncoed Road has double yellow lines which should inhibit inconsiderate parking and

that the site is well served by public transport being located on a frequent bus route with a bus stop sited approximately 100.0 metres away.

5.2 Pollution Control (Noise & Air): The Officer recommends the standard informative relating to construction site noise.

5.3 Pollution Control (Contaminated Land):

Shared Regulatory Services requests conditions and informative statements in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with policy EN 13 of the Cardiff Local Development Plan.

5.4 Operational Manager, Drainage Management: No representations have been received.

5.5 The Operational Manager, Waste Management advises that plan detailing the bin storage area is acceptable. The Officer advises that the refuse storage area should be large enough to accommodate the following recommended provisions :

Dry Recyclables:	1 x 1100 litre bulk bins
Compostable waste:	1 x 240 litre bins
General waste:	1 x 1100 litre bulk bins

The Officer also provides guidance on the design of the bin stores and access to them. The Officer advised that waste must either be presented at the entrance to the development for collection or the access gates to the site must be left open.

5.6 The Housing Development Officer advises that in accordance with Local Development Plan Policy H3: Affordable Housing, an affordable housing contribution of 20% of the 5 units (1.0 X 2 bedroom unit) should be sought on this site. The Officer has provided housing waiting list figures to demonstrate housing need for all size of units in the area. The Officer advises that although the priority is for on-site affordable housing in the form of affordable rented accommodation, given the proposed number of units this would not be deliverable and seeks a financial contribution of £77,430 (in lieu of the 1.0 unit) calculated in accordance with the formula in the Council's Planning Obligations Supplementary Planning Guidance (2007).

5.7 The Council Ecologist, having considered the preliminary assessment of bat roost potential, raises no objections to the positive determination of the application subject to an appropriate condition to ensure that the proposed development is carried out in accordance with the recommendations outlined the report.

## 6. **EXTERNAL CONSULTEE RESPONSES**

6.1 Welsh Water/Dwr Cymru notes the information submitted with the application,



and, in particular, the drainage arrangement on dwg. P458A\_L\_002 showing surface water connecting to a soakaway and the relationship of the proposed development to the existing public sewer crossing the site. The Company advises that no development will be permitted within 3 metres either side of the centreline of the public sewer. The company advises the applicant to contact them to discuss the proposal further including the possibility of diverting this sewer.

Notwithstanding this advice, if the Council is minded to grant planning permission, drainage conditions are requested.

- 6.2 South Wales Fire and Rescue Service advises that the developer/applicant should consider the following matters in the early stages of the development:
- i) adequate water supplies on the site for firefighting purposes; and
  - ii) access for emergency firefighting appliances.

## 7. **REPRESENTATIONS**

- 7.1 Councillor Kathryn Kelloway advises that she has been contacted by several residents living near to the application site who have expressed their opposition to this development. Having visited the site and examined the application details, the Councillor wishes to object to the application on the following grounds:

*Cyncoed Road is a major thoroughfare and, in the locality of the application site, consists predominantly of traditional family dwellings built in the inter-war years, to the architectural style prevalent at the time. The proposed development is of a more “modern” design which does not sit well with the predominant architectural character of this section of Cyncoed Road and is contrary to the principles set out on page 25 of the “Cardiff Residential Design Guide” Supplementary Planning Guidance, which advises that new development should integrate sympathetically with existing buildings and protect or enhance elements which contribute to the local character. The proposed development, by virtue of its scale, massing and architectural style would form an incongruous element in the local street scene and would be out of keeping with existing buildings.*

*The dimensions of the existing two-storey dormer bungalow at 212 Cyncoed Road fit well on the site and roughly mirror those of the houses on the adjacent plots at 210 and 214 Cyncoed Road. The proposed development would be significantly higher, wider and longer than the existing structure and the dwellings at 210 and 214. This would be contrary to the advice given on page 25 of the “Cardiff Residential Design Guide” Supplementary Planning Guidance, which states that developments should “complement the scale and massing of neighbouring built forms...” At page 52, the SPG also states “We will resist forms of developments where the scale and massing of any buildings or other elements of a scheme are discordant, or aspects of the scheme are poorly chosen or located in the street scene”. It is clear, therefore, that the proposed development, by virtue of its scale and massing, would have a dominating and overbearing impact upon the properties at 210 and 214*

*Cyncoed Road, to the detriment of the residential amenity of the occupants of those properties.*

*The existing building at 212 Cyncoed Road integrates well into its street setting in so far as it does not impact adversely upon the quiet enjoyment by adjacent residents of their properties. The proposed three-storey, six apartments block would represent a significant departure from this position. The increased width of the proposed building would bring it nearer to both the northern and southern boundaries and, by virtue of its increased height, would accentuate the dominating and overbearing effect of the building upon adjoining residents. The increased height of the structure would be likely to have a shadowing effect upon neighbours' homes, gardens and outdoor recreation areas, particularly at number 214 Cyncoed Road.*

*The elevations supplied by the applicant indicate that there will be non-obscure windows, at first and second floor levels, in both the north and south elevations of the apartment complex. There is a likelihood, therefore, that these windows will provide unrestricted views into habitable rooms at number 210 and 214 Cyncoed Road. In addition, the plans indicate that "Juliet" balconies will be provided in first and second floor east facing elevations which, by virtue of the proximity of the apartments to the boundaries and the increased height of the building, will provide uninterrupted views into neighbouring properties, outdoor recreation areas and gardens and will compromise the privacy of residents living at these properties. The "Cardiff Residential Design Guide" Supplementary Planning Guidance at page 53 states: "A privacy distance of at least 21 metres will be required between facing windows to habitable rooms on the private side of a development".*

*It is also noted that the location of the proposed bin store, at the boundary with 210 Cyncoed Road, and adjacent to the neighbour's outdoor recreation area would be likely to further erode the residential amenity of the neighbours by virtue of the noise and smells this generated.*

*The greater intensification of use at the site of 212 Cyncoed Road by the creation of six households is likely to create an increased demand for off-street parking with the attendant noise and disturbance to nearby residents that will arise.*

*Therefore, by virtue of domination, overshadowing, overlooking, loss of privacy, smells and increased noise, the development is likely to be of an un-neighbourly nature which will be detrimental to the amenity of other residents.*

*Cyncoed Road is already a busy thoroughfare and, with future developments in North Cardiff, is likely to grow increasingly so. The building of a multi-apartment complex would feed additional vehicles onto Cyncoed Road, particularly near to the busy junction with Celyn Avenue, is likely to further compromise road safety in the area.*

7.2 Two separate letters have been received from the occupiers of 196 Cyncoed

Road objecting on the following grounds (summary):

- It is an insensitive and inappropriate development completely out of keeping with neighbouring properties and those in the locality;
- The three storey height of the development is out of keeping with neighbouring properties;
- The provision of only 6 parking spaces is inadequate for 6 dwelling units. Roadside parking in the area is already a problem and the proposed development would worsen it;
- The junction of Cyncoed Road and Celyn Avenue is already very congested. It is part of a busy bus route and frequent minor accidents and “near misses” take place daily. The proposed development would exacerbate this risk and problem.

7.3 The occupier of 159 Cyncoed Road objects for the following reasons:

A perfectly habitable family house would be demolished. The proposal would be out of keeping with the general neighbourhood and the existing character of nearby houses. There is no three storey development nearby.

A dangerous precedent would be set for redevelopment of similar houses set on generous plots resulting in a gradual down grading of the road.

Six flats would be likely to generate a large number of cars. The proposal would add to traffic, especially near the Celyn Avenue junction which would be undesirable and dangerous.

7.4 The occupiers of 210 Cyncoed Road object for the following grounds (summary):

i. The Character of the area and local dwellings

The construction of a block of 6 flats would be very much out of keeping with the character of the surrounding properties. The style and design of the proposed development is extremely modern with a very open, glass dominated frontage. This style of build would be more in keeping with a Cardiff Bay development than in this established suburban area of Cardiff. The proposed build would adversely affect the aesthetic quality, look and feel of the locality.

Not only does the proposed building extend further back to the rear of the site, it is also intended to be built over 3 storeys, with large glass windows and juliet balconies to the rear. This will overlook the rear garden and patio area, resulting in a loss of privacy and amenity that is currently enjoy.

212 Cyncoed Road is already set at an elevated level to 210 Cyncoed Road and the new block is to be built to a greater height again than the existing property which will dwarf no. 210 house and result in a significant loss of amenity, light and air.

Granting planning permission would set an unfortunate precedent for the area which could significantly and detrimentally alter the character of the area from a leafy, Victorian suburb to an urban jungle of flats and buy to lets.

The proposed development will have a detrimental effect on the value and marketability No.210. Whilst this may not strictly be a “planning issue”, it is of significant concern to the occupiers.

The proposed tarmac car park area to the front would be unsightly and out of character from the surrounding properties, most of which have trees and hedges at the front. This would result in a loss of biodiversity, amenity, drainage and street character and will create a car dominated frontage.

The occupiers are also concerned about the increased safety risks of having multiple dwellings on one site, with (unknown) people coming and going with more frequency.

For the reasons stated above, the occupiers consider that the proposed development is in breach of certain policies and objectives of the Cardiff Local Development Plan.

#### ii. Car parking and impact on traffic

The proposed application is to provide car parking for six cars. Almost every dwelling in the locality with two or more occupants will have use of at least two vehicles. In this case, this is likely to result in at least 10 – 12 vehicles wishing to use the new development and possibly more, when visitors come to the new block. The likelihood is that these additional cars would park either on Cyncoed Road itself or up on the pavement or at the top of Celyn Avenue which is located some 20 metres along from the proposed development.

The Cyncoed Road – Celyn Avenue junction is exceptionally busy at certain times of the day and becomes very congested. Cars are often parked at the top of Celyn Avenue, near the Cyncoed Road junction which significantly narrows the road and creates an obstruction to the free flow of traffic. Having more dwellings and consequently more vehicles having to park in the area would also further increase the congestion and the risk to the safety of road users and pedestrians alike. Cars parking on the pavements create a significant risk to the safety of pedestrians and also has an adverse impact on the visibility of residents when pulling out of their driveways to join the busy traffic on Cyncoed Road. This section of Cyncoed Road is already difficult to join at times due to the “blind” rise/hump in the road located slightly further up Cyncoed Road from the proposed development. Cyncoed Road is a busy commuter and bus route and vehicles often travel at greater speeds than the designated 30mph speed limit.

#### iii. Additional loss of amenity

The location and presence of the proposed development’s communal bin store on the boundary of 212 and 210 Cyncoed Road will have a significant and detrimental effect on the use and enjoyment of the rear garden at 210. Its position is approximately 6 - 8 metres from the rear patio and is also the same distance from the rear patio doors which give access to the house. Bins would

be filled and emptied at various times during the day (and possibly the evening/night too as the occupants of the flats return from work), causing significant noise disruption. Given the likely number of bins, the smell will cause inconvenience and disruption to the use and enjoyment of the patio and rear garden amenity. Significant noise disruption and disturbance will be caused on bin collection days when at least 12 of the 18 bins will need to be pulled from the communal bin store out onto the pavement for collection.

The occupiers also refer to the reasons for the Council's previous decision in January 2015, to refuse planning permission (reference 14/02630/MNR) for the demolition of the bungalow and the construction of seven flats. The occupiers contend that these reasons still exist for this new proposed development and that accordingly, the Council should reject the application.

7.5 The occupiers of 173 Cyncoed Road object for the following grounds (summary):

i) The proposal would represent an unacceptable intensification of the site and form an incongruous and unneighbourly form of development, out of character with the pattern form and urban grain of the locality contrary to Key Policy 5 of the Local Development Plan approved by Cardiff County Council on 28th January 2016 and the approved Supplementary Planning Guidance: Infill Sites (2011).

ii) The proposed development would have a prejudicial impact upon the amenities of the adjoining neighbour's due to its height, length, scale and setting of the proposed development near the adjoining boundaries, contrary to KP5 of the approved Local Development Plan and the approved Supplementary Planning Guidance: Infill Sites (2011).

iii) The proposed parking layout will, by paving over the existing garden, lead to a loss of biodiversity amenity, drainage and street character. The proposal will create a car-dominated frontage which will harm the street scene by creating a blank frontage at ground level, contrary to the approved Supplementary Planning Guidance: Infill Sites (2011).

iv) The submitted plans show the existing access, which is approximately 35 metres from the junction of Cyncoed Road and Celyn Avenue, will be utilised for additional vehicle movements. With one car parking space for each proposed flat it is highly likely that cars will be parked on the pavements on Cyncoed Road and Celyn Avenue.

The proposal may have an adverse effect on road safety due to its proximity to a busy junction, contrary to the requirements of the approved Local Development Plan to create streets which are safe and the approved Supplementary Planning Guidance requirements to set developments away from road junctions and other hazards.

7.6 The occupier of 24 Cyncoed Road objects to the application for the following reasons (summary):

- i) the proposal would be out of character with other houses and would not fit in with the look and feel of neighbouring properties and the area generally.
- ii) the occupier is also concerned about the impact of the development on highway safety stating that she often has to negotiate passed cars parked on the pavement along this section of road. She believes that this would become more difficult and less safe if the development was to approved.

7.7 The occupier of 179 Cyncoed Road objects to the application for the following reasons (summary):

The design of the flats is totally out of keeping with local houses in this attractive area of Cyncoed.

Six parking places for six two-bed flats is totally inadequate meaning an increase in on street parking which is already compromised by the presence of double yellow lines on the opposite side of the road.

The position of the proposed development near the very busy junction of Cyncoed Road and Celyn Avenue would only increase current traffic flow problems. There are two schools in very close proximity to the site and between 8.30 - 9.30am and again between 3.30-5.30pm there are acute traffic problems. Parking is also exacerbated by students from the college parking in Celyn Avenue.

Planning permission was granted for a monstrous three storey development of 6 no. flats (subject to a legal agreement) at 169 Cyncoed Road which is virtually opposite the current proposal. Large family houses seem an attractive proposition for demolition to be replaced with high density development for financial gain.

Both the current proposed development and that at 169 Cyncoed Road have single access to the properties which will produce all sorts of traffic problems and would be dangerous for children passing these areas on their way to and from school.

7.8 The occupier of 175 Cyncoed Road objects to the application for the following reasons (summary):

i) The proposal would represent an unacceptable intensification of the site and form an incongruous and unneighbourly form of development, out of character with the pattern form and urban grain of the locality contrary to Key Policy 5 of the Local Development Plan approved by Cardiff County Council on 28th January 2016 and the approved Supplementary Planning Guidance: Infill Sites (2011).

ii) The proposed development would have a prejudicial impact upon the amenities of the adjoining neighbour's due to its height, length, scale and setting of the proposed development near the adjoining boundaries contrary to KP5 of the approved Local Development Plan and the approved Supplementary Planning Guidance:

Infill Sites (2011).

iii) The proposed parking layout will, by paving over the existing garden, lead to a loss of biodiversity amenity, drainage and street character. The proposal will create a car-dominated frontage which will harm the street scene by creating a blank frontage at ground level. We understand this would be contrary to the approved Supplementary Planning Guidance: Infill Sites (2011).

iv) The submitted plans show the existing access, which is approximately 30 - 35 metres from the junction of Cyncoed Road and Celyn Avenue, would be utilised for additional vehicle movements. With only one car parking space for each proposed flat it is highly likely that cars / vehicles will be parked on the pavements of both Cyncoed Road & Celyn Avenue. Students at Cardiff Metropolitan University have recently started parking vehicles on Celyn Avenue near its junction with Cyncoed Road causing an obstruction to the free flow of traffic along both Celyn Avenue and Cyncoed Road. It is considered that the proposal will have an adverse effect on road safety due to its proximity to a very busy junction, this being contrary to the requirements of both the approved Local Development Plan (to create streets which are safe) and the approved Supplementary Planning Guidance requirements (to set developments away from road junctions and other hazards).

7.9 The occupier of 90 Celyn Avenue objects for the following reasons:

The proposal is an insensitive and inappropriate development that is completely out of keeping with neighbouring properties and those in the locality;

The three storey height of the development is out of keeping with neighbouring properties;

The provision of only 6 parking spaces is inadequate for 6 dwellings and will probably result in further parking of cars on Cyncoed Road and Celyn Avenue. Roadside parking in the area is already a problem and the proposed development would worsen it. The junction of Cyncoed Road and Celyn Avenue is already very congested. It is part of a busy bus route and buses already have difficulty negotiating the junction due to the number of cars which park along Celyn Avenue and close to the junction. The proposed development would increase the congestion. School children walk in the vicinity of the junction of Cyncoed Road and Celyn Avenue on their way to the schools in the area, Lakeside Primary and Cardiff High School. More traffic and congestion would increase the risk of possible traffic accidents concerning pedestrians.

7.10 The occupier of 206 Cyncoed Road states that the application causes him concern for the following reasons:

i) The existing house is a detached property as are all the neighbouring buildings in the vicinity. The replacement of this architect-designed house by a rather stark looking block of flats would not be in keeping with the area.

ii) The proposed building is roughly twice the size of the existing building. With three storeys and with a much larger double frontage, it would dominate and

overlook its neighbours which are all two storey. It would also put extra load on drainage, sewerage and other services in the road.

iii) It would generate extra traffic on an already busy road, and being near the brow of a hill, is not best located with regard to safety of vehicles entering and leaving.

iv) Giving permission for this development might set a precedent for further similar schemes for neighbouring properties, leading to a change in the nature of the area.

v) It is believed that there believe there is a demand and shortage in Cardiff for larger houses, and replacement of a large house by a number of small flats would not help this situation.

- 7.11 The occupier of 214 Cyncoed Road states that he could give many reasons why the application should be rejected but specifically refers to the following matters:

Traffic concerns, stating that getting out of his drive at peak times is a 'nightmare' with traffic appearing over the brow at speed. He comments that the additional vehicles generated by the proposed development could make existing difficult situation dangerous. If successful, it would be difficult to reject similar applications.

- 7.12 Following the receipt of amended plans, the following additional representations have been received:

- 7.13 Councillor Kathryn Kelloway, whilst welcoming the amended plans in comparison to those previously submitted, wishes to object to the application on many of the same grounds (as follows):

*i) Cyncoed Road is a major thoroughfare and, in the locality of the application site, consists predominantly of traditional family dwellings built in the inter-war years, to the architectural style prevalent at the time. The proposed development is of a more "modern" design which does not sit well with the predominant architectural character of this section of Cyncoed Road and is contrary to the principles set out on page 25 of the "Cardiff Residential Design Guide" Supplementary Planning Guidance, which advises that new development should integrate sympathetically with existing buildings and protect or enhance elements which contribute to the local character. The proposed development, by virtue of its scale, massing and architectural style would form an incongruous element in the local street scene and would be out of keeping with existing buildings.*

*ii) The dimensions of the existing two-storey dormer bungalow at 212 Cyncoed Road fit well on the site and roughly mirror those of the houses on the adjacent plots at 210 and 214 Cyncoed Road. The proposed development would be higher, wider and longer than the existing structure and the dwellings at 210 and 214. This would be contrary to the advice given on page 25 of the "Cardiff*



*Residential Design Guide” Supplementary Planning Guidance, which states that developments should “complement the scale and massing of neighbouring built forms...” At page 52, the SPG also states “We will resist forms of developments where the scale and massing of any buildings or other elements of a scheme are discordant, or aspects of the scheme are poorly chosen or located in the street scene”. It is clear, therefore, that the proposed development, by virtue of its scale and massing, would have a dominating and overbearing impact upon the properties at 210 and 214 Cyncoed Road, to the detriment of the residential amenity of the occupants of those properties.*

*iii) The existing building at 212 Cyncoed Road integrates well into its street setting in so far as it does not impact adversely upon the quiet enjoyment by adjacent residents of their properties. The proposed three-storey, five apartments block would represent a significant departure from this position. The increased width of the proposed building would bring it nearer to both the northern and southern boundaries and, by virtue of its increased height, would accentuate the dominating and overbearing effect of the building upon adjoining residents. The increased height of the structure would be likely to have a shadowing effect upon neighbours’ homes, gardens and outdoor recreation areas, particularly at number 214 Cyncoed Road.*

*The provision of “Juliet” balconies on the first floor and non-obscure windows on the third floor east facing elevations will, by virtue of the proximity of the apartments to the boundaries and the increased height of the building, provide uninterrupted views into neighbouring properties, outdoor recreation areas and gardens and will compromise the privacy of residents living at these properties. The “Cardiff Residential Design Guide” Supplementary Planning Guidance at page 53 states: “A privacy distance of at least 21 metres will be required between facing windows to habitable rooms on the private side of a development”.*

*It is also noted that the locations of the proposed bin stores on either side of the development, adjacent to the neighbour’s outdoor recreation area would be likely to further erode the residential amenity of the neighbours by virtue of the noise and smells.*

*The greater intensification of use at the site of 212 Cyncoed Road by the creation of five households is likely to create an increased demand for off-street parking with the attendant noise and disturbance to nearby residents that will arise.*

*Therefore, by virtue of domination, overshadowing, overlooking, loss of privacy, smells and increased noise, the development is likely to be of an un-neighbourly nature which will be detrimental to the amenity of other residents.*

*iv) Cyncoed Road is already a busy thoroughfare and, with future developments in North Cardiff, is likely to grow increasingly so. The building of a multi-apartment complex would feed additional vehicles onto Cyncoed Road, particularly near to the busy junction with Celyn Avenue, is likely to further*

*compromise road safety in the area.*

7.14 The occupier of 196 Cyncoed Road objects on the following grounds:

i) The proposed development consists of 5 flats, each likely to be occupied by two persons both of whom will be car owners. The provision of only 6 car parking spaces within the curtilage of the site is inadequate and will lead to more on-street and on-footpath parking, which is already a danger and nuisance in the area. This street/footpath parking will also constitute an additional and dangerous hazard at the adjacent busy junction of Cyncoed Road with Celyn Avenue.

ii) The large paved car parking area will add to water run off to the road and the consequent flood risk at lower levels.

iii) This adjacent, busy junction of Cyncoed Road with Celyn Avenue is already the site of collisions and many “near misses”; apart from its constant daily traffic, it is also on the no. 13 Cardiff bus and no. X11 NAT bus routes, seven of which pass it every hour during the day. The additional traffic and parking caused by the proposed development will significantly add to the risk of further collisions at the junction and even, in time, a fatality.

iv) The 3-storey height and extensive depth of the proposed development is totally out of keeping with the style of existing properties in the locality and, as such, is inappropriate and insensitive.

7.15 A further occupier of 196 Cyncoed Road objects on the following grounds:

i) The proposed development consists of 5 flats, each likely to be occupied by two persons both of whom will be car owners. The provision of only 6 car parking spaces within the curtilage of the site is inadequate and will lead to more on-street and on-footpath parking, which is already a danger and nuisance in the area. This street/footpath parking will also constitute an additional and dangerous hazard at the adjacent busy junction of Cyncoed Road with Celyn Avenue.

ii) The large paved car parking area will add to water run off to the road and the consequent flood risk at lower levels.

iii) This adjacent, busy junction of Cyncoed Road with Celyn Avenue is already the site of collisions and many “near misses”; apart from its constant daily traffic, it is also on the no. 13 Cardiff bus and no. X11 NAT bus routes, seven of which pass it every hour during the day. The additional traffic and parking caused by the proposed development will significantly add to the risk of further collisions at the junction and even, in time, a fatality.

iv) The 3-storey height and extensive depth of the proposed development is totally out of keeping with the style of existing properties in the locality and, as such, is inappropriate and insensitive.

7.16 The occupier of 179 Cyncoed Road comments that her original objections still stand notwithstanding the alterations to the application.

7.17 The occupiers of 210 Cyncoed Road object to the revised application for the same reasons as detailed in their previous objection letter. In summary, the grounds of objection are as follows:

- i) The proposed development is out of character with the area and local dwellings;
- ii) Car parking proposals and the likely impact on traffic;
- iii) Additional loss of amenity.

The occupiers refer to the refusal of planning permission for 7 no. Flats in January, 2015 and contend that these reasons still remain for the current application.

7.18 The occupier of 206 Cyncoed Road comments that whilst the number of flats have been reduced from six to five this has made little difference to the size and appearance of the building when compared against the original proposal. It is considered that it remains quite out of character with the nearby buildings in both size and style, and would be a blot on the landscape.

The occupier remains concerned that it would dominate its neighbours, put extra load on the drainage, sewerage and other services in the road and generate extra traffic on an already busy road.

The occupier states that allowing this development would set a precedent for similar schemes, leading to a change of character in the area.

7.19 The occupiers of 173 Cyncoed Road note that the revised plan has a smaller footprint than the original proposal but wish to object to the proposed development for the following reasons:

i) The revised proposal still represents an unacceptable intensification of the site and would result in an incongruous and unneighbourly form of development, out of character with the pattern form and urban grain of the locality.

ii) The proposed development would have a prejudicial impact upon the amenities of the adjoining neighbour's due to the height, scale and setting of the proposed development near the adjoining boundaries.

iii) The proposed parking layout will lead to a loss of biodiversity amenity, drainage and street character. The planting of additional shrubbery to hide cars will not detract from the fact that the character of the frontage at ground level will change.

iv) The submitted plans show the existing access which is approximately 35 metres from the junction of Cyncoed Road and Celyn Avenue, will be utilised for additional vehicle movements. With 1.2 car parking space for each proposed flat it is highly likely that cars will be parked on the pavements on Cyncoed

Road and Celyn Avenue.

The proposal may have an adverse effect on road safety due to its proximity to a busy junction, contrary to the requirements of the approved Local Development Plan to create streets which are safe and the approved Supplementary Planning Guidance requirements to set developments away from road junctions and other hazards.

7.20 The occupier of 24 Cyncoed Place, having looked at the revised plans, cannot see that much has changed and therefore believe their reasons for objecting previously still apply.

7.21 The occupiers of 175 Cyncoed Road, whilst noting the amended plans, wish to object to the application for the following reasons (summary):

i) The proposal would represent an unacceptable intensification of the site and form an incongruous and unneighbourly form of development, out of character with the pattern form and urban grain of the locality, contrary to Key Policy 5 of the Local Development Plan approved by Cardiff County Council on 28th January 2016 and the approved Supplementary Planning Guidance: Infill Sites (2011).

ii) The proposed development would have a prejudicial impact upon the amenities of the adjoining neighbour's due to its height, length, scale and setting of the proposed development near the adjoining boundaries, contrary to KP5 of the approved Local Development Plan and the approved Supplementary Planning Guidance: Infill Sites (2011).

iii) The proposed parking layout will, by paving over the existing garden, lead to a loss of biodiversity amenity, drainage and street character. The proposal will create a car-dominated frontage which will harm the street scene by creating a blank frontage at ground level.

iv) The submitted plans show the existing access which is approximately 30 - 35 metres from the junction of Cyncoed Road and Celyn Avenue would be utilised for additional vehicle movements. With only one car parking space for each proposed flat it is highly likely that cars / vehicles will be parked on the pavements of both Cyncoed Road and Celyn Avenue. Students at Cardiff Metropolitan University have recently started parking vehicles on Celyn Avenue near its junction with Cyncoed Road causing an obstruction to the free flow of traffic along both Celyn Avenue and Cyncoed Road. It is believed the proposal will have an adverse effect on road safety due to its proximity to a very busy junction.

7.22 The occupier of 154 Hollybush Road comments that the proposed development will overlook nearby properties and invade their privacy. The occupier also comments that the proposed development will cause problems in terms of traffic and parking and will not fit well amongst the current appearance of properties on the road.

## 8. ANALYSIS

- 8.1 Planning permission is sought to demolish the existing dwelling at 212 Cyncoed Road and redevelop the site with a building containing 5 no. two bedroom flats. Although currently, there are no flats in close proximity to the site, there is no objection, in principle, to this form of development at this location. It is noteworthy that planning permission was granted in 2009 for a contemporary three storey block of 6no.flats at 169 Cyncoed Road. That planning permission was renewed in 2015, subject to the conclusion of a S106 Agreement.
- 8.2 In 2015, a planning application to redevelop the current application site with a block containing 7 no. flats was refused for the reasons outlined in paragraph 3.1 of this report. The current application has been submitted with a view to addressing these objections. The scheme has been amended following discussions with the agent from 6 no. flats and reduced in scale, particularly in respect of the design of the rear annexe.
- 8.3 The main planning issues are considered to relate to:
- (i) the effects of the proposed development on the character and appearance of the street scene and the general amenities of neighbouring occupiers.
  - (ii) whether the proposed development will provide an acceptable living environment for prospective occupiers.
  - (iii) parking/transportation.
  - (iv) trees/landscaping and nature conservation interests.
  - (v) affordable housing provision.
- 8.4 Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan states that... *all new development will be required to be of a high quality, sustainable design and make a positive contribution to the creation of distinctive communities, places and spaces by (inter alia):*
- (i) responding to the local character and context of the built and landscape setting so that layout, scale, form, massing, height, density, colour, materials, detailing and impact on the built and natural heritage are all addressed within development proposals;*
  - (x) ensuring no undue effect on the amenity of neighbouring occupiers and connecting positively to surrounding communities;*
- 8.5 Planning Policy Wales at paragraph 4.11.9 states that '*visual appearance, scale and relationship to surroundings and context are material planning considerations.*'
- 8.6 Further guidance on residential infill development is provided in the Council's Supplementary Planning Guidance (SPG): *Design Guidance for Infill Development (2011)*. Although the SPG was approved as supplementary guidance to the City of Cardiff Local Plan, the advice contained within it is consistent with the aims of LDP Policy KP5 and guidance in Planning Policy

Wales and therefore remains pertinent to the consideration of the current application, assisting in informing the assessment of relevant matters.

8.7 At paragraph 3.8, the SPG states that:

*Infill, backland and site redevelopment must result in the creation of good places to live. This needs to be demonstrated through the quality of internal living space; private amenity space; and through adherence to principles relating to access, security, and legibility.*

8.8 At paragraph 3.12, the SPG states that:

*Infill development needs to be sensitive to its immediate surroundings and respond well to the built context. It is important that in residential areas where there is a clear existing pattern and form of development, new buildings, landscaping and boundary treatment complement the character of the surroundings.*

8.9 At paragraph 4.3, the SPG states that:

*'It should be demonstrated that the size and type of external amenity space is appropriate to the type of development and to the urban grain of the area.'*

8.10 At paragraph 4.11, the SPG states that:

*'To safeguard the amenity of existing residents, proposals must not result in unacceptable harm regarding the level of overbearing, overshadowing or overlooking of neighbouring properties.'*

8.11 With respect to the effect of the proposed development on the character and appearance of the street scene, there is no objection to the proposed building, as amended, on design grounds. There is evident variety in the scale, form, architecture and finish of the properties along Cyncoed Road. Whilst the proposed building would have a larger footprint and would be significantly bulkier than the existing dwelling, it is considered that its scale is appropriate within the context of the site and street having regard to the following factors:

i) The building would be set in a minimum distance of approximately 2.4 metres from the boundaries with the neighbouring properties on either side. This is considered sufficient to ensure that the structure will not appear to have been 'squeezed' onto the site and would maintain a reasonable visible separation in views from Cyncoed Road. Although the building would be taller than its neighbours, its height of approximately 5.8 metres at eaves level and approximately 9.0 metres to the ridge line would not be significantly taller than a traditional two storey dwelling. It is essentially a 2 ½ storey building with the bulk of second floor accommodation contained in the roof space.

ii) The design of the building retains characteristics common within the street scene.

The building conforms to the existing frontage building although the front facing gables will establish the new building as more prominent in the street scene. Given the scale of the street and the depth of the plot, this is considered acceptable. A large flat roof projection on the front elevation/roof plane has been removed so as to make the appearance of the building more in keeping with the surrounding streetscape.

iii) The scheme provides for a degree of soft landscaping at the front of the site and a less vehicular dominated frontage.

- 8.12 The likely impact of the proposed development on the living conditions of neighbouring occupiers has been carefully considered.
- 8.13 The side elevations of the proposed building are shown to be sited 2.4 metres from the boundaries with the neighbouring properties at 210 and 214 Cyncoed Road at their nearest point and the front elevation maintains the established forward building line. The rear element of the proposed building, which projects beyond the rear elevations of the neighbouring properties, has been reduced in scale and will be sited 4.0 metres from the boundaries of nos. 210 and 214. The roof plane pitches away from the boundary which will also assist in mitigating the impact of the structure.
- 8.14 The extent that the building projects rearwards into the site has been significantly reduced when compared to the footprint of the building subject of the previous planning application for 7 no. flats ( by approximately 9.0 metres). The scheme does not propose a rear parking area which was a previous concern. To protect the privacy of neighbours, first floor windows in the side elevation and a number on the rear elevation are conditioned to be obscurely glazed.
- 8.15 Whilst some concern has been raised regarding upper floor windows overlooking neighbouring gardens, especially as a number would serve habitable rooms, a degree of mutual overlooking is inevitable in such residential areas and it is not considered that the impact of the revised proposal on the privacy of the neighbouring occupiers would be so significant as to justify refusal of the application on this ground or that the proposed building, as amended, would have an unduly overbearing effect on the adjoining neighbours.
- 8.16 The neighbour's concern regarding the location of the bin store next to the boundary with 210 Cyncoed Road is noted. The revised layout plan proposes two combined bin and cycle stores located next to the boundaries with nos. 210 and 214 rather than a single bin store next to 210 Cyncoed Road. The stores will be screened from the neighbours' view by proposed boundary fencing. On this basis, it is not considered that refusal of the application on amenity grounds would be justified.
- 8.17 With regard to the prospective living environment for future occupiers, the proposed flats have acceptable internal living space and outlook. The proposed amenity space (some 750 sq metres) is considered to be appropriate to the

type of development and to the urban grain of the area.

- 8.18 Appropriate landscaping of the site can be satisfactorily addressed by condition. The submitted bat survey has not identified issues that cannot be addressed by mitigation.
- 8.19 The Operational Manager, Transportation advises that he has no objection on parking or highway safety grounds subject to appropriate conditions. He comments that the provision of 6 no. off street parking spaces is policy compliant where the minimum provision is 0.5 spaces per unit. The Officer notes the concerns raised by neighbouring and local residents, including parking on nearby Celyn Avenue, but comments that an objection on highway grounds would not be sustainable. He comments that one side of Cyncoed Road has double yellow lines which should inhibit inconsiderate parking. The site is well served by public transport being located on a frequent bus route with a bus stop sited approximately 100 metres away.
- 8.20 In accordance with Local Development Plan Policy H3, the Housing Strategy Officer has advised that an affordable housing contribution should be sought in relation to the development. This amounts to a financial contribution of £77,430 calculated in accordance with the formula in the Planning Obligations Supplementary Planning Guidance and has also been agreed with the applicant.
- 8.21 No technical objections have been raised by Welsh Water/Dwr Cymru or by the Council's Drainage Officer to the approval of the application on drainage grounds. An appropriate drainage condition is recommended.
- 8.22 On balance, the proposal, as amended, is considered acceptable on planning grounds and approval is recommended subject to the attached conditions.

## 9. **OTHER CONSIDERATIONS**

### 9.1 Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

### 9.2 Equality Act 2010

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council's duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic, over and above any other



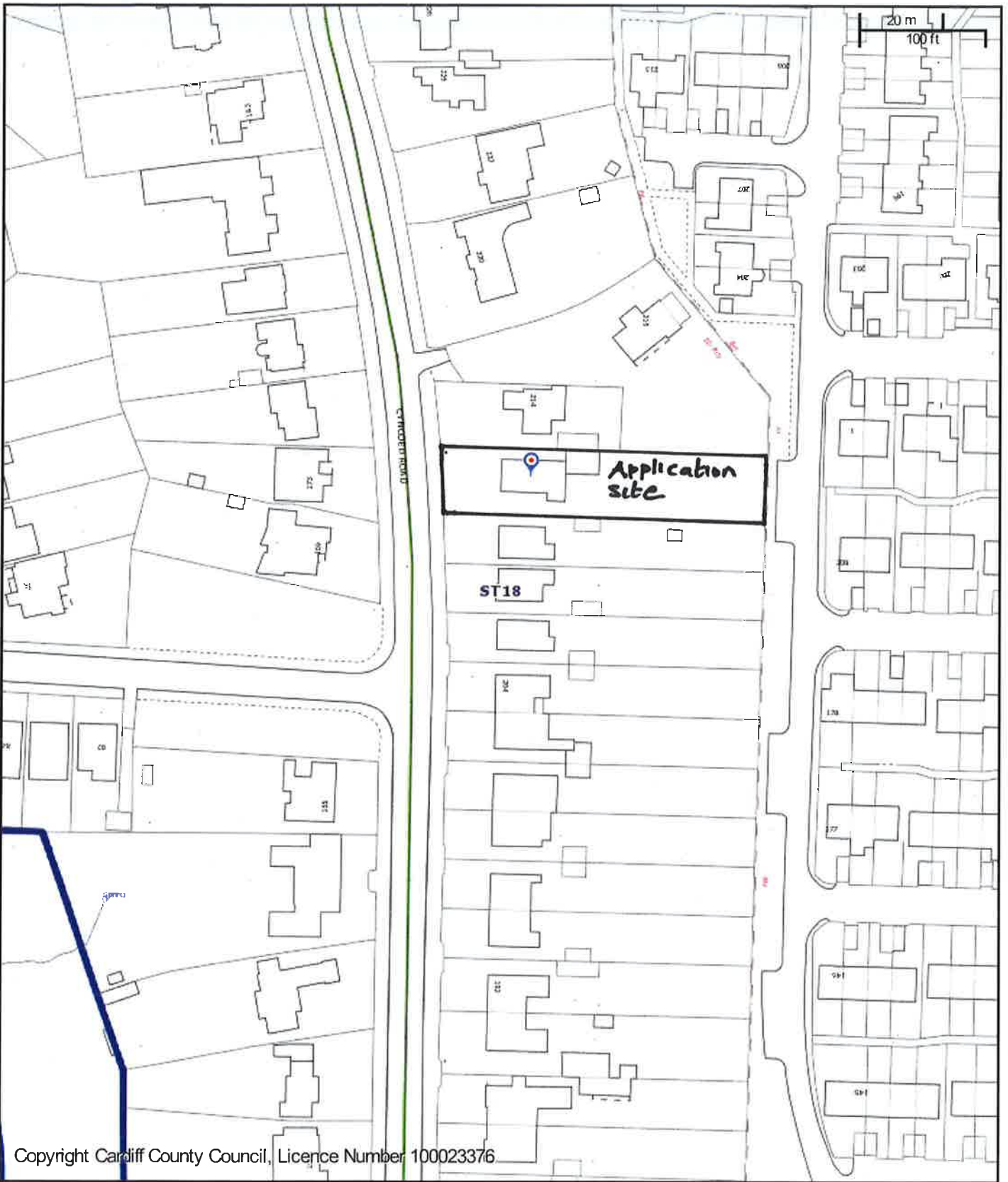
person.

9.3 Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 places a duty on the Welsh Ministers (and other public bodies) to produce well-being objectives and take reasonable steps to meet those objectives in the context of the principle of sustainable development. The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act), has been considered and account has been taken of the ways of working set out at section 5 of the WBFG Act in the determination of this application, and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the well-being objectives referred to in section 9 of the WBFG Act.

9.4 Environment (Wales) Act 2016

The Environment (Wales) Act 2016 imposes a duty on the Local Authority to seek to maintain and enhance biodiversity in the proper exercise of its functions and in doing so to promote the resilience of ecosystems. It is considered that the proposed development does not have any significant implications for, or effect on, biodiversity.



CHIEF EXECUTIVE  
 Paul Orders  
 County Hall  
 Atlantic Wharf  
 Cardiff CF10 4UW  
 Tel: 029 20872000

**City of Cardiff Council**  
**Cyngor Dinas Caerdydd**



**Title**  
 Scale: 1:1250  
 Date: 23/10/2017 at 8:39 AM  
 Coordinates  
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0mm 50mm

**A3** Original Sheet Size

**FINISHES KEY:**

- A : SLATE GREY ROOF & RIDGE TILES
- B : ANTHRACITE GREY UPVC DOUBLE GLAZED WINDOWS & DOORS
- C : BLACK UPVC RAINWATER GOODS ON BLACK FASCIA
- D : WHITE K RENDERED EXTERNAL WALLS
- E : ANTHRACITE GREY TRESPA METEON RAIN SCREEN/CLADDING
- F : GLAZED JULIET BALCONIES



**West (Front) Elevation as Existing**  
1 : 100



**Planning Issue**

date	rev	name	chk	note



Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design  
Systems House 89 Heol Don Cardiff CF14 2AT  
T 02920316857 M 07785582007 info@dlparchitecture.co.uk

PROJECT  
Proposed demolition of existing dwelling & erection of new development to form 6 flats  
212 Cyncoed Road, Cardiff, CF23 6RS

DRAWING TITLE  
Elevations as Existing

SCALE	DATE	DRAWN BY	CHECKED BY
1 : 100	17/05/17	PL	GH

DRAWING NUMBER	REVISION
P458a L_110	





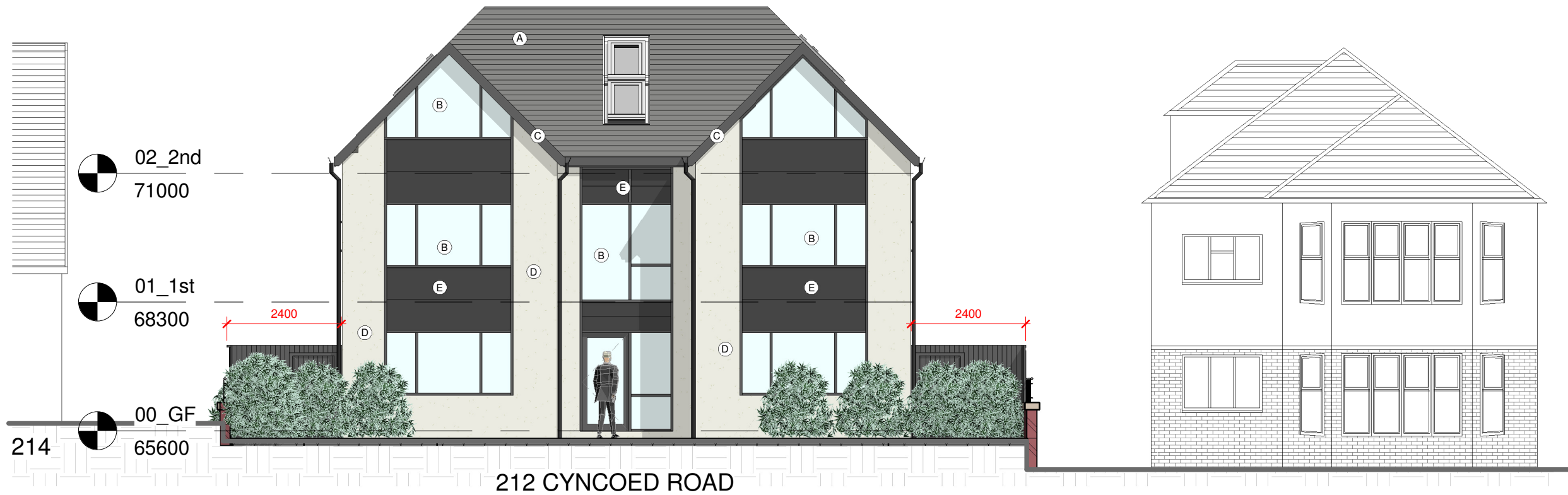
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A3 Original Sheet Size

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- A : SLATE GREY ROOF & RIDGE TILES
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West Elevation from Cyncoed Road  
1 : 100

210 CYNCOED ROAD

Planning Issue

date	rev	name	chk	note
30/08/17	B	PL	GH	Scheme reduced to 5 units, rear annex reduced in length & scale
20/07/17	A	PL	-	Development reduced in width, annex scale reduced, front dormer roof removed & additional landscaping to frontage added



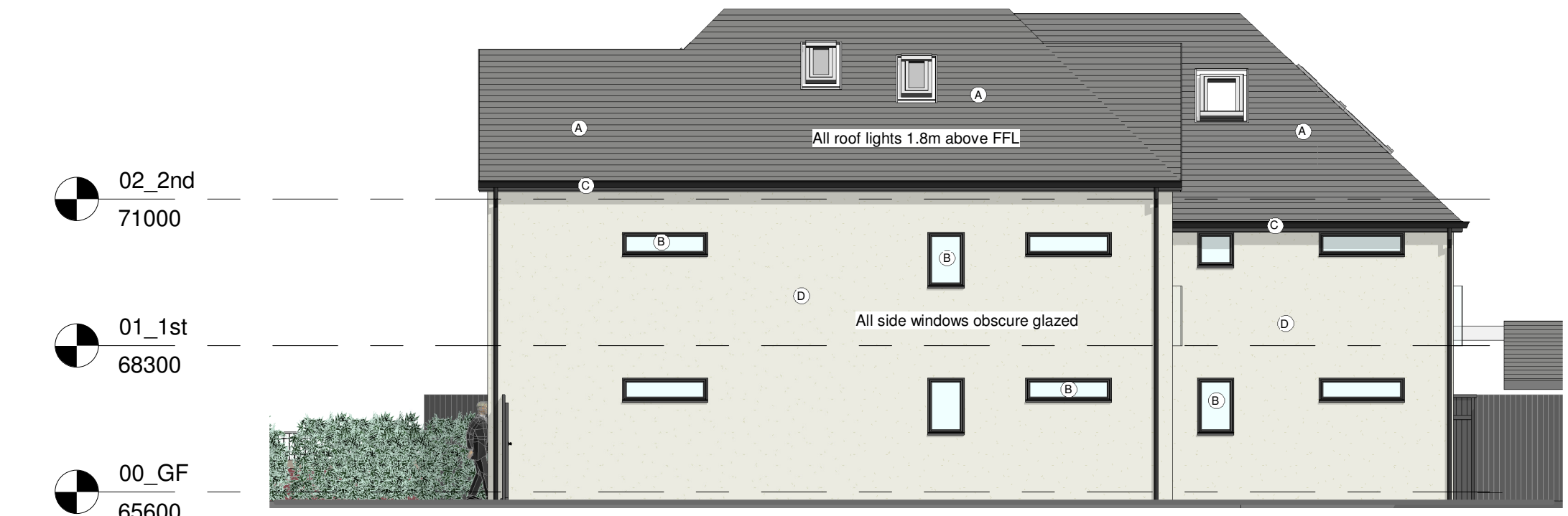
Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design  
Systems House 89 Heol Don Cardiff CF14 2AT  
T 02920316857 M 07785582007 info@dlparchitecture.co.uk

PROJECT  
Proposed demolition of existing dwelling & erection of new development to form 5 flats  
212 Cyncoed Road, Cardiff, CF23 6RS

DRAWING TITLE  
Elevations 1 of 2 as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
1 : 100	17/05/17	PL	GH

DRAWING NUMBER	REVISION
P458a L_210	B



South (side) Elevation  
1 : 100

19/10/2017 10:54:40



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A3 Original Sheet Size

**FINISHES KEY:**

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- E : ANTHRACITE GREY TRESPA METEON RAIN SCREEN/CLADDING
- F : GLAZED JULIET BALCONIES

**DRAINAGE LEGEND:**

- -FOUL DRAINAGE RUN PROPOSED
- -FOUL DRAINAGE RUN PROPOSED
- -SURFACE WATER DRAINAGE RUN

# Planning Issue

30/08/17	B	PL	GH	Scheme reduced to 5 units, rear annex reduced in length & scale
20/07/17	A	PL	-	Development reduced in width, annex scale reduced, front dormer roof removed & additional landscaping to frontage added
date	rev	name	chk	note

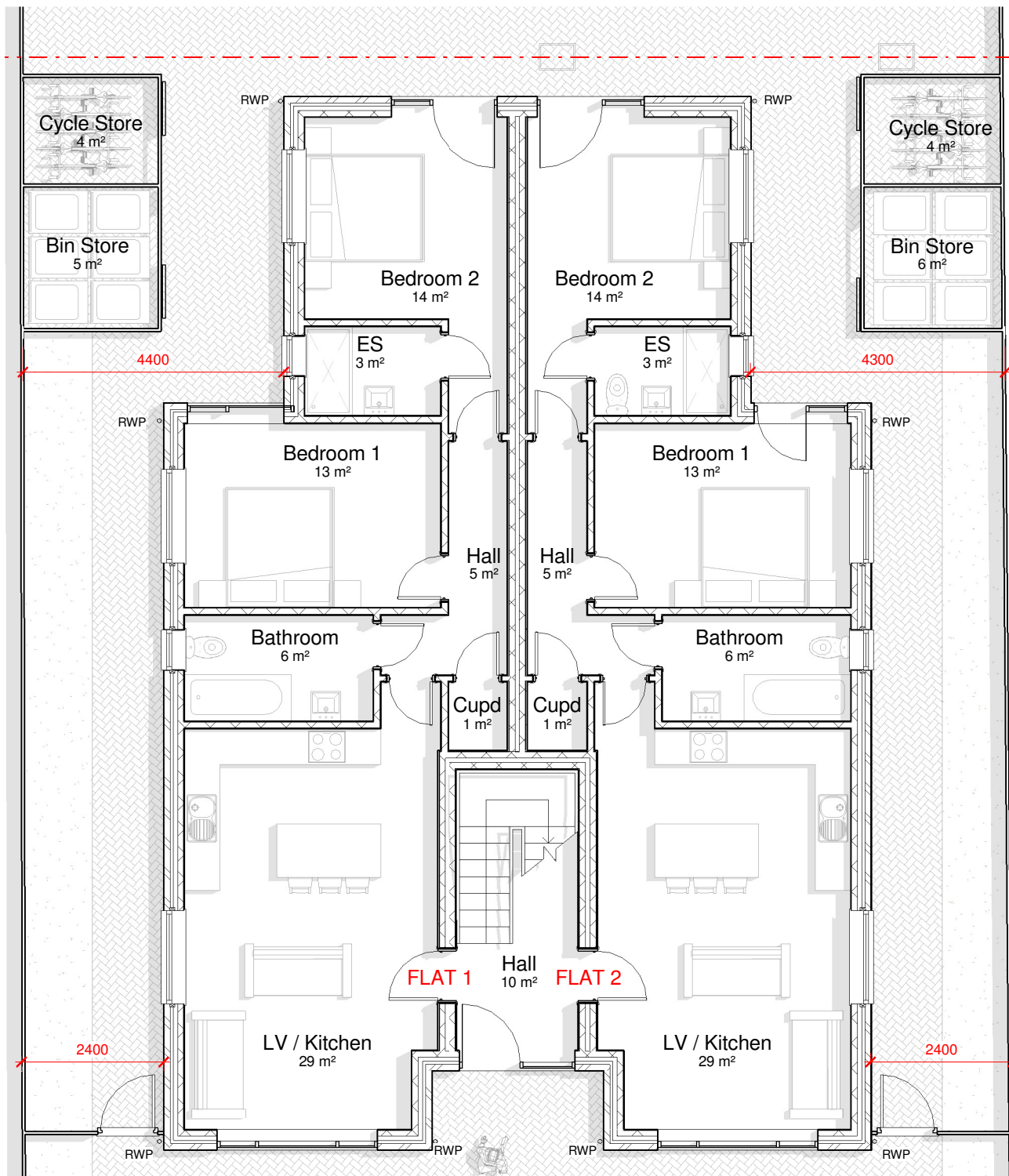


Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design  
 Systems House 89 Heol Don Cardiff CF14 2AT  
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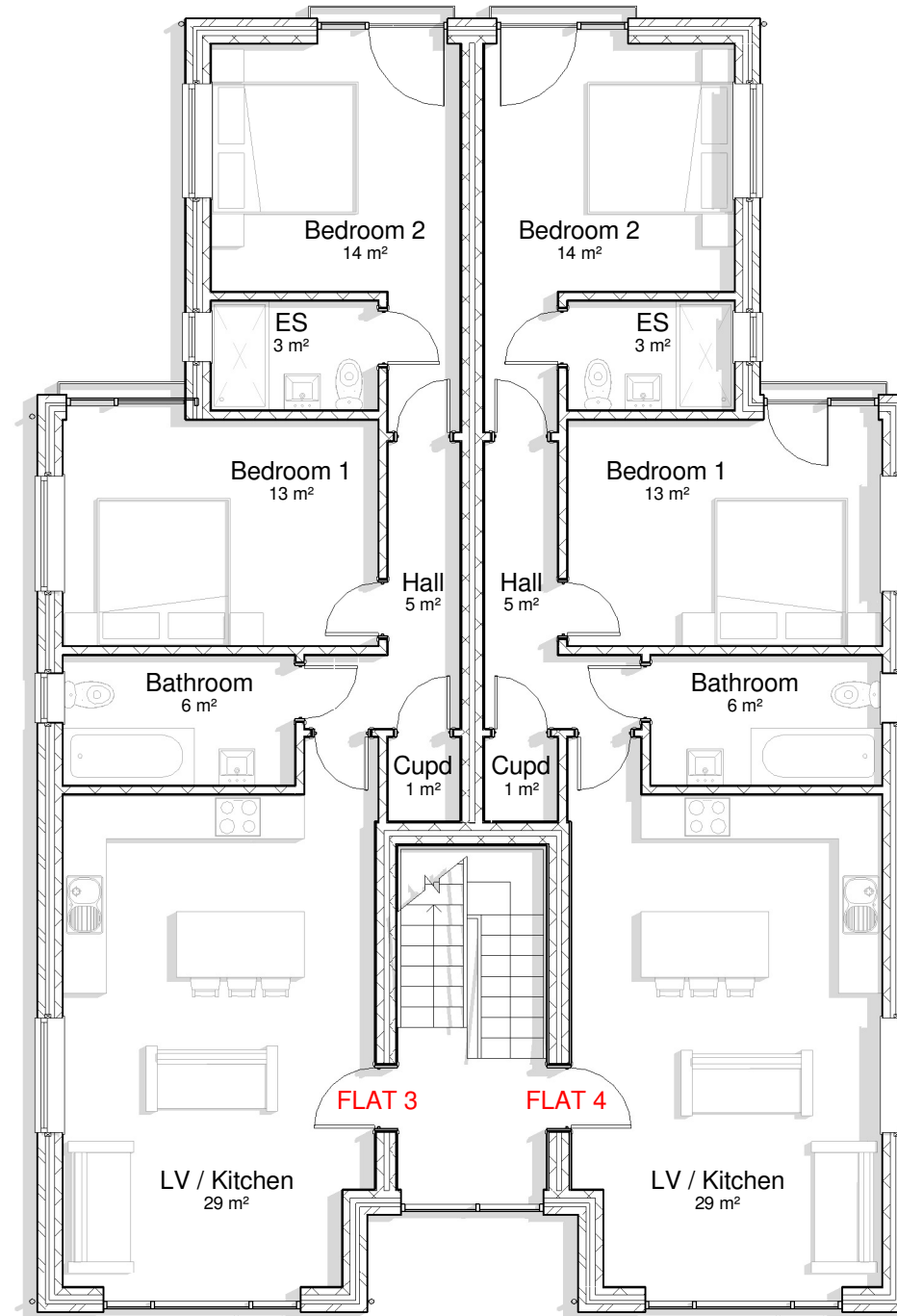
PROJECT  
 Proposed demolition of existing dwelling & erection of new development to form 5 flats  
 212 Cyncoed Road, Cardiff, CF23 6RS

DRAWING TITLE  
 Ground Floor & First Floor Plans as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
1 : 100	17/05/17	PL	GH
DRAWING NUMBER	REVISION		
P458a L_200	B		



Ground Floor Plan  
1 : 100



First Floor Plan  
1 : 100

20/09/2017 16:00:33

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**FINISHES KEY:**

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- F : GLAZED JULIET BALCONIES



- West Elevation from Cyncoed Road  
1 : 100



West Elevation from Cyncoed Road  
1 : 100

Planning Issue

date	rev	name	chk	note



Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design  
Systems House 89 Heol Don Cardiff CF14 2AT  
T 02920316857 M 07785582007 info@dlparchitecture.co.uk

PROJECT  
Proposed demolition of existing dwelling & erection of new development to form 5 flats  
212 Cyncoed Road, Cardiff, CF23 6RS

DRAWING TITLE  
West Elevation comparison

SCALE	DATE	DRAWN BY	CHECKED BY
1 : 100	20/09/17	PL	GH

DRAWING NUMBER	REVISION
P458a L_212	



- East (Rear) Elevation  
1 : 100

**FINISHES KEY:**

- A : SLATE GREY ROOF & RIDGE TILES
- B : ANTHRACITE GREY UPVC DOUBLE GLAZED WINDOWS & DOORS
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East (Rear) Elevation  
1 : 100

Planning Issue

date	rev	name	chk	note



Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design  
Systems House 89 Heol Don Cardiff CF14 2AT  
T 02920316857 M 07785582007 info@dlparchitecture.co.uk

PROJECT  
Proposed demolition of existing dwelling & erection of new development to form 5 flats  
212 Cyncoed Road, Cardiff, CF23 6RS

DRAWING TITLE  
East Elevation comparison

SCALE	DATE	DRAWN BY	CHECKED BY
1 : 100	20/09/17	PL	GH

DRAWING NUMBER	REVISION
P458a L_213	



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South West Perspective View



North East Perspective View

## Planning Issue

30/08/17	B	PL	GH	Scheme reduced to 5 units, rear annex reduced in length & scale
20/07/17	A	PL	-	Development reduced in width, annex scale reduced, front dormer roof removed & additional landscaping to frontage added

date	rev	name	chk	note
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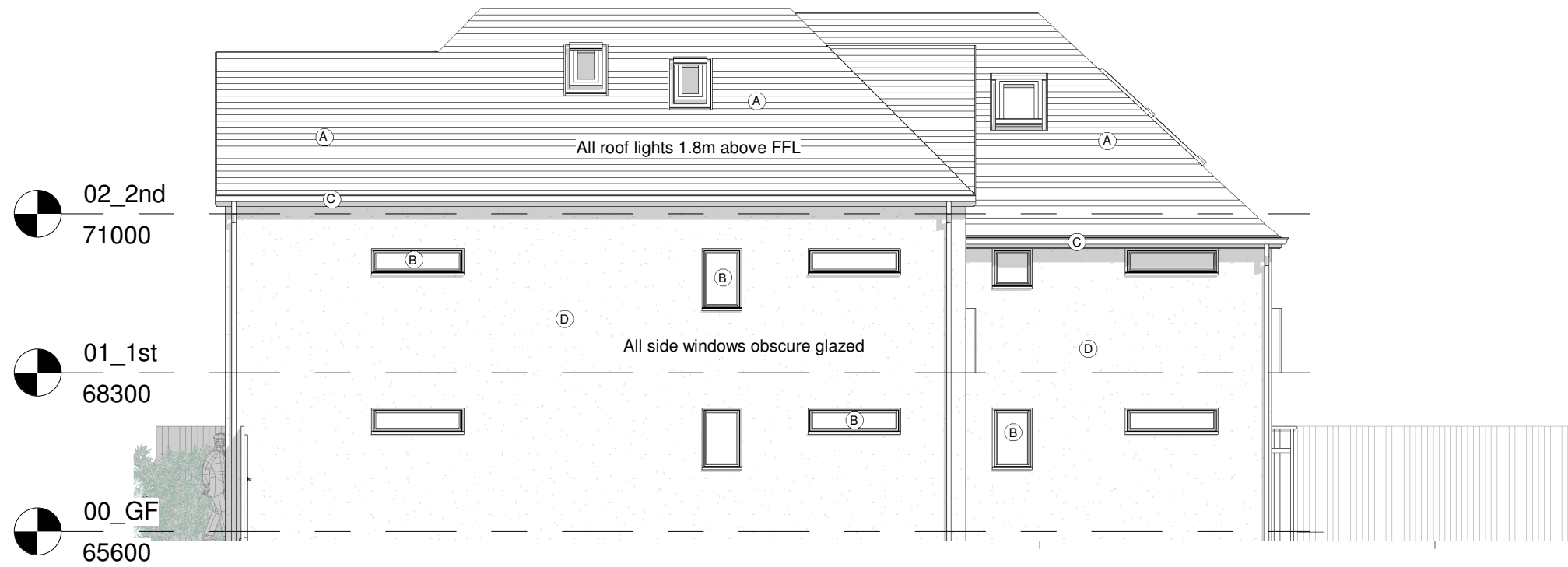
Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design  
 Systems House 89 Heol Don Cardiff CF14 2AT  
 T 02920316857 M 07785582007 info@dlparchitecture.co.uk

PROJECT  
 Proposed demolition of existing dwelling & erection of new development to form 5 flats  
 212 Cyncoed Road, Cardiff, CF23 6RS

DRAWING TITLE  
 Perspective Views as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
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DRAWING NUMBER	REVISION
P458a L_220	B



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- F : GLAZED JULIET BALCONIES

South Elevation  
1 : 100



Planning Issue

date	rev	name	chk	note



Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design  
Systems House 89 Heol Don Cardiff CF14 2AT  
T 02920316857 M 07785582007 info@dlparchitecture.co.uk

PROJECT  
Proposed demolition of existing dwelling & erection of new development to form 5 flats  
212 Cyncoed Road, Cardiff, CF23 6RS

DRAWING TITLE  
South Elevation comparison

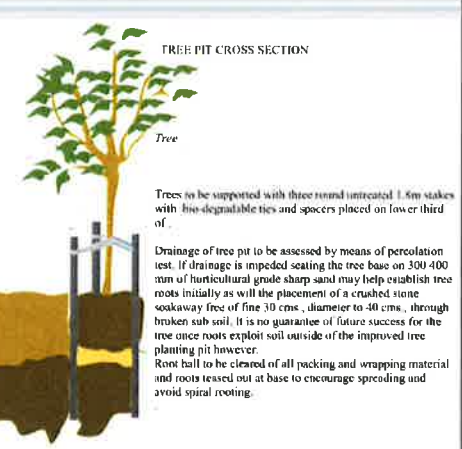
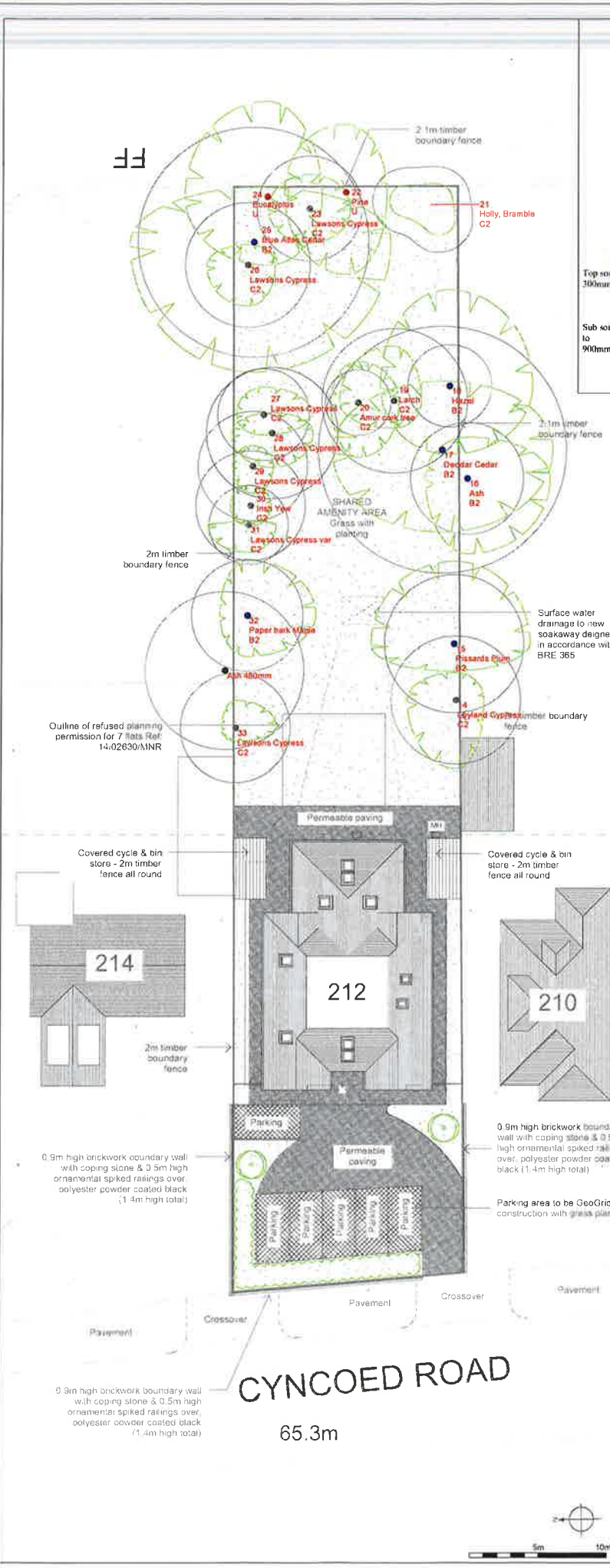
South (side) Elevation  
1 : 100

SCALE	DATE	DRAWN BY	CHECKED BY
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DRAWING NUMBER	REVISION
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FF



## Cardiff Treescapes Arboricultural Consultants

17 Ravenscourt Close, Penylan, Cardiff, CF23 9DJ  
Tel/Fax/Voice mail 029 2048 1284  
e-mail: [info@cardiff-treescapes.com](mailto:info@cardiff-treescapes.com) Web: [www.cardiff-treescapes.com](http://www.cardiff-treescapes.com)

Site: 212 Cyncoed Road	1-200@AZ
Drawing Title: Planting Plan	Sept 2017

**Key:**

- Category A
- Category B
- Category C
- Category U

Category

NOTE: Tree locations are approximate

- 2 *Gleditsia triacanthos* 'Davies street keeper' Heavy nursery standard single stem 10-12cm root balled supported on triple untreated stakes with biodegradable ties
- Hedgerow planting of mixed variegated foliage evergreen shrubs 18 in total 1-1.5m ht. container grown.

3 each of *Viburnum tinus variegatum*, *Eucynomy japonicus* President Gauthier, *Eucynomy japonicus* Microphyllus albovariegatus *Ligustrum Lucidum* Excelsum Superbum Mahonia x wagneri *Undulata Choisya dowliteana* Aztec Pearl.

Soils within planting beds will need to be assessed for suitability in accordance with guidelines set out in BS9545 and if found to be in poor condition and unsuitable for plant growth will be replaced with certified sub soil and top soil compliant with BS 3882 2015 and to BS 8601 2013. Plant beds will need to have a profile of 300mm of free draining top soil over de-compacted sub soil

CYNCOED ROAD

65.3m

