

AM & LOCAL MEMBER OBJECTIONS

COMMITTEE DATE: 13/12/2017

APPLICATION No. **17/02161/MNR** APPLICATION DATE: 08/09/2017

ED: **PENYLAN**

APP: TYPE: Full Planning Permission

APPLICANT: Mr Ciocca

LOCATION: 301 ALBANY ROAD, ROATH, CARDIFF, CF24 3NY

PROPOSAL: PROPOSED REAR EXTENSION, LOFT CONVERSION WITH DORMERS AND CONVERSION OF DWELLING TO FORM 4 NO. FLATS

RECOMMENDATION 1 : That planning permission be **GRANTED** subject to the following conditions :

1. C01 Statutory Time Limit
2. The development shall be carried out in accordance with the approved drawings numbered:
 - Site Plan as Proposed. Drawing No. P585 L_002 Revision A
 - Elevations as Proposed. Drawing No. P585 L_210 Revision A
 - Section as Proposed. Drawing No. P585 L_211 Revision A
 - Floor Plan as Proposed. Drawing No. P585 L_200 Revision A

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

3. Prior to the beneficial occupation of the flats hereby approved, an area for the storage of refuse shall be provided externally to accommodate general waste, recycling and food waste. The area for the storage of refuse shall be retained thereafter.

Reason: To secure an orderly form of development and to protect the amenities of the area in accordance with Policy W2 of the Local Development Plan.

4. Prior to the beneficial occupation of the flats hereby approved, secured covered cycle storage shall be provided within the curtilage of the property to accommodate at least 6 bicycles and shall thereafter be retained.

Reason: To ensure that secure and under cover cycle parking facilities are provided to encourage other modes of transport over the private car, in accordance with Policy T5 of the Local Development Plan.

5. Prior to the beneficial occupation of the flats hereby approved, the existing garage building shall be demolished and the amenity area shall be provided in accordance with the approved plans.
Reason: To ensure that secure and under cover cycle parking facilities are provided to encourage other modes of transport over the private car, in accordance with Policy T5 of the Local Development Plan.
6. The materials to be used in the external finish of the development, hereby approved, shall accord with the schedule of materials detailed on Drawing No. P585 L_210 Revision A
Reason: To ensure that secure and under cover cycle parking facilities are provided to encourage other modes of transport over the private car, in accordance with Policy T5 of the Local Development Plan.
7. The North West (side) facing windows of the dormer roof extension to the rear annex shall be non-opening below a height of 1.7 metres above internal floor level and glazed with obscure glass, and thereafter be so maintained.
Reason: To ensure that the privacy of adjoining occupiers is protected in accordance with Policy KP5 of the Local Development Plan.

RECOMMENDATION 2: Developers of all new residential units are required to purchase the bin provision required for each unit. The bins have to meet the Council's specifications and can be purchased directly by contacting Waste Management's commercial team (029 20717500).

RECOMMENDATION 3: The application site lies within Zone C2 as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN15). It is advised that flood-proofing measures should be installed as part of the development. These could include flood barriers on ground floor doors, windows and access points, implementation of suitable flood proofing measures to the internal fabric of the ground floor, and locating electrical sockets/components at a higher level above possible flood levels. Additional guidance can be found on the Natural Resources Wales (NRW) website. It is recommended that a family action plan and evacuation plan is created for the site in accordance with the 'Preparing for Floods: Interim Guidance for Improving the Flood Resistance of Domestic and Small Business Properties (Office of the Deputy Prime Minister (2003)). As the site is located within a flood risk area future occupants/owners are advised to sign up to the Environment Agency's Flood Warning service. Additional guidance can be found on the following website: <https://naturalresources.wales/flooding/flood-warningservice/?lang=en>

RECOMMENDATION 4: That the applicant be advised that no work should take place on or over the neighbour's land without the neighbour's express consent and this planning approval gives no such rights to undertake works on land outside the applicant's ownership.

1. DESCRIPTION OF PROPOSED DEVELOPMENT

- 1.1 The application seeks planning permission to convert a three storey terraced property (the third floor being located in the roof space) in to four flats. The proposal also includes (i) the erection of a single storey rear extension, (ii) a dormer roof extension to the main part of the house and (iii) a dormer roof extension to the existing two storey rear annex, (iv) the insertion of roof lights and (v) other alterations including to existing windows.
- 1.2 An existing single storey rear lean-to structure would be demolished in order that the proposed flat roofed single storey extension could be constructed and a rear garage style building with a pitched roof would also be demolished to provide additional space for the proposed amenity area.
- 1.3 A rear facing pitched roofed dormer would project from the main roof of the existing dwelling house and would be finished in hanging tiles. A side facing flat roofed dormer would project from the roof of the two storey rear annex and would also be finished in hanging tiles. This dormer would include a rear facing window in its side wall. Roof lights would also be inserted in the front and rear roof slopes of the main roof of the existing dwellinghouse. Existing windows in the side and rear facing elevations would also be altered.
- 1.4 **Flat 1** would be located on the ground floor of the building in the main part of the existing house and would have a floor area of 42 square metres consisting of a Living Room/Kitchen, a WC, a Lobby and a Bedroom with En-suite. There would be direct access from Flat 1 to the rear amenity area.
- Flat 2** would be located mainly in the rear annex of the building on the ground and first floor and would have a floor area of 64 square metres consisting of Two Bedrooms (one with en-suite), a WC (with shower), a Lobby and Living Room/Kitchen. Flat 2 would benefit from a private amenity area and would benefit from direct access to the main rear amenity area.
- Flat 3** would be located in the main part of the building on the first floor and would have a floor area of 36 square metres consisting of a Living Room/Kitchen, a Bedroom with En-suite, a WC and Lobby.
- Flat 4** would be located on the second floor of the building in the roof space and would have a floor area of 51 square metres consisting of Two Bedrooms (one with En-suite), a WC and Living Room/Kitchen.
- 1.5 It should be noted that the application previously proposed an external balcony area on part of the flat roof of the rear extension and proposed a refuse storage area within the front forecourt. Amended plans were subsequently submitted which removed the rear balcony from the scheme and relocated the refuse storage area to the rear of the property. The design of the dormer roof extension on the rear annex was also amended.

2. **DESCRIPTION OF SITE**

- 2.1 The site comprises a three storey mid-terraced dwelling (the third floor being located in the roof space) with a rear two storey annex with a single storey lean-to and a detached garage/outbuilding to the rear. The property currently features 5 bedrooms. The property is not listed or located within a Conservation Area, however, the site is located within a C2 Flood Zone and a Flood Consequences Assessment has been submitted to support the application.

3. **SITE HISTORY**

- 3.1 No direct planning history.

3.2 Related History within Immediate Vicinity

13/01925/DCO – planning permission granted for conversion of No. 283 Albany Road from 2 flats to 5 flats.

16/02034/MNR – planning permission granted for the conversion of flats and bedsits to 5 flats at 295 Albany Road.

4. **POLICY FRAMEWORK**

4.1 Relevant National Planning Guidance:

- **Planning Policy Wales (Edition 9, 2016)**
- **Technical Advice Note 12: Design**
- **Technical Advice Note 15: Development & Flood Risk**

4.2 Relevant Cardiff Local Development Plan (2006-2026) policies:

- **Policy KP5 (Good Quality and Sustainable Design)**
- **Policy EN14 (Flood Risk)**
- **Policy H5 (Subdivision or Conversion of Residential Property)**
- **Policy T5 (Managing Transport Impacts)**
- **Policy W2 (Provision for Waste Management Facilities in Development)**

4.3 Relevant Supplementary Planning Guidance

- **Access, Circulation & Parking Standards (2010).**
- **Waste Collection and Storage Facilities (2016).**
- **Cardiff Residential Extensions & Alterations (2017).**

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 The Councils Traffic and Transportation Service has been consulted. An Officer has responded advising that they have no objections from a Highway perspective and that if vehicle use were to increase then the occupiers would have to adhere to the current Traffic Regulation Orders and Parking Permit Scheme that are in

operation.

5.2 The Waste Strategy and Minimisation Officer has provided comments and has not objected to the proposal.

5.2.1 They have advised that each flat will require the following for recycling and waste collections: 1 x 140 litre bin for general waste; 1 x 25 litre kerbside caddy for food waste; Green bags for mixed recycling (equivalent to 140 litres). The storage of which must be sensitively integrated into the design. Since 27th July 2015, the developers of all new residential units are required to purchase the bin provision required for each unit. The bins have to meet the Council's specifications and can be purchased directly by contacting the Waste Management's commercial team.

5.2.1 The Officer has noted the proposed location of the refuse storage area in the rear garden of the property and advised that refuse would not be collected from the rear lane and would need to be presented at St Margaret's Crescent or Minister Street and the better option would have been to store the refuse in the front garden.

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 A Flood Consequences Assessment was submitted with the application and was subsequently amended and Natural Resources Wales have been consulted. They have advised that they do not object to the proposal as submitted. They advise that the data and assessment indicate that the flood risk is within the tolerable limits and in compliance with TAN 15. They advise that they have no adverse comments to make from a flood risk perspective. Further advice has been provided and advice will be provided to the applicant as a recommendation attached to the decision notice.

7. **REPRESENTATIONS**

7.1 The owner/occupies of neighbouring properties have been consulted.

7.2 Objections or representations expressing objections or concerns with respect to the proposal have been received from the following addresses:

- No.s 180, 182, 206, 223, 227, 231, 241, 299 and 303 Albany Road
- No.s 33 and 35 Southminster Road

Full details are available online, however, the comments can be summarised as follows:

- *Density/overdevelopment of the site;*
- *Size, scale and design of the development is detrimental to the character of the area;*
- *Large number of bins/bags in the front garden of a property can be detrimental to visual amenity and public health*
- *Adverse impact upon parking which is already an issue and upon highway safety generally;*
- *Loss of family accommodation, a large proportion of houses in the area have*

- already been converted to flats;*
- *Inbalancing communities with saturation of HMOs;*
- *Fast turnover of tenants and transient occupiers;*
- *Further stress on local amenities;*
- *Increased pressure on local infrastructure and capability of sewerage system;*
- *Loss of amenity/loss of privacy from extensions and balcony;*
- *Loss of light and overlooking/loss of privacy from proposed dormer extensions, the 25 degree rule referred to within the draft 'Cardiff Residential Extensions & Alterations' SPG will be broken by the proposal;*
- *Noise disturbance from flats and privacy concerns with respect to the balcony;*
- *Insufficient outdoor amenity(and storage) space for the proposed occupiers;*
- *Small size of flats and lack of disabled access to flats;*
- *Lack of disabled access for proposed flats;*
- *Devaluation of other existing family properties.*
- *Increased crime from flat roof and windows/door to rear lane.*
- *Effect of external lighting*
- *Disruption to the development process, mess/disturbance etc.*
- *The development works may affect/weaken the neighbour's property in structural terms.*
- *Concerns with respect to water run-off and carbon sinks.*
- *Pressure on demand for places at Marlborough Primary School*

7.3 Cllr Joe Boyle and Cllr Rodney Berman have objected to the proposal, their objections can be summarised as follows:

- *The proposal represents an overdevelopment of the property detrimental to the character of the area.*
- *The development would have a detrimental impact upon parking, waste and education.*
- *The cumulative impact of conversions is detrimental to the amenity of the area*
- *There are growing pressures upon Marlborough Primary School*
- *The dormer and balcony would cause overlooking, poor outlook, overcrowding, a lack of amenity space, noise and disturbance and inconvenient unsafe access.*
- *The proposal would add to existing parking and highway safety issues*

7.4 Cllrs Peter Wong, Daniel De'Ath, Mary McGarry and Sue Lent have objected to the proposal, their objections can be summarised as follows:

- *Overdevelopment and change of character to the area*
- *The design of proposal is not in keeping with the architectural style of the area and does not relate well to the character of the area*
- *Reduction of family housing stock will have a significant detrimental effect upon local residents and the area*
- *Lack of amenity space*
- *The proposal will exacerbate parking problems*

7.5 Jenny Rathbone AM has objected to the proposal, the objection can be

summarised as follows:

- *Overdevelopment and change of character to the area*
- *The design of proposal is not in keeping with the architectural style of the area and does not relate well to the character of the area*
- *Reduction of family housing stock will have a significant detrimental effect upon local residents and the area*
- *Lack of amenity space*
- *Lack of privacy and overlooking from balcony*
- *The proposal will exacerbate parking problems*

8. **ANALYSIS**

8.1 **Policy Considerations**

8.1.1 The Cardiff Local Development Plan states that Cardiff has a significant need for new homes including family homes, affordable homes together with catering for the whole range of needs.

8.1.2 The principal of the subdivision of residential properties (subject to criteria) is supported by Policy H5 of the Local Development Plan which states that the subdivision of a residential building into smaller residential units can be an important source of housing.

8.1.3 National Planning policy also encourages the provision of additional housing stock within previously developed or existing residential land. Paragraph 9.2.6 of Planning Policy Wales states that '*Local planning authorities should address the scope and potential for rehabilitation, conversion, clearance and redevelopment when considering suitable sites for housing development. Maximising the use of suitable previously developed land for housing development can assist regeneration and at the same time relieve pressure for development on greenfield sites.*'

9.2 **Residential Amenity Considerations**

9.2.1 **Single Storey Rear Extension** - It is considered that the single storey rear extension would not be overbearing or generally un-neighbourly which would justify concern for the Local Planning Authority. The proposed extension would be located adjacent to an existing annex and staircase located at No. 303 Albany Road and would be set off the boundary with No. 299 Albany Road. The proposed extension would replace an existing lean-to structure and would only project approximately 2 metres beyond this existing structure. It should be noted that an extension projecting up to 4 metres from the original rear elevation of a property could be constructed at the property as 'permitted development' prior to the conversion of the property in to flats.

9.2.3 **Rear Dormer Roof Extension and Dormer Roof Extension to Rear Annex** - It is considered that the dormer extensions would not be overbearing or generally un-neighbourly to justify concern for the Local Planning Authority in this instance. The dormer to roof of the two storey annex would cause a minimal additional

overshadowing impact upon No. 299 Albany Road to that which would already be experienced by the presence of the existing two storey annex and the main roof. Furthermore, the height of the rear annexe dormer would be lower than the ridge height of the existing main roof. In any case the rear annex dormer is of a scale and design which means that it could be considered development permitted under Class B of Part 1 in Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 if constructed prior to the conversion of the property in to flats.

- 9.2.4 It is considered that the rear facing windows of the dormer roof extensions would not result in any unreasonable loss of privacy to adjoining gardens having regard to their positioning and orientation. The rear facing windows of both dormer extensions would face the rear garden of the application site in the same manner as the existing first floor rear facing windows. The rear facing window within the main roof rear dormer would be sited approximately 30 metres from the boundary of the rear garden of No. 35 Southminster Road and the rear facing annex dormer window would be sited approximately 21 metres from the boundary of the rear garden of No. 35 Southminster Road, exceeding the minimum of 10.5 metres specified by the Residential Extensions & Alterations Design Guide. It is noted that the side facing windows of the rear annex dormer would be sited in close proximity to the side boundary with No. 299 Albany Road less than the minimum distance of 10.5 metres specified by the Residential Extensions & Alterations Design Guide. The imposition of a planning condition is considered necessary to ensure these windows are obscurely glazed and non-opening below an internal height of 1.7metres.

Amenity of Future Occupiers

- 9.2.5 The internal floor area of all flats comfortably satisfies the minimum requirement of 30 square metres of area at an internal height of 2 metres or more, and the outlook from all living areas is considered acceptable. A private external amenity area of a sufficient size and shape measuring approximately 58 square metres will be provided (including an area for shared use measuring approximately 46 square metres and an area of approximately 12 square metres for the use of Flat 2). Flats 1 and 2 have would benefit from direct to the shared amenity area whilst Flats 3 and 4 could access the rear amenity area from the rear lane a common form of arrangement which is considered acceptable in this context.
- 9.2.6 Cycle storage would be provided within the rear shared amenity area and within the area for the use of Flat 2, the imposition of a planning condition is considered necessary to ensure that covered cycle storage is provided prior to the beneficial occupation of the flats. Refuse storage containers can be satisfactorily accommodated externally within the rear amenity area. There appears to be sufficient to space to site and access these facilities. The imposition of a condition is considered necessary to ensure the necessary storage containers are provided prior to beneficial occupation.
- 9.2.7 It is noted that the rear facing windows of Flat 1 could be overlooked by occupants of the other flats when using the shared outdoor amenity space, however, this is a widely established accepted relationship between ground floor flats and shared

external amenity areas of buildings converted to flats and new build blocks of flats.

9.3 Design Considerations

- 9.3.1 As stated above the scale of the single storey extension is considered acceptable and the provision of an external amenity area of approximately 58 square metres would be comparable to other properties located in the vicinity. The demolition of the garage would provide for an increased net amount of useable area around the property. Other properties within the locality feature extensions of a similar scale and design. Accordingly it is considered that the extension would not be out of character to the locality and will provide a subservient addition to the building.
- 9.3.2 The main roof rear dormer is considered visually acceptable as it would be set up the roof slope and in from the sides of the roof and would be finished in materials to match the existing building in accordance with the Residential Extensions & Alterations SPG. It is noted that the rear annex dormer would be of substantial size, however, it should be noted that this dormer extension could be considered development permitted under Class B of Part 1 in Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 if constructed prior to the conversion of the property into flats. It is noted that other properties in the vicinity feature dormer roof extensions including some sited upon rear annex.

9.4 Transport Considerations

- 9.4.1 The proposal is compliant with the Access, Circulation and Parking Standards SPG with no off street parking spaces, subject to the provision of a cycle storage area.
- 9.4.2 The site is relatively close to a large district centre and on a well-served bus route, in close proximity to both inbound and outbound bus stops. The site is therefore considered to be in a sustainable location where the need to own/use a private car is reduced and consequently lower parking standards are appropriate.
- 9.4.3 In terms of the parking numbers, the existing 5 bed house if applied for today would attract between 1 and 3 parking spaces; whereas the proposed 4 no. 2 bed flats would attract between 2 and 6 parking spaces (0.5 to 2 spaces per unit). In contrast to houses, however, evidence of car use associated with flats suggests that they (flats) generate less parking demand than traditional family dwellings and as such the Council would look to the lower end of the parking scale.
- 9.4.4 In respect of the above considerations, it should be noted that the Access, Circulation and Parking Standards SPG provides guidance on parking numbers that must be considered in relation to all other aspects of a particular application and should not therefore be taken as absolute requirements. Garages are not counted as parking spaces in connection with the SPG standards and in practice are generally not used for parking purposes; even where access is not restricted and/or they are of a suitable size
- 9.4.5 It is therefore considered that the current and proposed uses of the building would

generate broadly similar levels of parking demand and as such zero parking provision is not considered to provide a sustainable ground for objection. Secure covered cycle parking is being proposed within the development. Six cycle parking spaces are proposed which is in line with the current parking standards.

9.5 Cumulative Impact

- 9.5.1 Albany Road and its surrounding area features a mix of housing types including, houses, flats and Houses in Multiple Occupation (HMO). The Local Plan states that in delivering sustainable communities, the Council will seek to ensure a range of dwelling sizes, types and affordability is provided in terms of both market and affordable housing to meet identified needs (including supported and sheltered housing and other special needs where appropriate), in safe neighbourhoods. In Cardiff, in line with national trends, average household size has been declining and in general this has been reflected in an increasing proportion of 1 and 2 bedroom flats in schemes with residential consent. The Local Development Plan recognises that the provision of flats does cater for those seeking smaller units of accommodation, and that this may free up other larger units of existing housing.
- 9.5.2 It should be noted that there is no planning policy which specifically defines 'family accommodation' and seeks to protect it and there is no policy or specific supplementary planning guidance which identifies thresholds or a saturation point which the Council could rely upon to support a refusal of planning permission on the grounds of cumulative impact with respect to flats.
- 9.5.3 When considering cumulative impacts Planning Inspectors have considered whether it can be demonstrated that the proposed use/conversion would cause harm to the character of the area. In this instance, the property is relatively large and located in a sustainable urban location relatively close to a district centre, and public transport services and as stated above is considered acceptable in terms of other amenity considerations. Notwithstanding the representations there is no substantive evidence that directly links the proposal to any significant loss of community cohesion or character, which is already largely determined by the existing mix of flats, larger single dwelling houses and Houses in Multiple Occupation in this particular location. Whilst it is recognised that there is a demand for off street parking in the area, the proposal is compliant with the SPG and relative to a large family home it would be unlikely to add to existing congestion to any material degree. The proposal would not materially change the number of transient residents living in the immediate area, and any infrastructural requirements arising from the proposal would be localised, and diluted in the light of existing demands.
- 9.5.4 Therefore it is considered that the conversion of this property in itself would not cause a demonstrable harm to the amenity or character of the area which would justify the refusal of planning permission on the grounds of cumulative impact.

10. Representations

- 10.1 The representations received from the neighbouring residents, and Cllrs Joe Boyle, Rodney Berman, Peter Wong, Daniel De'Ath, Mary McGarry, Sue Lent, and

Jenny Rathbone AM are noted. While the substance of local views must be considered, the duty is to decide each case on its planning merits. As a general principle, local opposition or support for a proposal is not, on its own, a reasonable ground for refusing or granting planning permission; objections, or support, must be based on valid planning considerations. Specific issues are addressed as follows:

- Density/Overdevelopment. It is considered that the provision of four flats in this context is acceptable as detailed within the above analysis.
- Size/Scale. It is considered that the size/scale of the proposal is acceptable in this context as detailed within the above analysis.
- Bins. It is considered that refuse storage containers could be suitably accommodated within the rear garden as detailed within the above analysis. Existing refuse storage containers for buildings within this street are accommodated within the front forecourts and this arrangement is a common established practice.
- Parking. The proposal is compliant with the Access, Circulation and Parking Standards SPG with no off street parking spaces subject to the provision of cycle storage as detailed within the above analysis and the Councils Traffic and Transportation service have raised no highway safety concerns.
- Loss of family accommodation. There is no planning policy to protect family accommodation and no policy or specific supplementary planning guidance which identifies a thresholds/saturation which the Council could rely upon to support a refusal of planning permission on the grounds of cumulative impact. It is considered that the conversion of this property in itself would not cause a demonstrable harm to the character of the area which appears to feature a mix of flats, larger single dwelling houses and Houses in Multiple Occupation.
- Saturation of HMOs. The application does not propose conversion to HMO accommodation (use class C4) as it proposes residential flats within use class C3. The Houses in Multiple Occupation Supplementary Planning Guidance does not apply to residential units within class C3.
- Fast turnover of tenants. Not a material planning matter, there is no planning control upon the length of a tenancy.
- Stress on Local Amenities. It is not considered that the proposal would cause 'demonstrable' harm to local amenities.
- Pressure on local infrastructure and sewerage system. Connections would be considered by the building regulations procedure, it is not considered that the proposal would cause 'demonstrable' harm to the infrastructure. There is no policy or specific supplementary planning guidance which the Council could rely on to support a refusal on this basis.
- Loss of privacy/amenity from extension and balcony. It is considered that the proposal would not result in any unreasonable loss of privacy or amenity to adjoining properties as detailed within the amenity analysis above. The rear balcony feature which was initially proposed has been deleted from the scheme.
- Loss of privacy/amenity from rear dormers. It is considered that the proposal would result in any unreasonable loss of privacy or amenity to adjoining properties or properties located to the rear of the property as detailed within the analysis above. The rear annex dormer roof extension is of a scale and design which mean it could be considered to constitute 'permitted development' not requiring planning

permission if constructed prior to the conversion to flats. Local Development Plan policies and Supplementary Planning Guidance are not applicable to works which do not require planning permission. The imposition of a planning condition would ensure that the side facing windows of the rear annex dormer shall be non-opening below a height of 1.7m above internal floor level.

- Noise Disturbance. It is not considered that the proposal would result in adverse noise consequences. The property is currently a 5 bedroom house and as a result of the conversion would have 6 bedrooms in total. Although it is anticipated that there may be more occupiers it is not considered that it would result in a significant increase in disturbance in this location which would justify the refusal of planning permission.
- External Amenity Space. It is considered that the proposed external amenity area is of an adequate size and is of a useable form as detailed within the above analysis.
- Size of flats. The Council and the Welsh Government have no formal policy or guidelines relating to the size of flats. However, it is of relevance that the size of the proposed flats would be considerably in excess of 30 square metres which is considered to represent a reasonable standard of amenity for occupants.
- Disabled access: Access would be considered by part M of the Building Regulations. Part M is not applicable where there is no material change of use (subdivision of an existing dwelling to flats is not a material change of use), and in such cases requires that any material alterations must not make the building less satisfactory than it was before. Therefore, provision of a lift is not required in this instance.
- Effect on Property Values. This is not a material planning matter.
- Increased crime. It is considered that the proposal would not result in increased crime to justify the refusal of planning permission; the provision of a flat roof is common form of single storey extension and the use of flats would not result in a demonstrable risk of crime. Any increased levels of access from the gated rear lane would not necessarily increase the risk the crime if managed correctly.
- Effect of External Lighting. Installation of external lighting at residential properties does not constitute development requiring planning permission, therefore is not a material planning matter. Artificial light nuisance can be controlled by the Environmental Protection Act 1990 as 'statutory nuisance'.
- Disruption to the development process, mess/disturbance etc. Although it is recognised that development can cause disruption it is not a valid reason to refuse planning permission. The Councils Pollution Control Service has powers with respect to noise nuisance and dust etc. and the Highways Service have powers to take action with respect to improper use of the public highway.
- The development works may affect/weaken the neighbour's property in structural terms. The structural integrity of works would be controlled by the Building Regulations and any damage to property during the building process would be a civil matter.
- Concerns with respect to water run-off and carbon sinks. The plans show that there would be an increased amount of lawn area in the rear garden and therefore an increased permeable surface and carbon sink. It should however be noted that a hardstanding could be erected to the rear of the property as 'permitted development.'
- Pressure on Marlborough Primary School. It is considered that the scale of the

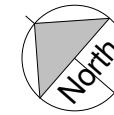
development would not result in an unacceptable increase in demand for places at Marlborough Primary School to justify the refusal of planning permission.

11. Other Legal Considerations

- 11.1 *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.
- 11.2 *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.
- 11.3 *Well-Being of Future Generations Act 2016* – Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

12. Conclusion

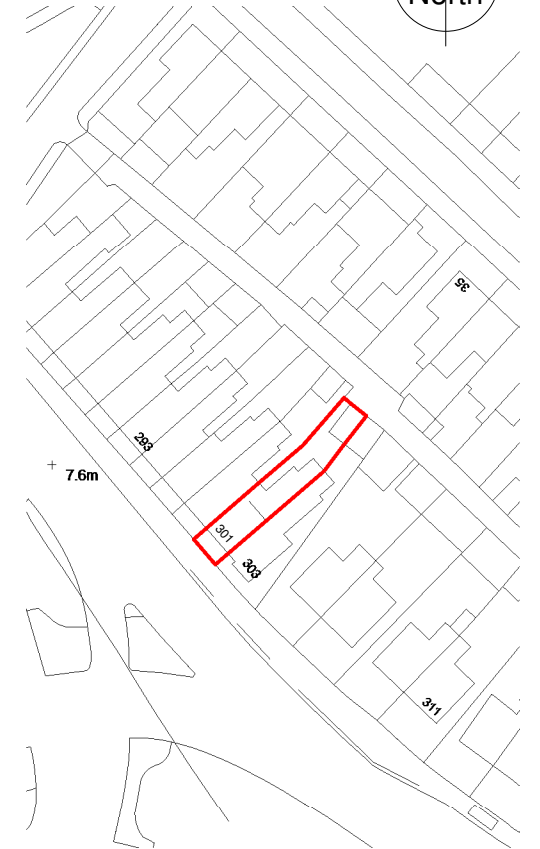
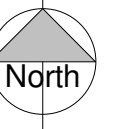
It is concluded that the application is acceptable in accordance with the planning policies listed, and is recommended that planning permission be granted, subject to conditions.



Responsibility is not accepted for errors made by others in scaling from this drawing. All construction information should be taken from figured dimensions only.

0mm 50mm

A3 Original Sheet Size



Location Plan
1 : 1250

Planning Issue

date	rev	name	chk	note

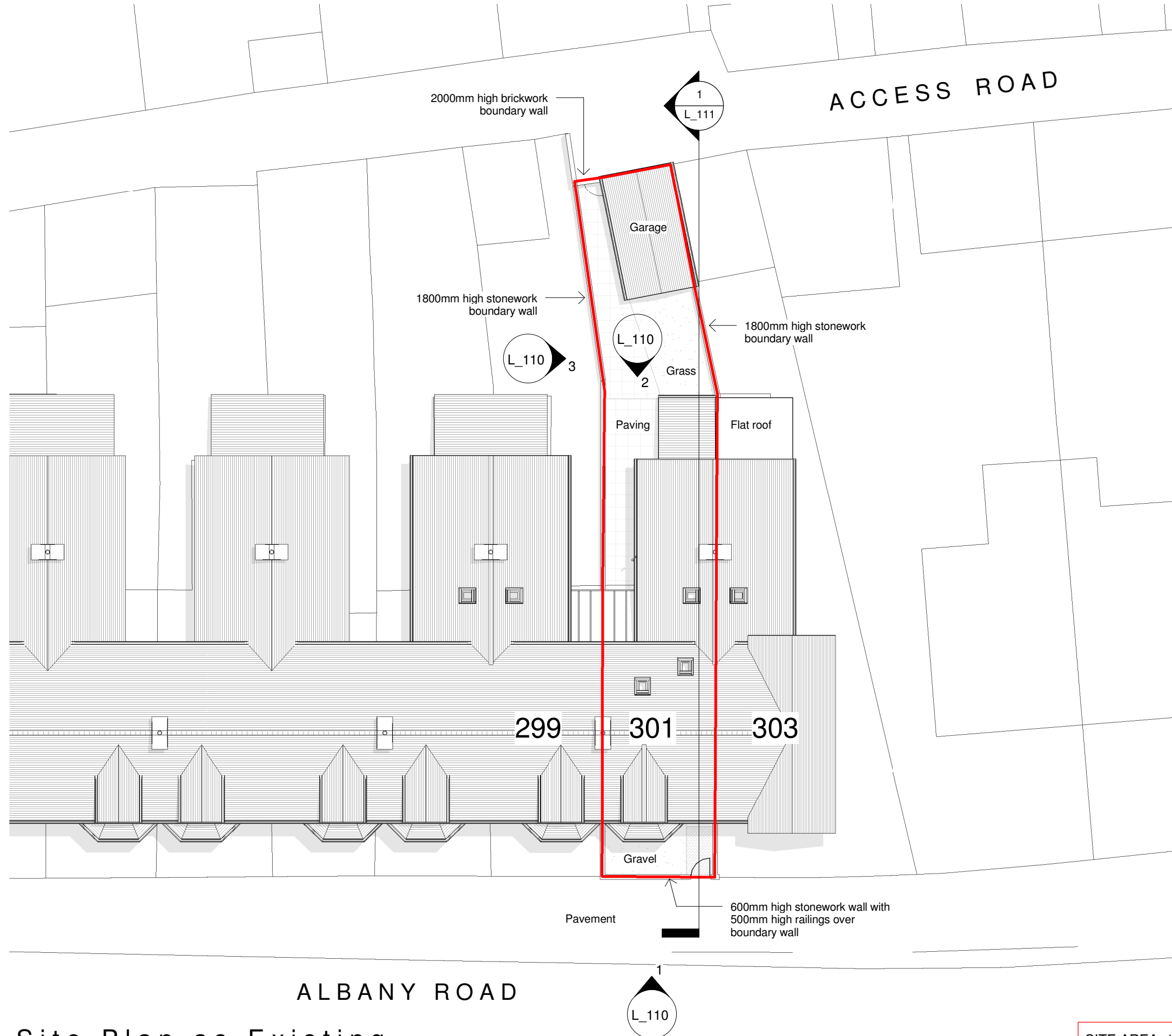


Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design
Systems House 89 Heol Don Cardiff CF14 2AT
T 02920316857 M 07785582007 info@dlparchitecture.co.uk

PROJECT
Proposed rear extension, loft conversion with dormers & conversion of dwelling to form 4 no. flats
301 Albany Road, Cardiff CF24 3NY

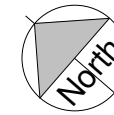
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Site Plan as Existing

SCALE	DATE	DRAWN BY	CHECKED BY
As indicated	05/07/17	PL	HH
DRAWING NUMBER	REVISION		
P585	L_001		



Site Plan as Existing
1 : 200

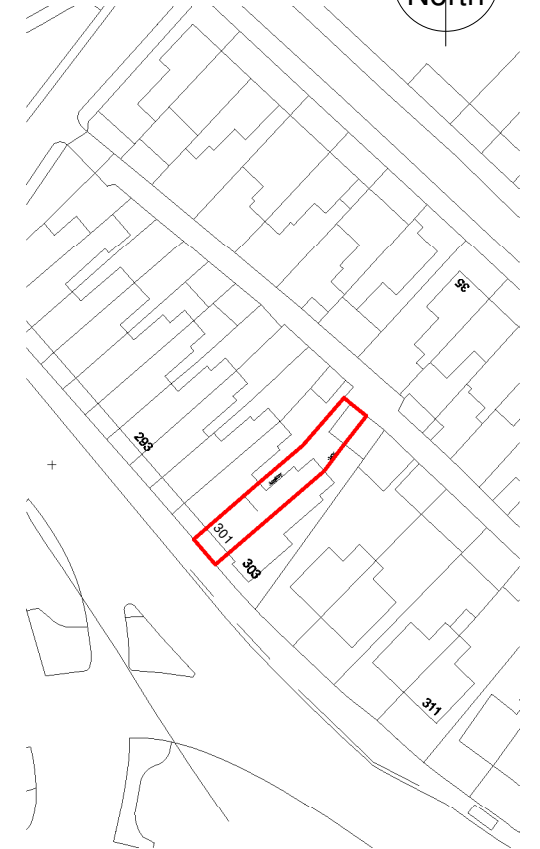
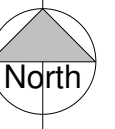
SITE AREA: 186m2



Responsibility is not accepted for errors made by others in scaling from this drawing. All construction information should be taken from figured dimensions only.

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A3 Original Sheet Size



Location Plan

1 : 1250

Planning Issue

date	rev	name	chk	note
24/10/17	A	PL		Balcony removed and bin store repositioned



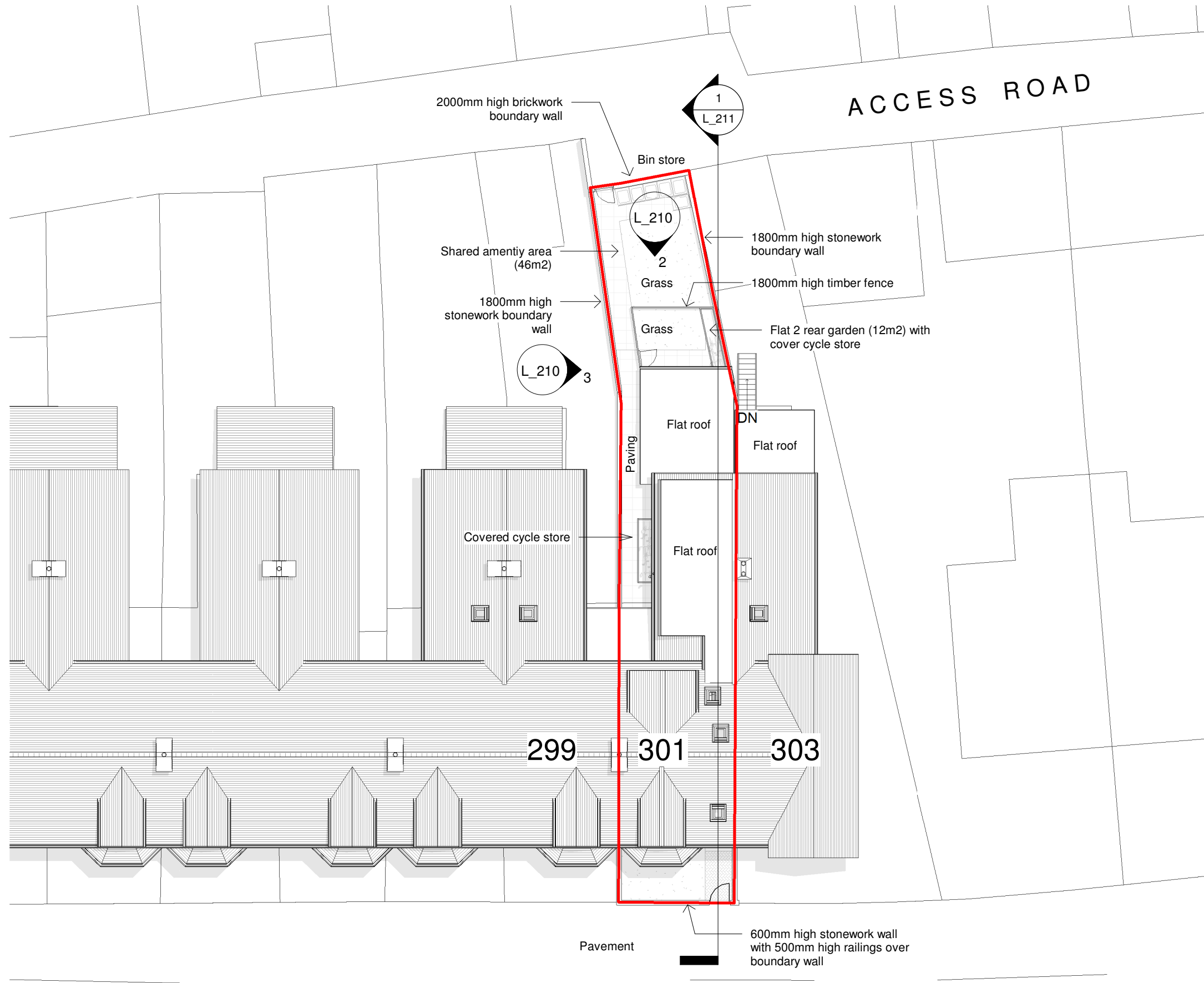
Architectural Design - Feasibility - Planning - Building Control - Construction Details - Sustainable Design
 Systems House 89 Heol Don Cardiff CF14 2AT
 T 02920316857 M 07785582007 info@dlparchitecture.co.uk

PROJECT
 Proposed rear extension, loft conversion with dormers & conversion of dwelling to form 4 no. flats
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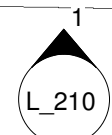
DRAWING TITLE
 Site Plan as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
As indicated	31/08/17	PL	FC
DRAWING NUMBER	REVISION		
P585	L_002	A	

24/10/2017 10:43:26



ALBANY ROAD



Site Plan as Proposed

1 : 200

SITE AREA: 186m2

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0mm 50mm

A3 Original Sheet Size

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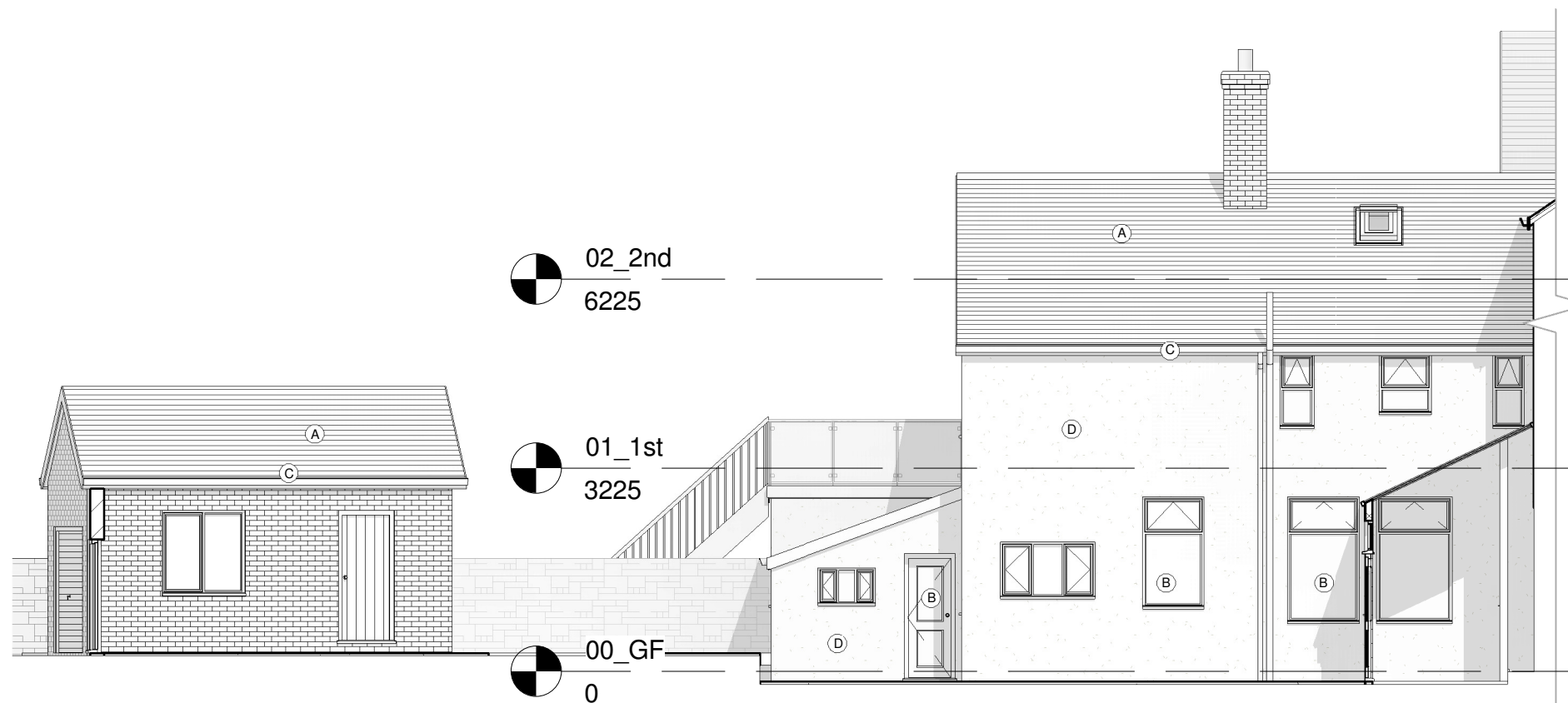
- A : GREY SLATE ROOFING & RED RIDGE TILES
- B : WHITE DOUBLE GLAZED UPVC WINDOWS & DOORS
- C : BLACK UPVC RAINWATER GOODS ON BLACK FASCIA
- D : WHITE RENDERED EXTERNAL WALLS
- E : STONEWORK EXTERNAL WALLS & BATH STONE BAYS & QUOINS



South (Front) Elevation
1 : 100



North (Rear) Elevation
1 : 100



West (Side) Elevation as Existing
1 : 100

Planning Issue

date	rev	name	chk	note
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DRAWING TITLE
Elevations as Existing

SCALE	DATE	DRAWN BY	CHECKED BY
As indicated	05/07/17	PL	HH
DRAWING NUMBER	REVISION		
P585	L_110		



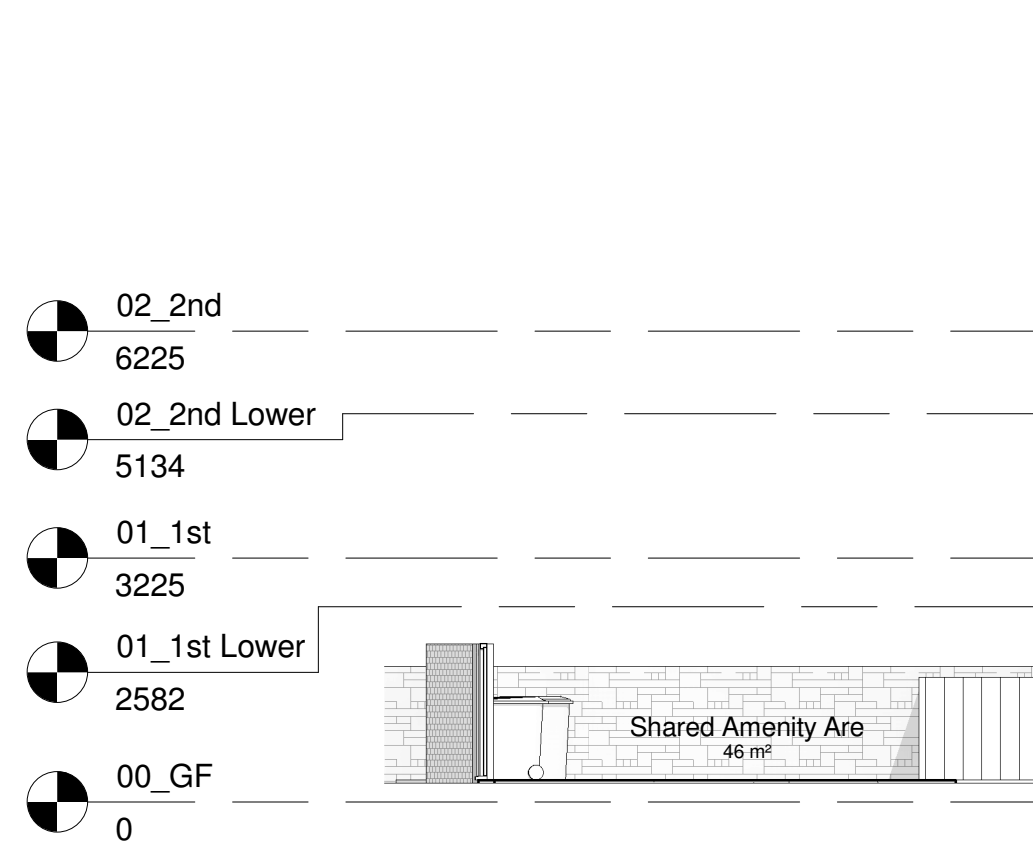
South (Front) Elevation
1 : 100



North (Rear) Elevation
1 : 100

FINISHES KEY:

- A : GREY SLATE ROOFING & RED RIDGE TILES
- B : WHITE DOUBLE GLAZED UPVC WINDOWS & DOORS
- C : BLACK UPVC RAINWATER GOODS ON BLACK FASCIA
- D : WHITE RENDERED EXTERNAL WALLS
- E : STONework EXTERNAL WALLS & BATH STONE BAYS & QUOINS
- F : GREY SLATE VERTICAL CLADDING TILES



West (Side) Elevation as Existing
1 : 100



Planning Issue

date	rev	name	chk	note
24/10/17	A	PL		Balcony removed and bin store repositioned



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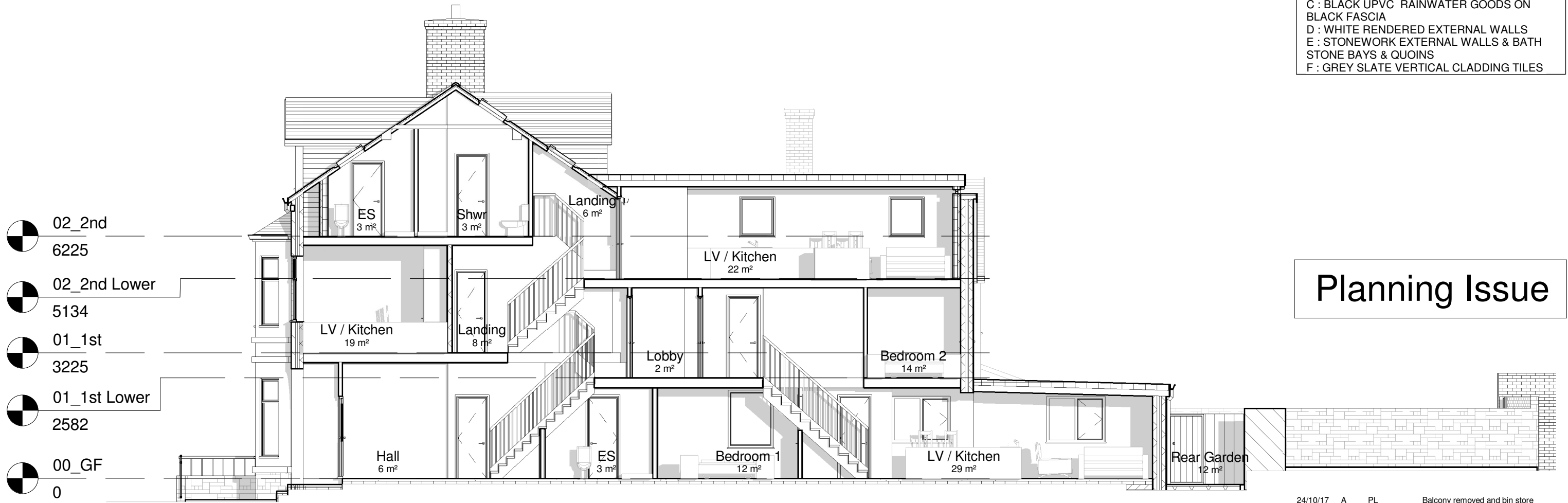
PROJECT
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DRAWING TITLE
Elevations as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
As indicated	31/08/17	PL	FC
DRAWING NUMBER		REVISION	
P585 L_210		A	

FINISHES KEY:

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- B : WHITE DOUBLE GLAZED UPVC WINDOWS & DOORS
- C : BLACK UPVC RAINWATER GOODS ON BLACK FASCIA
- D : WHITE RENDERED EXTERNAL WALLS
- E : STONEMWORK EXTERNAL WALLS & BATH STONE BAYS & QUOINS
- F : GREY SLATE VERTICAL CLADDING TILES



Planning Issue

Longitudal Section
1 : 100

24/10/17	A	PL		Balcony removed and bin store repositioned
date	rev	name	chk	note



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DRAWING TITLE
Section as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
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P585 L_211	A		

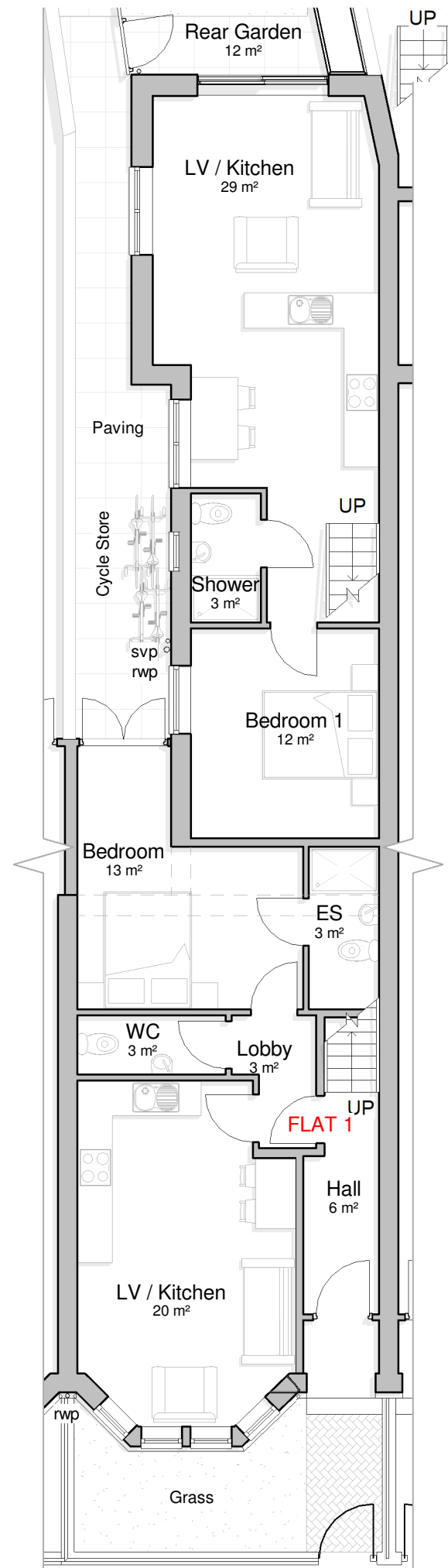
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0mm 50mm

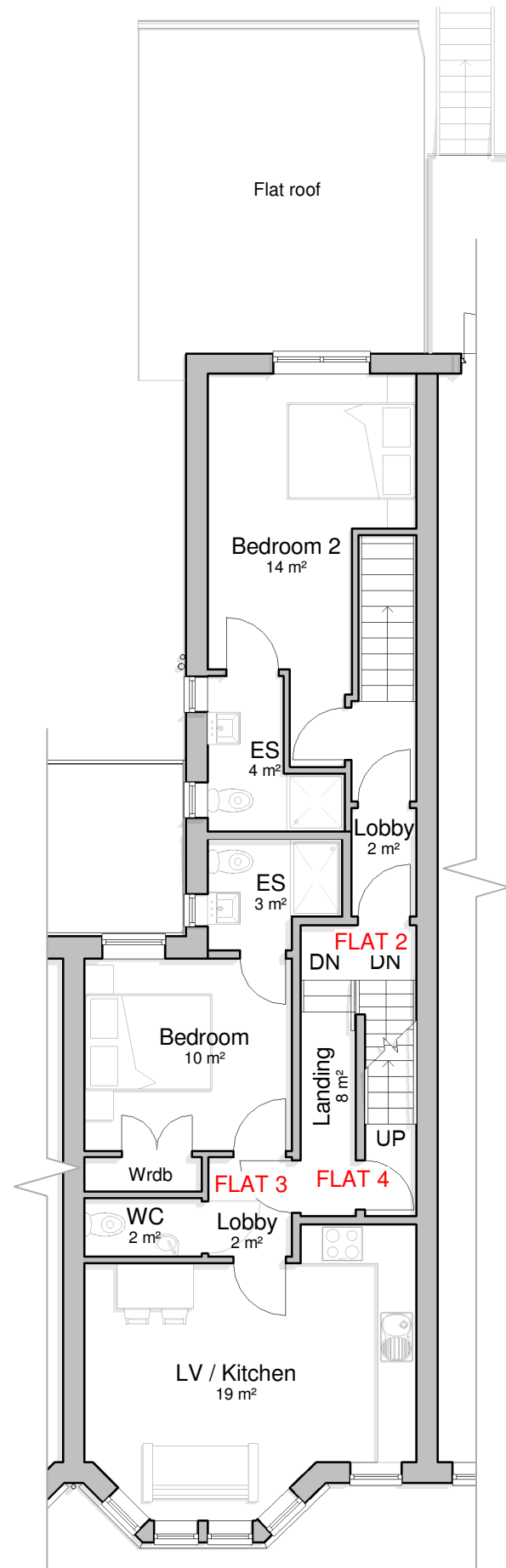
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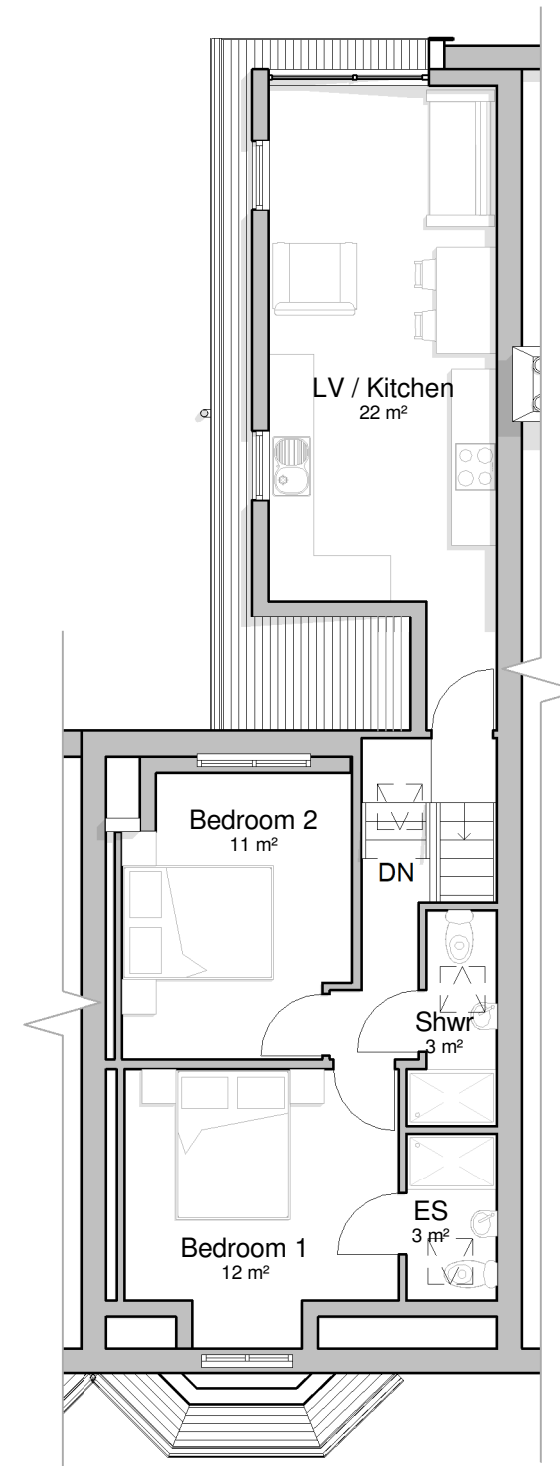
- A : GREY SLATE ROOFING & RED RIDGE TILES
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- E : STONEMWORK EXTERNAL WALLS & BATH STONE BAYS & QUOINS
- F : GREY SLATE VERTICAL CLADDING TILES



Ground Floor Plan
1 : 100



First Floor Plan
1 : 100



Second Floor Plan
1 : 100

Planning Issue

24/10/17	A	PL		Balcony removed and bin store repositioned
date	rev	name	chk	note



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Floor Plans as Proposed

SCALE	DATE	DRAWN BY	CHECKED BY
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P585	L_200	A	