

LOCAL MEMBER OBJECTION PETITION

COMMITTEE DATE: 24/02/2015

APPLICATION No. **15/03103/MNR** APPLICATION DATE: 21/12/2015

ED: **CYNCOED**

APP: TYPE: Full Planning Permission

APPLICANT: Mr & Mrs Snidle

LOCATION: 41 LLYSWEN ROAD, CYNCOED, CARDIFF, CF23 6PP

PROPOSAL: REPLACEMENT DETACHED HOUSE

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 following approved plans:
 - 473/Planning/02 – Proposed Plans
 - 473/Planning/03 Rev A – Proposed ElevationsReason: 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. No development shall take place until details of the implementation, maintenance and management of a sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

Those details shall include:

 - i) a timetable for its implementation, and
 - ii) a management and maintenance plan for the lifetime of the developmentwhich shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation
Reason: To decrease the risk of flooding elsewhere and to prevent hydraulic overload of the public sewerage system.
4. Prior to beneficial use of the development, hereby approved, a Sorbus Aucuparia, Malus Baccata, Betula or other tree, to be approved by the Local Planning Authority, shall be planted forward of the principal elevation of the new dwelling. The tree shall be planted within a minimum 5m³ root available soil volume. Should the tree, within a period

of 5 years from the completion of the development die, be removed or become seriously damaged or diseased it shall be replaced in the next planting season with another of similar size and species 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.

5. 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. 473/Planning/03 Rev A.

Reason: To maintain the appearance of the area in the interests of visual amenity.

6. Prior to beneficial use of the development, hereby approved, details of the means of enclosure, to include details of a 1.8m high privacy screen along the south west perimeter of the raised patio and an enclosure of 1.8m in height above internal ground floor level along the side boundaries parallel to the dwelling house, shall be submitted to and approved by the Local Planning Authority. The means of enclosure shall be erected in accordance with the approved details and thereafter retained.

Reason: to ensure an orderly form of development and to protect the privacy of neighbouring occupiers.

7. The windows within the first floor side elevations of the development, hereby permitted, shall be obscurely glazed and non-opening below a height of 1.7m from internal floor level and thereafter so retained.

Reason: To protect the privacy of neighbouring occupiers.

8. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must 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 must 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 LPA 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 offsite receptors in accordance with policy EN13 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 LPA.
Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 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 LPA.
Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy EN13 of the Cardiff Local Development Plan.

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 of the Cardiff Local Development Plan.

RECOMMENDATION 2: Welsh Water advise that the proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

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.

1. **DESCRIPTION OF THE SITE**

- 1.1 The application site comprises a hipped roof single storey bungalow with some accommodation provided within the roof space served by a rooflight.
- 1.2 The plot is enclosed predominantly by hedges and there are some modest trees of little amenity value within the curtilage of the site.

- 1.3 The local area is characterised by a mix of detached two storey houses and single storey bungalows of varying designs and architectural detailing, but, with predominantly hipped roof forms. Properties are typically finished in light coloured render and roofs generally consist of red/brown tiles, a minority are finished in slate, windows are mainly white uPVC. Front gardens are enclosed primarily by hedges and dwarf walls.
- 1.4 The application sites south west boundary adjoins 26, 28 & 30 Llangorse Road. These properties are large detached double storey houses on plots of a similar size to the application site. These three properties would appear to have been extended to the rear.
- 1.5 The application sites north east boundary adjoins 43 Llyswen Road a bungalow of a near identical scale and design as that occupying the application site and on a similarly sized plot.
- 1.6 The rear boundary of the application site is shared with large detached properties on good size plots.

2. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1 Planning permission is sought to replace the existing single storey bungalow with a 3/4 bedroom double storey dwelling of a hipped roof form, as amended. A single storey front bay window and porch feature is covered with a mono pitch roof and the dwelling will project at single storey to the rear finished with a gable end roof and part mono pitch roof.
- 2.2 The main two storey element of the proposed dwelling will be constructed principally upon the footprint of the existing bungalow, however, parts of the two storey element and the single storey elements will project beyond the rear wall of the existing bungalow.
- 2.3 The proposed dwelling will be finished in white smooth render with a brickwork plinth, black/blue slate and grey windows and doors.
- 2.4 Windows serving habitable room windows on side facing elevations are of low height and at high level. Other windows and doors are of standard dimensions. High level rooflights are proposed in the rear elevation serving the first floor. A raised patio and planting beds are proposed to the rear.

3. **PLANNING HISTORY**

- 3.1 There is no pertinent planning history relating to the application site.
- 3.2 Planning permission (ref: 14/01570/DCO) was granted for demolition of a bungalow and replacement with a two storey dwelling on the 20th November 2014. This site is in close proximity to the application site and has been referenced in comments made by objectors.

- 3.3 There are several examples of replacement dwellings similar to that proposed which have been granted in the wider area and are referenced in comments made by objectors.

4. **POLICY OF PARTICULAR RELEVANCE**

4.1 National Planning Policy

- Planning Policy Wales (8th Ed, 2015)
- Technical Advice Note 12: Design (July 2014)
- Technical Advice Note 15: Development & Flood Risk (July 2004)

4.2 Cardiff Local Development Plan 2006-2026

- Policy KP5 (Good Quality and Sustainable Design)
- Policy EN8 (Trees Woodlands and Hedgerows)
- Policy EN13 (Air, Noise, Light Pollution and Land Contamination)
- Policy EN14 (Flood Risk)
- Policy T5 (Managing Transport Impacts)
- Policy W2 (Provision for Waste Management Facilities in Development)

4.3 Supplementary Planning Guidance

- Access, Circulation & Parking Standards (January 2010)
- Waste Collection & Storage Facilities (March 2007)
- Infill Sites Design Guide (April 2011)
- Trees & Development (March 2007)
- Waste Collection & Storage Facilities (March 2007)

NB. The SPGs were approved as supplementary guidance to the City of Cardiff Local Plan (1996). Although the City of Cardiff Local Plan (1996) has recently been superseded by the Cardiff Local Development Plan (2016), the advice contained within the SPGs is pertinent to the assessment of the proposal and remains consistent with the aims of both LDP Policies KP5/T5/EN8/EN13/W2 and guidance in Planning Policy Wales and are afforded significant weight

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 The Operational Manager (Environment Team - Contaminated Land) raises no objection to the proposal subject to conditions relating to unforeseen contamination, imported materials, use of site won materials and an advisory note relating to contamination and unstable land.

- 5.2 The Operational Manager (Waste Management) raises no objection to the proposal and advises that the storage of necessary waste receptacles can be adequately integrated within the curtilage of the site.

- 5.3 The Operational Manager (Drainage) has been consulted no representations have been received.

- 5.4 The Councils Tree Officer comments that there are no protected trees within the curtilage of the site and existing trees appear to be of low amenity value. It is, however, considered that the scheme is disappointing in respect of its soft

landscaping provision particularly tree planting on the public frontage. The extent of hard landscaping proposed to the front would limit opportunity for tree planting and may harm the existing hedge on the boundary, which preferably would be retained to harmonise with the existing boundary treatments in the local streetscape. In order to provide for tree planting to the front of the property a minimum of 5m³ root available soil volume should be provided.

5.5 The Operational Manager (Pollution Control) has been consulted, no representations have been received.

5.6 The Councils Ecologist has been consulted, no representations have been received.

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 Welsh Water/Dwr Cymru raise no objection to the application subject to the following recommended conditions and advisory notes:

- No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network. To prevent hydraulic overloading of the public sewerage system, to protect health and safety of existing residents and ensure no pollution of or detriment to the environment.
- That no works should be undertaken in close proximity to the public sewer crossing the site. To protect the integrity and prevent damage to the sewer in the interests of health and safety of existing residents and ensure no pollution of or detriment to the environment.
- That the applicant be advised they may need to apply for any connection to the public sewer and that some public sewers and drains may not be recorded on Welsh Water maps.

7. **REPRESENTATIONS**

7.1 The application was advertised by way of neighbour consultation letters. Further consultation was undertaken upon the receipt of amended plans.

7.2 Local Ward Member Councillor Kate Lloyd objects to the proposal.

7.3 A petition of over 50 signatories has been received opposing the proposal.

7.4 Letters of representation, objecting to the proposal, have been received from eight neighbouring owners/occupiers. A summary of their objections is detailed below:

- The proposal is out of character with the area in terms of its form, scale, detailing and materials and represents an overdevelopment of the site;
- The proposal fails to consider the residential amenity of neighbouring occupiers in terms of its dominance of outlook, overshadowing, loss of light, impact upon privacy and loss of views;

- The proposal will result in the loss of soft landscaping that will be detrimental to the character of the area;
- The resurfacing of the front garden to provide additional driveway area will increase water run off;
- Movement of vehicle crossover will impact upon highway safety;
- Concerns with regards to the use of the roof as a third storey;
- The proposal would result in considerable noise, dust and disruption as a result of demolition and construction activities, which has been continual in the area as a result of ongoing developments being undertaken some of a similar nature;
- The building proposed for demolition may contain asbestos and a risk assessment should be undertaken for the benefit of resident's safety;
- The demolition of the existing building represents an unsustainable waste of building materials;
- There is a continuing loss of low-rise accommodation which should be retained for persons requiring such accommodation;
- Introduction of family accommodation into an already strained catchment area;
- Property value and sales will be affected;
- Deficiencies in the application including no cross sections to show the context of the proposal with the local area, error in the existing driveway material, no percolation tests relating to proposed soakaways area is impermeable clay, solar panels referred to in application, but, not shown on plans.

7.5 Further comments, from some objectors, have been received which recognise that there is some improvement in the proposal as a result of the amendments consisting of the hipped roof form in place of a gable roof form, however, this has not overcome their principal objections.

8. **ANALYSIS**

8.1 **Impact Upon the Character of the Area**

8.1.1 Policy KP5 (Good Quality and Sustainable Design) requires high quality sustainable design that responds to local character and context. It also promotes the efficient use of land and high densities, in line with Planning Policy Wales.

8.1.2 The Infill Sites SPG, while primarily supplementary to Policy 11 (Design and Aesthetic) of the previous Local Plan, reflects national design policy and guidance and therefore remains a material consideration in the determination of this planning application. The SPG states that;

'It is important to strike a balance between maintaining the established positive character of a residential street and introducing additional housing. To avoid a 'town cramming' effect, any proposals must;

- *Maintain a useable amenity space or garden for new as well as any existing dwellings/occupiers;*
- *Maintain an established spacing between buildings that respects the pattern of layout in the vicinity of the site;*
- *Maintain appropriate scale and massing which respects buildings in the vicinity of the site;*
- *Respect the frontage building line and respond to the existing street scene'.*

(Para 2.14, p.11)

- 8.1.3 The proposed dwelling would have a similar footprint to that of the existing bungalow and would therefore retain an appropriate level of private amenity space.
- 8.1.4 While the width of the replacement dwelling would be marginally greater than that of the existing bungalow, the spacing between it and No. 43 Llyswen Road would be retained as existing and between it and No's 26 and 28 Llangorse Road only minimally reduced. The proposal would not therefore be considered to result in a departure from the characteristic spacing of the properties along the street or in the wider area in general.
- 8.1.5 The proposed hipped roof form proposed, as amended, is considered to be characteristic of other properties along the road and within the wider area.
- 8.1.6 The proposed dwelling would project back into the site beyond that of the No. 43, but only by a small distance and at a single storey height. The principle rear elevation of the dwelling would be positioned in approximately the same position as that of the existing principal rear elevation of the bungalow and is therefore considered to be appropriate from a design perspective.
- 8.1.7 While a bungalow is located on the neighbouring plot to the northeast, the neighbouring properties to the southwest are a two storey dwellings, despite being orientated onto Llangorse Road and not Llyswen Road. The proposed dwelling would not subsequently be located within a stretch of properties with a consistent scale, massing or general character.
- 8.1.8 The proposed dwelling would follow the building line of the existing bungalow.
- 8.1.9 The materials proposed in the finish of the walls match the prevalent finish of properties in the area whilst there are examples of slate finished roofs in the wider area. The proposed windows are also of a similar proportion and pattern to those within similar properties within the area, whilst the proposed colour differs from that common within the area it is not generally customary for windows within a particular area to match in terms of colour, there are no controls that would stop nearby property owners changing their windows to a colour or form of their choice.
- 8.1.10 The scale, form and general design of the proposed dwelling is considered to be appropriate within the context of the surrounding built form where there is an evident variety. The application site is also considered to be of a size which

could comfortably accommodate a dwelling of the size proposed whilst appearing in character with the other properties along the street

8.2 Amenity of Neighbouring Occupiers

8.2.1 Policy KP5 (Good Quality and Sustainable Design) requires development to protect the amenity of neighbouring occupiers.

8.2.2 The Infill Sites SPG, while primarily supplementary to Policy 11 (Design and Aesthetic) of the previous Local Plan, reflects national design policy and guidance and therefore remains a material consideration in the determination of this planning application. The SPG states that;

'Any infill, backland or site redevelopment must consider both the new and future occupiers' amenity, as well as neighbouring amenity of nearby dwellings.'
(Para. 4.1, p. 27)

'New developments should allow for adequate privacy for the occupiers of the proposed buildings as well as for neighbouring properties. Normally, a minimum of 21m should be maintained between principal windows to habitable rooms. However, it may be possible to achieve privacy with a combination of separation distance; appropriate position and aspect of habitable rooms; screening; building orientation; window positioning, size and style of window; and placement of gardens. Design proposals will need to demonstrate how an adequate level of privacy has been provided for habitable rooms within each dwelling. The minimum overlooking distance from a habitable room window to a garden area of a separate dwelling should be 10.5m. Relying on obscurely glazed windows or non-opening windows is not a preferred means of achieving privacy.'

(Para. 4.9, P. 28)

8.2.3 In respect of the impact of the proposed dwelling upon neighbouring occupiers it is regarded that the matters of principal consideration are its impact upon 26, 28 & 30 Llangorse Road and 43 Llyswen Road. It is clearly evident that properties to the rear are at sufficient distance such that the proposal could not be considered overbearing or to impact upon occupiers privacy, the proposals being sited in excess of 21 metres from the rear elevations of those neighbouring properties and in excess of 10.5m from the boundaries of those properties.

8.2.4 The two storey element of the proposal extends approximately quarter of the width of the garden of 28 Llangorse Road and is sited at a considerable distance from the rear elevation of the property, this concurrently with the orientation of the properties would ensure that the proposal would not have an overbearing or generally un-neighbourly impact upon this property. The property at 30 Llangorse Road, in this respect, would be impacted to a lesser extent than 28 Llangorse Road as the proposal does not extend beyond its side boundary. In terms of the proposals impact upon the privacy of these properties the rear first floor windows are set at a distance from the boundary of 30 Llangorse Road that allows for privacy by distance, as referenced at para. 8.2.2. Whilst the

relationship of these windows to 28 Llangorse Road is such that the acuteness of angle would allow for such limited direct views to such a small extent of garden that there would be no detriment to privacy. The single window proposed in the side elevation at first floor level that could impact upon privacy of these properties is set at a high level and as such would not provide views, conditions to control this matter are recommended. Views from ground floor windows and the raised patio towards these properties can be restricted through privacy screens and standard height boundary enclosures, conditions are recommended in this regard.

8.2.5 The two storey element of the proposal will extend approximately half of the width of the garden of 26 Llangorse Road, however, is set at a distance of approximately 2m from the boundary and a further 6.5m from the rear elevation of the single storey extension and approximately a further 10m from the rear elevation of the double storey extension at that neighbouring property. Given the separation distances between the proposal and the orientation of the sites it is not considered that the proposal would be overbearing or generally un-neighbourly in this regard, nor that the extensions at the neighbouring property should unduly prejudice the current proposal. Windows within the side elevation of the proposal are not considered to impact upon the privacy of this property, subject to conditions referenced at para. 8.2.4.

8.2.6 The proposal extends the full depth of the adjacent bungalow at predominately a double storey height, however, is set approximately 4 metres from the side elevation of the neighbouring property. Whilst it is acknowledged that the proposal is likely to impede direct sunlight as a result of its height, given the separation between the elevations it is not considered that it would be overbearing or reduce or have a light restricting impact to a level that would significantly impact upon the amenity of neighbouring occupiers. It should be noted that the windows serving this elevation of the property appear to predominantly be secondary lights or serve non-habitable rooms. Windows and doors within the side elevation of the proposal are not considered to impact upon the privacy of this property, subject to conditions referenced at para. 8.2.4 and a requirement that the full height bathroom window is obscurely glazed and non-opening below a height of 1.8m from internal floor level.

8.3 Highway Safety and Parking

8.3.1 Policy T5 (Managing Transport Impacts) seeks safe and convenient provision in conjunction with development.

8.3.2 There are no alterations proposed to the existing access which serves the existing bungalow and it is not considered that the proposal would significantly increase the level of traffic movements. Accordingly it is not considered that the proposal have any adverse impact upon highway safety.

8.3.3 A sufficient amount of parking, notwithstanding the likely reduction as a consequence of required tree planting referenced at para. 8.4.2, is provided for a dwelling house of the proposed size, in accordance with the minimum guidelines set out within the Access, Circulation and Parking SPG.

8.4 Landscaping

- 8.4.1 Policy EN8 (Trees Woodlands and Hedgerows) states that *'development will not be permitted that would cause unacceptable harm to trees woodlands and hedgerows of significant public amenity value or cultural heritage value'* and notes that trees offer multiple benefits including those adding to visual amenity.
- 8.4.1 The comments of the Councils Tree Protection Officer (see para. 5.4) confirm that existing trees and hedgerows are not of significant value. For this reason and given that there is no protection of existing trees and hedges, which may be removed at any time prior to development, it is not considered that refusal of the application for such a reason or imposition of conditions relating to their retention would not be justified. In the interest of the visual amenity of the area and to accord with the principles of Policy EN8 and the Infill Sites SPG it is, however, considered that the planting of a small tree to the frontage of the new dwelling would be appropriate. A condition requiring the provision of a small tree is recommended.
- 8.4.2 The hard landscaping proposed, other than its extent to the frontage which will be reduced to provide for tree planting by virtue of the condition referenced at para. 8.4.2, is considered appropriate given the context of the site and area. Surface water run off should be incorporated into the required SuDs system referenced at Sec. 8.5.

8.5 Drainage

- 8.5.1 TAN 15 provides advice with regards to drainage, including SuDs, and its role in managing flood risk and encourages the use of such systems wherever they will be effective.
- 8.5.2 It is noted that the application refers to the use of a sustainable drainage system (SuDs) or soakaway for the disposal of surface water and Welsh Water/Dwr Cymru have detailed that no connection to the public sewerage system would be permitted for such purposes.
- 8.5.3 No details of the proposed surface water drainage method are supplied with the application. Welsh Government Circular 16/2014 notes that drainage forms a crucial part of a development and conditions should be used limiting development until such time as details are approved. Given the preference for the use of SuDs, in new development, and that Welsh Water have advised that they will not permit surface water and land drainage to connect to the public sewerage system a condition in this regard is recommended which incorporates the requests of Welsh Water and the use of SuDs.
- 8.5.4 It is noted that a neighbouring occupier refers to the ground conditions within the area being impermeable, however, this does not necessarily limit SuDs being utilised.

8.6 Additional Matters

- 8.6.1 The proposal includes sufficient provision of amenity space, as implied at para. 8.1.10, including provision for refuse and cycle storage.
- 8.6.2 In respect of land contamination, conditions are recommended, as requested by the Environment Team (see para. 5.1) in accordance with Policy EN13.
- 8.6.3 While bungalow to dwelling conversions or redevelopment proposals may bring about an increase in the demand for school provision in an area, this is not a matter which would be considered as part of an individual application as it falls below the approved threshold for such requirements. Given the limited number of applications received for such proposals, it is also unlikely that the additional pressure schools would be placed under would be excessive.
- 8.6.4 The loss of low rise accommodation, albeit potentially regrettable, is not something in which the Local Planning Authority or planning system in general has the ability to control, provided proposals satisfy relevant design criteria. It should be noted that in general the demolition of a building, including the bungalow which exists on this site, is permitted development by virtue of Schedule 2, Part 31 of The Town & Country Planning (General Permitted Development) Order 1995, subject to prior approval in respect of the method of demolition and restoration of the site, therefore, the LPA cannot control the retention of the existing building.
- 8.6.5 The noise, dust and disruption caused by demolition and construction works is not principally a matter which the planning systems seeks to control, however, conditions may be imposed in respect of such matters should it be reasonable and necessary to do so in particular cases to secure planning objectives. In considering whether a condition is necessary consideration should be given to other controls in respect of such matters as Welsh government Circular 016/2014 states '*conditions should not duplicate other control*'. In this regard the Council have control over construction site noise, working hours and dust through other legislation including The Control of Pollution Act 1974 and the Environmental Protection Act 1990. Accordingly, given the scale of the proposed development, it is not considered that it would be reasonable or necessary to impose a condition in this regard as the powers afforded by other legislation can reasonably ensure that such matters are controlled in the public interest and, therefore, such a condition would represent a duplication of control.
- 8.6.6 In regards to comments made by neighbours which are not covered previously, the following should be noted:
- The effect of proposals on house values and sales are not material in the determination of a planning application.
 - The likelihood of asbestos being present in the building proposed to be demolished is not material to the determination of the planning applications and is a matter controlled by separate regulation.

- The loss of the existing building has been described as unsustainable, however, as previously referenced at para. 8.6.4 the LPA have no control of retention of the existing building. Furthermore the replacement of an inefficient early 1900's building with a modern efficient, well insulated, dwelling meeting the current requirements of the Building Regulations is likely to result in a negligible impact upon the environment during the life cycle of the new building. Impact would be further reduced through the recycling and reuse of demolished material, a 2012 survey managed by Natural Resources Wales found that 87% of construction and demolition waste generated in Wales was re-used, recycled or recovered by other means.
- The application as submitted is considered to meet the minimum requirements for registration and, therefore, there is no compulsion for additional drawings to be submitted.

H.M. LAND REGISTRY

TITLE NUMBER

WA 151451

ORDNANCE SURVEY
PLAN REFERENCE

COUNTY SHEET
SOUTH GLAMORGAN
CARDIFF DISTRICT

NATIONAL GRID SECTION
ST 1981 E

Scale 1:1250

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PARISH OF COMMUNITY

PLANNING AREA

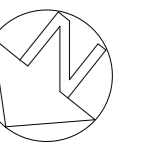
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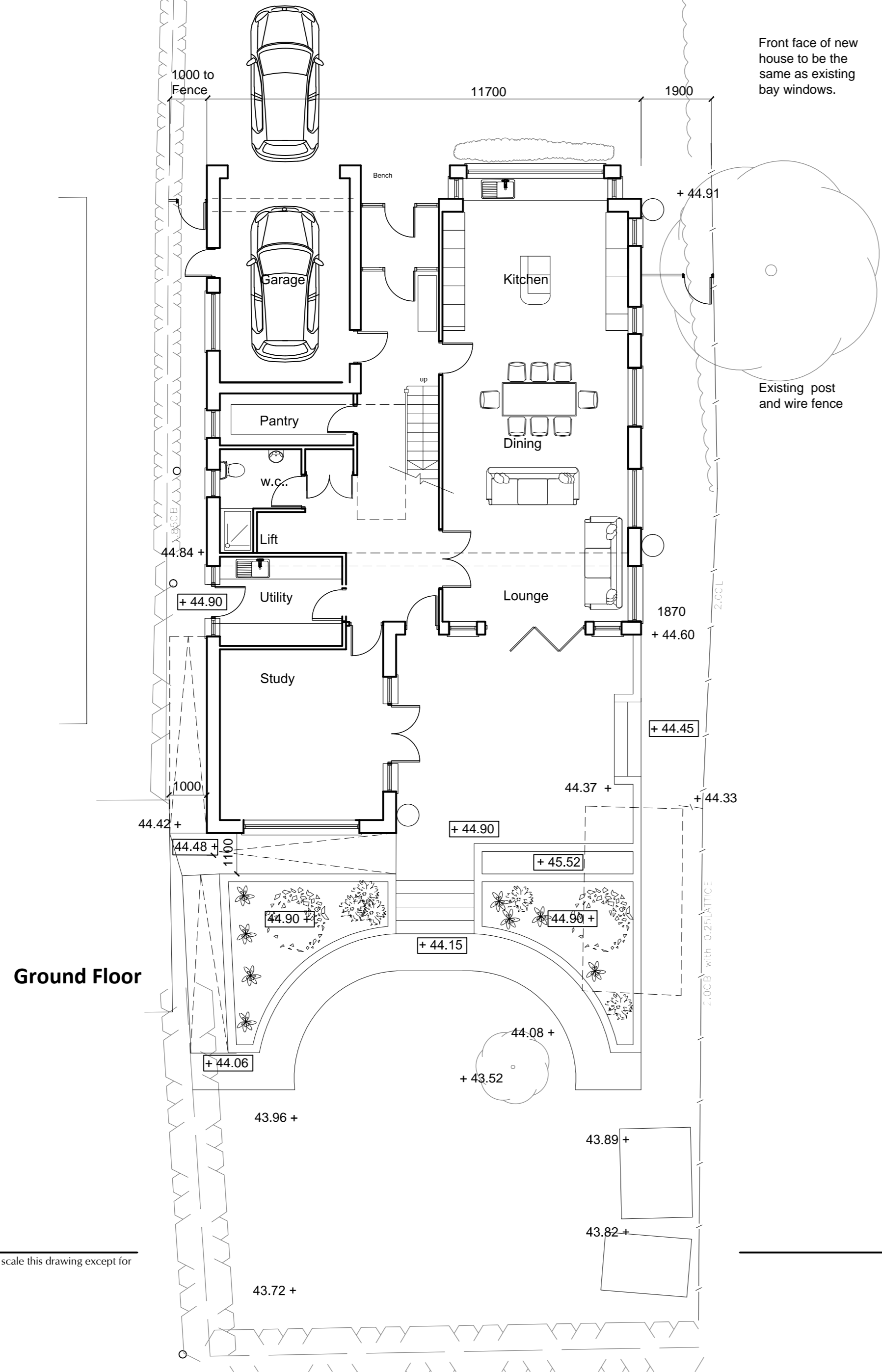
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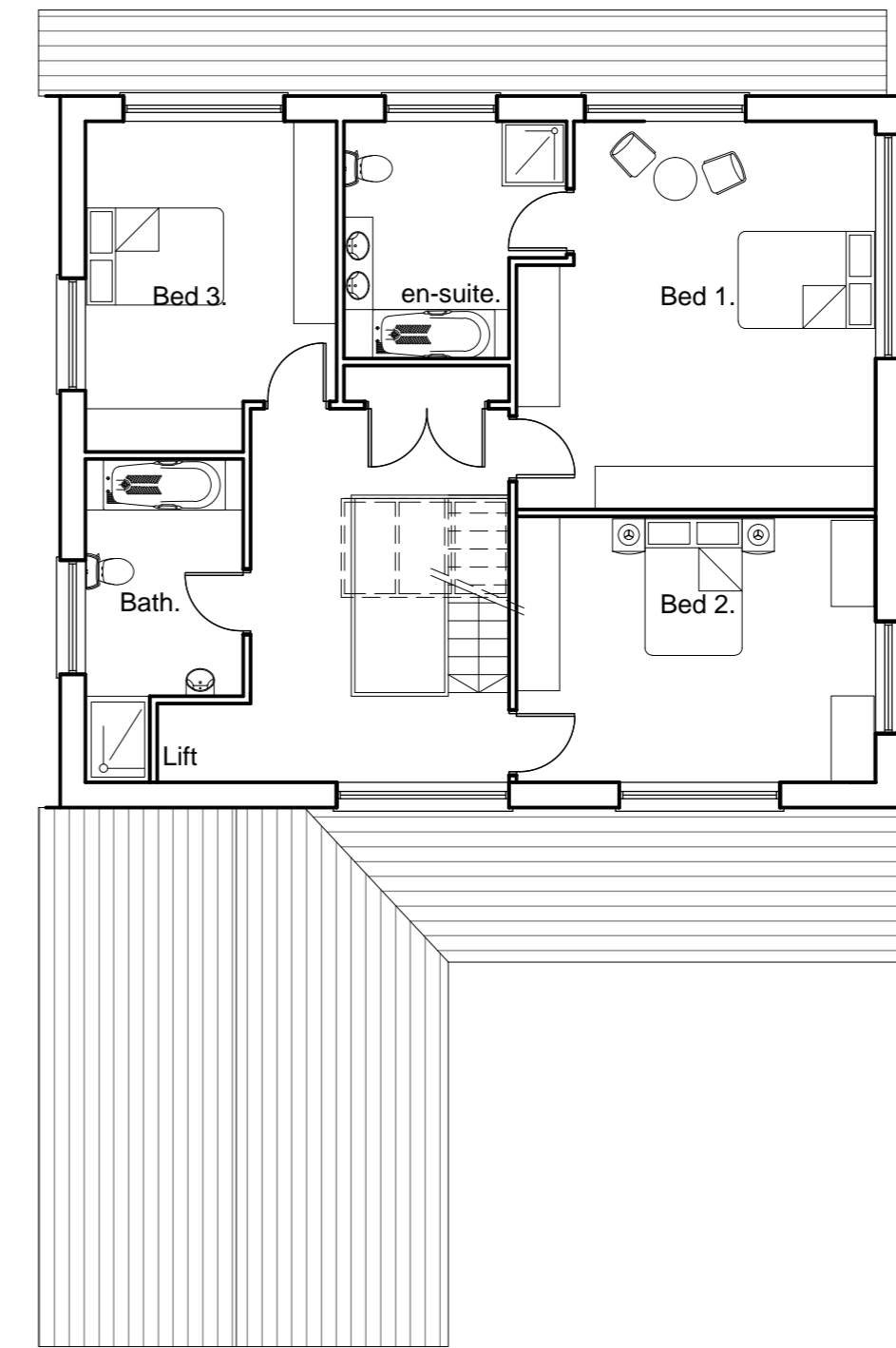
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+ 44.90 Proposed Level
 + 44.92 Existing Level

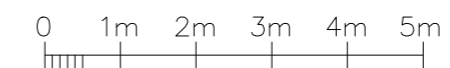


Ground Floor



First Floor

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Client:
Mr & Mrs Snidle
Project Title
New House at
41, Llyswen Road, Cyncoed, Cardiff
Drawing title:
Proposed Plans

Scale
1:100 @ A2
Date
01/12/2015
Dwg No. Rev
473/Planning/02

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Front Elevation



Rear Elevation



Side Elevation



Side Elevation

External Materials:

Ground floor plinth and garden walling including new garden walls.
Staffordshire Blue smooth face or similar clay facing brickwork laid stretcher bond.

External walls above plinth.
White smooth render

Roofing
Dual 35 deg Pitched Roof with hipped end in Marley Eternit Blue/Black manmade slates with Redland Blue Black hip and ventilated ridge tiles.

Fascias, Soffites and Barge Boards.
White PVCu boards.

Main Entrance Door and garage door
Grey secure by design.

Windows /French Doors.
Grey thermally broken double glazed units without vents.

Cills.
Grey colour integrated with windows.

Rooflights
Velux centre pivot rooflights with white internal finish and EDN/EKN soaker flashing.

Rainwater goods.
Osma half round in white PVCu.

New Boundary Fences.
Treated sw overlap boarded panels 1800mm in height.

Garden Gates and fencing to side access.
Treated sw framed ledged and braced gate with close matched sw boarding

Drive, patio and paths
Suds compliant external ground finish

