

## PETITION

COMMITTEE DATE: 11/01/2017

APPLICATION No. **16/02600/MNR** APPLICATION DATE: 24/11/2016

ED: **RADYR**

APP: TYPE: Variation of conditions

APPLICANT: Mr FRANCESCO

LOCATION: 18 DAN-Y-BRYN AVENUE, RADYR, CARDIFF, CF15 8DD

PROPOSAL: VARIATION OF CONDITION 2 (PLANS) TO REPLACE APPROVED DRAWINGS OF APP 15/00291/MNR

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

1. The development shall be carried out in accordance with the following approved plans:

- 2010.22.4B – Proposed Plans
- 2010.22.05D – Proposed Elevations (Sheet 01)
- 2010.22.07D – Proposed Elevations (Sheet 02)
- 2010.22.8 – Second Floor Plan
- 2010.22.12 – Block Plan

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.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order amending, revoking or re-enacting that Order) no windows shall be inserted in the side elevations facing 16 and 20 Dan-Y-Bryn Avenue, other than those hereby approved.

Reason : To ensure that the privacy of adjoining occupiers is protected.

3. The windows on the side elevations facing 16 and 20 Dan-y-Bryn Avenue shall be non opening below a height of 1.8 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.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order amending, revoking or re-enacting that Order) no structure or extension shall be placed within the curtilage of any dwelling.

Reason: To ensure the orderly development of the area with adequate

space about buildings and in the interests of the visual amenity of the area.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking or re-enacting that Order) no external alterations shall be made to any garage hereby approved nor shall any such garage be used for any purpose other than the parking of vehicles.

Reason: To ensure that adequate parking provision is retained clear of the roads so as not to prejudice the safety, convenience and free flow of traffic.

6. The car parking spaces 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 of vehicles.

Reason: To ensure that the use of the proposed development does not interfere with the safety and free flow of traffic.

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

- 1.1 Planning permission is sought to replace the approved plans submitted under app 15/291/MNR to allow for the regularization of works which are being undertaken.

- 1.2 The submitted plans show a number of minor variations from the plans approved under app 15/291/MNR, these include:

- i) Insertion of 7 rooflights into roof slopes of each dwelling unit (14 in total).
- ii) Raising of roof ridge height by approximately 700 mm to 8550 mm in total
- iii) Ground level of building to be 900m below level of highway (the previous approved dwellings was sited approximately 400mm below the level of highway).
- iv) Insertion of ground floor side facing windows (note that these were included on the floor plans of app 15/291/MNR but due to a discrepancy by the agent did not appear on the elevational plans.
- v) Changes to the detailing and positioning of the rear chimneys
- vi) Minor alterations to the rear elevation
- vii) Increase in number of bedrooms from 4 to 5 for each property (though note that internal layout of properties could alter without requirement for planning permission).

## 2. **DESCRIPTION OF SITE**

- 2.1 The application site forms part of the curtilage to 18 Dan-y-Bryn Avenue. The original property was a two-storey detached dwelling with detached garage which has now been demolished. Works are taking place to construct a pair of semi-detached dwellings following the grant of planning permission 15/291/MNR.

2.2 Surrounding the site are existing two-storey dwellings

### 3. **SITE HISTORY**

3.1 13/01786/DCH – Two storey front and side extensions – Refused.

3.2 13/2472/DCO – Demolish existing dwelling and rebuild – Approved.

3.3 15/291/MNR – Demolition of existing house and rebuild 2no semi-detached houses – Approved.

3.4 16/1227/MNR – Discharge of Conditions 4, 7 and 9 – Approved.

3.5 16/2220/MNR – Alterations to app 15/291/MNR to add roof lights – Withdrawn.

### 4. **POLICY FRAMEWORK**

4.1 The application site is shown as part of an existing housing area indicated on the Proposals Map of the City of Cardiff Local Plan

4.2 The following policies of the approved Cardiff Local Development Plan (2006-2026) are considered to be relevant to the proposal:

Policy KP5 (Good Quality and Sustainable Design)

Policy W2 (Provision for Waste Management Facilities in Development)

Policy T5 (Managing Transport Impacts)

4.3 Supplementary Planning Guidance: Infill Sites (April 2011).

4.4 Supplementary Planning Guidance: Access, Circulation and Parking Standards (January 2010)

4.5 Supplementary Planning Guidance: Waste Collection and Storage Facilities (March 2007).

4.6 Technical Advice Note 12: Design.

4.7 Planning Policy Wales 2016.

### 5. **INTERNAL CONSULTEE RESPONSES**

5.1 The Operational Manager, Transportation – No objection.

### 6. **EXTERNAL CONSULTEE RESPONSES**

6.1 Welsh Water/Dwr Cymru – No objections.

## 7. **REPRESENTATIONS**

7.1 Neighbouring occupiers have been consulted. Letters and e-mails have been received from the occupiers of 12 Park Road and 16, 20 Dan Y Bryn Avenue objecting for the following summarised reasons;

- i) Works have been already been carried out.
- ii) Too big and out of proportion with surrounding area.
- iii) Previous large extension to existing dwelling was refused.
- iv) Additional pressure on local drainage system.
- v) Side windows would lead to a loss of privacy.
- vi) Addition of roof lights not in keeping with appearance of neighbouring properties.
- vii) Parking issues in regard to additional bedrooms/bathrooms.

7.2 A petition from Local Residents objecting to the application with 77 signatures has been received which raises the following concerns:

- i) Addition of fourteen rooflights thereby enabling property to become two 3 storey 6 bedroom semi-detached dwellings.
- ii) Front elevation building line being compromised by siting of new property.
- iii) Addition of end elevation windows.
- iv) Above alterations also contravene the previous planning permission.

7.3 Radyr & Morganstown Community Council, object for the following summarised reasons:

- i) Inadequate parking provision for dwelling.
- ii) The parking area may be limited due to its siting below street-level (approx. 0.5m below).
- iii) Siting of property in front of building line may set a precedent for others.

## 8. **ANALYSIS**

8.1 The main planning issues relate to:

- (i) The impact of the amenities of neighbouring occupiers.
- (ii) Highway safety/parking issues.
- (iii) Design/visual appearance.

8.2 The changes proposed in this variation of condition application would not result in any fundamental changes to the building as previously approved.

8.3 The minor alterations to the general design and appearance of the dwelling houses are considered acceptable.

8.4 In respect of detailed matters, the submitted plans show a single rooflight on the front roofslope and six rooflights on the rear roofslope of each of the dwelling units. The rooflights sited on the rear roofslope will be approximately 15.5 metres from the rear boundary of 12 Park Road and the rooflights on the front

roofslope being approximately 28 metres from the properties opposite. The rooflights are sited approximately 1.65 metres above internal floor level; it is considered that the insertion of the rooflights into the dwellings roof slope is acceptable. The positioning of the windows into the roof slope are unlikely to prejudice the privacy of adjoining neighbours and they would not be detrimental to the character of the surrounding area. It is noted that there are other properties within the surrounding area with rooflights inserted into the front/rear roofslopes.

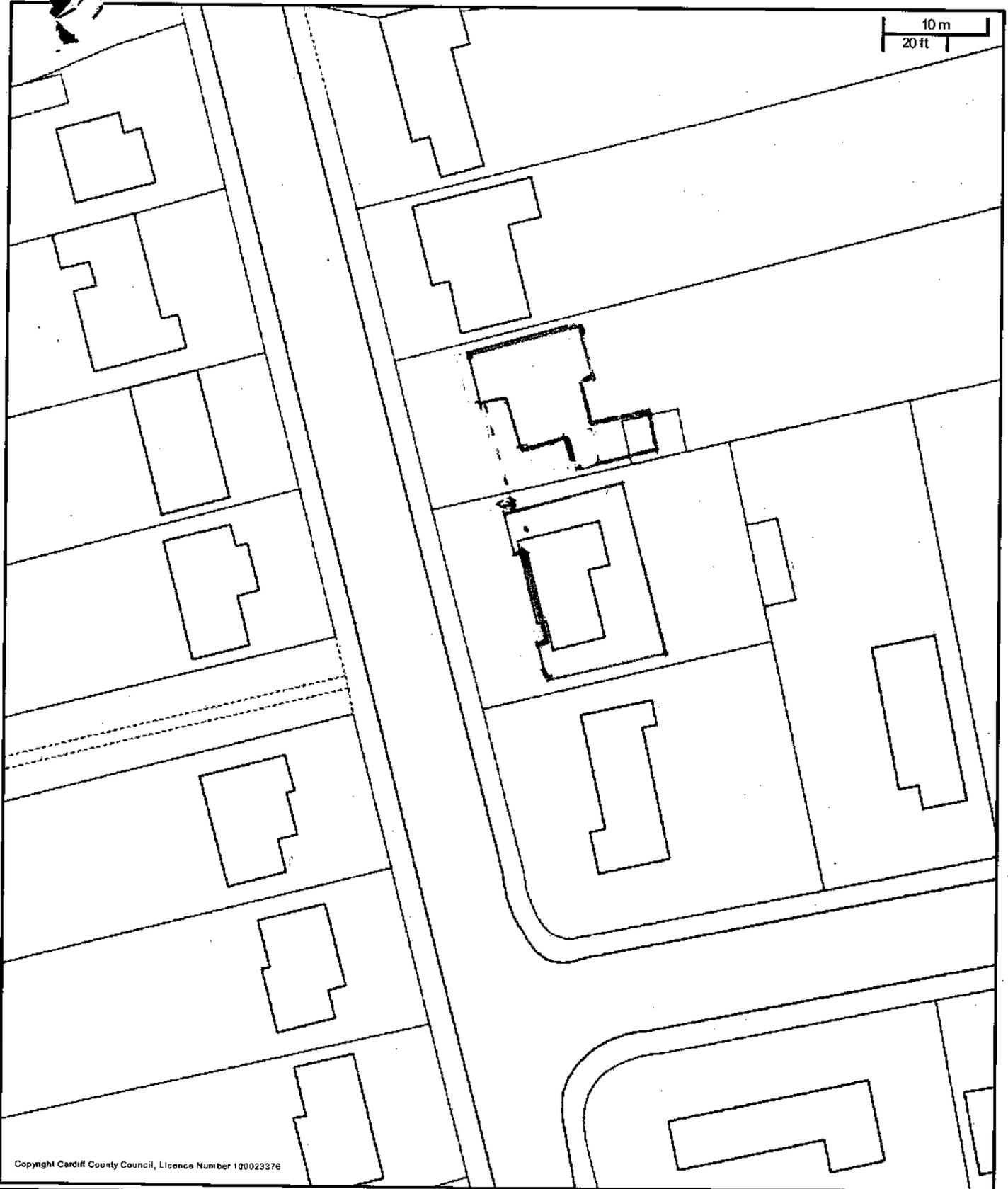
- 8.5 The submitted plans show the insertion of two side facing ground floor windows. These windows are shown as bathroom windows and will be obscurely glazed and non-opening ensured by condition 3. Notwithstanding the obscure glass, these windows will be sited behind a 1.8m high boundary enclosure and thus would not prejudice the privacy of adjoining neighbours.
- 8.6 The submitted plans also show an increase in ridge height of approximately 350mm over the approved plans. This increase will allow the use of the roofspace as residential accommodation. The increase in height is considered to be acceptable as other properties within Dan-Y-Bryn Avenue have differing ridge heights, with there being limited uniformity in ridge heights within the Street. It is noted that the property has been built at a lower level than the previous existing dwelling-house as it sited approximately 900mm below the level of the highway, whereby the original dwelling-house was approximately 400mm below the level of the highway.
- 8.7 The submitted plans show that each dwelling-house would now have five bedrooms (the original approved plans showed four bedrooms per property). The parking requirements as stated in the approved Access, Circulation and Parking Standards Supplementary Planning Guidance for each dwelling unit is one space each (this is the same for five or above bedrooms). The submitted plans show two-off street parking spaces and parking within the attached garage and thus it is considered that the proposal exceeds the requirements as required by the approved SPG and thus the application is policy complaint.
- 8.8 The siting of the two dwellings is considered satisfactory. The dwellings are sited approximately 6 metres away from the footway. This corresponds with the siting of the previous approved dwelling house (15/291/MNR) and correlates approximately with the siting of the original dwelling house. It is noted that the property is sited approximately 1.2m forward of no. 20 Dan-Y-Bryn Avenue, however, it is considered that the building line is not compromised as the adjoining properties are sited differing distances from the footway and the adjoining highway itself is slightly curved rather than completely straight, thus meaning the properties with Dan-Y-Bryn Avenue are slightly staggered. It is also noted that the original approved plans (15/291/MNR) showed that the proposed dwelling would be sited in line with the adjoining property at no. 20, however, there would appear to be a minor discrepancy in the Ordnance Survey plotting of the property (it shows the dwelling sited closer to the footway).
- 8.9 In regard to the objections received from neighbouring occupiers & Petitioners:

- i) Note that most of the external works have been completed.
- ii) The proposal is considered acceptable in terms of its design and scale.
- iii) Note that site history is included within paragraph 3.
- iv) Welsh water have agreed to the installation of the new drainage system on site and raised no objections to this application and the other previous approved proposals.
- v) The side windows are at ground floor level and sited behind an approved 1.8 metre high enclosure. The windows are also conditioned to be obscurely glazed and non-opening (see condition 3).
- vi) The installation of rooflights is considered acceptable in design terms. Noted that other properties within Dan-Y-Bryn Avenue have installed roof lights into the front and rear roofslopes.
- vii) See para 8.7.

8.10 In regard to the objection received from Radyr & Morganstown Community Council would comment as follows:

- i) See para 8.7.
- ii) The access into the site is considered satisfactory, the OM, Transportation has raised no objections to the proposal.
- iv) See para 8.8.

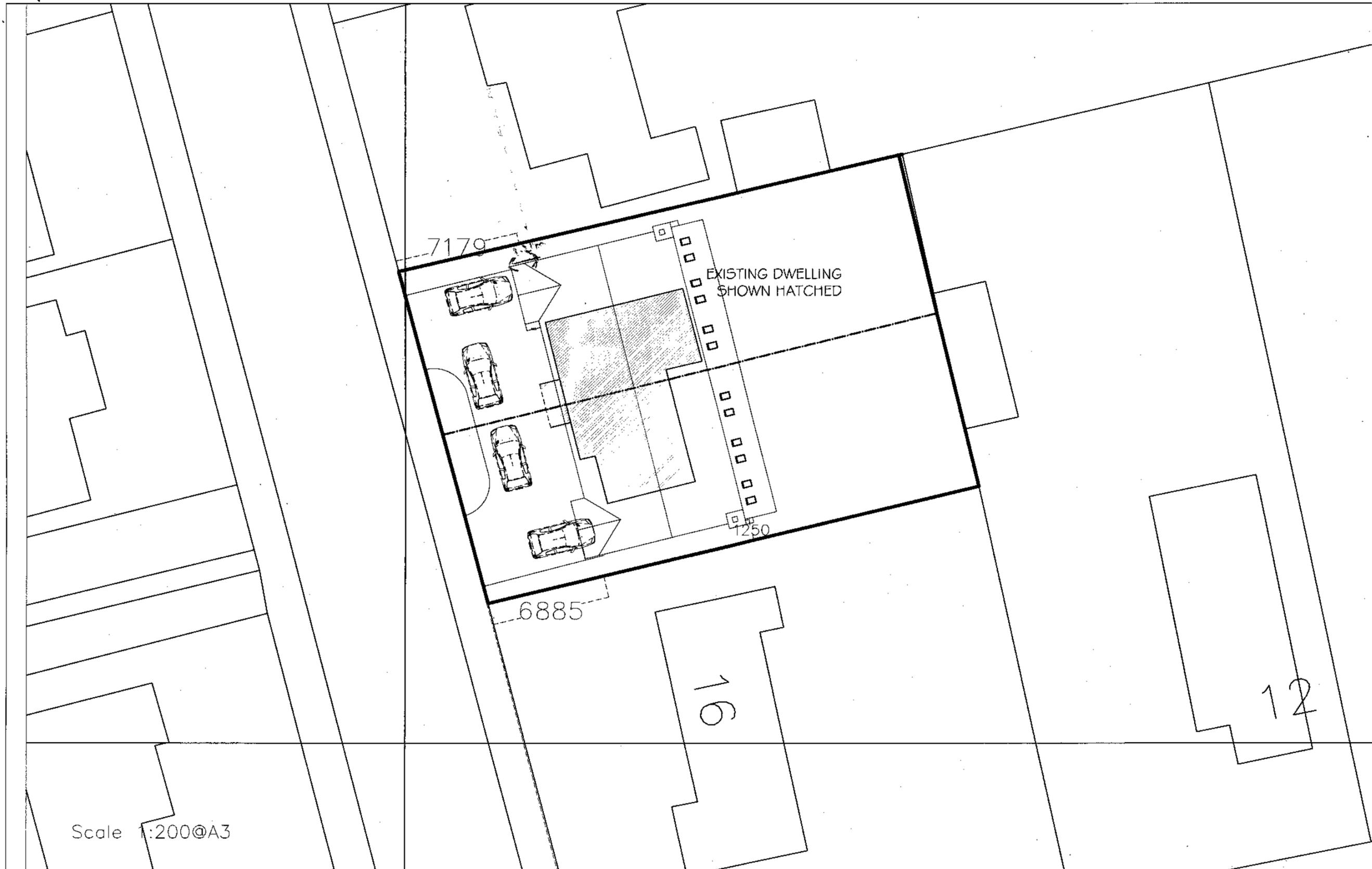
8.11 In light of the above and planning policy, it is considered that the proposal is acceptable and planning permission is recommended.



10 m  
20 ft

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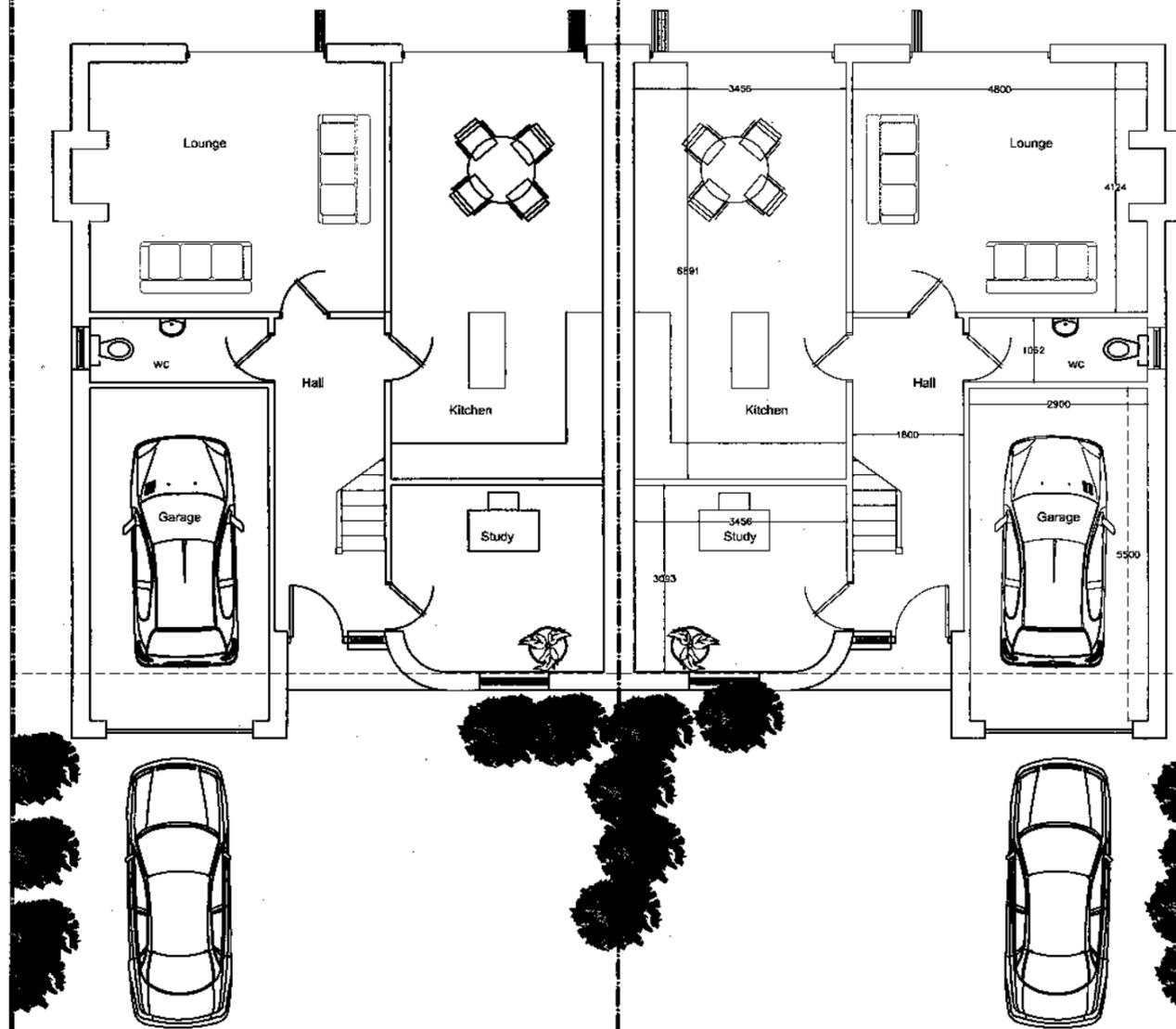
FLOOR BLOCK PLANS

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18 DAN Y BRYN AVENUE RADYR

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2010.22.12

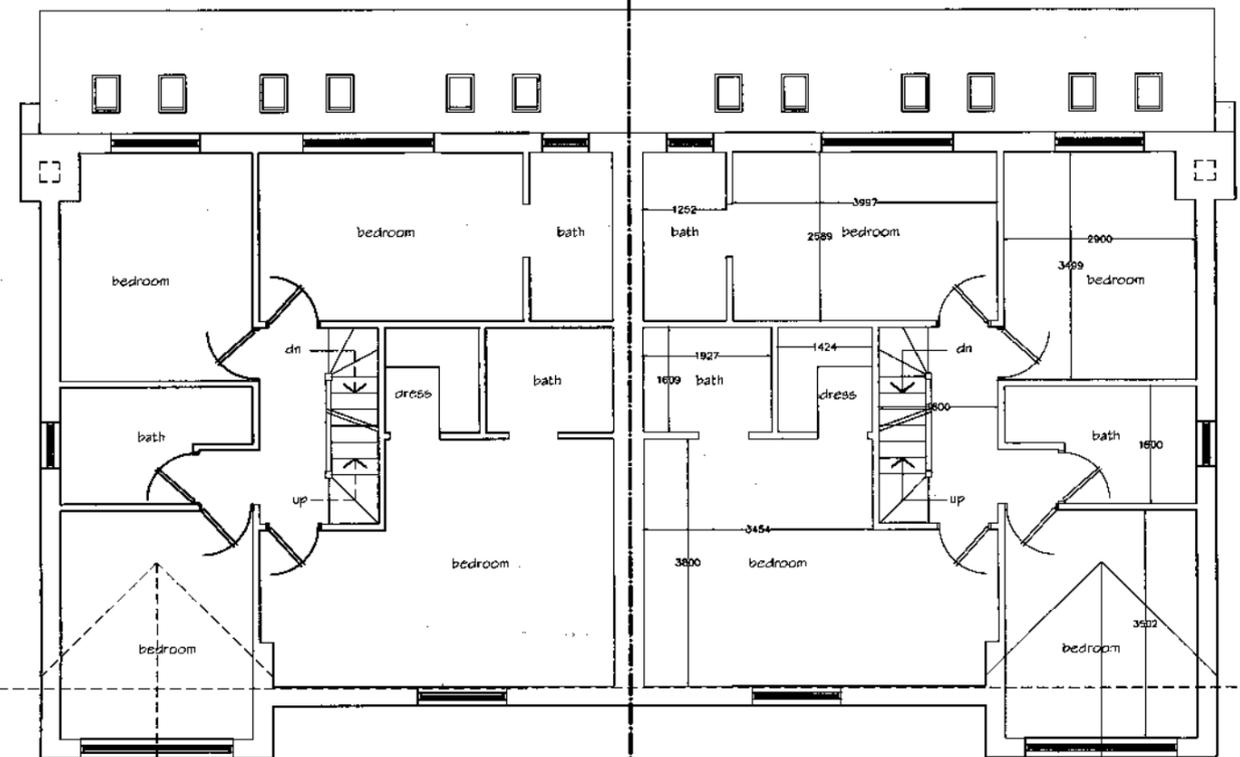
DATE  
25/10/2015

**mts** mt Surveyors  
Architectural Designers



GROUND FLOOR PLAN

Scale 1:100



FIRST FLOOR PLAN

FLOOR prop plans

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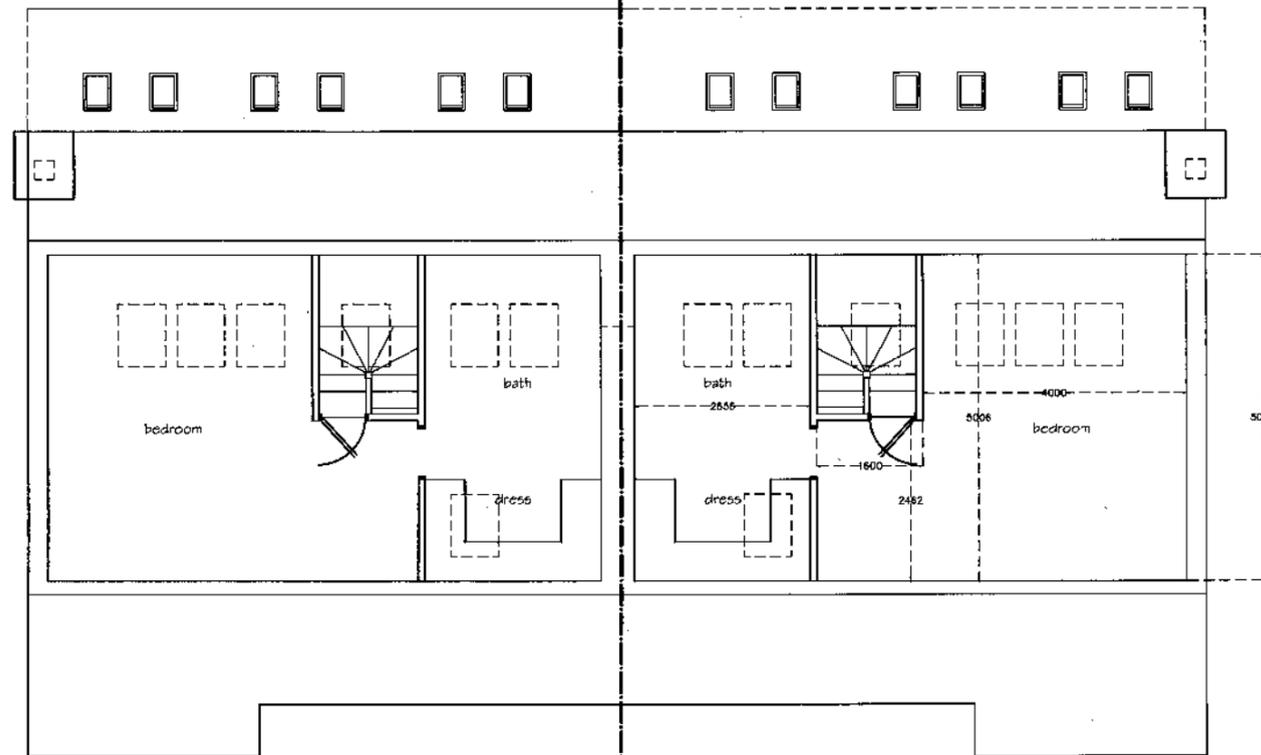
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DATE 16/09/2015

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SECOND FLOOR PLAN

Scale . 1:100

FLOOR prop plans

ADDRESS 18 DAN Y BRYN AVENUE RADYR

JOB NO. 2010.22.8

DATE 16/09/2015

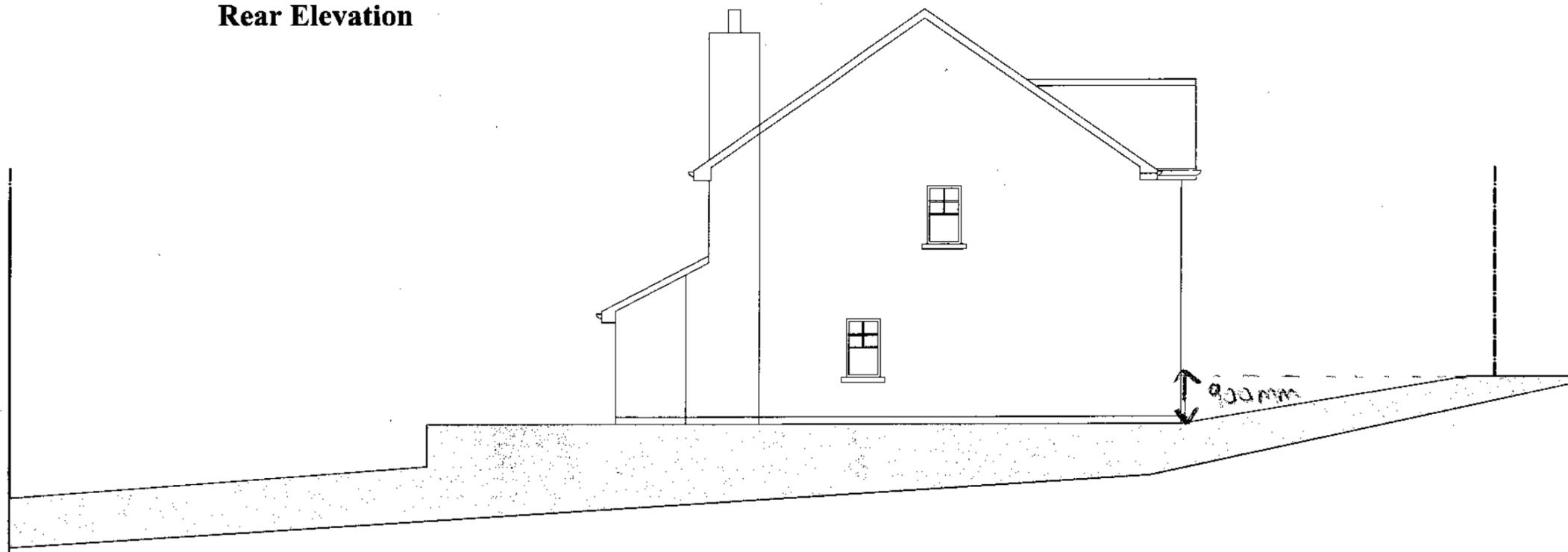
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**Rear Elevation**



**Side Elevation**

Scale 1:100@A3

REVISED ELEVATIONS 24-11-2016

FLOOR REAR AND SIDE ELEVATIONS

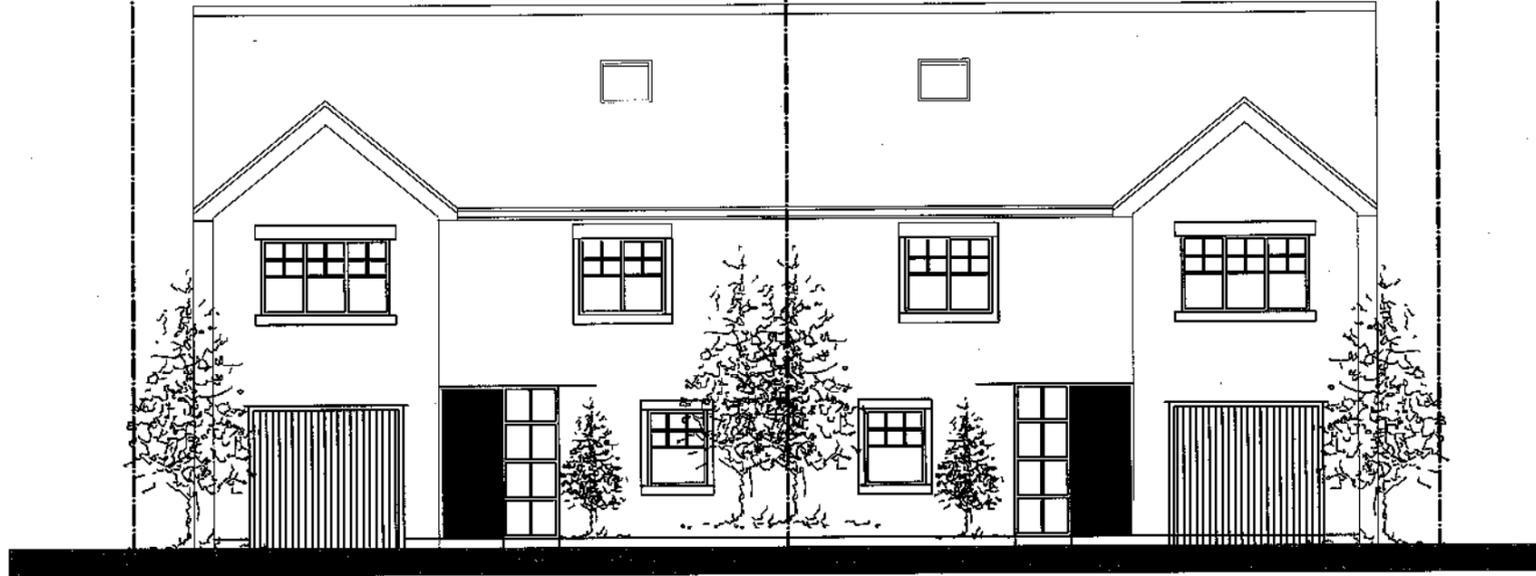
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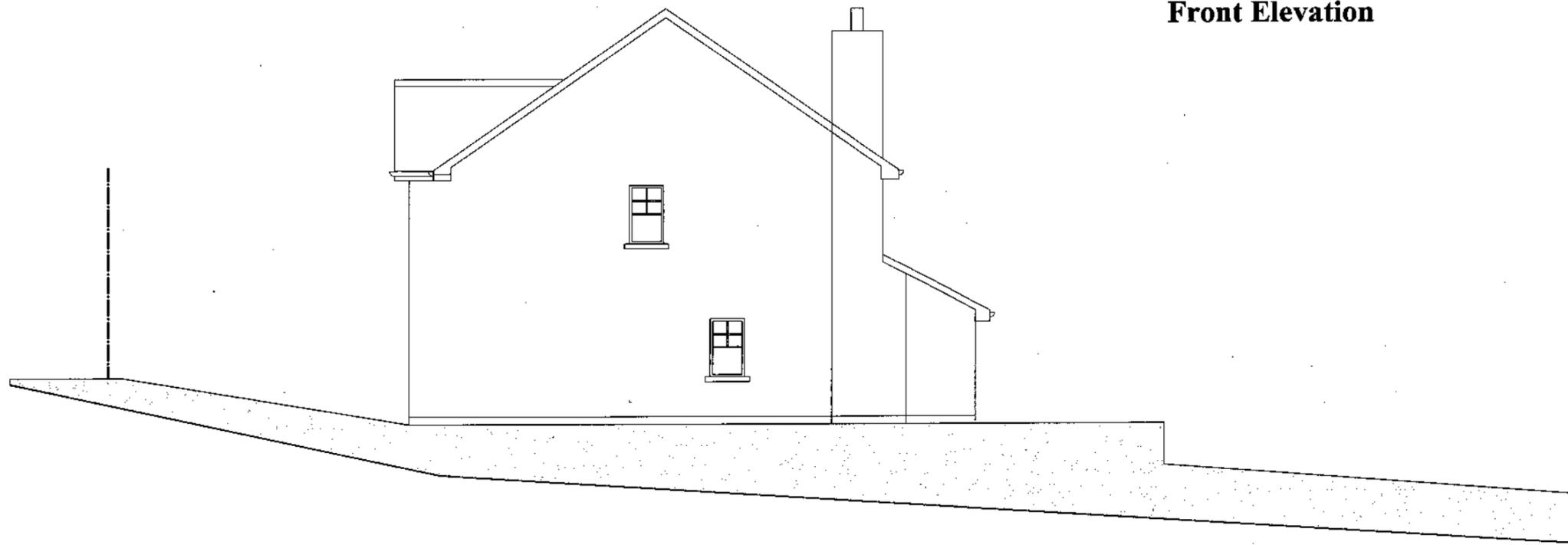
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**Front Elevation**



**Side Elevation**

Scale 1!:100@A3

REVISED ELEVATIONS 24-11-2016

FLOOR FRONT AND SIDE ELEVATIONS

JOB NO.  
2010.22.07D

ADDRESS  
18 DAN Y BRYN AVENUE RADYR

DATE  
24/11/2015

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