

PETITION

COMMITTEE DATE: 19/12/2018

APPLICATION No. **18/02306/MNR** APPLICATION DATE: 04/10/2018

ED: **PENTYRCH**

APP: TYPE: Full Planning Permission

APPLICANT: Mrs Jones

LOCATION: 7 BRONLLWYN, PENTYRCH, CARDIFF, CF15 9QL

PROPOSAL: CHANGE OF USE OF LAND TO INCORPORATE INTO GARDEN, A SINGLE STOREY EXTENSION TO THE REAR, SINGLE STOREY EXTENSION TO FRONT AND SIDE, TWO STOREY EXTENSION TO THE SIDE AND REAR AND DOUBLE GARAGE

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:
 - JONE-PL-SK-003
 - JONE-EL-SK-005 (Rev A)
 - JONE-PL-SK-006
 - JONE-EL-SK-007 (Rev B)

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. The first floor window on the south elevation of the extension hereby approved 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 in accordance with Policy KP5 of the adopted Cardiff Local Development Plan (2006-2016).

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 windows shall be inserted in the south elevation of the extension other than those hereby approved.

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

accordance with Policy KP5 of the adopted Cardiff Local Development Plan (2006-2026).

5. The garage hereby approved shall only be used for purposes incidental to the dwelling at 7 Bronllwyn.
Reason: To ensure the amenities of adjoining neighbours are protected in accordance with Policies KP5 of the Cardiff Local Development Plan (2006-2026).
6. 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 structure or extension shall be placed within the extended curtilage nor shall any alterations be undertaken to the roof of the garage hereby approved
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 and to ensure no adverse impact upon neighbouring properties in accordance with Policies KP5 of the Cardiff Local Development Plan (2006-2026).

RECOMMENDATION 2: 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 Full planning permission is sought to extend an existing semi-detached dwelling, and to incorporate an adjacent area of land into the residential curtilage and to construct a double garage. It is also proposed to construct a double garage within the extended curtilage.
- 1.2 The proposed extensions to the existing house consist of a single storey element to the front and side, a two storey extension to the side and rear and a single storey extension to the rear. The single storey front and side element would project forward of the front wall of the dwelling by 1.2m and would wrap around the side of the house to a point 3.1m back from the front wall of the existing house. It would have a sloping roof which would be 3.9m high at its highest point. The two storey side and rear extension would be 9.1m in depth. It would wrap around to the rear of the existing dwelling, with a maximum width of 4.8m at the rear elevation. The two storey extension would have a hipped roof on the front elevation and a gable end on the rear elevation. A Juliet balcony is proposed at first floor level on the rear elevation, with an expanse of glazing on the gable end. The rear elevation of the two storey element would be finished in red cedar cladding. The single storey rear element would be 3m in depth, 3.2m in width and would have a flat roof with a height of 2.9m. It would be set off the boundary with no. 5 Bronllwyn by 0.5m. Amended plans have been submitted which indicate that a side facing window proposed on the south elevation would be obscurely glazed.

- 1.3 The area of land which would be incorporated into the residential garden consists of a rectangular plot located to the rear of no. 5 Bronllwyn (the adjoining semi-detached house) and an access lane which runs between no. 3 and no. 5 Bronllwyn. It would be incorporated into the garden of the application site by removing the rear section of the existing boundary fence on the southern side.
- 1.4 The proposed double garage would be located within the extended curtilage. Amended plans have been submitted which reducing the scale of the proposed double garage. The structure, as amended, would be 8.4m in width, 5.5m in depth and would have a pitched roof with a height of 2.1m at the eaves and 3.2m at the ridge. It would have two sets of garage doors facing the rear boundary of 5 Bronllwyn, a set of French doors on the north elevation allowing access from the applicant's existing garden and two rooflights on the rear facing roof plane.

2. **DESCRIPTION OF SITE**

- 2.1 The site is located on the western side of Bronllwyn, a residential street, and accommodates an existing semi-detached house. The land slopes gently away towards the west. The site also includes a rectangular area of land immediately to the rear of the adjoining house, no. 5 Bronllwyn, and an access lane to it which runs between no. 3 and no. 5 Bronllwyn. This area of land was recently disposed of by the Council and the application proposes incorporating it into the applicant's garden. The additional plot of land previously accommodated a pair of garages, which have since been demolished, although an area of hardstanding remains. An electricity substation is located to the immediate west of the site, with an easement along the lane allowing access to it by Western Power Distribution.
- 2.2 The Settlement Boundary follows the rear boundary line of the site, with the fields to the west being within the Green Wedge and Special Landscape Area (as defined on the Cardiff Local Development Plan 2006-2026). A Public Right of Way runs diagonally across the fields to the rear, approximately 130m away from the rear of the site at its closest point.

3. **SITE HISTORY**

- 3.1 08/00617/W – Two and single storey extensions – Approved.

4. **POLICY FRAMEWORK**

- 4.1 National Planning Policy
- Planning Policy Wales (10th Edition)
 - Technical Advice Note 12 'Design' (2014)
 - WGC 016/2014: The Use of Planning Conditions for Development Management
- 4.2 Cardiff Local Development Plan (2006-2026)

- Policy KP3(A) 'Green Wedge'
- Policy KP3(B) 'Settlement Boundaries'
- Policy KP5 'Good Quality and Sustainable Design'
- Policy T5 'Managing Transportation Impacts'

4.3 Supplementary Planning Guidance

- Residential Extensions and Alterations (2017)
- Managing Transportation Impacts (Incorporating Parking Standards) (2018)

5. **INTERNAL CONSULTEES RESPONSES**

- 5.1 The Operational Manager, Transportation, states that the lane is near the bend at the junction of Heol Pant y Gored, Penuel Road and Heol y Parc. Traffic speed would be low for vehicles heading northbound, as motorised vehicles would have to traverse the bend. Traffic could have higher speeds for vehicles travelling southbound, however, the 'X and Y' visibility splays are sufficient at the existing entrance for southbound traffic. In addition to this is the fact that there are already existing domestic access driveways closer to the junction and on the bend of Bronllwyn, there is no objection.

6. **EXTERNAL CONSULTEES RESPONSES**

- 6.1 Western Power Distribution has been notified, but no response has been received.

7. **REPRESENTATIONS**

- 7.1 Neighbouring occupiers have been notified of the original and the amended plans by way of neighbour consultation letters.

- 7.2 A petition of 60 signatures has been received objecting to the proposal.

- 7.3 Letters of representation in response to the original plans have been received from the occupiers of no. 3 and no. 5 Bronllwyn. They object to the proposal on the following summarised grounds:

Garage

- Significantly larger than the previous structure being twice the height and 4m wider;
- Contrary to Policy KP5 as its scale, height, width and materials are out of keeping with the character of the area;
- Does not meet guidance in paragraphs 8.5 - 8.6 of Residential Extensions and Alterations SPG on garages as it would have a similar footprint to the original house and would not reflect its style, character and proportions;
- A prominent feature which would reduce the amount of light that neighbouring houses receive;
- Obstruction of views of countryside and sunsets. Owners would suffer a financial loss having bought houses at a premium for the views. Negative impact on the mental health and wellbeing of residents;

- Prominent position on the edge of the settlement boundary and backland setting would have an urbanising effect on the Green Wedge when viewed from the fields behind;
- Harmful impact on the amenity of neighbours and users of the Public Right of Way;
- Concern the layout and design mean it could be used as a separate residential unit, 'granny annexe' or workshop purposes rather than the garage applied for;
- Residents were given assurances no development bigger than the existing garages would be built there when land was disposed of by the Council;
- Insufficient space for cars manoeuvre in and out of the garage;
- No precedent as there are no other garages to the rear of any properties in the road;
- Applicants already have adequate parking facilities;
- The narrow lane is not suitable for traffic in and out. Close to primary school with visual blind spots making use of it a danger to pedestrians;
- Concern neighbour's boundary fences may be damaged by vehicular traffic using the lane;
- Use of the lane at unsociable hours would cause disturbance to neighbours.

Extension to dwelling

- Contrary to Policy KP5 as it does not respond to the local character or context of the built environment and land landscape setting and does not adequately address issues of scale, form, mass, height, detailing or its impact upon the setting;
- Would be significantly larger than other extensions along Bronllwyn and would increase the floorspace of the house by over 45%. Extension would not be subservient;
- Scale of the proposal is overbearing and imposing resulting in an unacceptable loss of amenity;
- Rear gable end element is out of character and would give the impression of a 3 storey dwelling. Would appear incongruous and out of scale on the urban edge. Red cedar cladding would be out of keeping;
- 2 storey front/side extension would lead to a terracing effect due to its position close to the boundary with no. 9. Would appear to be a terrace of six houses, rather than three sets of semi-detached houses;
- Side facing first floor window would result in loss of privacy;
- Bronllwyn is one of the original parts of the village and extensions to other properties have respected this. There are spacious houses with two storey extensions available on the market without the need to ruin a traditional area;
- Applicants have not followed 'best practice' in speaking to all those affected by the proposal;
- Proposed plans are inaccurate as they do not reflect the recent extensions to no.5.

7.4 In response to the submitted amended plans, the following further objections were made:

- Amended plans do not address concerns or objections previously made, so

these remain the same;

- Proposals would still not comply with planning policy;
- Garage remains far too high and overwhelming to neighbouring properties and the surroundings. There has been no reduction in width;
- Garage would tower above fences, overlook gardens and be visible from the Public Right of Way. Dimensions suggest its intended purpose is not as a garage and concerns about privacy, noise pollution, potential damage to fences and the unsuitable and unsafe vehicular access remain.

7.5 Pentyrch Community Council objects to the proposal and supports all of the concerns raised by the residents of no. 5 Bronllwyn. They have concerns about the positioning of the lane which will become the driveway so close to the bend at the four-way junction of Bronllwyn with Heol Pant y Gored, Penuel Road and Heol y Parc. The amended plans do not address their original concerns and the new design is not in keeping with the street scene. Should permission be granted, the garages should not be converted to residential accommodation in the future. All construction vehicles should be managed safely on this busy corner and all skips should be kept off the road.

7.6 Local Member has been notified and requests that the committee considers the character of the area.

8. **ANALYSIS**

8.1 The key material planning considerations are:

- The principle of the development;
- Impact upon the character of the area;
- Impact upon neighbouring properties;
- Transportation and highway issues;
- Impact upon the Green Wedge and Public Right of Way;
- Other matters raised.

8.2 **The Principle of the Development**

The application site falls within the Settlement Boundary, as defined by the Local Development Plan Proposals Map. Part of the site was formerly Council-owned operational property, which was disposed of by the Council earlier in 2018. There is no specific allocation or designation on the site which would prevent the proposed change of use to incorporate the land into the adjoining residential garden. The principle of the change of use of the land into domestic garden space is, therefore, considered acceptable.

The site formerly accommodated two garages, which have since been demolished. Vehicular access along the lane is also afforded to the electricity substation to the rear of the site. Given the previous use and the existing vehicular access, the principle of using the site to accommodate domestic garages is considered acceptable.

The extension of an existing dwelling within a residential area is considered acceptable in principle, subject to considerations of design and impact upon residential amenity.

8.3 Impact upon the Character of the Area

It is acknowledged that the proposed extensions to the front, side and rear could be considered substantial in size and massing. However, there are notable extensions of similar proportions to the side and rear of other houses on the western side of Bronllwyn. The other extensions vary in terms of roof form, with examples of hipped roofs and gable designs. The proposed gable design feature to the rear elevation of the host dwelling is considered acceptable. Given the context, it is not considered that the proposed extension would appear unduly prominent, unusual or incongruous within the street scene.

The two storey side element of the proposal would be set back from the front wall of the existing dwelling. It is considered this design feature of the extension would appear subservient. The proposed extension would be set off the boundary with no. 9 Bronllwyn by approximately 0.5m. This separation gap would present the occurrence of a no 'terracing effect' as a result of this proposal. As the other half of the pair of semis has been extended to the side with a two storey extension, it is not considered that the proposal would unbalance the pair of semis. It is acknowledged that proposal building forward of the building line could raise concern in design terms but several of the houses in the street have been extended to the front, including the other half of the pair. The front extension is considered acceptable in this instance, given the context. Although the extension could be considered substantial in scale, sufficient garden space would remain to ensure that a reasonable garden-to-extension ratio would be maintained, in accordance with the SPG (Residential Extensions and Alterations 2017).

The garage, as amended, would be located to the rear of no. 5 Bronllwyn. As such, it would not be readily visible within street scene from the road at the front of the properties. Given that the parcel of land falls within the settlement boundary and there are other domestic outbuildings, sheds and structures along the rear boundary line, it is considered that the garage would not appear unusual or incongruous when viewed from the open fields behind the application site.

Given the above factors, it is not considered that the proposed extension or garage would prejudice the general character of the area.

8.4 Impact upon Neighbouring Properties

The single and two storey side element of the proposal would be adjacent to the boundary with no. 9, but set off by a modest separation gap. There is an existing substantial two storey side and rear extension to the house at no. 9, which has no side facing windows. The proposed extension would be to the south of no. 9, so any overshadowing caused by the proposed extension would fall predominantly over the blank side wall of the extended neighbouring property. It is not considered that the extension would be overbearing upon the occupiers of no. 9.

To the rear, the single storey element would be set off the boundary with the

attached house by 0.5m. It would have a flat roof with a height of 3m. The extension would be to the north of the attached house, which has a single storey rear extension with a pitched roof. Given this, it is considered unlikely that the proposed extension would result in any significant overshadowing or overbearing impact upon the occupiers of no. 5. The first floor window in the south elevation facing towards no. 5 has been indicated as being obscurely glazed on the amended plans. Conditions have been suggested which would ensure this, and prevent any other windows from being placed in the south elevation in the future.

The proposed double garage, as amended, would be located to the rear of the attached house, no. 5. The location of the garage may affect the current outlook enjoyed by the occupants over open fields to the west. However the protection of views is not a material planning consideration. It is acknowledged that the amended plans, which have reduced the height of the garage, would lessen the impact.

The extended curtilage would wrap around the neighbouring property, and to ensure that the general amenity of the area and that of the occupiers of the neighbouring property are not undermined a condition has been imposed to remove permitted development rights, this would allow the Local Planning Authority to control any further development of this area.

8.5 Transportation and Highway Issues

The existing dwelling benefits from an off-road parking space at the front of the house. The 'Managing Transportation Impacts' SPG states that a maximum of one space would be required for a dwelling outside the Central Area. However, paragraph 6.15 of the SPG states that for the purposes of the Parking Standards, garages would not be counted within the parking provision for residences. Given this, it is not considered that an over-provision of parking would be provided.

The existing access lane to the land at the rear is located between the driveways of no. 3 and no. 5 and has an existing drop kerb giving access onto Bronllwyn. Given the location of the access point between two domestic driveways, the previous use of the lane to access the former garages and the ongoing rights of Western Power Distribution to access their equipment along the lane, it is not considered that there would be any detrimental impact upon highway users or pedestrians from use of the lane for domestic access purposes.

8.6 Impact upon the Green Wedge and Public Right of Way

The site falls within the Settlement Boundary, as defined by the Proposals Map, as defined on the adopted Local Development Plan (2006-2026).

The land immediately to the west of the site is allocated as Green Wedge. A Public Right of Way (PROW) runs diagonally across the field behind the site. Views east from the Green Wedge and PROW currently consist of the rear of the houses along Bronllwyn, with their associated domestic paraphernalia such as outbuildings, sheds and green houses. It is not considered that the addition

of the garage structure within the extended domestic curtilage would have any detrimental impact upon the openness of the Green Wedge. As the view from the Green Wedge and PROW already includes the existing extensions to houses along Bronllwyn and it is not considered that there would be any detrimental impact due to an additional extension.

8.7 **Other Matters Raised**

- The application proposes a double garage for use by the occupiers of no. 7 Bronllwyn and the application has been assessed on this basis. Any use of the garage as a separate residential unit would require a separate planning permission. A condition has been suggested which would limit the garage to being used for purposes incidental to the main dwelling;
- Given that there were previously garages on the site, it is not considered that use of the proposed double garage, for domestic purpose, would create any amenity issues;
- Any damage caused to boundary fences would be a civil matter to be resolved between the two parties;
- The comments of the local ward councillor are noted and the character and context of the area have been given consideration in the determination of this application.

9. **OTHER CONSIDERATIONS**

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

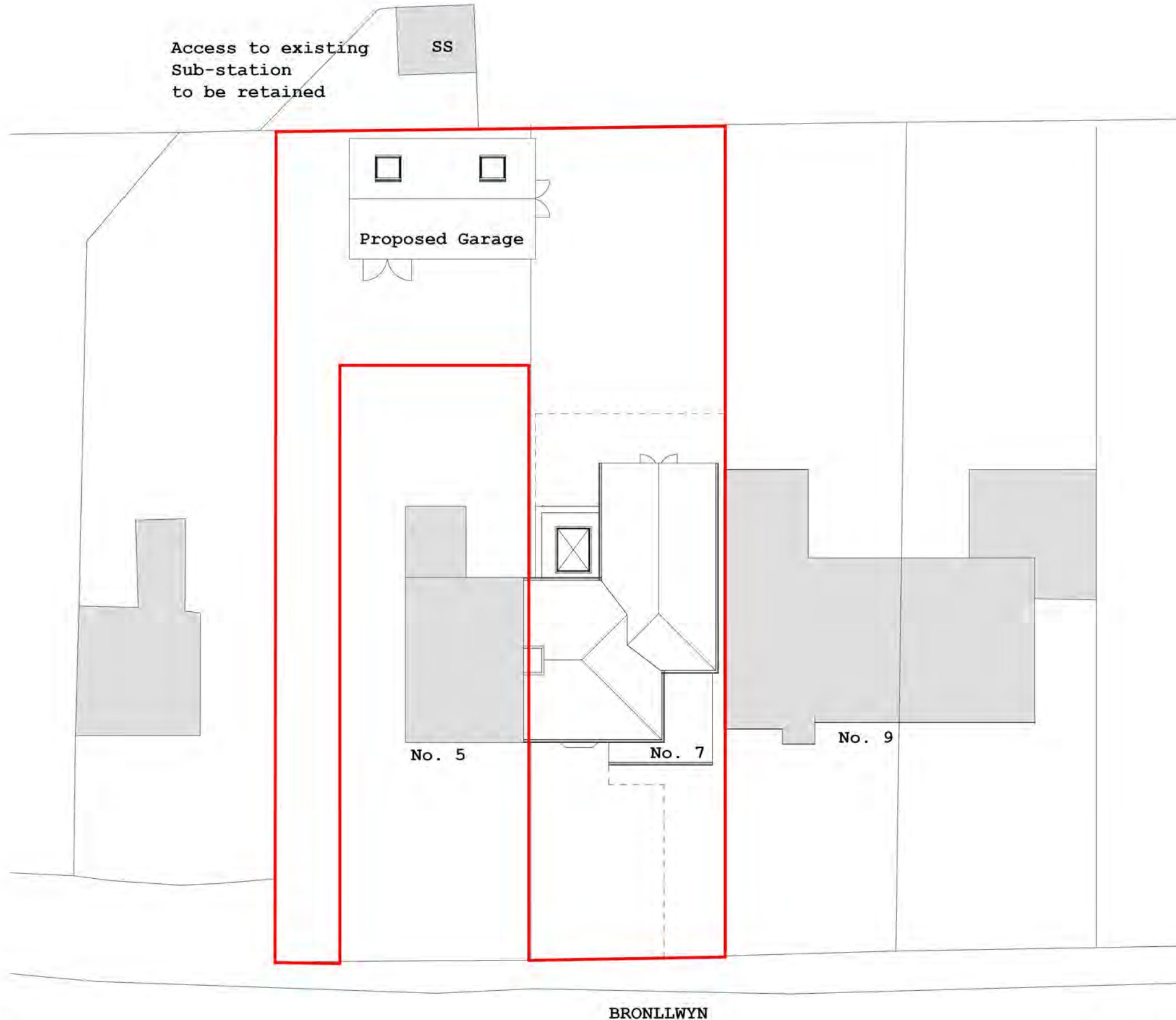
9.2 Equality Act 2010 – The Equality Act 2010 identifies a number of ‘protected characteristics’, namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council’s duty under the above Act has been given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

9.3 Well-Being of Future Generations Act 2016 –In reaching this decision, the Local Planning Authority have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. It is considered that this decision is in accordance with the Act’s sustainable development principle through its contribution towards supporting safe, cohesive and resilient communities.

10. **RECOMMENDATION**

10.1 Having regard to the policy context above, the proposal is considered acceptable and it is recommended that planning permission be granted, subject

to conditions.





h Primary School

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Bronllwyn

Bronllwyn

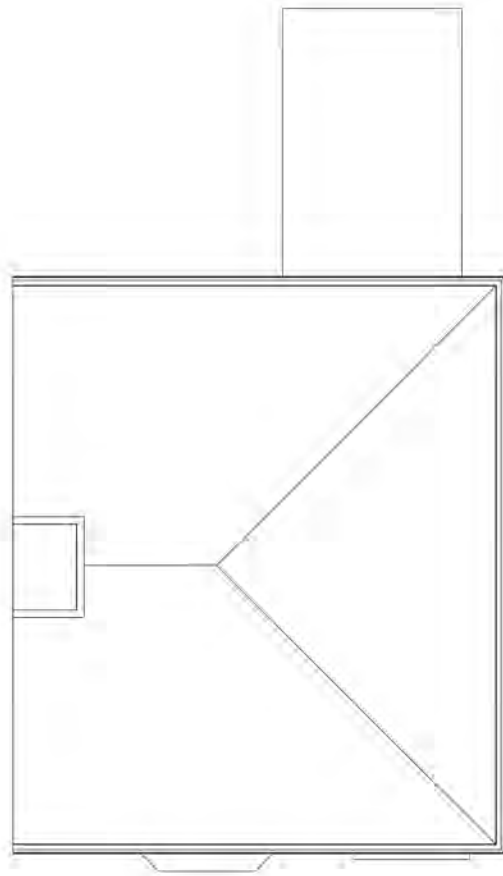
Bronllwyn

Bronllwyn

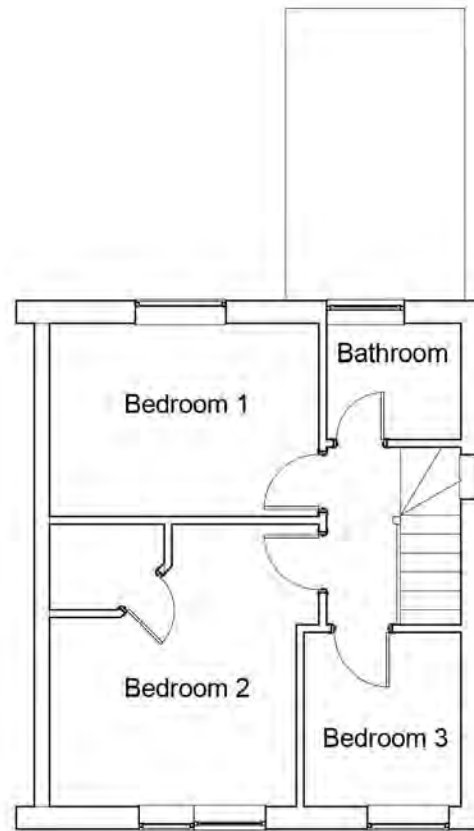
Pentel Rd

Heoff Rd

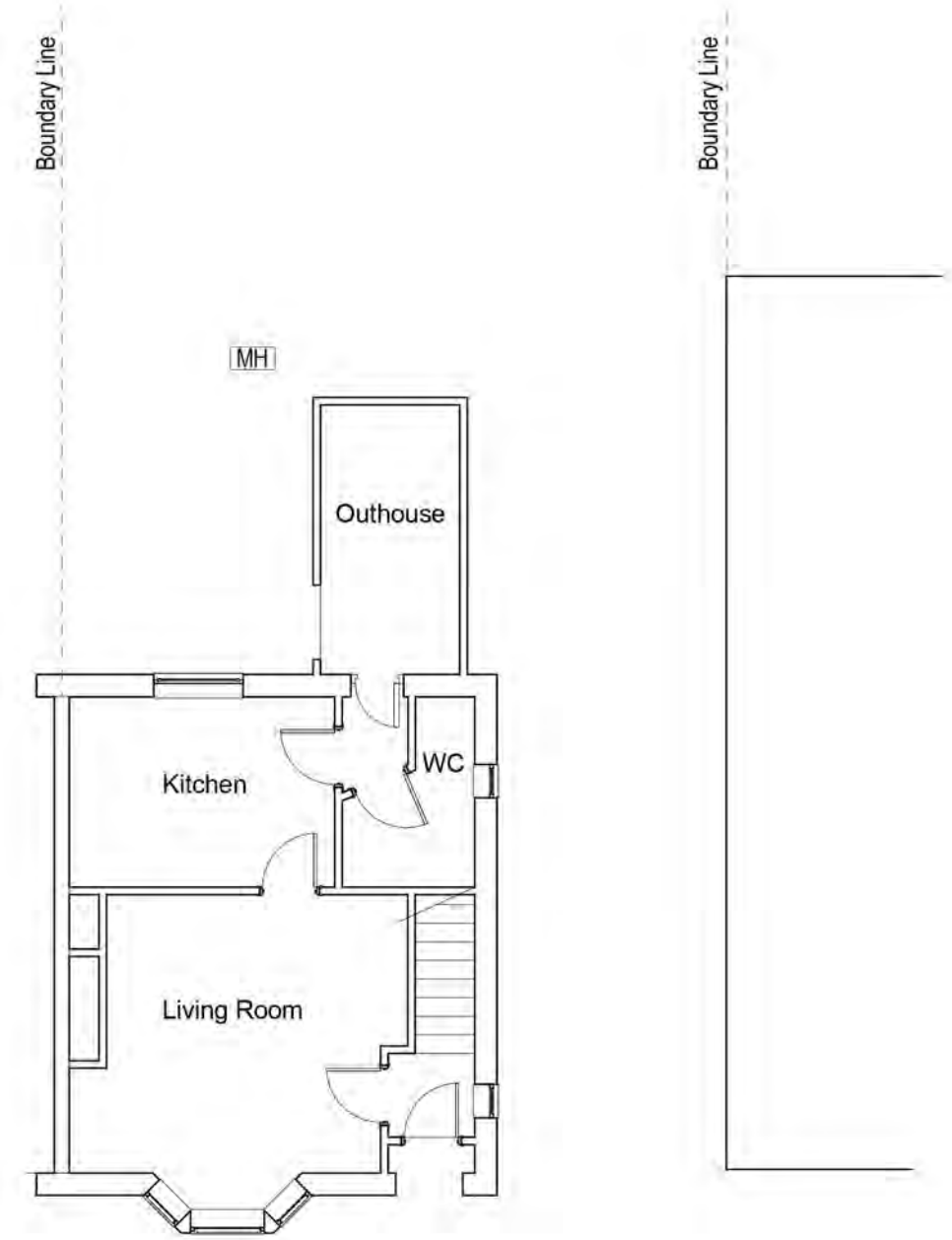




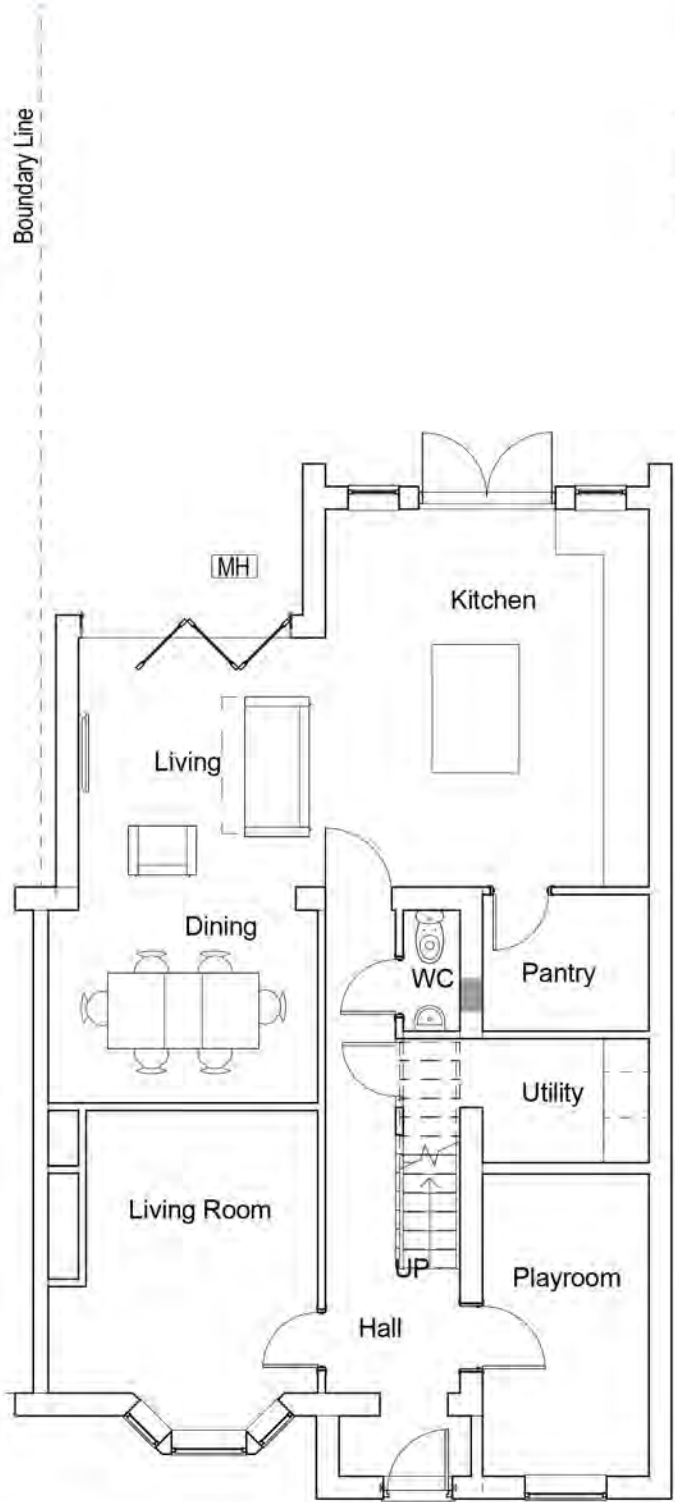
Roof



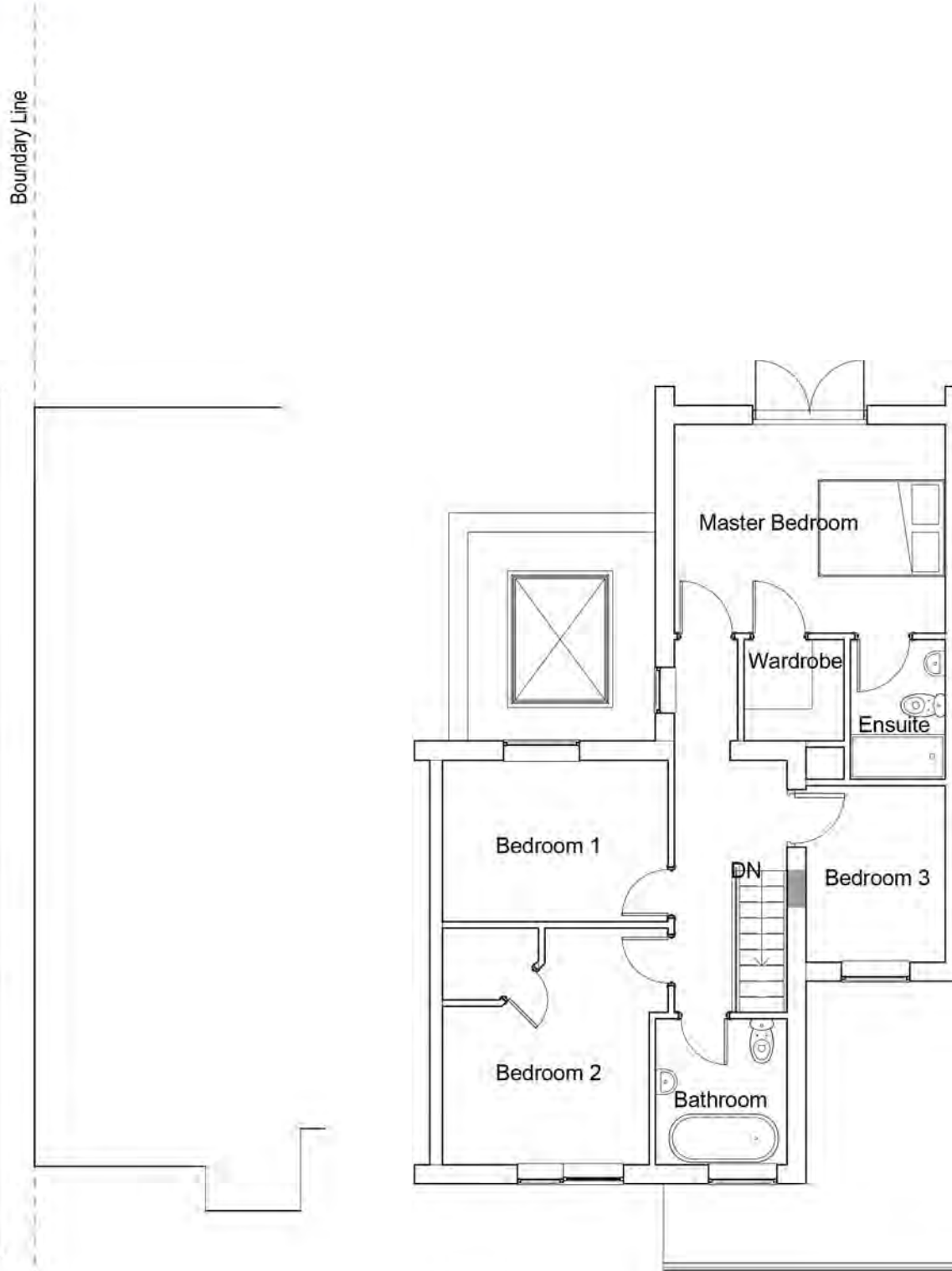
First



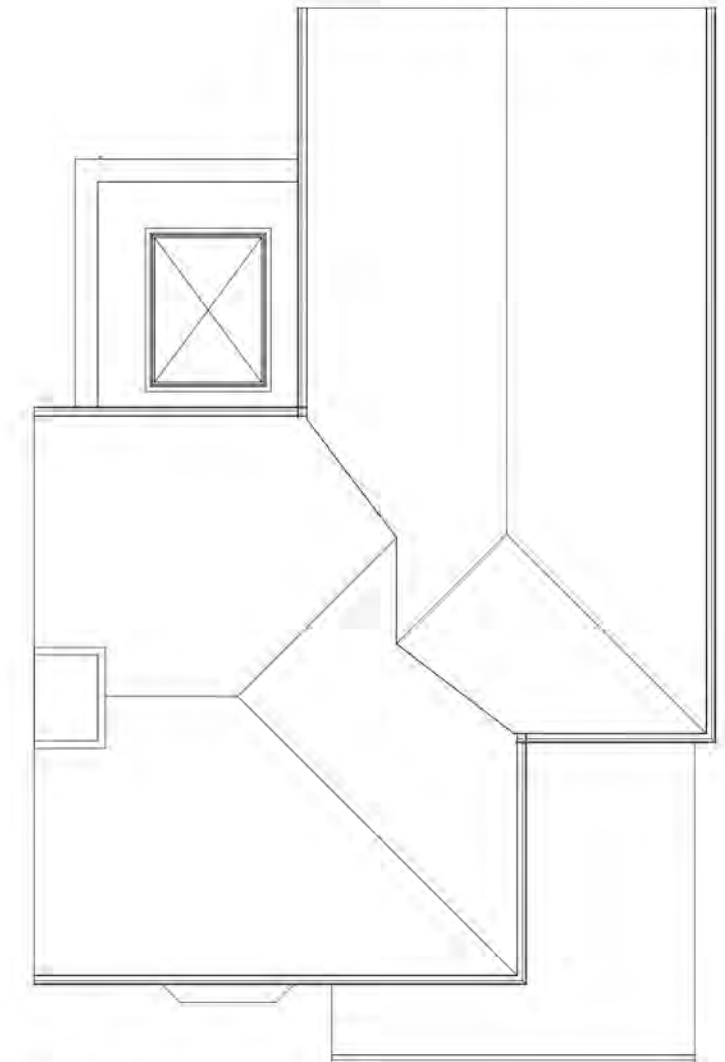
Ground



Ground



First

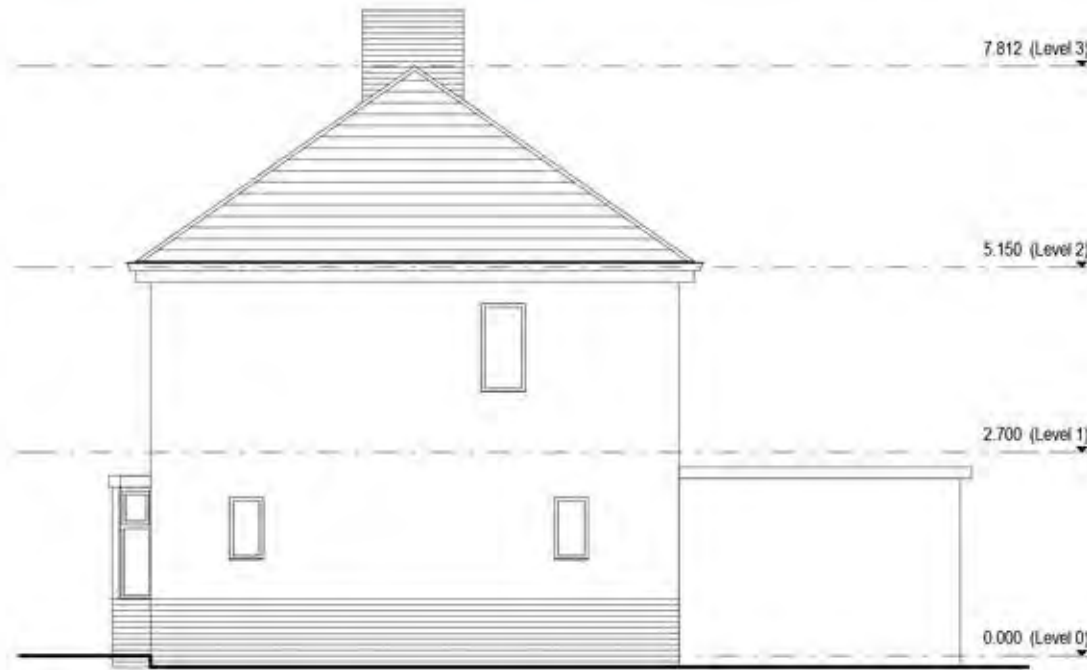


Roof

7 Bronllwyn, Pentyrch, Cardiff



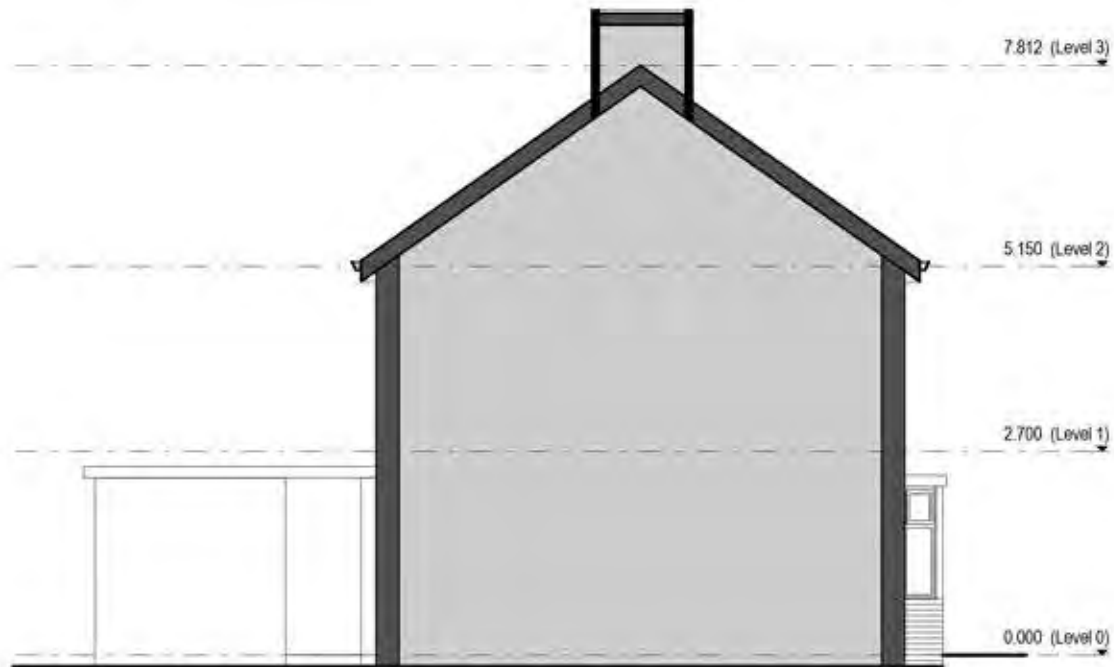
Front Elevation



Side Elevation (North)



Rear Elevation



Side Elevation (South)

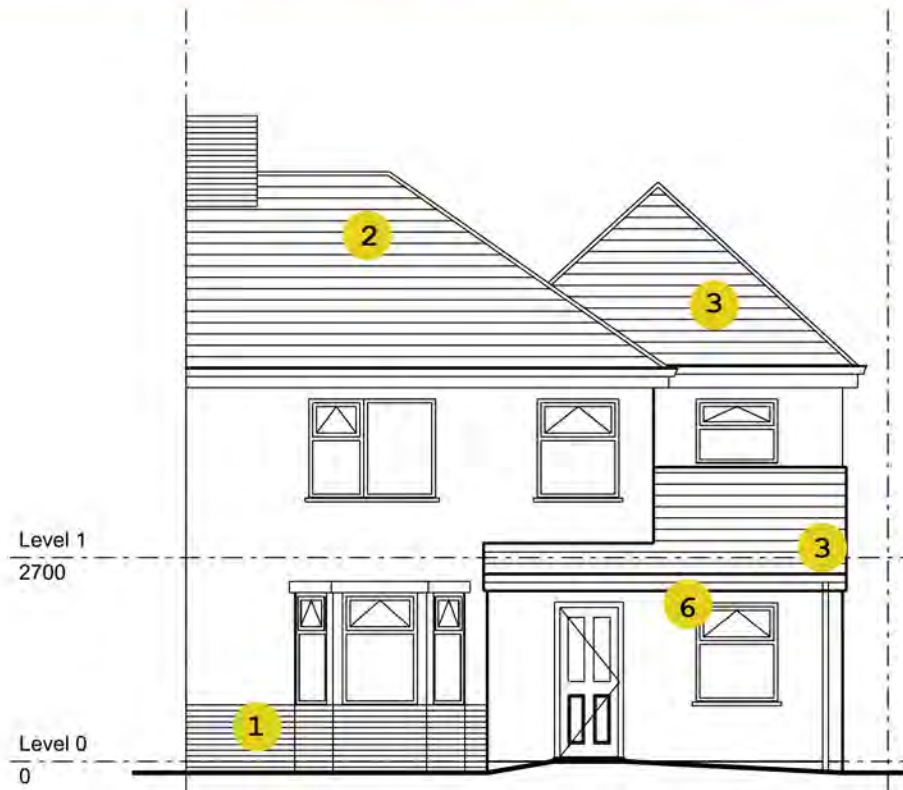


Existing Material Palette

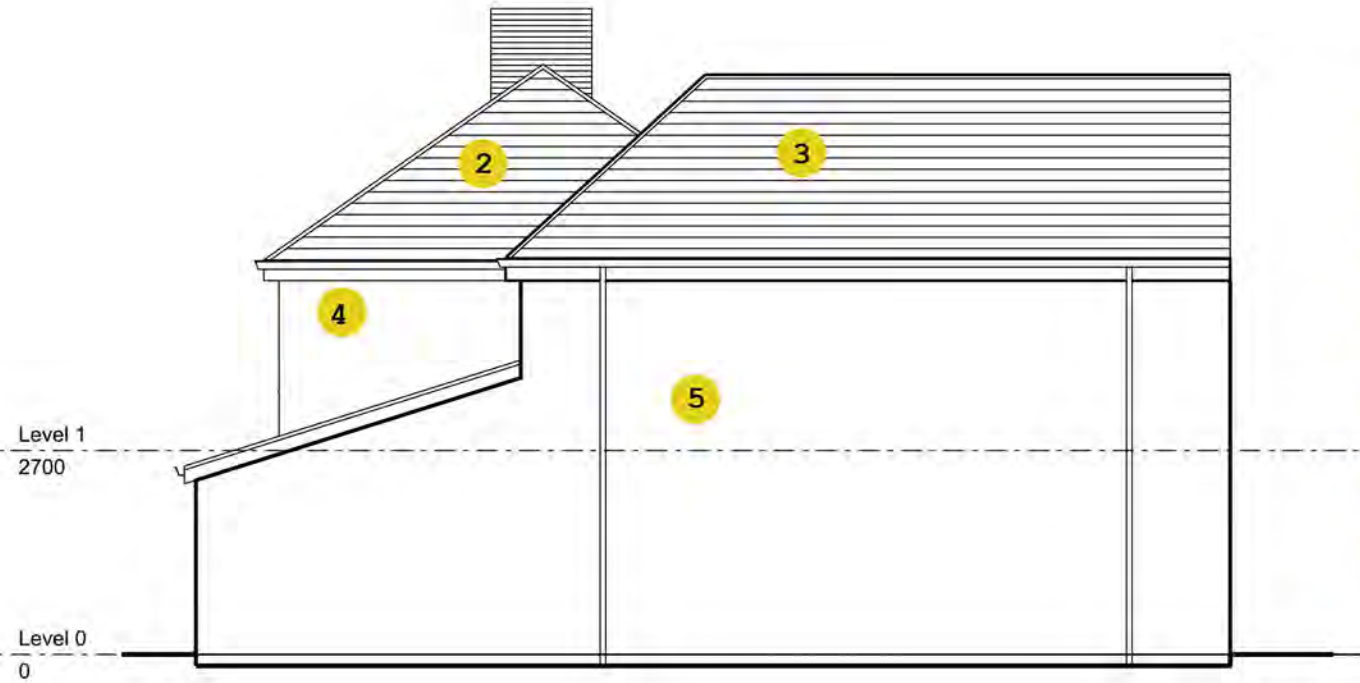
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Existing Elevations
Dwg No. JONE-EL-SK-004

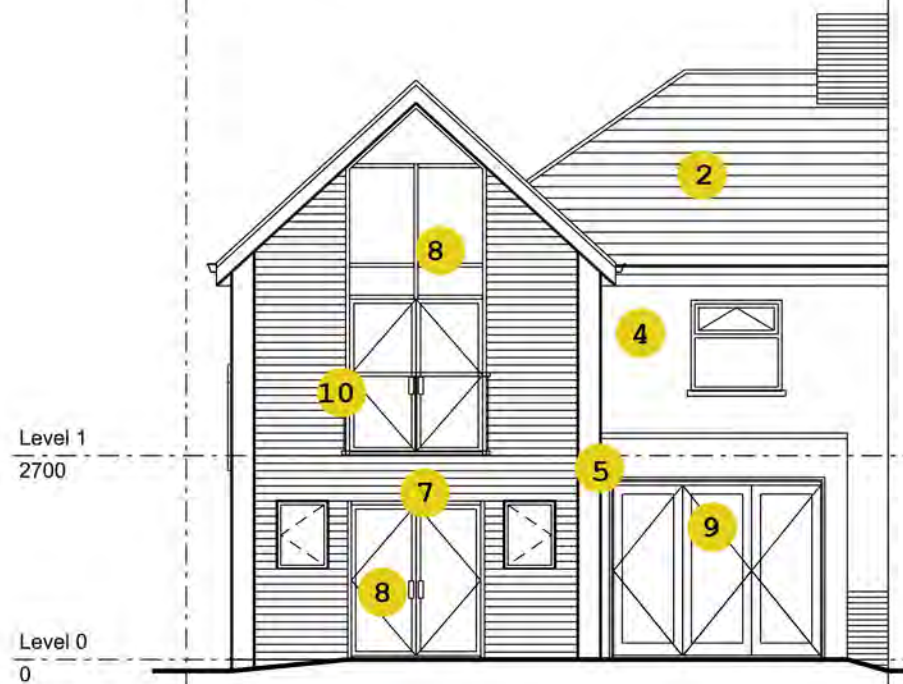
7 Bronllwyn, Pentyrch, Cardiff



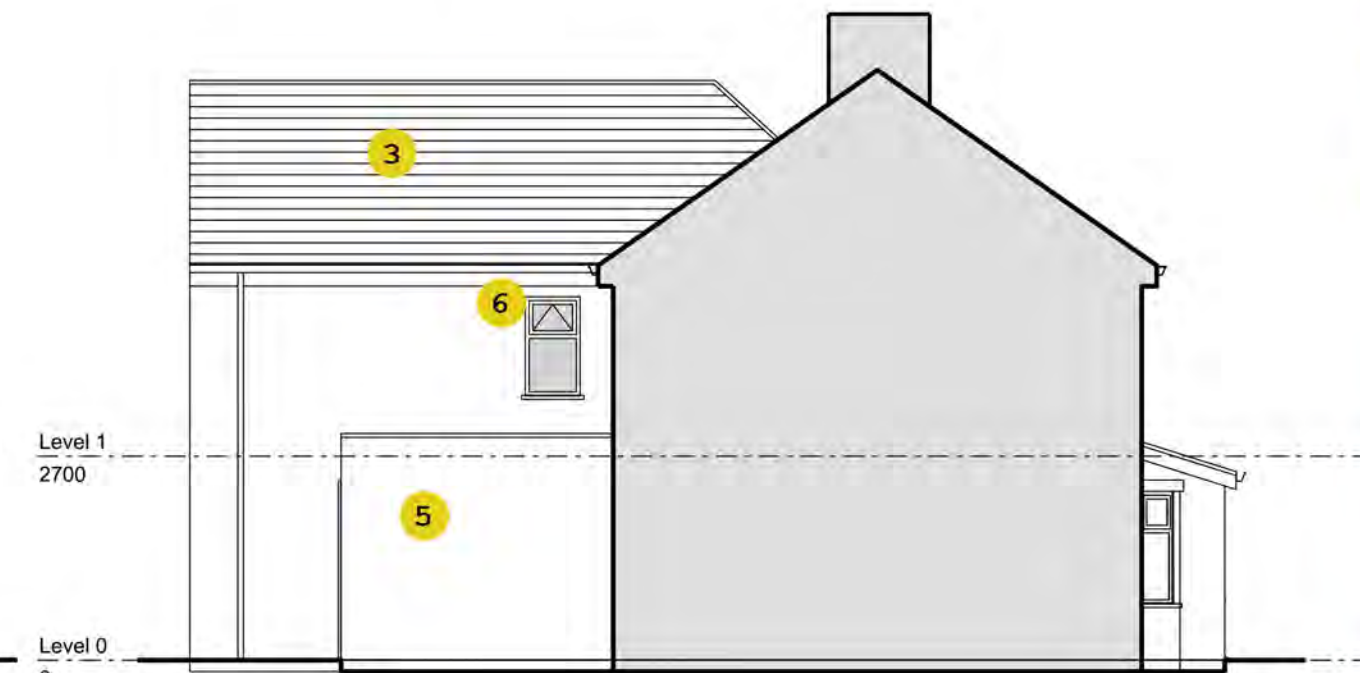
Front Elevation



Side Elevation (North)



Rear Elevation



Side Elevation (South)

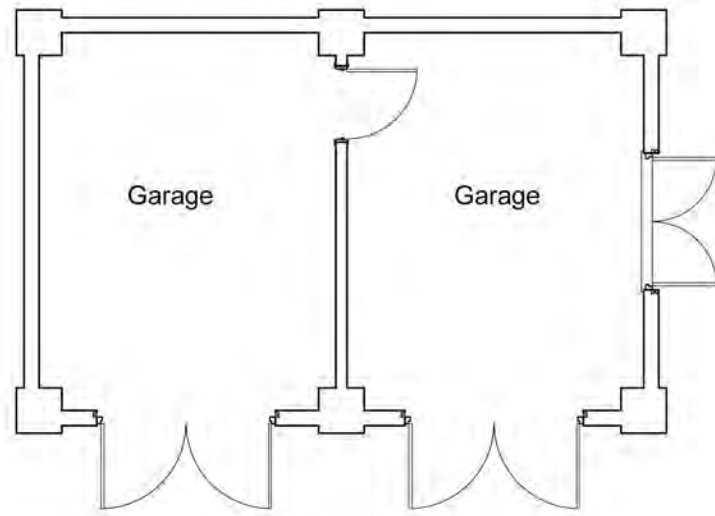
Material Key

- 1 Existing Brickwork Plinth
- 2 Existing Concrete Roof Tiles
- 3 New Roof Tiles to match existing
- 4 Existing painted render
- 5 New painted render to match existing
- 6 New UPVC white windows (Obscure glazing to side elevation windows)
- 7 New Western Red Cedar Cladding
- 8 New PPC Aluminium Windows and Doors
- 9 New PPC Aluminium Bifold Doors
- 10 PPC Aluminium and Glass Juliet Balcony

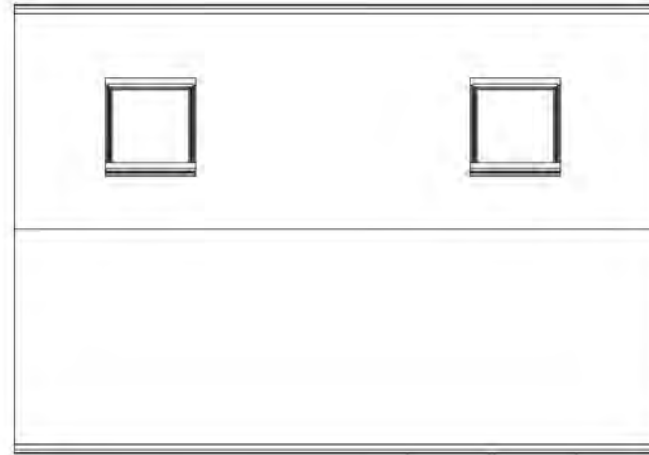


Scale 1:100 @ A3

Proposed Elevations
 Dwg No. JONE-EL-SK-005
 Rev A: Obscure glazing added to side window



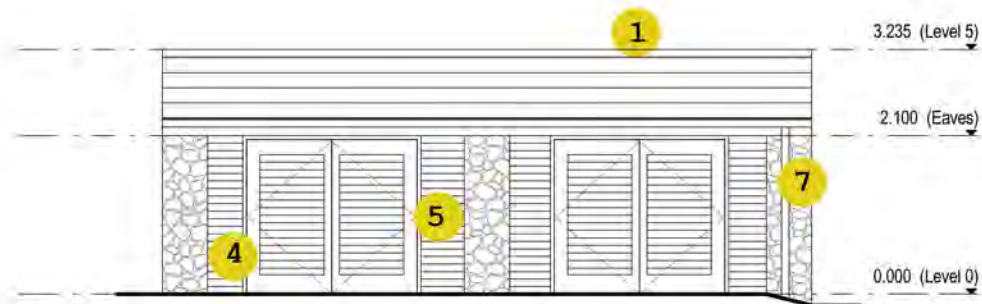
Ground Floor



Roof Plan

Material Key

- 1 New concrete roof tiles to match existing
- 2 New Brick plinth
- 3 New PPC Aluminium Doors
- 4 New timber garage doors
- 5 New Western Red Cedar Cladding
- 6 New PPC Aluminium rooflights
- 7 New Natural Stone Clad Columns



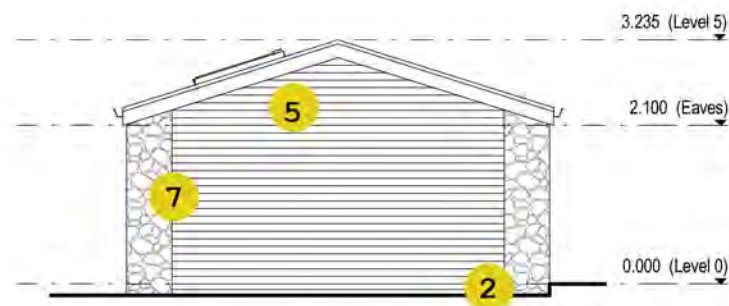
Front Elevation (East)



Side Elevation (North)



Rear Elevation (West)



Side Elevation (South)

Note: For location please refer to Proposed Site Plan JONE-PL-SK-006