#### PETITION & LOCAL MEMBER OBJECTION

COMMITTEE DATE: 13/02/2019

APPLICATION No. 17/02003/MNR APPLICATION DATE: 16/08/2017

ED: **PENYLAN** 

APP: TYPE: Full Planning Permission

APPLICANT: Mr & Mrs CHADHA

LOCATION: 19 LONSDALE ROAD AND 4 ORMONDE CLOSE, PENYLAN,

**CARDIFF** 

PROPOSAL: DEMOLITION OF ALL EXISTING BUILDINGS AND

CONSTRUCTION OF RESIDENTIAL DEVELOPMENT COMPRISING 8 SELF CONTAINED FLATS WITH ONSITE PARKING, CYCLE REFUSE AND AMENITY FACILITIES

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RECOMMENDATION: That planning permission be **REFUSED** for the following reason:

1. The proposed building, by virtue of its scale and massing would result in an incongruous development which would be out of keeping with the general character and appearance of the street scene. As such, the application is considered to be contrary Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan, paragraphs 2.13 and 3.12 of the Cardiff Infill Sites Supplementary Guidance (November, 2017).

## 1. DESCRIPTION OF PROPOSED DEVELOPMENT

- 1.1 This planning application proposes the demolition of the existing pair of semi-detached bungalows at 19 Lonsdale Road and 4 Ormonde Close and construction of a contemporary 2 storey residential development of 8no.flats comprising 4no.one bedroom units and 4no.two bedroom units.
- 1.2 As initially submitted for determination, the scheme comprised an 'L' shaped building of contemporary design rising to a height of approximately 6.2 metres to the top of a flat roof. Proposed materials comprise painted render, elements of red/brown facing brickwork and cladding panels.
- 1.3 Concerns expressed to the agents regarding the design and appearance of the building has resulted the submission of amended plans. In summary, the revisions introduce a more traditional hipped roof design to reflect the form common to the area, reduce the footprint to facilitate a set back of the building line to Lonsdale road with a view to reflecting the footprint of the pair of dwellings on the opposite corner plot, set units 2,3 and 4 at a lower level to reduce the extent of retaining walls to Ormonde Close and reduce the number of parking areas from 10 to 8 (i.e. one per flat) thereby increasing the extent of

- soft landscape to the front of the building. The building is shown to be approximately 5.0 metres in height at eaves level and approximately 8.5 metres to the roof ridge.
- 1.4 The main entrance to the building is on the Lonsdale Road elevation with a communal hallway providing access to the upper floor and rear entrance to the communal rear amenity area .Dedicated bin store facilities are to be positioned adjacent to northern boundary of the amenity area.
- 1.5 Each dwelling will have a dedicated parking space within the curtilage of the site accessed directly from either Lonsdale Road or Ormonde Close.
- 1.6 The agents advise that the proposed development has been designed and orientated to avoid overlooking of adjacent properties, with no windows positioned on the outer northern or western elevations. Windows overlooking the communal amenity area (and facing the rear garden of the neighbouring property at 17 Lonsdale Road from a distance of approximately 8.6 metres) serve a bedroom and corridor/hallway. The block would be sited approximately 1.5 metres from the boundary with the neighbouring property at 17 Lonsdale Road, which occupies a higher ground level, and would project approximately 2.0 metres beyond its main rear elevation.
- 1.7 The proposed communal amenity area measures approximately 140.0 sq. metres.
- 1.8 The application site is located at the corner of Lonsdale Road and Ormonde Close. Ground levels are such that Lonsdale Road falls from west to east and the properties in Ormonde Close facing the application site are sited several metres below the level of the adjacent highway. Having regard to this situation, the proposed block will sit at a lower height than the neighbouring property, no.17 Lonsdale Road as shown on the submitted drawings. Viewed from Ormonde Close to the east, the block will be elevated in relation to the adjacent highway.
- 1.9 The proposed block, which maintains the building line to both Lonsdale Road and Ormonde Close, is sited between 7.0 metres and 9.5 metres from the back edge of footway along Lonsdale Road and approximately 6.0 metres from the back edge of footway along Ormonde Close. The elevation fronting Lonsdale Road is shown to be sited between 22.5 metres and 29.5 metres from the pair of semi-detached bungalows opposite at 24 Lonsdale Road/6 Ormonde Close. There would be a separation distance of approximately 24.0 metres between the east facing elevation of the proposed block and the semi-detached houses opposite in Ormonde Close, which are sited below the level of the adjacent highway. To the north, the proposed building is shown to be sited between 2.0 metres and 2.8 metres from the rear garden boundaries of the pair of semi-detached houses at 2 Ormonde Close/20 Queensberry Road. Distances of between 16.5 metres and 17.5 metres (approximately) are shown between the proposed building and the main rear elevations of the neighbouring properties.

- 1.10 The agents advise that a pre-application consultation (PAC) exercise was undertaken between 24<sup>th</sup> May and 21<sup>st</sup> June, 2017 in respect of a proposed scheme to develop the site with 10no.flats where the building included a three storey element. As a consequence of the consultation exercise, the agents advise that the scheme has been amended with the principle changes relate to the omission of the second floor element with a resultant reduction in the number of units from 10 to 8 and the 'stepping down' of the building to follow the contours of the site.
- 1.11 The application is supported by an ecological assessment the executive summary of which states as follows:

The survey assessed the habitats as having negligible-low ecological value; No evidence of bats was found in any of the structures and they were assessed as having negligible potential for roosting bats; Potential for nesting birds and hedgehogs was identified; and, Recommendations have been made regarding ecological mitigation, compensation and enhancements.

1.12 The agents have also submitted a Viability Appraisal which has been reviewed by the District Valuer (DVS) on the Council's behalf (refer to paragraph 5.6).

# 2. **DESCRIPTION OF SITE**

- 2.1 The application site is located on the northern side of Lonsdale Road at its junction with Ormonde Close and comprises a pair of semi-detached hipped roof bungalows. Existing vehicular and pedestrian access to the site is from both Lonsdale Road and Ormonde Close. Access from Lonsdale Road is level with the adjacent highway whilst pedestrian access from Ormonde Close is via a stepped pathway. The properties are enclosed to the front with low walls and hedges.
- 2.2 The locality is characterised principally by two storey semi-detached houses with semi-detached bungalows occupying a number corner sites. The pair of properties at 19 Lonsdale Road and 4 Ormonde Close maintain established building lines and their single storey scale results in a general sense of openness at a relatively prominent corner location. There is a fall in levels along Lonsdale Road towards Ormonde Close such that no.19 Lonsdale Road occupies a lower ground level than its neighbour at no. 17. The houses in Ormonde Close also occupy lower ground levels than the adjacent road and are sited several metres below the existing floor level of no.4 Ormonde Close.
- 2.3 To the north, the application site adjoins the rear gardens of no.2 Ormonde Close and no.20 Queensberry Road; a pair of two storey semi-detached houses. The garage of no.2 is sited adjacent to garage of no.4 Ormonde Close.

## 3. **SITE HISTORY**

3.1 No recent planning history

## 4. **POLICY FRAMEWORK**

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

KP5: Good Quality and Sustainable Design

KP8: Sustainable Transport KP 15: Climate Change

**EN11: Water Sensitive Design** 

EN13: Air, Noise, Light Pollution and Land Contamination

T5: Managing Transport Impacts EN7: Priority Habitats and Species

EN8: Trees, Woodlands and Hedgerows

H3: Affordable Housing

4.2 Supplementary Planning Guidance: Cardiff Infill Sites (November, 2017)
Supplementary Planning Guidance Transport Impacts (Incorporating Parking Standards) (2018)

Supplementary Planning Guidance: Cardiff Residential Design Guide (2017) Supplementary Planning Guidance: Waste and Collection and Storage Facilities (2016)

Supplementary Planning Guidance: Green Infrastructure (November, 2017) Supplementary Planning Guidance: Cardiff Planning Obligations (January, 2017)

- 4.3 Planning Policy Wales Edition 10 (2018):
  - 1.17 Legislation secures a presumption in favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise to ensure that social, economic, cultural and environmental issues are balanced and integrated.
  - 2.8 Planning policies, proposals and decisions must seek to promote sustainable development and support the well-being of people and communities across Wales.
  - 3.6 Development proposals must address the issues of inclusivity and accessibility for all.
  - 3.7 Developments should seek to maximise energy efficiency and the efficient use of other resources (including land), maximise sustainable movement, minimise the use of non-renewable resources, encourage decarbonisation and prevent the generation of waste and pollution.
  - 3.9 The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations.
  - 3.11 Local authorities are under a legal obligation to consider the need to prevent and reduce crime and disorder in all decisions that they take.
  - 3.12 Good design is about avoiding the creation of car-based developments. It contributes to minimising the need to travel and reliance on the car, whilst maximising opportunities for people to make sustainable and healthy travel choices for their daily journeys.
  - 4.1.34 New development must provide appropriate levels of secure, integrated, convenient and accessible cycle parking and changing facilities.

- 4.1.52 Planning authorities must require good standards of car parking design, which do not allow vehicles to dominate the street or inconvenience people walking and cycling. Car parking should be overlooked by surrounding properties, to provide natural surveillance.
- 4.1.53 Parking standards should be applied flexibly and allow for the provision of lower levels of parking and the creation of high quality places.
- 4.2.22 Planning authorities will need to ensure that in development plans and through the development management process they make the most efficient use of land and buildings in their areas. Higher densities must be encouraged on sites in town centres and other sites which have good walking, cycling and public transport links.
- 4.2.23 Infill and windfall sites can make a useful contribution to the delivery of housing. Proposals for housing on infill and windfall sites within settlements should be supported where they accord with the national sustainable placemaking outcomes.
- 6.4.22 The presence of a species protected under European or UK legislation, or under Section 7 of the Environment (Wales) Act 2016 is a material consideration when a planning authority is considering a development proposal which, if carried out, would be likely to result in disturbance or harm to the species or its habitat and to ensure that the range and population of the species is sustained. Planning authorities should advise anyone submitting a planning application that they must conform with any statutory species protection provisions affecting the site, and potentially the surrounding area, concerned. 6.4.25 Planning authorities should protect trees, hedgerows, groups of trees and areas of woodland where they have ecological value, contribute to the character or amenity of a particular locality, or perform a beneficial and identified green infrastructure function.
- 6.6.27 Planning authorities should be aware of the risk of surface water flooding and ensure developments are designed and planned to minimise potential impacts. Development should not cause additional run-off, which can be achieved by controlling surface water as near to the source as possible by the use of SuDS.

# 5. **INTERNAL CONSULTEE RESPONSES**

5.1 The Operational Manager, Transportation advises that the application, as amended, complies with the Council's parking guidelines as set out in Supplementary Planning Guidance Transport Impacts (Incorporating Parking Standards) (2018) which requires a maximum of 1 car parking space for a one bedroom unit and a maximum of 2 spaces for a two bedroom unit. There is no minimum requirement specified.

The Officer is aware of the concerns raised by local residents but notes that the roads serving the development are the standard width and dimensions of residential estate roads, and, as such, are appropriate for the proposed development. The Officer also notes that the proposed parking spaces are contained entirely within the site and therefore will have no impact on the adjacent road width. He also notes that there is no junction protection or parking restrictions in the vicinity of the site.

The Officer welcomes the revised parking arrangement in that it avoids an excessive length of continuous footway crossover thereby minimise conflict with pedestrians.

The Officer comments that visitor parking that cannot be catered for on site would need to park on street in common with existing visitors.

As the proposed development is policy compliant, the Officer raises no highway safety/parking objections subject to appropriate conditions.

- 5.2 Pollution Control (Noise & Air): The standard informative relating to construction site noise is recommended.
- 5.3 Pollution Control (Contaminated Land):

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

5.4 The Operational Manager, Drainage Management advises that if the local planning authority is minded to grant planning permission, the following condition is recommended:

No development whatsoever shall commence until details of a scheme for the disposal of surface water has been submitted to and agreed in writing by the local planning authority. The scheme shall include an assessment of the potential disposal of surface water via sustainable means. Where a sustainable drainage scheme is to be provided the submitted detail shall:

i. Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measure taken to prevent pollution of the receiving groundwater and/or surface waters:

ii. Include a period for its implementation; and

iii Provide a management and maintenance plan of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

5.5 The Operational Manager, Waste Management advises that the refuse storage area should be large enough to accommodate the following recommended provisions for 8 apartments:

Dry Recyclables: 1 x 1100 litre bulk bins

• Compostable waste: 1 x 240 litre bins

General waste: 1 x 1100 litre bulk bins

Food Waste 1 x 240 litre bin

The Officer has also provided advice on the design of communal bin stores and their accessibility.

5.6 The Housing Development Officer advised that in accordance with Local Development Plan Policy H3: Affordable Housing, an affordable housing contribution of 20% of the 8 units (2 units) should be sought on the site. The Officer advised that although the priority is for on-site affordable housing in the form of affordable rented accommodation, given the proposed number of units this would not be deliverable and sought a financial contribution of £140,070 calculated in accordance with the formula in the Council's Planning Obligations SPG.

In response to this request, the agent has submitted a viability appraisal of the scheme which has been reviewed by the District Valuer (DVS) on the Council's behalf. The DVA's appraisal for a fully open market scheme concludes that the development is not financially viable on a full market basis with no affordable housing or other S106 contribution.

5.7 The Council's Ecologist, having considered the submitted Ecological Assessment report, requests that the mitigation, compensation and enhancement measures set out in sections 9.1 to 9.3 are secured by condition and implemented.

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

6.1 Welsh Water/Dwr Cymru advises that if the Council is minded to grant Planning Consent for the development, the following conditions and informatives should be included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets:

#### Condition

No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system. Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

## Advisory Notes

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.

(Note: The Company has attached a plan to its comments showing the approximate position of a water main running along the footway adjacent to the site in Ormonde Close).

6.2 Western Power distribution have been notified of the application. No representations have been received.

## 7. **REPRESENTATIONS**

7.1 Councillor Rodney Berman states that there is widespread concern amongst residents in the vicinity of the application site, many of whom feel it would be a great shame to see the loss of two perfectly good bungalows which form part of a larger housing estate established in this area in the 1960s, being typical of corner properties within the housing estate and replaced by a modern development of flats which they feel would be quite out of sympathy with neighbouring properties.

The Councillor, having examined relevant adopted planning policies, states that he has significant concern the application would be contrary in a number of regards to the Supplementary Planning Guidance on Infill Sites which was adopted by Cardiff Council in April 2011. He outlines these concerns as follows:

- This SPG states in paragraph 1.3 that infill development should respond 'to the context and character of the area'. It goes on to state in paragraph 2.3, that all development must 'make a positive contribution to the adjacent townscape/landscape' and that the design response 'should always make a positive contribution to the context of the area'. I do not believe this to be the case as the design of the proposed development would not be at all in sympathy with surrounding properties. For one thing it would introduce a flat-roofed development into an area of housing where all surrounding properties have a fairly steep pitched roof. The proposed use of materials would also, in my view, be substantially out of sympathy with those used in surrounding properties.
- Paragraph 2.14 of the SPG states that proposals for site redevelopment must 'maintain appropriate scale and massing which respects buildings in the vicinity of the site'. For the reasons I have already outlined concerning the incongruity of the design in relation to surrounding properties, I do not believe the proposed development meets this requirement.
- Paragraph 2.15 of the SPG states, in relation to site redevelopment proposals, that, 'Proposals which create car-dominated frontages that harm the street scene, and/or create blank frontages at the ground floor will not be accepted.' However, the proposed development will create a car-dominated frontage along both Lonsdale Road and Ormonde Close, so would appear to me to be contrary to this requirement in the SPG, as well as to the requirement in paragraph 3.30 that the impact of additional parking should 'not dominate the street scene'. The requirement for infill developments to

not to 'create car-dominated frontages that harm the street scene' is repeated again in paragraph 3.44.

- The proposed development would also appear to be contrary to the requirements of paragraph 3.12 of the SPG which states that: 'Infill development needs to be sensitive to its immediate surroundings and respond well to the built context. It is important that in residential areas where there is a clear existing pattern and form of development, that new buildings, landscaping and boundary treatment (e.g. gates, railings, walls and hedges) complement the character of the surroundings. A thorough understanding of detailing in the street scene which contributes to the form the character of the area needs to be gained and responded to.' The incongruity of the proposed design of the new buildings in relation to surrounding properties suggests to me that it would not meet these criteria.
- Similarly, I do not think the proposed design in the application meets:
  - i) the criteria outlined in paragraph 3.13 of the SPG when it states that: 'The proportion of "active frontages" (such as entrances) to "dead frontages" (such as high walls and blank facades) in the existing street should be responded to in the development.'; the requirements in paragraph 3.15 that 'Proposals must respect the urban grain and consider locally distinct patterns of streets and spaces including: Elements of the form of the street (organic or regular); Predominant housing layouts (terraced, semi-detached or detached); and Garden sizes'
  - ii) the requirements in paragraph 3.16 that: 'Materials (colour, texture and extent) used for roofing, walls, doors and window frames should respond to the dominant construction or facing material in the area; materials should either match exactly or be complimentary'; or
  - iii) the requirements in paragraph 3.18 that: 'Fenestration, openings and doorways of new developments should complement the size, proportions, design and rhythm of detailing of neighbouring properties. The roofline should comprise of appropriate design and pitch of roofs, ridge height, eaves level, and notice taken of any other relevant details in the street scene.'
    - The proposed development will clearly increase the density of development on the site, and this would appear to be to be contrary to the requirements in paragraph 3.26 of the SPG that 'the density of development, both in terms of scale and massing, as well as the number and type of units, should vary according to the site character and context and must respond sensitively to the scale, form and massing of existing development in the area.'
    - The proposed reduction in garden space compared to the current situation would appear to be contrary to the requirement in paragraph 3.27 of the SPG for 'The retention and/or provision of adequate garden space' and the

requirements in paragraphs 3.36 and 4.7 for the retention of 'vegetated soil'.

In view of these concerns, the Councillor believes that an objection to the application is sustainable on the basis that it would be contrary to the requirements of the SPG in a number of regards. The Councillor requests that the application is considered by Planning Committee and also requests a site visit prior to determination in order for members of the Committee to better understand the context.

7.2 A petition of 50 signatures has been received objecting to the application for reasons outlined in an attached letter submitted by the lead petitioner on behalf of the Penylan Resident Committee for Carisbrooke Way, Clarendon Road, Lonsdale Road, Queensbury Road, Ormonde Close and Queenswood. The grounds of objection are as follows (summary):

#### Use

The area of Penylan which surrounds the application site generally consists of young couples, young and middle aged families and the elderly. There is a low turnaround of residents in the area which maintains the low crime rate and enhances the community relationships, as some of the residents have known each other for many decades.

The applicants have not given any indication as to whether the proposed flats will be developed for young professionals, young families, the elderly or students. This has caused major worry and concerns among the residents of Penylan as they all have their own impact on the surrounding area.

Other major concerns are the problems that are associated with the modern apartment culture including the possibility for the properties being sub-let, having short term contracts with high turnaround of tenants and the ever present problem with anti- social behaviour.

## Height, Scale & Massing

The site currently has 2no.single storey bungalows, which are consistent on each comer within the area as they form part of a gateway feature. The rest of the adjacent and surrounding properties are all two storey houses with either up and over or hipped, steeply pitched roofs.

The proposal of 8 no. self-contained flats, is an over development of the site. Nearly all of the available land is allocated to the building and it associated parking with a consequent negative effect on the associated amenity space. The existing adjoining properties' roof form has been ignored with the scheme incorporating a flat roof instead of a steeply pitched roof. Should permission be granted, it will set a president for the other corner sites in the area and due to its scale, mass and height, the existing gateway features will be lost.

#### Character & Context

The existing properties around the application site were constructed in the 1950's and were built with original features from the arts and crafts style of this

period include red/ brown coloured facing brickwork at low level, pebble dashed /rough cast render at high level, suitably proportioned windows and doors to suit traditional external opening sizes, brown coloured plain tile window cills, deeply recessed front doors which create a natural porch, deep overhangs at the eaves of the main roof and brown coloured, steeply pitched roofs, all of which are consistent with this style.

The current proposal is out of character with the surrounding properties.

The proposed apartment block has been designed with a flat roof and parapet walls which is a completely different roof form to any of the adjoining properties. It would be the only flat roofed building in the area.

The proposed window proportions appear to be the complete opposite to the existing surrounding dwellings. The proposed windows are narrow and tall and have been subdivided in all manner of styles. The development also has full height glazing on the first floor which is totally out of context with the surrounding dwellings.

The proposed front entrance door does appear to be recessed, but due to the recess continuing the full height of the elevation, it does not provide the natural porch that is present on the rest of the properties.

The proposal has incorporated the use of red/brown facing brickwork, large areas of render, projecting bays and areas of cladding. However, the proportions do not relate to the existing dwellings nor does the finish or the chosen colours.

#### Privacy, Overlooking & Overshadowing

Even though the development has been positioned with its habitable room windows at least 21 metres away from any of the existing properties habitable room windows, there are still major issues with regard to privacy, overlooking and overshadowing. This is due to the proposed development's high vantage point over the existing properties on Ormonde Close and Queensbury Road.

Not only will there be major issues with privacy and overlooking but there will also be severe problems with overshadowing. Again, due to its high vantage point over the properties on Ormonde Close and its close proximity to the dwellings on Queensbury Road, the new development will overshadow the existing properties. It will also impinge on the 25 degree rule due to the development having a flat roof and it being bigger than the original properties on the site.

## **Gardens & Amenity Space**

The existing bungalows that are situated on the development site both currently have spacious front and rear gardens predominantly covered by soft landscaping. However the proposal, due to its high density, is mainly covered by hard landscaping, in the form of a patio area, footpaths and on-plot parking. Some soft landscaping has been incorporated into the proposal, as a token gesture, in the form of raised planters this will not compensate for what has

already been lost.

The provision of several new trees within the proposal would have a positive impact. However, due to their location, within the raised planters, their growth would be restricted and their life expectancy would be reduced.

The existing boundaries, to the existing bungalows and the surrounding properties consists of red I brown facing brickwork dwarf walls, approx. 600mm high, with facing brickwork piers and pre-cast concrete copings. The new boundaries to the proposed development are also going to be red/brown facing brickwork which is in keeping with the existing properties. However, they are no longer dwarf walls but, large masses of retaining wall.

### **Designing Out Crime**

Within the Cardiff Infill Sites Supplementary Planning Guidance document it states that all new developments must positively contribute towards safe and secure environments.

In this regard, even though the parking areas are overlooked by the new apartment block they have been set down into the ground and are obscured by the high facing brickwork retaining /boundary walls .The bin store does not appear to be secure, as there does not appear to be a secure gate. There does not appear to be any secure gated access points into the rear garden area and there are also several blind spots where people could loiter, resulting in antisocial behaviour.

#### Pedestrian Access

The existing bungalow on Lonsdale Road currently has level pedestrian access via a gated footpath at the front and a sloping driveway at the side of the property. The existing bungalow on Ornonde Close has a stepped pedestrian access via a gated footpath at the front and level access via a slopped driveway at the side of the property. Therefore, both properties are accessible to disabled and ambulant disabled residents and visitors.

The proposed development has a stepped pedestrian access at both the front and the rear of the apartment building. It is not believed that consideration has been given to making the development suitable for disabled or ambulant disabled residents or guests and has not been future proofed in order to make the development sustainable.

#### Vehicular Access

Lonsdale Road and Ormonde Close were originally considered minor access roads to serve Ormonde Close. Due to the limited number of properties that were to be constructed in Ormonde Close the roads were constructed at 4900mm wide. Following the construction of the Queenwood estate in the 1970's Lonsdale Road, Ormonde Close and Queensbury Road became major access roads for the Queenwood Estate. Therefore, vehicular access to the development site is already very restricted and congested, not just for residents but also for emergency vehicles and refuse collection vehicles.

The proposed floor plans indicated a total number of 24 bed spaces. Should these flats be sold to young professionals or rented out to students then there could be an increase to 24 cars, adding to the existing problems with vehicular access. The proposed plan also indicates that the existing kerb line in front of the parking bays on Lonsdale Road, which is the public highway and outside the site boundary, is to be reposition to accommodate the new development. In doing so, the applicant will be making an already narrow road even narrower and more dangerous at the junction.

If every corner site in the area with bungalows was to be redeveloped this would cause complete grid lock to the area.

At a Residents Committee Meeting, several of the residents raised major concerns with regard to the amount of existing traffic, the speed of the existing traffic and their young children's safety as they regularly play in Lonsdale Road and Ormonde Close.

The size of the allocated cycle parking enclosure would appear to be totally inadequate for its intended purpose. The provision of cycle spaces would also lead residents to believe that the properties are intended for students, reinforce comments and concerns about restricted access and anti-social behaviour.

### **Parking**

There is inadequate parking provision.

The proposal intends to locate two banks of 5 no. parking spaces, one on Lonsdale Road and one on Ormonde Close in close proximity to the already dangerous junction. Not only will the spaces be in close proximity to the junction but, they will also be obscured/ hidden from other road users by the facing brickwork retaining/ boundary walls and the shrubbery/trees within the raised planters. This is a major concern for the adjoining neighbours who are already awaiting a collision.

Due to the steeply sloping driveways into a large number the properties and the increasing number of cars each household possess, many of the residents are forced to park on the public highway. By providing two banks of parking bays the applicant will be further reducing the amount of space available on the public highway for the existing residents, any new residents and their visitors.

The proposal does not appear to include for any disabled parking spaces.

There is a lack of level pedestrian access into the development. However, should the size of the development be reduced, the number of parking spaces could be reduced and there would be space on the site to incorporate this provision.

## Waste Storage & Collection

The proposed development has included an enclosure for the storage of waste/refuse collection but it would appear to be totally inadequate for its intended purpose. The overall size of the bin store does not allow for easy

manoeuvring the wheelie bins and the structural opening to the store also appears to be too narrow. Also, the bin store does not appear to have enough space inside for a disabled resident to turn their wheelchair through 360 degrees and the bin store is situated on a different level from the main building which is only accessible via a stepped approach.

## Foul Water Drainage

During the recent Residents Committee Meeting, it was noted that several residents are already having problems with the existing main foul water drainage system. The existing main foul water drainage system that serves the properties on Ormonde Close has blocked on several occasions over recent years and has had to be unblocked at the resident's expense. Therefore, I believe that increasing the load on this system from the development will only increase the probability for further problems in the future.

# Surface Water Drainage

Within the Full Planning Application form it states that the surface water drainage will connect into the existing main surface water drainage system. The application has increased the roof area and more than doubled the amount of hard landscaped areas but has not considered any sustainable drainage systems.

## Flooding in the Surrounding Area

Even though the Full Planning Application form states that the site is not in a flood risk area and that the site is not within 20 metres of a water course there are already existing issues in the area. At the bottom of Ormonde Close and along Queenwood there are 2no.wooded areas. Within these wooded areas there is a stream and it is understood that that the existing main surface water drainage system taps into this stream. Upon inspection of the stream on Natural Resources Wales website, it is clear that there are issues with flooding in this area as it is in a high risk of flooding area.

Therefore, it is believed that any increased load on the existing surface water drainage system will only increase the probability for further problems in the future.

#### Services

The proposed development of 8 no. self-contained flats where previously stood 2 no. bungalows, I believe, would have a negative impact on the current services within the area. Especially, with regard to the existing incoming water supply.

At present the elevations are contemporary and minimal but it is queried how they will appear when the services such as gas meters, electric meters, water meters, boiler flues, satellite dishes and extractor fans be located. These all need to be considered when viewing the proposed elevations.

#### Sustainability

Whilst the Design and Access Statement mentions the intention of the applicant to provide a building which will be energy efficient and incorporated renewable

energies, the drawings provided with the application do not indicate any of these items.

It is confirmed that there are bats within the area, however, there is no mention of this issue either within the planning application form or any associated documentation.

7.3 Some 36 representations have been received from neighbouring occupiers and local residents objecting to the planning application on a variety of grounds. A summary of the objections are outlined below. The objections, in full, can be viewed on the Council's website.

### Parking and Highway safety concerns

There are existing access and parking difficulties for residents and visitors. Parking is already difficult with many people have driveways that are too steep to park therefore many vehicles are parked on either side of the road. The proposed development will result in a significant increase in the number of cars and vehicle movements. Increased vehicle movements in Lonsdale Road and Ormonde Close will present severe problems to residents and service/emergency vehicles.

The development proposes inadequate parking provision for occupiers and visitors. There will be loss of existing on road parking.

It is difficult to envisage how construction vehicles and machinery would be accommodated if the application if approved

The corner of Ormonde Close and Lonsdale road is hazardous. There are frequently cars parked on the pavements on the corner and on both sides of the roads resulting in poor visibility.

No traffic surveys have been completed and no consideration seems to have been made to the traffic situation within the estate.

#### Design/impact on street scene

The development will look completely out of place in the area as there are no other developments of this kind in the area. The Council's Infill Sites Supplementary Planning Guidance states that a new development must be in keeping with the existing properties in the area. The proposed development is considered to be contrary to the guidance contained in this document. Materials are contemporary and not or in keeping with the properties in the surrounding area.

The existing bungalows allow a sense of space and blend in well with the environment without causing intrusion for any of the surrounding dwellings. The appearance of the locality will be significantly and detrimentally altered if this proposal is approved.

The proposal will create a car dominated frontage along both Lonsdale Road and Ormonde Close where parking is already an issue.

Such a high density development would be out of character with the immediate locality.

Impact on the living conditions of neighbouring and nearby occupiers and future occupiers.

The proposed development will impact adversely on privacy. The development would be overbearing and would unacceptably overlook neighbouring and nearby occupiers. The impact of the development would be accentuated due to the difference in levels between the site and the properties in Ormonde Close. Some residents are concerned that the development would result in a loss of natural light.

Inadequate provision of amenity space within the plot. Inadequate refuse storage facilities and potential for rodent infestation Possible noise from the use of the shared amenity space.

## Ecology/Conservation Interests

Possible adverse effect on the wildlife in the locality including bats and their habitat.

## Drainage and Flood Concerns

Possible adverse impact on foul and surface water drainage. The proposed development could increase the flood risk to houses and it is requested that an Environmental Assessment be undertaken before any planning permission is granted.

In heavy rain, the local brook floods and this will inevitably become more frequent with this development. The substation at the bottom of Llanedyrn Road/Circle Way has flooded and the development could exacerbate this issue.

The current bungalows have quite large gardens which absorb any rain water. The proposed flats have small garden areas which will increase the amount of excess water being removed via drainage.

### Other Matters.

Precedent - should the proposed development receive planning permission it could lead to further applications on similar sites thereby creating more parking problems and being further detrimental to the character of the neighbourhood.

It is questioned whether the scheme caters for disabled need.

No provision of affordable housing.

The tenure of the flats is questioned. Rented flats with multiple occupancy

would alter the dynamic of the community. There would invariably be time when the flats would not be occupied and therefore vulnerable to crime.

Additional strain on local utilities including sewerage/water/gas supply. There is reference to low water pressure in the area,

Effect on property values

Need for Planning Committee members to visit and view the site.

7.4 Neighbouring and nearby residents together with local members have been notified of the amended plans. 26 further representations objecting to the application have been received. In summary, the objections include the following matters (objections, in full, can be viewed on the Council's web site):

The development would be out of character with the areas. Unacceptable height, scale and massing;

The building would be overbearing;

Loss of light;

Loss of privacy:

Highway safety, inadequate parking provision. Reference to existing on-street parking constraints;

Difficulty of access for emergency vehicles / service vehicles;

Disruption during construction;

Concern that the flats could be co rented / occupied by students;

Possible noise pollution, litter and rodent infestation.

Adverse effect on house prices;

Adverse effect on utilities / services:

Contrary to original restrictive covenant relating to the estate:

Inadequate amenity / garden space;

Concerns relating to designing out crime and access for residents with disabled needs:

Concerns regarding the adequacy of waste storage;

Flood risk.

### 8. **ANALYSIS**

- 8.1 This planning application proposes the demolition of the existing pair of semi-detached bungalows at 19 Lonsdale Road and 4 Ormonde Close and the construction of a two storey residential development comprising 4no.one bedroom and 4no. 2 bedroom apartments. Although the locality comprises dwelling houses, in principle, there is no planning policy objection to the provision of flats.
- 8.2 Following concerns regarding the design and appearance of the flat roofed contemporary building as initially submitted for determination, discussions with the applicant's agents have resulted in the submission of a revised scheme proposing a building with a more traditional design.
- 8.3 The main planning issues are considered to relate to:

- the effects of the proposed development on the character and appearance of the street scene and the general amenities of neighbouring occupiers;
- (ii) whether the proposed development will provide an acceptable living environment for prospective occupiers;
- (iii) parking/highway safety;
- (iv) landscaping and nature conservation interests;
- (v) affordable housing provision;
- 8.3 Policy KP5: Good Quality and Sustainable Design of the Cardiff Local Development Plan states that... all new development will be required to be of a high quality, sustainable design and make a positive contribution to the creation of distinctive communities, places and spaces by (inter alia):
  - (i) responding to the local character and context of the built and landscape setting so that layout, scale, form, massing, height, density, colour, materials, detailing and impact on the built and natural heritage are all addressed within development proposals;
  - (x) ensuring no undue effect on the amenity of neighbouring occupiers and connecting positively to surrounding communities;
- 8.4 Paragraph 3.9 of Planning Policy Wales states that 'The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations'.
- 8.5 Further guidance on residential infill development is provided in the Council's Supplementary Planning Guidance: Cardiff Infill Sites (November, 2017).
- 8.6 At paragraph 2.13 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 building line and be of a design which complements the existing street scene.
- 8.7 At paragraph 3.5 the SPG states that:

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

8.8 At paragraph 3.12, the SPG states that:

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

### 8.9 At paragraph 3.16 the SPG states that:

Development should seek to respond to the prevailing building line that is created by the main frontages of houses, taking into account how the buildings are set back from the street and any rhythms or patterns of existing development, or protrusions.

# 8.10 At paragraph 4.11 the SPG states that:

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

## 8.11 At paragraph 3.41 the SPG states that:

Where car parking is necessary, provision should be effectively incorporated into the design of the development as a whole and should not be introduced later. The effect of intensifying a site means that additional car parking may need to be accommodated within a confined site boundary. Innovative design solutions that minimise impact on the street scene and on the amenity of neighbouring properties are encouraged. Proposals which create car-dominated frontages that harm the street scene and/or create blank frontages at the ground floor will not be accepted.

- 8.12 The locality is characterised principally by two storey semi-detached houses with pairs of semi-detached bungalows occupying some corner plots. The pair of properties at 19 Lonsdale Road and 4 Ormonde Close maintain established building lines and their single storey scale results in a general sense of openness at a relatively prominent corner location. The pair are balanced architecturally by a similar pair of bungalow opposite at the 24 Lonsdale Road/6 Ormonde Close.
- 8.13 As initially submitted for determination, the scheme comprised an 'L' shaped building of contemporary design rising to a height of approximately 6.2 metres to the top of a flat roof. Proposed materials comprise painted render, elements of red/brown facing brickwork and cladding panels.
- 8.14 Discussions with the agents regarding the design and appearance of the building and its consequential impact on the character of the street scene has resulted in the submission of amended plans. In summary, the revisions introduce a more traditional hipped roof design to reflect the form common to the area, reduce the footprint to facilitate a set back of the building line to Lonsdale road with a view to reflecting the footprint of the pair of dwellings on

the opposite corner plot, set units 2,3 and 4 at a lower level to reduce the extent of retaining walls to Ormonde Close and reduce the number of parking areas from 10 to 8 (i.e. one per flat) thereby increasing the extent of soft landscaping to the front of the building.

- 8.15 It is acknowledged that the introduction of a building of more traditional appearance better reflects the dwelling houses in the vicinity of the site and that the set back of the footprint along Lonsdale Road attempts to reflect the symmetry, in plan, of the pair of bungalows on the opposite side of the junction. The siting of the proposed block maintains the building line to both Lonsdale Road and Ormonde Close. Having regard to the reduction in the number of car parking spaces, separated by areas of soft landscaping, it would be difficult to argue that the proposal will result in an excessively car-dominated frontage that would unduly harm the street scene.
- 8.16 Whilst the revisions have sought to bring the scheme in line with the character of the area, the development would replace the existing pair of modest single storey dwellings, which, together with the pair of bungalows on the opposite side of the junction create a uniform character to the streetscape. The proposed building is evidently a much larger building than the pair of properties it seeks to replace and is of a scale that is contrary to the grain of the area which is characterised by semi-detached houses and bungalows on individual plots. The proposal seeks to take account of the falling ground level by staggering the roof line. However, the slope makes the development more prominent than would otherwise be the case, particularly in views along Ormonde Close where the existing houses on the opposite side of the road are several metres below the level of the adjacent highway.
- 8.17 Whilst it is acknowledged that the height of the building reflects that of a conventional two storey dwelling, the proposed development would significantly increase the visual mass of built form on the site, to the detriment of the street scene.
- 8.18 The Council's Infill Sites SPG advises that it is important to strike a balance between maintaining the established positive character of a residential street and introducing additional housing and that to avoid 'town cramming' effect, proposals must maintain appropriate scale and massing which respects buildings in the vicinity of the site and be of a design which complements the existing street scene. The SPG also advises that Infill development needs to be sensitive to its immediate surroundings and respond well to the built context.
- 8.19 On balance is considered that due to its scale and massing, the proposed building would assume significant prominence, especially in comparison with the more modestly proportioned neighbouring and nearby houses and would represent an incongruous addition to the street scene.
- 8.20 The likely impact of the proposed development on the living conditions of neighbouring occupiers has been carefully considered.

- 8.21 The proposed block is shown to be sited approximately 1.5 metres from the boundary with 17 Lonsdale Road with the nearest element projecting approximately 2.0 metres beyond the main rear elevation of this neighbouring property. The remaining element of the block would be sited approximately 8.5 metres from the boundary with the neighbour's rear garden. Having regard to this relationship and the proposed lower floor level of the block, it is not considered that its impact would be so significant as to justify refusal of the application on overbearing grounds.
- 8.22 The elevation fronting Lonsdale Road is shown to be sited between 22.5 metres and 29.5 metres from the pair of semi-detached bungalows opposite at 24 Lonsdale Road/6 Ormonde Close. There would be a separation distance of approximately 24.0 metres between the eastern elevation of the proposed block and the semi-detached houses opposite in Ormonde Close, which are sited several metres below the level of the adjacent highway. To the north, the proposed building is shown to be sited between 2.0 metres and 2.8 metres from the rear garden boundaries of the pair of semi-detached houses at 2 Ormonde Close/20 Queensberry Road. Distances of between 16.5 metres and 17.5 metres (approximately) are shown between the proposed building and the main rear elevations of these neighbouring properties. The garage at the rear of 2 Ormonde Close would partially screen the northern elevation of the building in views from the rear of this property.
- 8.23 The Council's Infill Sites SPG advises that a minimum of 21.0 metres should be maintained between principal habitable room windows to ensure adequate privacy for the occupiers of proposed buildings as well as for neighbouring properties. The SPG also advises that the minimum overlooking distance from habitable room windows to a garden area of a separate dwelling should be 10.5 metres. Subject to the use of obscured glazing in the proposed first floor windows facing towards the rear garden of 17 Lonsdale Road, the proposed development would comply with this guidance.
- 8.24 Having regard to the siting of the proposed building in relation to its neighbours and the distances between them (and notwithstanding the lower ground levels of the properties opposite the application site in Ormonde Close), it is not considered that the proposal would impact unacceptably on light to habitable rooms within neighbouring and nearby properties having regard to the Council's guidelines or result in unacceptable overshadowing to the extent that would support refusal of the application on this ground.
- 8.25 With regard to the prospective living environment for future occupiers, the proposed flats have acceptable internal living space and outlook.
- 8.26 The Infill Sites SPG advises at paragraph 4.5 that 'Houses and ground floor flats that will serve as family accommodation should include enclosed and secure private amenity areas. Depending on context, such amenity areas should measure at least 10.5m in depth or 50m² overall.'
- 8.27 The Cardiff Residential Design Guide SPG advises that 'for communal gardens, a minimum area of 75m² should be provided for up to 5 units with an

- additional 10m<sup>2</sup> for each additional unit. Communal gardens should be clearly defined, secure and private, accessible to all occupants and integral to the form and character of the development.'
- 8.28 The proposed shared amenity space, which measures approximately 140.0 sq. metres, is considered to comply with this guidance.
- 8.29 Numerous objections have been raised to the proposed development on parking/highway safety grounds. The Transportation Officer, whilst noting these concerns, advises that he has no objections to application in terms of highway safety and off street parking provision confirming that the proposal accords with the Council's Parking Guidelines (refer to paragraph 5.1).
- 8.30 Planning Policy wales advises that 'Good design is about avoiding the creation of car-based developments. It contributes to minimising the need to travel and reliance on the car, whilst maximising opportunities for people to make sustainable and healthy travel choices for their daily journeys'. It further advises that 'planning authorities must require good standards of car parking design which do not allow vehicles to dominate the street or inconvenience people walking and cycling' and that 'parking standards should be applied flexibly and allow for the provision of lower levels of parking and the creation of high quality places'. The proposed development, as amended, is considered to accord with this guidance. Furthermore, the application site is sustainably located with relatively good access to public transport and local facilities.
- 8.31 In response to a request from the Housing Strategy Officer for an affordable housing contribution, the agent for the planning application submitted a viability appraisal of the scheme which has been reviewed by the District Valuer on the Council's behalf. The DVA's appraisal for a fully open market scheme concludes that the development is not financially viable on a full market basis with no affordable housing or other S106 contribution. Consequently, on the basis of the District Valuer's advice, were the application to be recommended for approval, an affordable housing contribution would not be sought in respect of the scheme.
- 8.32 No technical objections have been raised by Welsh Water/Dwr Cymru or by the Council's Drainage Officer to the approval of the application on drainage grounds. An appropriate drainage condition would appropriate were the application to be recommended for approval.
- 8.33 The Council's Ecologist, having considered the submitted Ecological Assessment report, requests that the mitigation, compensation and enhancement measures set out in sections 9.1 to 9.3 are secured by condition and implemented.
- 8.34 The application is recommended for refusal for the reasons outlined in paragraphs 8.16 8.19 of this report.

## 9. **OTHER CONSIDERATIONS**

#### 9.1 Crime and Disorder Act 1998

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

## 9.2 Equality Act 2010

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

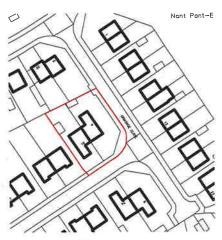
### 9.3 Well-being of Future Generations (Wales) Act 2015

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

#### 9.4 Environment (Wales) Act 2016

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

Location Plan 1:500 @ A3



Location Plan 1:1250 @ A3

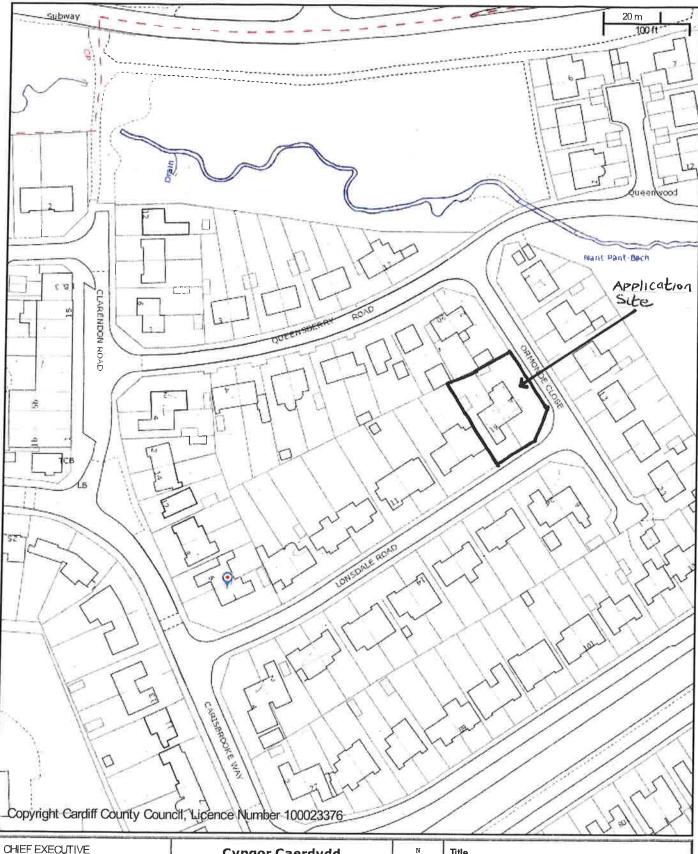
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Key

Planning application boundary

| Proposed Residential<br>Development, 19 Lonsdale Rd \<br>4 Ormonde Close, Cyncoed |                            | John No.<br>17.011<br>Dwg No. Rev.<br>AL(90)01 |
|---|----------------------------|--|
| Location Plan   | Drawn<br>WS                | 5calo<br>1:500 / 1:1250 @ A3                   |
|   | Architects<br>Environmenta | Town planners                                  |
| Jung J. S. my J. B. J. m. L. m.<br>P. m. Livonid G. G. L. F. S. H.L.              |                            | 11 025 405-8100<br>11 025 405-8100             |



Paul Orders

Neuadd y Sir, Glanfa'r Iwerydd CAERDYDD CF10 4UW Tel: 029 20872088

County Hall, Atlantic Wharf CARDIFF CF10 4UW Tel: 029 20872087

## **Cyngor Caerdydd**

**Cardiff Council** 



#### Title

Scale: 1:1250

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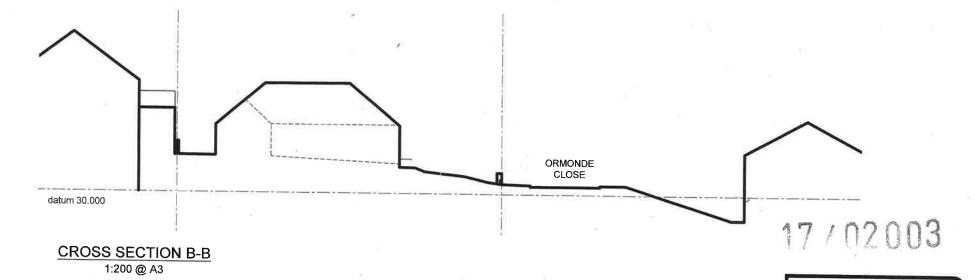
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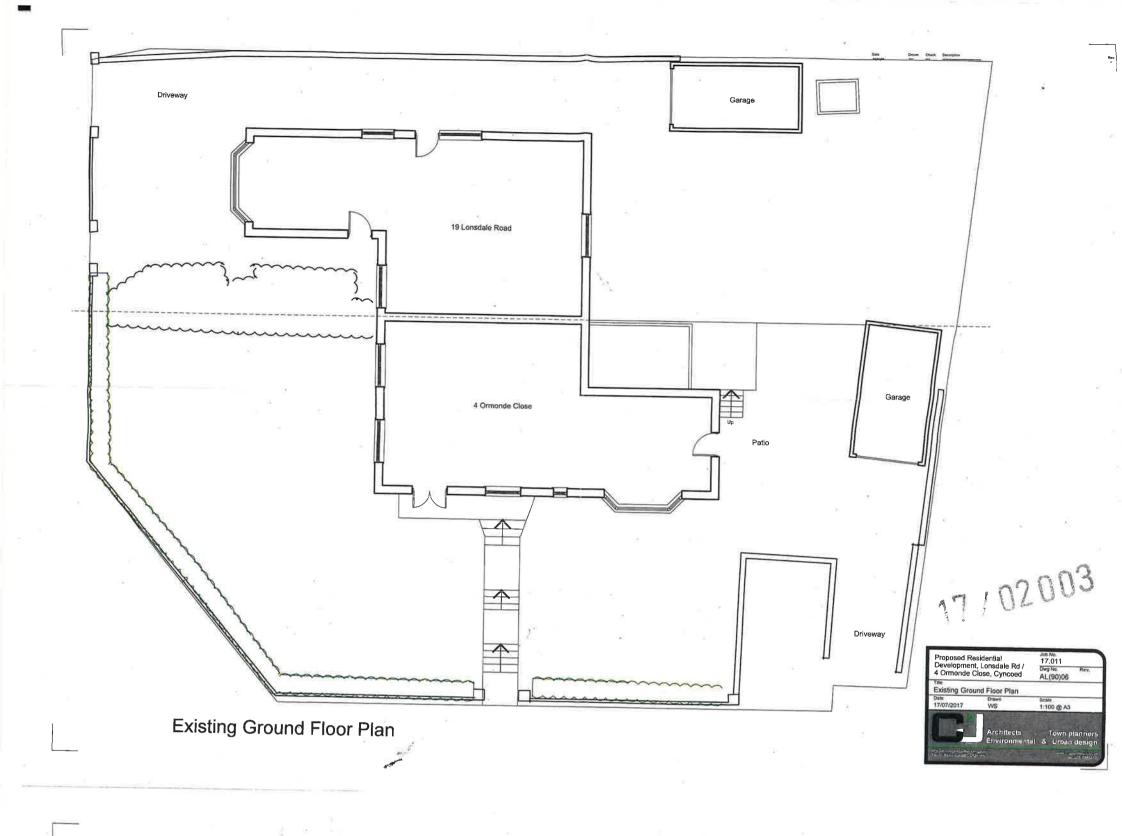
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CROSS SECTION A-A
1:200 @ A3



Proposed Residential
Development, 19 Lonsdale Rd \
4 Ormonde Close, Cyncoed \
Existing Site Sections
Date
31/07/2017

Architects
Environmental & Urban design







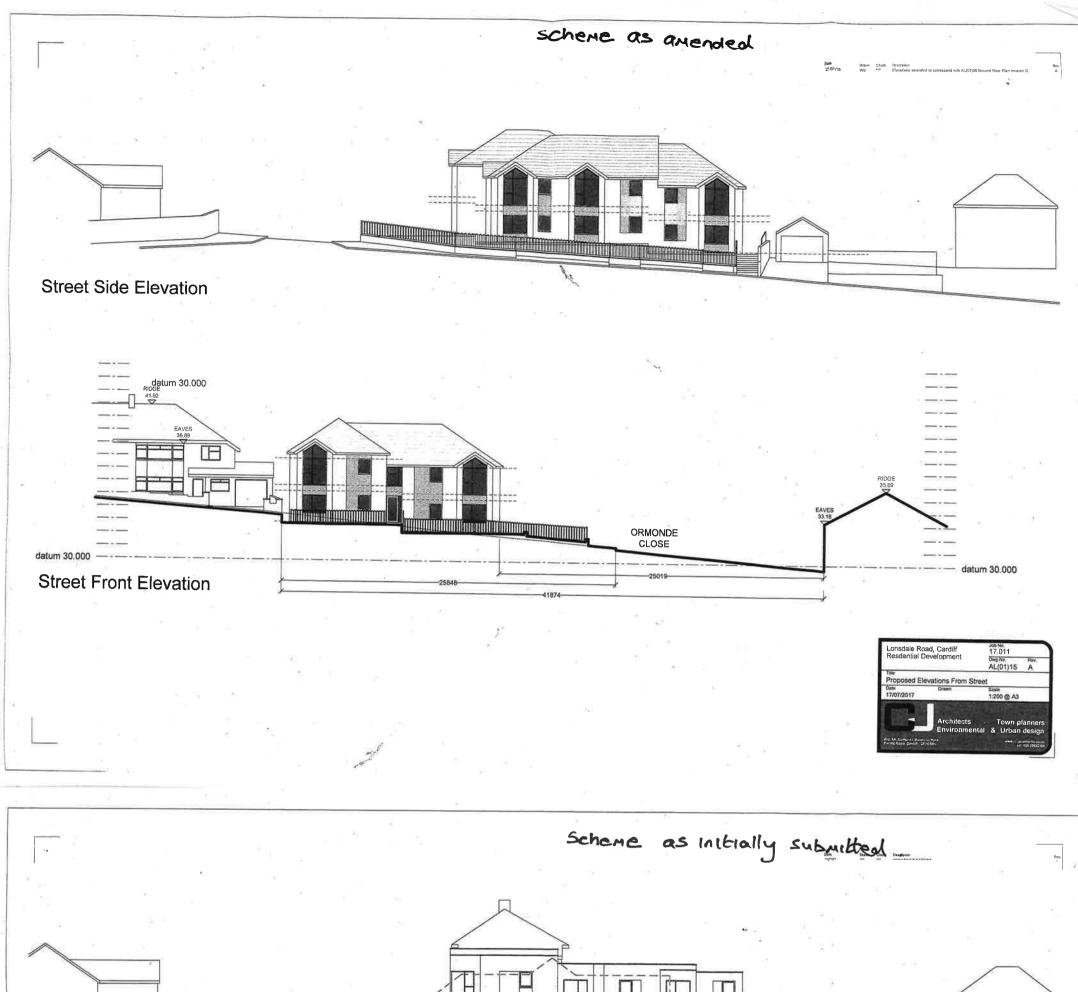
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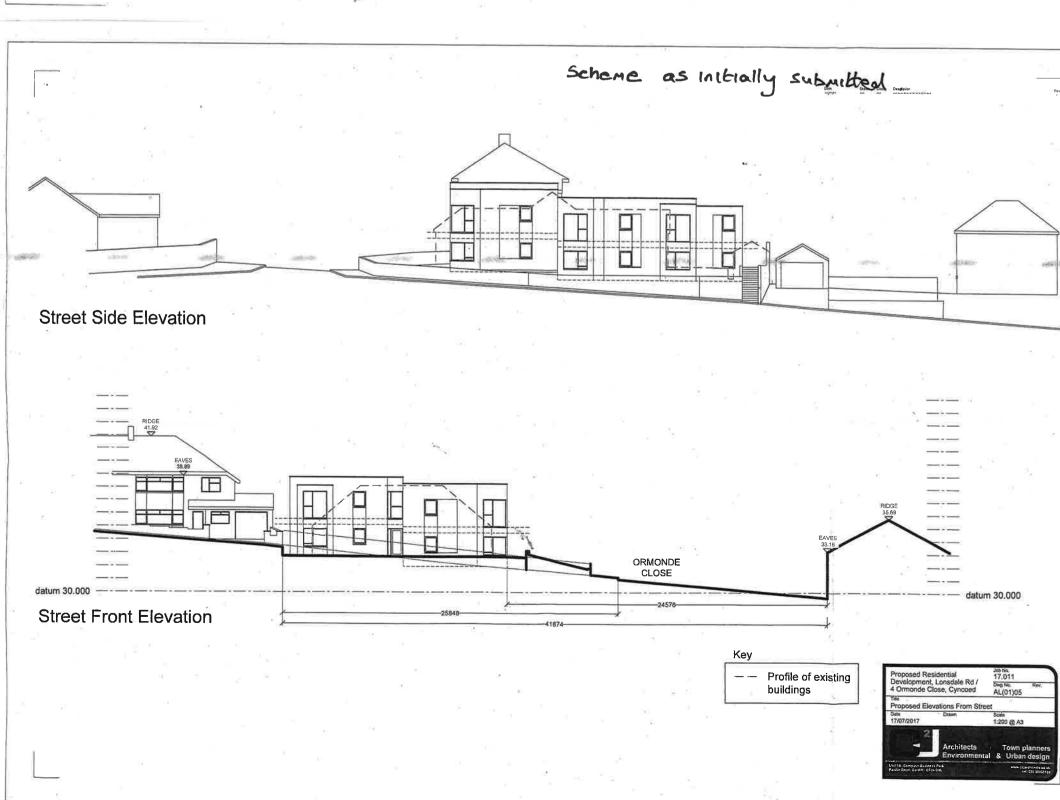
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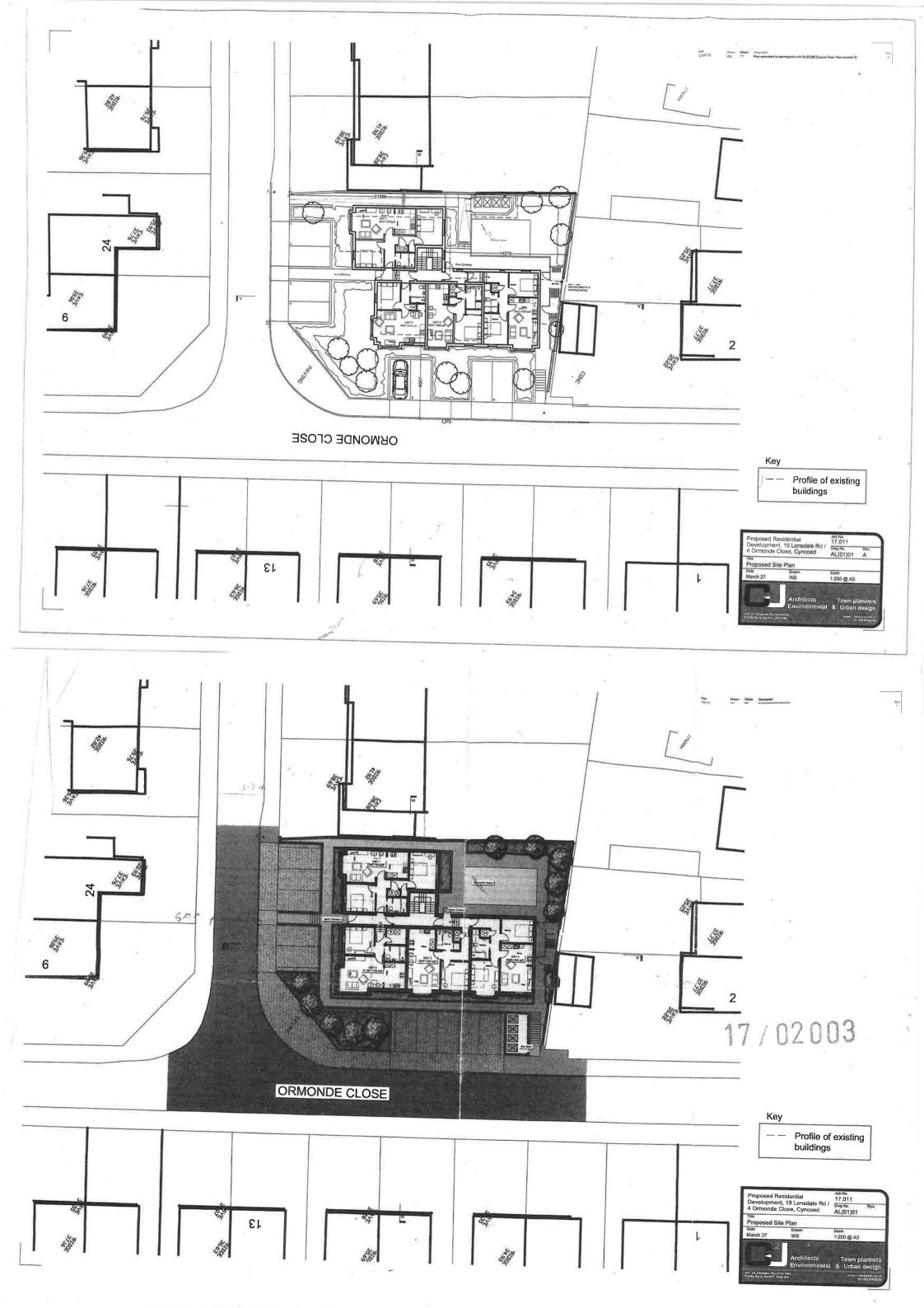
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Existing Front & Side Elevations

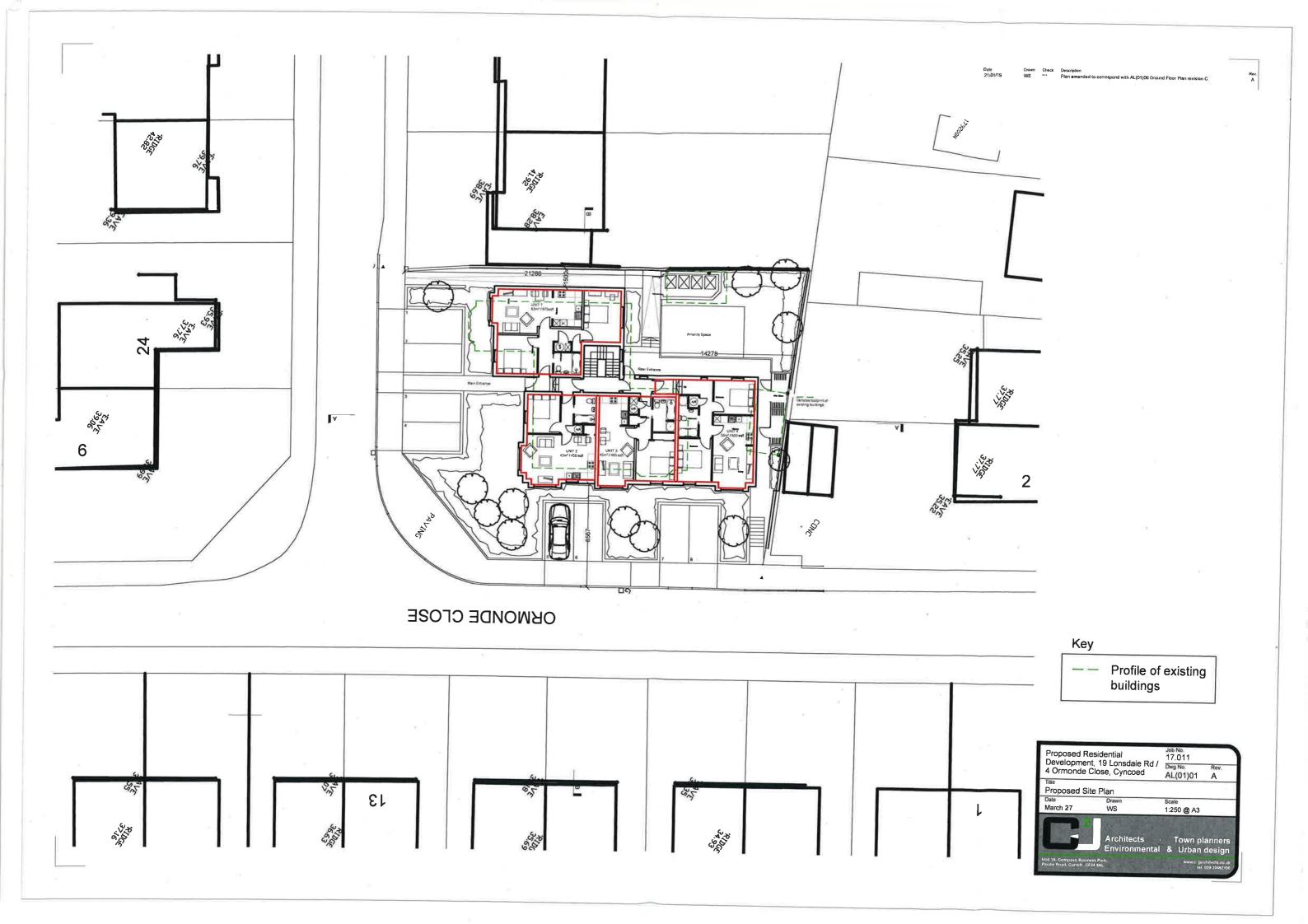
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Architects
Environmental
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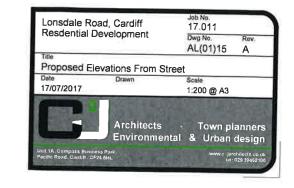






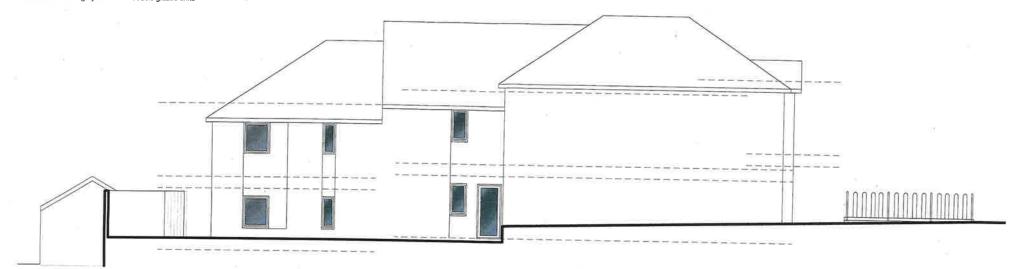








Roof - concrete tile as adjacent properties Walls - redbrown facing brick, cream render Windows/Doors - grey aluminium double glazed units



Side (Rear Courtyard) Elevation (FACING IT LONSDILE ROAD)

