PETITION AND LOCAL MEMBER OBJECTION

COMMITTEE DATE: 18/08/2021

APPLICATION No. 21/00262/DCH APPLICATION DATE: 04/02/2021

ED: WHITCHURCH/TONGWYNLAIS

APP: TYPE: Householder Planning Permission

APPLICANT: Mr Peteren

LOCATION: 12 CAEGWYN ROAD, WHITCHURCH, CARDIFF, CF14 1QL PROPOSAL: REAR GROUND AND FIRST FLOOR EXTENSIONS, ADDITION

OF VERANDA TO FRONT ELEVATION IN PLACE OF EXISTING

PORCH, SIDE EXTENSION FORMING GARAGE, AND EXTENSION AND ALTERATIONS TO EXISTING FRONT

DORMER EXTENSIONS

RECOMMENDATION: 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 and details:
 - 139-JKA-ZZ-ZZ-DR-A-PL03E PROPOSED SITE PLAN
 - 139-JKA-ZZ-ZZ-DR-A-PL06C PROPOSED GROUND FLOOR PLAN
 - 139-JKA-ZZ-ZZ-DR-A-PL07B PROPOSED FIRST FLOOR PLAN
 - 139-JKA-ZZ-ZZ-DR-A-PL08B EXISTING AND PROPOSED FRONT ELEVATION
 - 139-JKA-ZZ-ZZ-DR-A-PL09B EXISTING AND PROPOSED SIDE ELEVATION (SOUTH)
 - 139-JKA-ZZ-ZZ-DR-A-PL10B EXISTING AND PROPOSED REAR ELEVATION (EAST)
 - 139-JKA-ZZ-ZZ-DR-A-PL11B EXISTING AND PROPOSED SIDE ELEVATION (NORTH)
 - 139-JKA-ZZ-ZZ-DR-A-PL14 REAR BOUNDARY CONDITION
 - 139-JKA-ZZ-ZZ-DR-A-PL15 SIDE BOUNDARY CONDITION

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. No development shall take place until full details of all proposed tree planting at the front and rear of the property has been submitted to and approved in writing by the Local Planning Authority (LPA). These details shall include schedules of species, sizes, numbers or densities; topsoil and

subsoil specification; the methods of planting, staking, anchorage, protection, mulching and aftercare and an implementation programme. Unless otherwise agreed in writing with the LPA, the tree planting shall be carried out in accordance with those details and at those times. Reason: To maintain and improve the appearance of the area in the interests of visual amenity.

4. Any newly planted trees, plants or hedgerows, which within a period of 5 years from the completion of the development die, are removed, become seriously damaged or diseased, or in the opinion of the Local Planning Authority (LPA) otherwise defective, shall be replaced. Replacement planting shall take place during the first available planting season, to the same specification approved in discharge of condition 3, unless the Local Planning Authority gives written consent to any variation.

Reason: To maintain and improve the amenity and environmental value of the area

- 5. No development shall take place until the following have been submitted to and approved in writing by the Local Planning Authority (LPA) in accordance with the current British Standard 5837:
 - An Arboricultural Method Statement (AMS) detailing the methods to be used to prevent loss of or damage to retained trees within and bounding the site, and existing structural planting or areas designated for new structural planting. The AMS shall include details of site monitoring of tree protection and tree condition by a qualified arboriculturist, undertaken throughout the development and after its completion, to monitor tree condition. This shall include the preparation of a chronological programme for site monitoring and production of site reports, to be sent to the LPA during the different phases of development and demonstrating how the approved tree protection measures have been complied with.
 - A Tree Protection Plan (TPP) in the form of a scale drawing showing the finalised layout and the tree and landscaping protection methods detailed in the AMS that can be shown graphically. Unless written consent is obtained from the LPA, the development shall be carried out in full conformity with the approved AMS and TPP.

Reason: To enable the Local Planning Authority to assess the effects of the proposals on existing trees and landscape; the measures for their protection; to monitor compliance and to make good losses.

- 6. Any pruning necessary to implement the planning permission shall be undertaken in accordance with British Standard 3998: 2010 'Tree Work' or any Standard that replaces it.

 Reason: The trees are of value in the local environment and should be
 - Reason: The trees are of value in the local environment and should be protected and maintained in good condition.
- 7. The first floor 'LANDING' window and door on the northern elevation of the

rear extension shall be glazed with obscure glass and non-opening below a height of 1.8 metres above internal floor level and thereafter be so maintained

Reason: To ensure that the privacy of adjoining occupiers is protected in accordance with Policy KP5 of the Cardiff Local Development Plan 2006-2026.

- 8. 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 any wall in the north or south facing elevations other than those windows hereby approved.
 - Reason: To ensure that the privacy of adjoining occupiers is protected in accordance with Policy KP5 of the Cardiff Local Development Plan 2006-2026.
- 9. There shall be no first floor maintenance access door permitted as part of the development which would enable access from the landing out onto the roof area of the rear extension.
 - Reason: To ensure that the privacy of adjoining occupiers is protected in accordance with Policy KP5 of the Cardiff Local Development Plan 2006-2026.

1. <u>DESCRIPTION OF PROPOSED DEVELOPMENT</u>

- 1.1 Planning permission is sought for the redevelopment of a bungalow at 12 Caegwyn Road, Whitchurch. The proposal involves a single-storey side extension located between the existing house and its northern site boundary. To the rear of the dwelling, a single and two-storey extension is proposed. The single-storey element will have a flat roof. The two-storey portion will have a gable end feature extending out from the rear of the existing roof. This will not exceed the ridge height of the dwelling. Beside the gable, a box shaped element is proposed in the centre of the property. Changes to the front of the dwelling include an open verandah and alterations to the three existing dormer windows.
- 1.2 The application as initially lodged included a two-storey extension at the side and rear of the north side of the property. Following receipt of objections, this scheme was amended and the layout of the rear extension was flipped, with the two-storey element moved to the south side. The altered proposal was then re-consulted on.
- 1.3 Following discussion by the Planning Service's Design Review group, feedback was provided to the agent regarding overlooking from rear facing windows. Further alterations were made to the proposed plans moving the first floor bedroom and its window away from the rear boundary, and these amendments were also re-consulted on.

2. **DESCRIPTION OF SITE**

2.1 The application relates to a single-storey detached chalet bungalow located within

a residential area in Whitchurch. The property is centrally located on a large site and contains significant planting including a protected Sawara cypress located beside the house and unprotected Lawson cypress sited on the front boundary of the plot. There is a detached garage located on the northern side boundary of the property which is to be demolished.

- 2.2 The applicant has commenced work on the property in preparation for the redevelopment work. The house has been stripped-out and some internal strengthening work undertaken. Additionally, some established planting has been removed from the site along with preparatory earthworks at the side and rear of the house. Limited pruning work has been undertaken on the protected cypress with the approval of the Council's Tree Officer.
- 2.3 The property is not listed for protection, nor is it located in a conservation area.
- 2.4 The property is located in an area containing detached bungalows and two-storey dwellings of a variety of forms and ages.

3. **SITE HISTORY**

3.1 No planning history found for this site.

4. **POLICY FRAMEWORK**

- 4.1 The site lies within a residential area as defined by the proposals map of the Cardiff Local Development Plan 2016.
- 4.2 Relevant National Planning Guidance:
 - Future Wales: The National Plan 2040 (2021)
 - Planning Policy Wales (Edition 11, 2021)
 - Planning Policy Wales TAN 12: Design
- 4.3 Relevant Cardiff Local Development Plan Policies:
 - Policy KP5: Good Quality and Sustainable Design
 - Policy EN8: Trees, Woodlands and Hedgerows
- 4.5 Relevant Supplementary Planning Guidance:
 - Residential Extensions & Alterations (June 2017)

5. **INTERNAL CONSULTEE RESPONSES**

5.1 Council's Tree Officer has viewed the application and considered the Arborcultural Impact Assessment which was requested. He concurred with its findings that a new tree should be planted on the site frontage to compensate for the removal of the Lawson cypress and has recommended the imposition of a number of conditions of approval.

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 None

7. **REPRESENTATIONS**

- 7.1 Neighbours at 10 Caegwyn Road and 2, 2A, 4, 6 and 10 Greenclose Road were notified of the proposed development.
- 7.2 Objections were initially received on the application from the occupiers of 2, 2A and 4 Greenclose Road. One representation, neither in support or opposition to the proposal was also received from the occupier of 10 Caegwyn Road.
- 7.3 The subsequent alterations to the proposal which have been re-consulted on attracted further representations from the occupiers of 2, 2A and 4 Greenclose Road. Concerns raised by the objectors included:
 - Plans provided considered inaccurate
 - Proposal an overdevelopment of the site
 - Design considered visually intrusive and overbearing
 - Development uncharacteristic in the area
 - Proposal does not meet planning guidelines
 - Rear garden area inadequate
 - Adverse impact on protected trees
 - First floor windows will overlook neighbouring properties and obscure glazing required
 - Impact on the public sewer
 - Impacts on sewage capacity
 - Loss of vegetation
 - Impact on retaining wall at rear of 2 and 2A Greenclose Road
 - Effects on hedge at the rear of 2A Greenclose Road
 - Impact on outlook from rear of dwelling at 2A Greenclose Road
 - Overshadowing and loss of light to adjoining properties
 - Safety concerns for vehicles reversing onto Caegwyn Road
 - The proposed expansion of house beyond its existing footprint and the precedent set by historical planning approvals for adjoining properties
- 7.4 One representation was received from Councillor Linda Morgan on the amended proposal. She considered the changes made did not satisfactorily meet the concerns of neighbours. The Councillor considered that the proposed development was unneighbourly; overbearing; would overshadow and cause a loss of privacy; and be detrimental to the amenities currently enjoyed by the neighbours. She also felt that the application did not represent the existing physical environment.
- 7.5 A petition in opposition to the proposed development contains 64 signatures and raises the following concerns:

- 'Submitted drawings contain unresolved inaccuracies that minimise the impact on neighbouring properties and fail to address material objections raised through three public consultations.
- Proposed development contravenes multiple specific Planning Guidelines and precedents established by previous planning decisions by Cardiff Council.
- Proposed development will have a detrimental impact on the privacy and amenity enjoyed by neighbouring residents from their adjacent properties, and the neighbouring street scene'.
- 7.6 In response to issues raised by objectors and also by the petition, the agent provided further information and plans detailing cross sections with the adjoining property and shadowing diagrams. These details were re-notified and attracted two further objections from the occupiers of 2 and 2A Greenclose Road. Both objectors considered the further information did nothing or little to address the issues raised and repeated their concerns which are listed in Paragraph 5.3 of this report. Other concerns and matters raised include:
 - Amended drawings contain little change apart from acknowledging the difference in ground levels between properties.
 - Question the value of the shading diagrams and seek further information on shadowing effects.
 - Concerns over boundary wall construction and maintenance.
 - Suggest side extension should project no further forward than the existing front elevation of the dwelling.
 - Suggest that side extension should be set back 0.6 to 1.0m from common boundary with 2A Greenclose Road to reduce its visual impact and enable future maintenance of the side facing wall.

8. ANALYSIS

- 8.1 The key issues for consideration with this application are the effect of the proposal upon character and appearance of the area, the living conditions and amenity of neighbours and its impact on a protected tree.
- 8.2 In assessing the impact of the proposed development, the proposal should be considered against Policy KP5 of the Cardiff Local Development Plan which 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:

- 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 environment are all addressed within development proposal; and
- x. Ensuring no undue effect on the amenity of neighbouring occupiers.
- 8.3 Advice on residential extensions is contained in the Council's Supplementary Planning Guidance (SPG) on Residential Extensions and Alterations (2017). This guidance notes that all alterations and additions to a property should relate well to

the character and context of the surrounding area and should be sympathetic in terms of scale, positioning, detailing and materials to ensure that the development results in a balanced appearance and fits comfortably into the wider street scene

- 8.4 The SPG notes that extensions should not be overbearing or result in an unacceptable loss of daylight or sunlight to neighbouring properties.
- 8.5 The SPG states that side extensions should be appropriate to the existing house in terms of their scale, form and finish and should fit easily within the street scene. Materials and window detailing should match or complement the existing house and developments should avoid blank elevations where they front the highway.
- 8.6 It is also recommended that side extensions are set in from the neighbouring boundary to ensure that the street scene does not appear cramped and also prevent a terracing effect should the adjoining property be extended.
- 8.7 Rear extensions have the potential to impact on the daylight and outlook of neighbours. At paragraph 7.2 of the SPG, it notes that such extensions should be subordinate to the original dwelling and new developments should consider impact on trees on or adjacent to the application site.
- 8.8 The SPG advises that extensions to the front of a property can have a significant impact on the character of the neighbourhood. They can change the overall architectural character and emphasis of a property and can impact on features such as bay windows or decorative entrances.
- 8.9 The SPG notes that dormer windows should not dominate the original house and should look as though they were designed as part of the original roof of a dwelling. Dormer extensions should appear subservient to the original dwelling/roof and relate well to the existing roof through the use of materials. The window should fill the majority of the front of the dormer in order to limit the use of surrounding cladding materials and finishing materials should respond to those of the original dwelling.

CHARACTER AND APPEARANCE

- 8.10 The property is located within an attractive residential neighbourhood containing a range of dwellings of different ages on well landscaped sites. There is no dominant house type or style. The area contains a number of examples of new dwellings along with other redeveloped properties.
- 8.11 The chalet bungalow is in its original form with a pitched and hipped roof. It has a centrally located gable feature with a window at first floor and two dormer windows either side.
- 8.12 The proposed scheme successfully sees the retention of the bungalow's scale and form as viewed from the public realm. The proposed dormer alterations are of an appropriate design and scale, and relate well to the character and appearance of the dwelling. The proposed verandah addition sympathetically encloses the principal elevation of the property, without adversely impacting on any of its

architectural features. Overall, it is considered that the changes to the front of the chalet bungalow will maintain its architectural character.

LIVING CONDITIONS

- 8.13 The proposed changes at the side of the dwelling include a garage/workshop which tapers in width from front to rear. This extension would project to 150mm from the northern boundary with Nos. 2 and 2A Greenclose Road. The application property is at a lower level than the neighbouring plots (approximately 0.86m), reducing its visual impact. This common boundary will need to be structurally retained as part of the building works.
- 8.14 The submitted plans show the garage will extend no further than the rear elevation of the original host dwelling. It will have a flat roof at the rear and a low 20 degree pitched and hipped roof at the front where it joins the proposed verandah. Its low form and scale, which spans across the rear boundaries of the two adjoining properties will ensure an acceptable design outcome. It will not appear dominant or overbearing or result in the loss of daylight or sunlight for neighbours.
- 8.15 The rear portion of the proposal has been altered during the processing of this planning application in response to concerns raised by neighbours. A single-storey element with flat roof projects from the rear of the host building. The two-storey component has been moved towards the southern side boundary and the first-floor bedroom window moved away from the rear boundary to avoid any significant overlooking of private gardens to the east.
- 8.16 The agent has provided solar studies indicating that the winter shadow cast by the proposed development on properties to the north will be little different to the current situation. The two-storey element of the development is sited well away from the common boundary with 2 and 2A Greenclose Road. Given this, it should have no appreciable impact on daylight or sunlight admission to those properties.
- 8.17 Concerns have been raised regarding possible overlooking and loss of privacy for occupants of properties to the north. It is noted that a single window and door are proposed for the north facing elevation of the proposal. These both are located on the first floor landing and while shown as finished in obscure glass would not be fixed. In order to prevent possible overlooking from this location, it is recommended that a condition be imposed requiring that the window be non-openable above 1.8m when measured from floor level. Furthermore, in order to avoid any possible use of the flat roof area for outdoor living, the maintenance door should be removed. Any future maintenance access to the roof can be achieved from a ladder.
- 8.18 The rear extension will leave an adequately sized private open space for the future occupiers of the house. This area is to be terraced and landscaped, and a row of trees planted along the rear boundary of the site to screen the property from adjoining properties. The proposal has been setback from the southern boundary of the site ensuring that pedestrian access to the rear garden remains available.

- 8.19 The proposed rear extension has been sensitively designed to minimise its impact on neighbours. It is not considered to be overbearing or of a form or scale that will adversely impact on daylight or outlook, particularly for No. 10 Caegwyn Road which is located to the south of the property.
- 8.20 Overall, it is considered that the development will not have any detrimental impacts on adjoining properties and will maintain current amenity values.

PROTECTED TREE

8.21 Council's Tree Officer has found that the development will have no significant impacts on the heath of the protected Sawara cypress which is located at the front of the property. He has requested planning conditions to ensure that the building works are suitably undertaken and measures imposed to protect the tree from damage. He has also requested replacement tree planting to compensate for the loss of the Lawson cypress which may need to be removed to improve access to the property. These matters are covered by the recommended conditions of consent above.

OTHER MATTERS

- 8.22 In regards to comments made by neighbours and raised in the petition which are not covered above, the following should be noted:
 - Following a site inspection by the case officer, the submitted plans have been found to be accurate and reliable. It should be noted that there is no legislative requirement on the applicant to provide details of the location of buildings and other features on adjoining properties with a planning application. These have been provided by the architect to give context to the proposal.
 - The agent has indicated that shadows on elevations are drawn in line with standard drawing conventions from the top right at 45 degrees. This is to illustrate depth on a façade and not representative of true shadows or be treated as a solar study.
 - Building over public sewers is not a material consideration. Permission for such work will be required from Welsh Water.
 - The impact of the development on sewage capacity is not a material planning consideration.
 - The property possesses an existing vehicle crossover onto Caegwyn Road. There is no planning requirement for on-site manoeuvring and vehicles should enter and exit the site in a safe manner.
 - The proposed rebuilding of any retaining wall and any new building close to common boundaries is a party wall matter. This will require a Party Wall Notice and Agreement under the Party Wall Act.
 - Access to and across a neighbour's property to undertake building works will require a Notice under the Party Wall Act.
 - Any effects that the development may have on vegetation on adjoining sites is a civil matter. The applicant is under no obligation to comply with requirements of another person's planning permission. In this instance, the hedge referred to is on an adjoining property.

 Every planning application is considered on its merits in terms of relevant policies and planning guidelines. There is no legal precedent set for development, as each proposal is materially unique and must be considered having regard to the specific circumstances and context of an application.

9. **CONCLUSION**

- 9.1 In conclusion, it is not considered that the development would cause any adverse harm to the street scene or character of the area. The application site can successfully accommodate the proposed changes while maintaining the existing character of the property. The development is considered to be an appropriate alteration to the existing house in terms of its scale, form and finish and will form a sympathetic change.
- 9.2 Subject to the imposition of suitable conditions to mitigate any adverse effects, the development should have no unacceptable impacts on the living conditions of neighbouring residents.

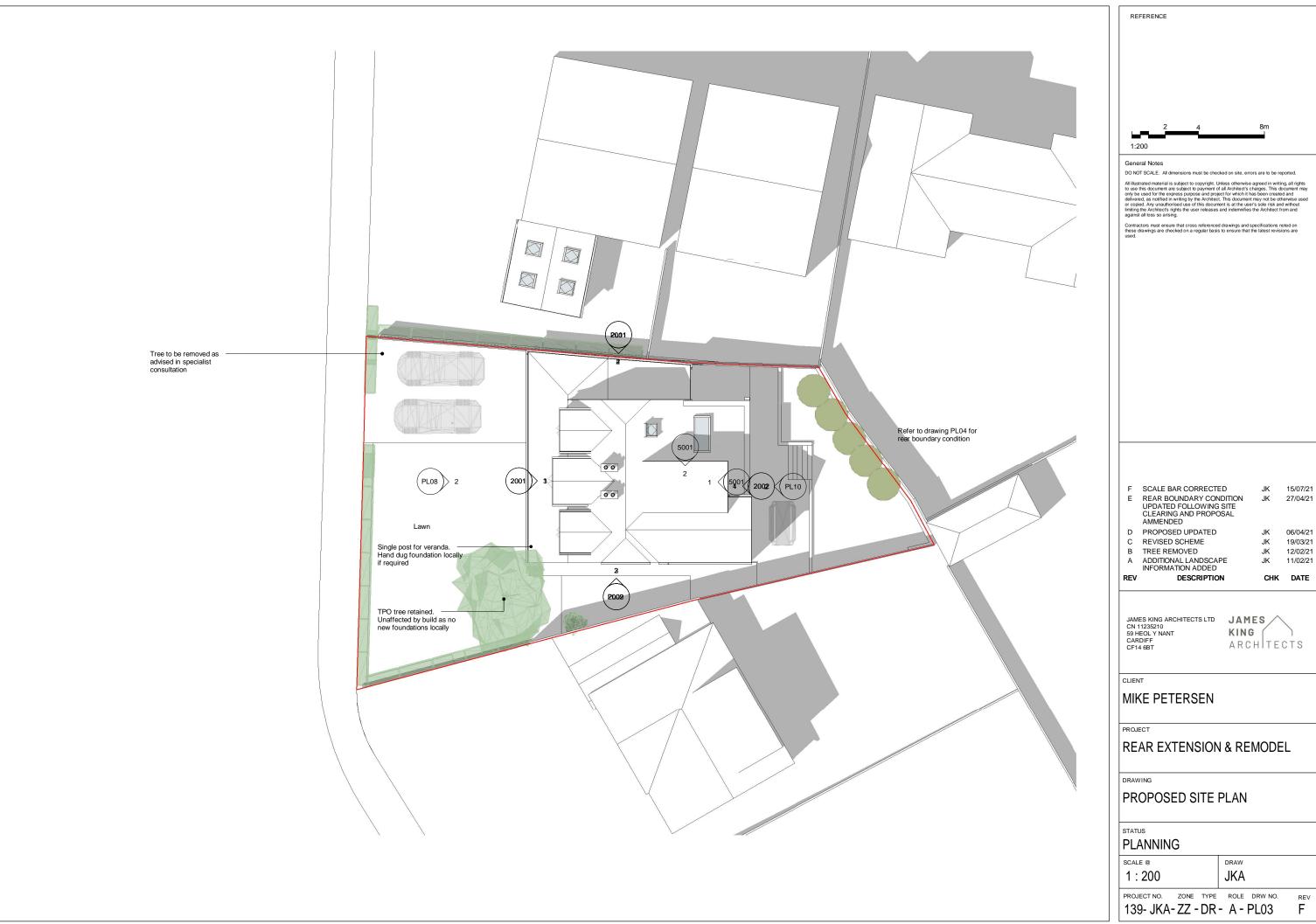
10. OTHER CONSIDERATIONS

- 10.1 Crime and Disorder Act 1998 Section 17(1) of the Crime and Disorder Act 1998 imposes 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 toprevent, 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.
- 10.2 **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.
- 10.3 Well-Being of Future Generations Act 2015 Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

11. **RECOMMENDATION**

11.1 Having regard to the policy context above, the proposal is considered acceptable and planning permission is recommended subject to conditions.



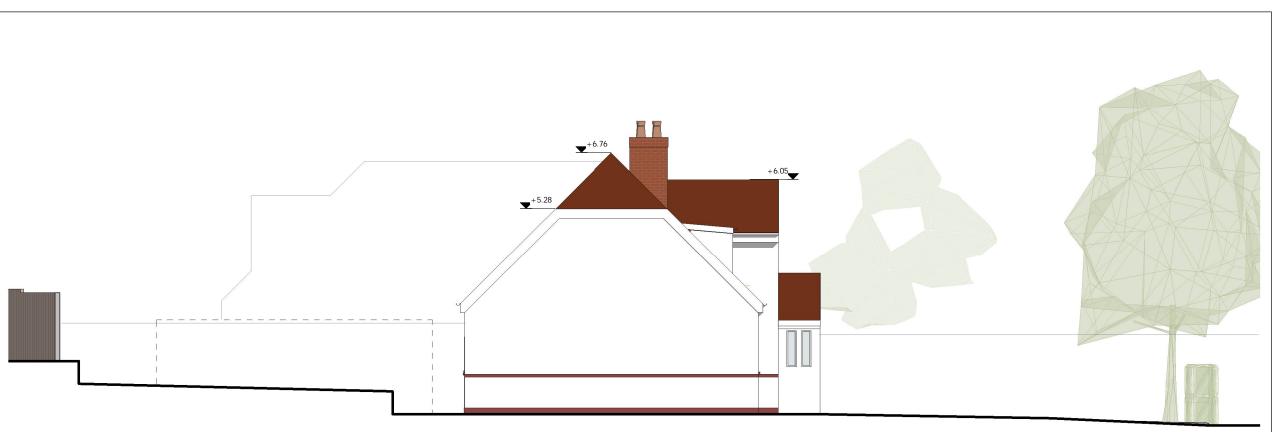




REFERENCE DO NOT SCALE. All dimensions must be checked on site, errors are to be reported. MATERIALS LEGEND 1 PAINTED SMOOTH WHITE RENDER 2 SMALL TERRACOTTA COLOUR CLAY ROOF TILE 3 PAINTED WHITE FACIAS AND GUTTERS 4 LINEAR RED BRICK DWARF WALL 5 DARK GREY ALUMINIUM WINDOWS DOORS WITH HORIZONTAL BARS AS INDICATED (OBSCURED TO BATHROOMS) 6 DARK GREY ALUMINIUM PARAPET CAPPING 7 'EQUITONE NATURA' CLADDING WITH HIDDEN FIX SYSTEM 8 COTWOLD GREEN WINDOWS AND TIMBER WORK TO FRONT (OBSCURED TO BATHROOMS) 9 VELUX ROOFLIGHT C ADJACENCY AND LEVELS TO 2A JK UPDATED 15/07/21 B REAR BOUNDARY CONDITION UPDATED FOLLOWING SITE CLEARING AND PROPOSAL AMMENDED 27/04/21 A REVISED SCHEME 19/03/21 - FIRST ISSUE - PLANNING 02/02/21 DESCRIPTION CHK DATE JAMES KING ARCHITECTS LTD JAMES CN 11235210 59 HEOL Y NANT CARDIFF CF14 6BT KING ARCHITECTS MIKE PETERSEN REAR EXTENSION & REMODEL EXISTING AND PROPOSED FRONT **ELEVATION - WEST** PLANNING DRAW JKA

REV





SIDE ELEVATION - EXISTING (NORTH)

1:100



SIDE ELEVATION - PROPOSED (NORTH)



1:100

DO NOT SCALE. All dimensions must be checked on site, errors are to be reported.

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MATERIALS LEGEND

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- 6 DARK GREY ALUMINIUM PARAPET CAPPING
- 'EQUITONE NATURA' CLADDING WITH HIDDEN FIX SYSTEM
- 8 COTWOLD GREEN WINDOWS AND TIMBER WORK TO FRONT (OBSCURED TO BATHROOMS)
- 9 VELUX ROOFLIGHT
- C ADJACENCY AND LEVELS TO 2A JK UPDATED 15/07/21
- B REAR BOUNDARY CONDITION UPDATED FOLLOWING SITE CLEARING AND PROPOSAL AMMENDED
- A REVISED SCHEME JK JK 19/03/21 FIRST ISSUE - PLANNING 02/02/21 CHK DATE

REV DESCRIPTION

JAMES KING ARCHITECTS LTD JAMES CN 11235210 59 HEOL Y NANT CARDIFF CF14 6BT

KING ARCHITECTS

27/04/21

MIKE PETERSEN

REAR EXTENSION & REMODEL

DRAWING

EXISTING AND PROPOSED SIDE **ELEVATION - NORTH**

PLANNING

SCALE @ As indicated

DRAW JKA

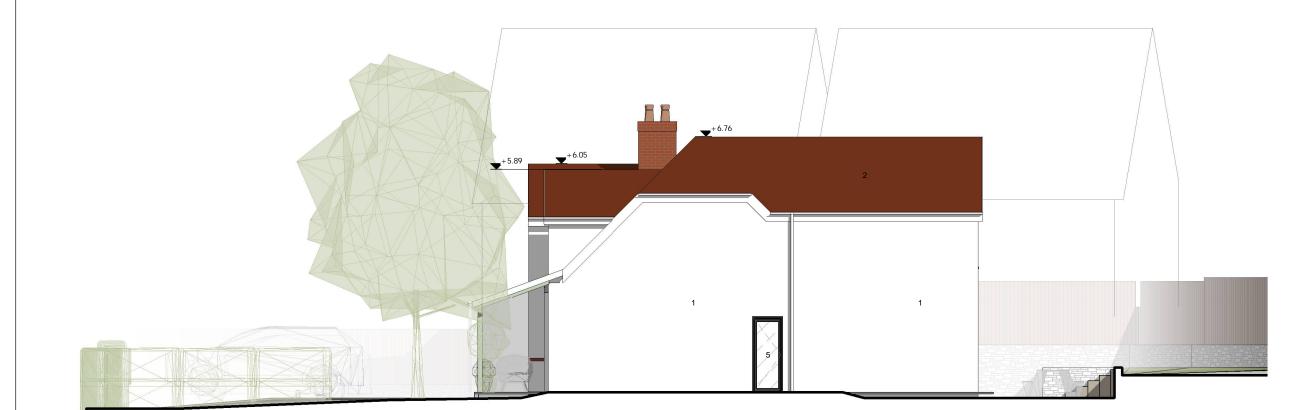
PROJECT NO. ZONE TYPE ROLE DRW NO. 139- JKA-ZZ - DR - A - PL11

REV



SIDE ELEVATION - EXISTING (SOUTH)

1:100



SIDE ELEVATION - PROPOSED (SOUTH)

1:100

REFERENCE

DO NOT SCALE. All dimensions must be checked on site, errors are to be reported.

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REV DESCRIPTION CHK DATE

JAMES KING ARCHITECTS LTD JAMES CN 11235210 59 HEOL Y NANT CARDIFF CF14 6BT



MIKE PETERSEN

REAR EXTENSION & REMODEL

EXISTING AND PROPOSED SIDE **ELEVATION - SOUTH**

PLANNING

SCALE @ As indicated DRAW JKA

PROJECT NO. ZONE TYPE ROLE DRW NO. 139- JKA- ZZ - DR - A - PL09

Original Sheet Size A3 - 420 x 297mm

REV