

PETITION

COMMITTEE DATE: 02/02/2023

APPLICATION No. **22/02867/HSE**

DATE RECEIVED: 01/12/2022

ED: **WHITCHURCH AND TONGWYNLAIS**

APP: TYPE: Householder Planning Permission

APPLICANT: Mr & Mrs Bricknell

LOCATION: 1 Clas Isan, Whitchurch, Cardiff, CF14 1RZ

PROPOSAL: HIP TO GABLE AND REAR DORMER ROOF EXTENSIONS

RECOMMENDATION 1: That planning permission be **GRANTED** subject to the following conditions:

- 1 C01 – Statutory Time Limit
- 2 The development shall be carried out in accordance with the approved drawings numbered:
 - ER2209 PL-04 Rev A – Proposed Plans
 - ER2209 PL-05 Rev A – Proposed Elevations

Reason: To ensure satisfactory completion of the development and for the avoidance of doubt in line with the aims of Planning Policy Wales to promote an efficient planning system.

- 3 The materials to be used in the construction of the external surfaces of the roof extensions hereby approved, shall so far as is practicable, match those used on the equivalent element of the existing building.

Reason: To ensure the external materials harmonise with the existing building and character of the area in the interests of the visual amenity of the area in accordance with Policy KP5 of the Cardiff Local Development Plan 2006-2026.

4. Within three months of the date of this approval, the windows located in the rear first floor (West) elevation shall be altered so that they are obscurely glazed* and non-opening below a height of 1.7 metres above internal floor level and thereafter so maintained and retained for as long as the use hereby remains in existence.

Reason: In the interests of the privacy of neighbouring occupiers in accordance with Policy KP5 of the Cardiff Local Development Plan 2006-2026.

*Obscurity of glass is generally rated on a scale of 1 to 5 (where 5

provides the most privacy). The relevant windows should be obscure to a minimum of level 3 on a scale of 1 to 5 (or an equivalent level on any other scale).

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 The application seeks planning permission for hip to gable and rear dormer roof extensions. The scale, design and position of the development is illustrated in full on the submitted drawings.
- 1.2 Hip to gable roof extensions are proposed either side of the central ridge and will incorporate three roof lights on the front elevation and a dormer to the rear. The rear dormer roof extension proposed approximately 7.7 metres wide by approximately 4.2 metres deep with a flat roof approximately 2.2 metres high. The dormer is set up approximately 40 centimetres from the eaves of the existing roof. The distance from the rear boundary to the eaves of the existing roof is approximately 10 metres.
- 1.3 The originally submitted proposed plans did not correctly show the dormer windows and the number of roof lights in the front elevation. Revised plans were submitted following a site visit. The amended dormer windows are smaller in size and have been set in further from each side boundary.
- 1.4 The application has been received as a result of an enforcement investigation (E/22/00271). Planning permission is required as the development exceeds the permitted development allowance. Therefore, the submission of this application is an attempt to regularise the matter.
- 1.5 At the time of submission, the development was near completion.

2. **DESCRIPTION OF SITE**

- 2.1 The application site comprises of a detached bungalow in the Whitchurch area of Cardiff. The surrounding area including the streets of Heol Penyfai, Clas Illtyd, Heol Wernlas, and Heol Dolwen is characteristically made up of detached and semi-detached bungalows.

The property has previously been extended to the rear ground floor, including a flat roof extension and a conservatory.

3. **SITE HISTORY**

- 3.1 76/1523 – New Kitchen and Dining Room Extensions and New Garage – Permission granted 9th December 1976.

4. **POLICY FRAMEWORK**

- 4.1 Relevant National Planning Guidance:

Planning Policy Wales (Edition 11, 2021)

4.2 Relevant Cardiff Local Development Plan (2006-2026) policies:

Policy KP5 (Good Quality and Sustainable Design)

4.3 Relevant Supplementary Planning Guidance

Residential Extensions & Alterations (2017).

5. **INTERNAL CONSULTEE RESPONSES**

5.1 None.

6. **EXTERNAL CONSULTEE RESPONSES**

6.1 None.

7. **REPRESENTATIONS**

7.1 The application was publicised via the Councils website and by means of neighbour notification letters. A petition of objection was received on the 4th January 2023, 52 names are listed, 51 signatures with one resident signing the petition twice. The list of residents who signed the petition have addresses in Cardiff, 38 of which could reasonably be affected by the matter when passing the application site. Full details are viewable online.

7.2 In total three letters of representations have been received to date from the following addresses:

- Nos. 4 (x2) and 6 Clas Illytd

Full details are viewable online, their comments are summarised as follows:

- Invasion of privacy
- Overlooking
- Not in keeping with area and unsightly
- Windows not obscure and can open
- Exceeds permitted development
- Size of development
- Roof extensions should be two separate applications
- Devalued property

8. **ANALYSIS**

8.1 The principal issues in the determination of this application concern the effect of the proposal upon the character and appearance of the area and on the amenity of neighbouring occupiers.

8.2 Design

Policy KP5 seeks to ensure that new development responds ‘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’.

The hip to gable and rear dormer roof extensions will introduce a first floor to the property, the ridge height will remain the same. The dormer will be set up from the external wall, down from the ridge and in from either side of the gable ends. The dormer and gable roof extensions will be finished in render to match the external walls of the existing dwellinghouse – a condition has been included to ensure compliance. Furthermore, the roof tiles have been reused on both the front and rear roof slopes.

The dormer roof extension would not be visible from Clas Isan itself but would be visible from parts of the street scene in Clas Illtyd and Heol Wernlas.

It is considered that the development would not be out of character within the locality as a number of properties have benefitted from similar roof extensions or alterations to their roof. Therefore, the proposal is considered acceptable in regards to its scale and design and would not prejudice the general character of the area or the existing dwellinghouse.

8.3 Residential Amenity

Policy KP5 seeks to ensure that ‘no undue effect on the amenity of neighbouring occupiers’ results from development.

The Councils Residential Extensions and Alterations Supplementary Planning Guidance states (in respect of overlooking) that ‘In the case of extensions above single storey, a distance of 10.5 metres between the rear wall of a property and its rear boundary, and 21 metres between the rear habitable room windows of dwellinghouses which directly back onto each other, is normally required to avoid overlooking and to protect neighbouring amenity.’

The rear facing first floor dormer windows would be sited approximately 10.4 metres from the rear gardens of nos. 2, 4, and 6 Clas Illtyd which is less than the minimum of 10.5 metres recommended by the Residential Extensions and Alterations Supplementary Planning Guidance. Condition 3 is considered necessary to ensure these windows are obscurely glazed and non-opening below an internal height of 1.7 metres to overcome the concerns regarding overlooking and privacy.

In addition, the property to the rear of the application site – 4 Clas Illtyd has carried out a two-storey extension, the extension extends approximately 1.5 metres beyond the rear wall of the original dwellinghouse. The distance from the extension to the shared boundary with 1 Clas Isan is approximately 7 metres.

The proposal, subject to conditions, would not prejudice the privacy of neighbouring occupiers.

8.4 Other Matters

In response to other matters raised in representations that have not been expressly addressed above, the following should be noted:

- The proposed development would exceed the permitted development allowance for additions or alterations to a roof by virtue of the cumulative volume increase to the roof space. This was recognised as part of the enforcement investigation and the applicant was advised to submit an application. It should be noted that elements of the proposal could benefit from permitted development.
- The potential devaluation of neighbouring properties would not be a material planning consideration.

8.5 Other Legal Considerations

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.

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.

Well-Being of Future Generations Act 2016 – 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.

8.6 Conclusion

It is concluded that the application is acceptable in accordance with the planning policies listed, and is recommended that planning permission be granted, subject to conditions.

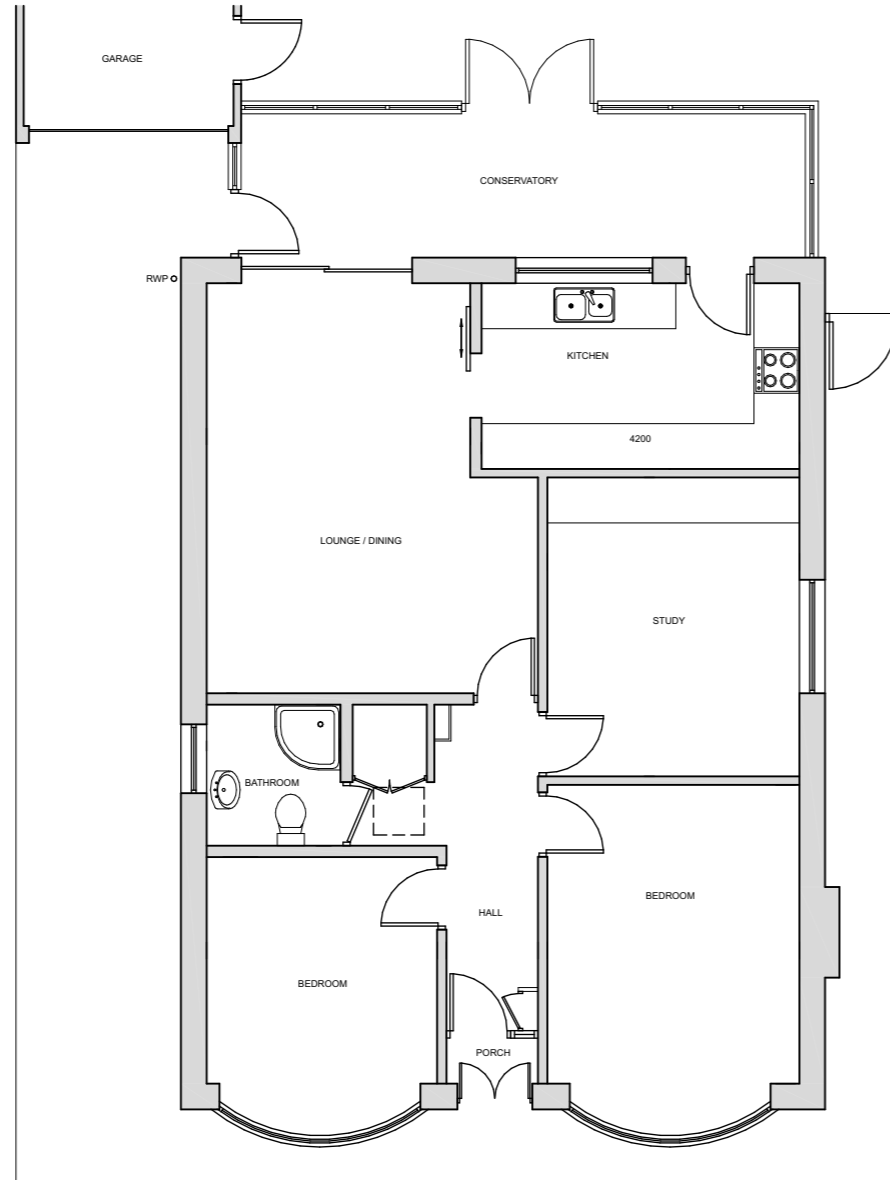


Site Location Plan
Scale 1:1250

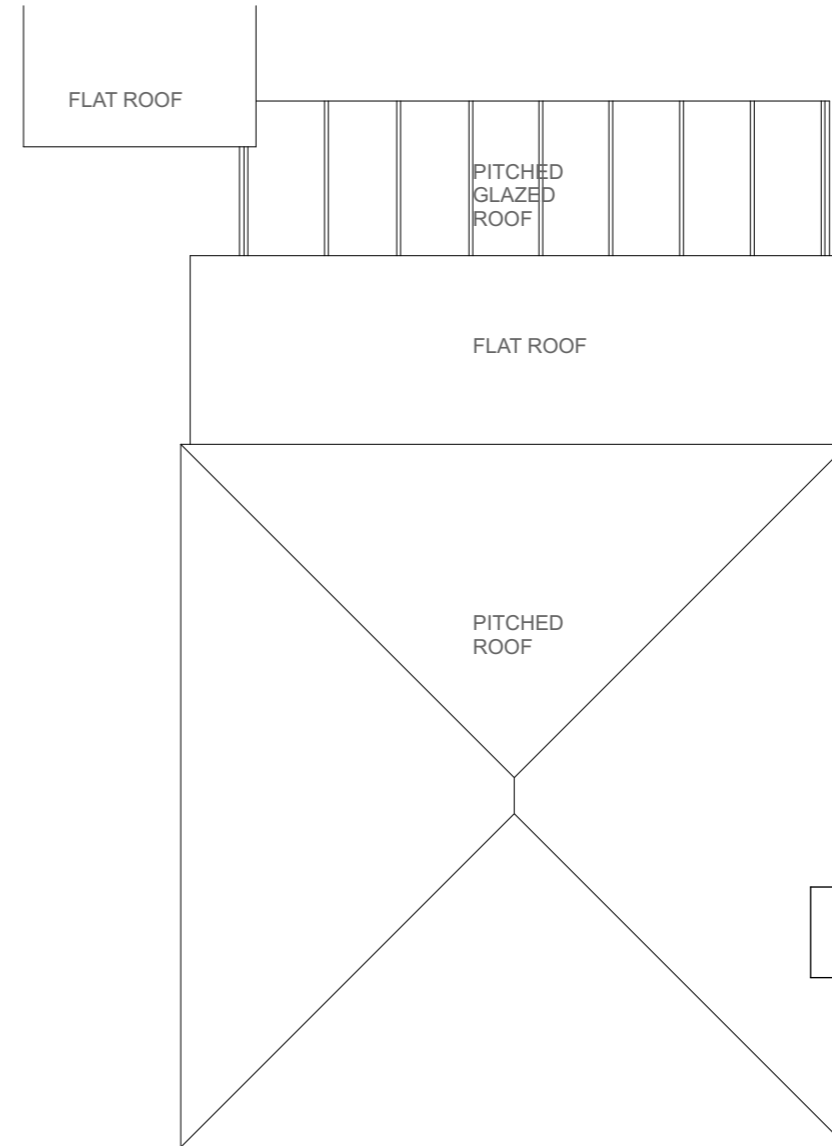


Location Plan
Scale 1:500

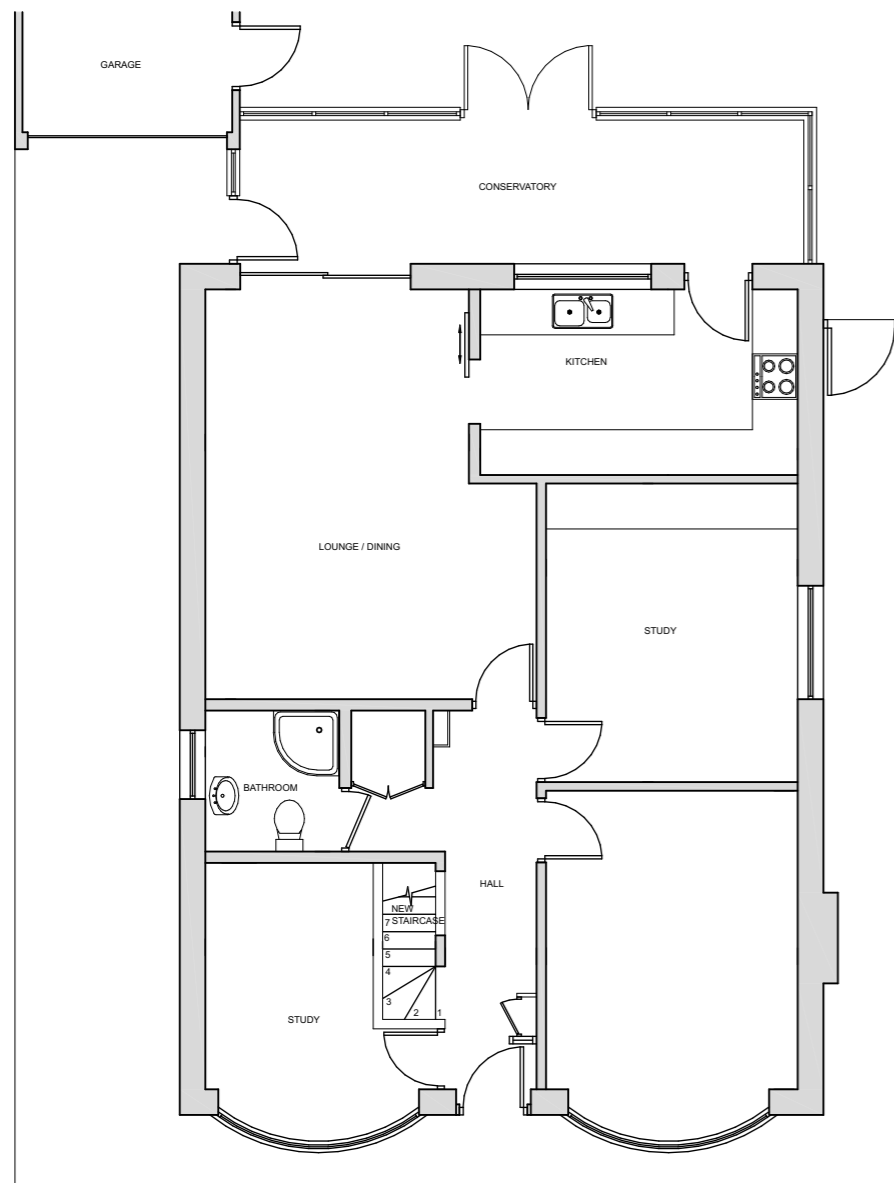




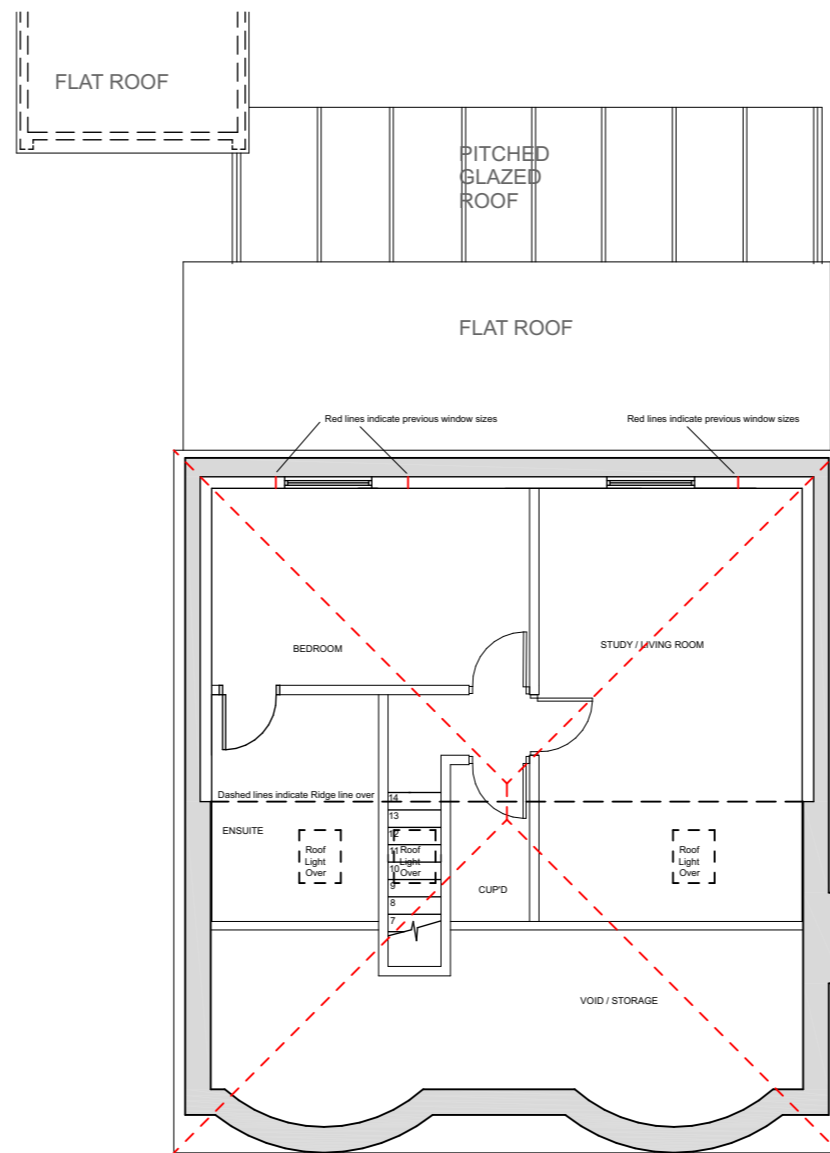
Ground Floor Plan



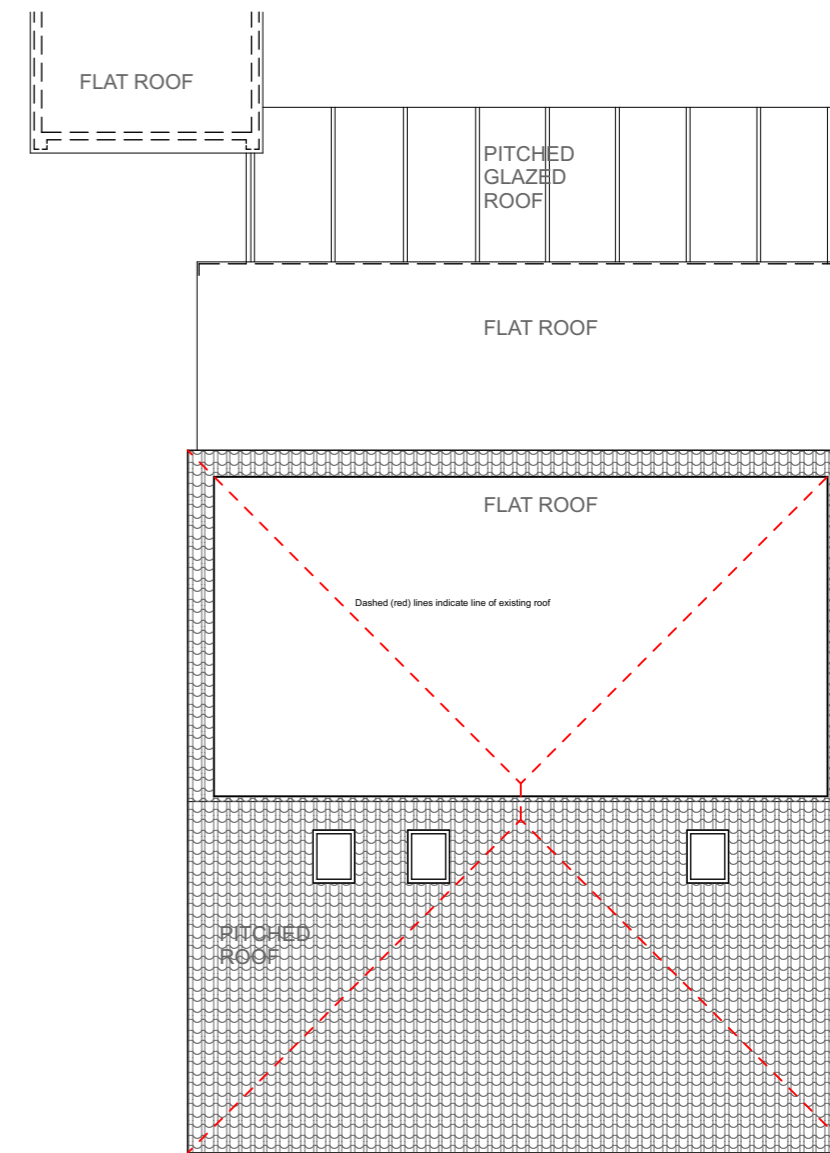
Roof Plan



Ground Floor Plan



Loft Plan



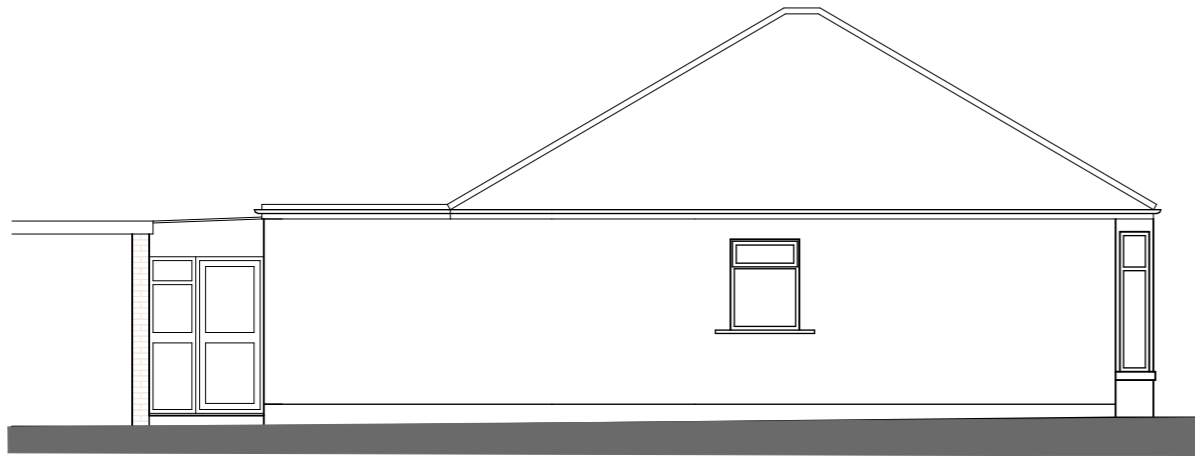
Roof Plan



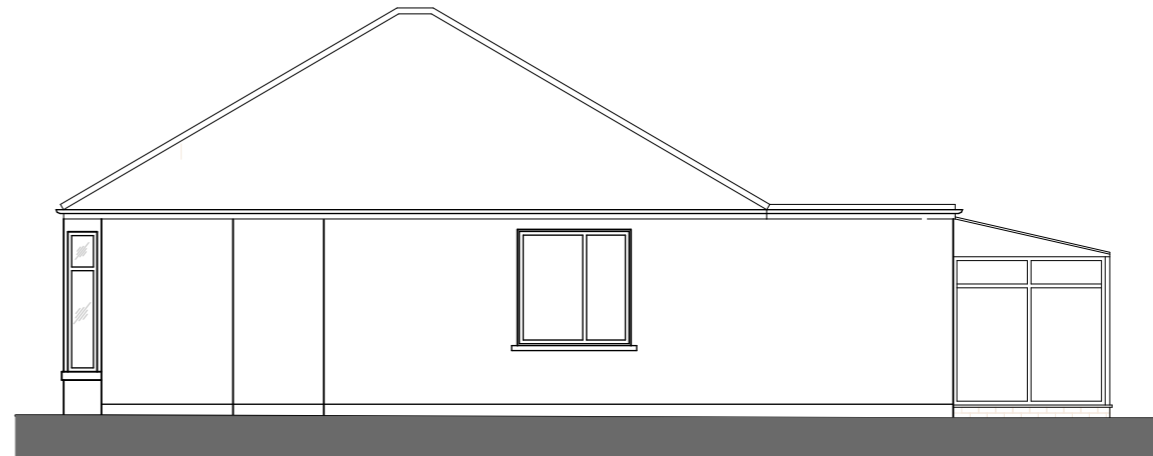
North East (Street Front)
Elevation



South West Elevation



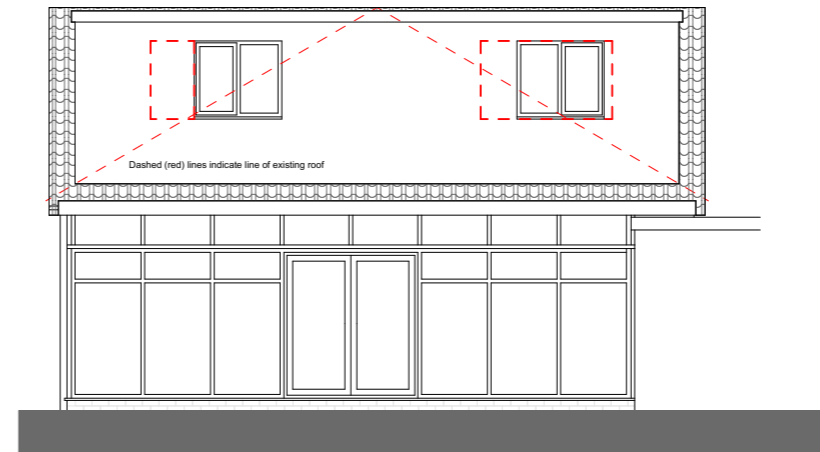
South East Elevation



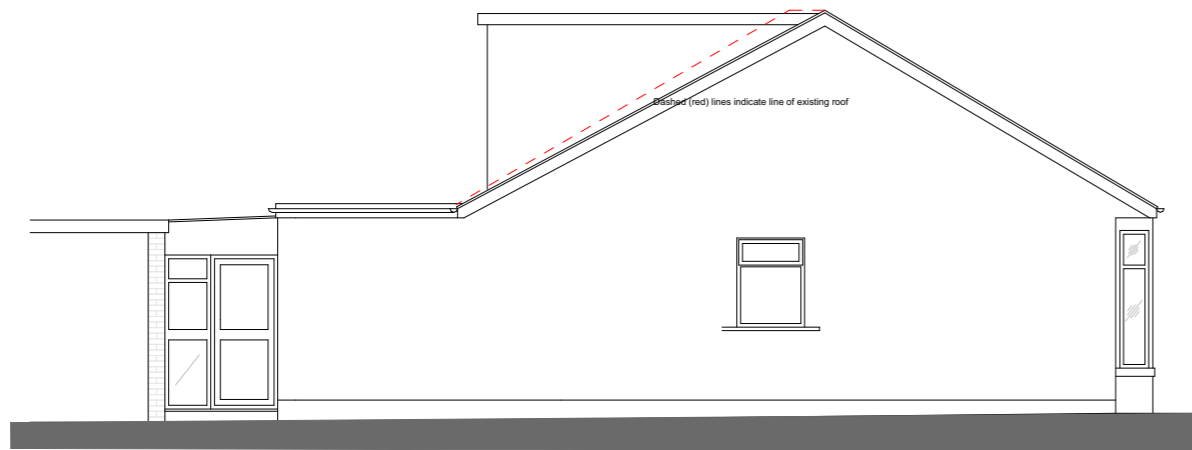
North West Elevation



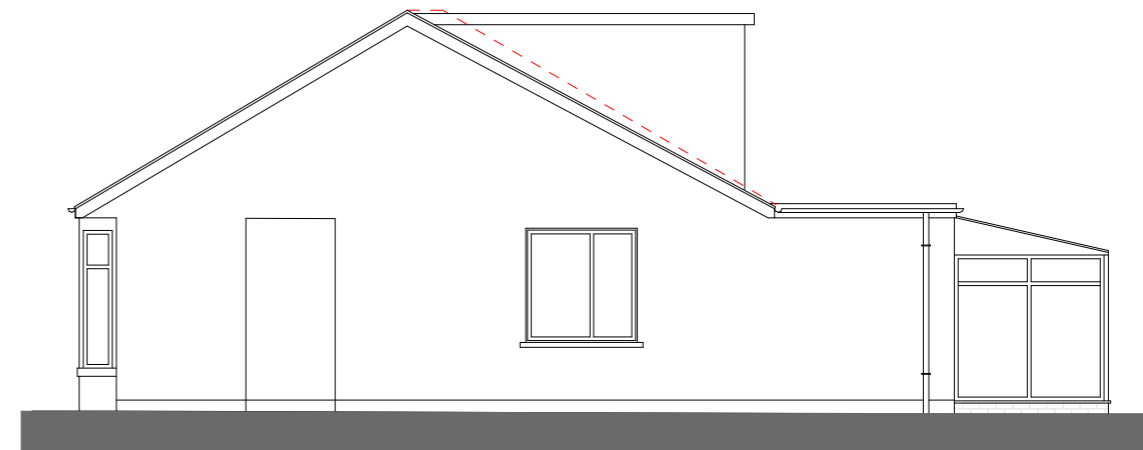
North East (Street Front)
Elevation



South West Elevation



South East Elevation



North West Elevation