

**PETITION
MP, AM & LOCAL MEMBER OBJECTION**

COMMITTEE DATE: 18/12/2019

APPLICATION No. **19/01802/DCH** APPLICATION DATE: 20/06/2019

ED: **LLANDAFF**

APP: TYPE: Householder Planning Permission

APPLICANT: Mr & Mrs Davies

LOCATION: 13 HEOL-Y-PAVIN, LLANDAFF, CARDIFF, CF5 2EG

PROPOSAL: PROPOSED SINGLE STOREY EXTENSION WITH
MODIFICATIONS TO EXISTING

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

1. C01 Statutory Time Limit
2. The development shall be carried out in accordance with the following approved plans: Drawing Nos.
 - 462 – P06 Rev C
 - 462 – P07 Rev B
 - 462 – P08 Rev B
 - 462 – P09 Rev D
 - 462 – P10 Rev E
 - 462 – P11 Rev C
 - 462 – P12 Rev C
 - 462 – P13 Rev C

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 proposal hereby approved shall accord with a scheme of details (1:10 scale part face and section drawings of typical door/window profile, mullions, transoms, glazing bar detail, opening method and finish) which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the finished appearance of the building is in keeping with the character of the conservation area.

4. Unless otherwise agreed in writing by the Local Planning Authority samples of all new/reclaimed materials for external finishes shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the

approved details and shall thereafter be maintained.

Reason: To ensure that the finished appearance of the development is in keeping with the character of the conservation area.

5. The extension hereby approved shall not be occupied at any time other than for the purposes in conjunction with and ancillary to the dwelling at 13 Heol-y-Pavin, Llandaff, Cardiff.
Reason: The creation of a separate dwelling unit would be unacceptable in this situation.
6. The existing stone used in the construction of the west boundary wall shall be re-used as far as practicable in the event that the existing wall needs re-building, any new stone shall match the existing stone.
Reason: To ensure that the finished appearance of the development is in keeping with the character of the conservation area.
7. The use of the flat roof of the extension hereby approved shall not be used for any type of external amenity space or recreational space whatsoever.
Reason: To ensure that the privacy and amenity of the occupiers of the adjoining properties are protected.

RECOMMENDATION 2: That the applicant be advised that no works should take place on or over the neighbour's land without the neighbour's express consent and this planning approval gives no such rights to undertake works on land outside the applicant's ownership.

RECOMMENDATION 3: The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. Under the Water Industry Act 1991, Welsh Water has rights of access to its apparatus at all times. No operational development shall take place within 3 meters either side of the centre line of the public sewer.

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of

access to its apparatus at all times.

The applicant is advised to contact Dwr Cymru Welsh Water's Developer Services contact centre on 0800 917 2652, quoting reference number PLA0043414 or via email at developer.services@dwrwymru.com

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 Planning permission is sought for a single storey extension to the side of an end of terrace property known as 13 Heol-y-Pavin. It should be noted that the property is unusual in that it, presents its side elevation directly to the public highway of Heol-y-Pavin and its principle (front) elevation to an adjacent side road known as Penedre. The private amenity space associated with the host property exists primarily to the front and side elevations. The proposed extension would be positioned to the side elevation occupying the majority of the side garden extending from the host dwelling to the common boundary/side elevation shared with No. 1 Penedre. The extension would also, abut the common boundary shared with No. 11 Heol-y-Pavin at its rear elevation. Whilst the proposed extension predominately incorporates a flat roof, due to site constraints, the roof is at varying heights. A small lean-to extension and an outbuilding would be demolished to make way for the proposed extension.

2. **DESCRIPTION OF SITE**

- 2.1 The application site No. 13 Heol-y-Pavin, also known as 'Rickyard Cottage' is a two storey cottage with stone walls and brick quoins and a hipped slate roof. An existing flat roof, rendered two storey extension has been added to the south gable end. A further single storey lean-to extension has been further added to the end of the two storey flat roof extension.
- 2.2 The application site is situated within the Llandaff Conservation Area, which is covered by Article 4 Directions removing some permitted development rights. The site is accessed from Heol-y-Pavin. Immediately adjoining the application site to the east is No.11 Heol-y-Pavin and to the south, No. 1 Penedre and to the west exists Penedre, a road which allows access to the properties situated along Penedre and access to the rear of properties fronting Cardiff Road.

3. **SITE HISTORY**

- 3.1 19/00475/DCH – Proposed single storey extension with reconfiguration of front elevation and replacement windows. Withdrawn May 2019.

4. **POLICY FRAMEWORK**

- 4.1 Relevant National Planning Guidance:

Planning (Listed Buildings and Conservation Areas) Act 1990
Planning Policy Wales (Edition 10, 2018)
TAN 12: Design (2016)
TAN 24: The Historic Environment (2017)

4.2 Relevant Cardiff Local Development Plan Policies:

Policy KP 5: Good Quality and Sustainable Design
Policy KP 17: Built Heritage
Policy EN 9 Conservation of the Historic Environment

4.3 Relevant Supplementary Planning Guidance:

Residential Extensions and Alterations (2017)
Llandaff Conservation Area Appraisal (2006)

5. **EXTERNAL CONSULTEE RESPONSES**

5.1 Glamorgan Gwent Archaeological Trust has been consulted and confirms that historically there may have been activity on the site, but it is unlikely given the scale of the proposal, that any archaeological deposits would be encountered during the proposed development.

5.2 Welsh Water has been consulted and raise no objections.

6. **REPRESENTATIONS**

6.1 The application was advertised by way of a site notice and press notice.

6.2 Members should be aware that during the processing of this application, amendments have been received to the proposal. As a result comments have been received from neighbouring occupiers and other interested parties and individuals on more than one occasion. All comments received during the processing of the application have been summarised in the report.

6.3 Following receipt of the amended scheme all previously consulted parties were re-consulted and these comments and objections are reported at the end of this section. It should also be noted that all comments received have been summarised.

Representations Initially Received

6.4 Rt Hon. Mark Drakeford, Assembly Member for Cardiff West and First Minister of Wales has objected to the application. A summary of the grounds of objection relating to this planning application are as follows:

The proposed extension threatens to significantly damage the historic character of the conservation area. There is inevitable danger of physical damage to surrounding historic structures. This is pronounced at Heol-y-Pavin, which is a small and narrow street, making access difficult for construction vehicles and equipment. Residential streets near Cathedral Green, particularly Heol-y-Pavin, are heavily developed and it is one of the most densely populated areas in Llandaff. Allowing building works will not help alleviate all the usual problems associated with this.

There is also, no clear public or economic interest to this application which would help to mitigate the problems set out.

- 6.5 Kevin Brennan, Cardiff West MP, has written a letter of concern relating to the application. A summary of the grounds of concern relating to this planning application are as follows:

A resident contacted me and raised concerns regarding the application and I understand other residents have also raised objections.

My constituent raised concerns relating to the location of the extension in a conservation area with a particular historic character that threatens to damage this character.

Heol-y-Pavin is a small and narrow street which makes access difficult for construction vehicles and equipment.

The extension may cause physical damage to surrounding historic structures. The surrounding area and Heol-y-Pavin are already over developed and these are the most densely populated areas in Llandaff.

- 6.6 Local members have been consulted and an objection has been received from Councillor P Hill-John, these comments have been summarised as follows:

As Ward Councillor, I would like to endorse the representations made by both the Conservation Group and the Llandaff Society.

I would also like to make special reference to the height of the proposed section along the neighbouring wall of number 11 Heol-y-Pavin, and ask that clarification is sought given the drawings / reports are insufficient in this regard.

- 6.7 A valid petition of over 50 signatures has been received objecting to the application (submitted by the occupier of No. 11 Heol-y-Pavin).

- 6.8 Neighbours have been consulted and 8 letters of objection have been received from 5 Heol-y-Pavin (i), 11 Heol-y-Pavin (ii), 1 Penedre (iii), 3 Penedre (iv), 4 Penedre (v), 19 The Cathedral Green (vi), No. 27 (ii) and 33 Cardiff Road (vii).

(i) 5 Heol-y-Pavin

People have the right to improve their properties. This should be done with due reasonable concern for the local environment and the impact of such changes on their adjacent neighbours. Materials to be used continue to be out of keeping with the character of the local area and the scale and size of the project has not been scaled down. This is important due to the impact the height of the extension would have on adjacent houses particularly number 11 Heol-y-Pavin and number 1 Penedre.

The Council planning department should reject the proposals for the reasons stated and for parts of the application that are not clear to what is intended.

The owners of number 13 should make an effort to reach out and work constructively with the local community and Cardiff planning to work on a solution that would satisfy their needs to improve their property, whilst in turn having due regard to the fair and reasonable aspects of the objections by members of the local community.

- (ii) 11 Heol-y-Pavin and 27 Cardiff Road (raise similar objections and as a result have been summarised in this section).

Planning policy and guidance is stated by the objectors.

Failure to consult neighbours.

The applicant failed to consult before this application was lodged.

Defective/ inadequate application.

Application fails to pay due regard to it being in the heart of Llandaff City.

The application fails to address:

How the development would preserve or enhance the conservation area.

How the development responds to:

The local character and context of the built and landscape setting.

How the design:

Responds to the site, context, brief, vision, relevant policy and objectives of good design

How the development is:

Limited in depth and width to avoid an overbearing appearance.

Height indications are confusing/inconsistent / inadequate.

Plans show differential floor levels and are confusing.

No indication of floor slab level. There appears to be no objective indication of the exact level of the concrete floor slab. So height calculations from it are effectively meaningless.

No material reduction in height /inconsistent indications of height.

Clarification of height needed.

Inadequate Design and Access statement.

Inadequate Heritage Impact statement.

Geraint John Planning Consultants Letter only relates to height and not other planning considerations.

Current height indications would result in a building that was too high.

Height and scale

It appears very high.

Visibility from the road/public viewpoint/closing out distant views. The development is visible from the road and will encroach upon spaces between buildings, closing out distant views.

In addition the following views/ vistas will be obscured/ degraded:

To the stone wall of No 1 Penedre . There will now be a discordant, dominant and ugly metal sloping roof facing Penedre.

Views up and down Penedre.

From the back gardens of houses in Heol-y-Pavin, particularly No 11 Heol-y-Pavin.

From Heol-y-Pavin.

Whilst loss of or interference with a view, vista is not normally a basis for refusal planning applications, in the case of conservation areas that does not apply, and should be a material consideration.

Dominate neighbouring properties/ Loss of amenity

The development would dominate the garden of No 11 Heol-y-Pavin and the front and entrance to No 1 Penedre.

Whilst the height appears to have been lowered immediately adjacent to number 11 Heol-y-Pavin the height towards Penedre would still dominate. Likewise, whilst the frontage to Penedre has been replaced by a sloping roof, its height (and discordant metal) would still dominate.

This extension will dominate enclosed back garden at No 11 Heol-y-Pavin.

11 Heol-y-Pavin had privacy and is not overlooked and had views at the back of surrounding trees and rooftops, a unique feature of this property near the heart of the city centre.

Will significantly dominate and overlook No. 11 Heol-y-Pavin's back garden which is treasured by owners.

Infill

It covers a substantial area of garden.

The area covered by the proposed extension is substantial; it extends beyond the existing garage towards Heol-y-Pavin.

It is infill development.

It fails to satisfy the planning guidelines.

The design and access statement does not address them.

Flat roof

Due to its height, the flat roof will form a discordant element in an area which almost exclusively consists of steep pitched roofs.

It has no affinity to or connection or unity with the original cottage building or any of the (visible) buildings around it.

It is incongruent to the conservation area.

Materials

Against guidance.

The proposal would bring a discordant mish- mash of plastic patio doors and windows (all of differing size), metal sheeting, pvc sheeting, metal roofing, timber cladding into the heart of the conservation area.

Not against high - quality, aesthetically pleasing modern design, but this complacent, cheap and incongruent mess is definitely not that.

Stone and stained timber materials need to be clarified.

The stained timber is not sympathetic with the location, and no justification given. There is no equivalent timber on the original building. No description of pattern, material or colour.

It's the sort of timber cladding seen on undistinguished flats constructed some years ago in Cardiff Bay before that particular design motif was dropped by volume builders.

This would be completely inappropriate on Rickyard Cottage; it would be entirely discordant with the truly delightful, and characteristic local stone on the original house, and its context generally.

Slate grey coloured fascia panels and pressed metal coping, concern is raised over these materials to be used.

Fully glazed patio doors:

No reference at all in the application to these tediously predictable "any place, anywhere, any town" doors. They would be totally out of character with a small Victorian cottage, built in characteristic stone, at the heart of a conservation area. They self - evidently do not preserve the conservation area and could not possibly enhance it. It is a lazy, complacent, inappropriate design element.

Fencing/parking lot:

At present, the vista into the forecourt of Rickyard Cottage from Heol-y-Pavin is a pretty one. It is one of the many Llandaff conservation area "vistas", and much valued locally.

The Application proposes it be replaced by a fenced parking lot. It would not be a harmonious outcome.

Design

The design is undistinguished, predictable, complacent. The overall effect would be a mishmash of discordant /alien, materials and window and door styles do not comply with planning policy and the design and access statement do not address policy guidelines.

Fails to harmonise with the original house.

Fails to respond to and respect the site.

Fails to respond to local character as stated in planning policy, spg and guidelines.

(iii) 1 Penedre

Slight changes to plans, but concerned about impact on house and surrounding area.

Entrance to my house is dark and will be built higher than the current garage at no. 13 and will block light which will have huge impact on my natural light to home.

Design does not mirror other homes in conservation area and design will not add to the aesthetics of the area.

Space will be overcrowded, especially street facing.

Most concern is over proximity of the new build, which is large, to my end wall and the impact on the foundations of my house.

(iv) 3 Penedre

Comments submitted for application no: 19/00475/DCH still stand.

Application at odds with nature of conservation area in which vastly extended cottage exists.

This revised application is only altered in minor respect, but with new proposal to place sheet metal roof adjacent to Penedre Lane, alongside other undesirable features previously presented.

Planning committee should heed the overwhelming opposition to the proposal.

(v) 4 Penedre

Comments submitted for application no: 19/00475/DCH remain the same.

Application fails to satisfy requirements of policy documents both nationally and locally regarding extensions and alterations in the Llandaff Conservation Area.

It seeks to impose an un-aesthetic concrete/metal/plastic assault on the eyes, out of step with Radyr stonewalls of neighbouring properties.

Application should be refused.

(vi) 19 The Cathedral Green

Proposal is out of character with local architecture.

The corridor of the proposed extension suggests the new extension being used as a separate house.

The proposed elevation will adversely affect light reaching adjacent gardens and give a crowded feel to attractive corner of Llandaff.

(vii) 33 Cardiff Road

Object as we did the previous application, but reflecting the minor changes.

Out of character with Llandaff Conservation Area.

Damage appearance of adjacent lane, particularly the metal roof would be out of character with local materials in Penedre.

Spoil the character and appearance of Rickyard Cottage unbalancing the form of the original building by the proposed large extension.

Extension should not be necessary for beneficial use of historic cottage. Any expenditure should be used to improve the appearance of the existing two storey extension.

Applicant has not consulted neighbours, so reduced chance of a satisfactory agreement being reached, which passes responsibility for local arbitration that is an unreasonable burden on the Planning Department, which should only be concerned with wider and long-term considerations.

- 6.9 The Llandaff Conservation Group comments that the Group refers officials to all objections to this application and whether concerns about the impact of proposed changes will still adversely affect the conservation area. Whilst recognising the householders should have reasonable opportunity to adjust the property to meet living requirements, the Group wishes to draw attention to the fact that this location and immediate surroundings has conserved a particular rural feel and unique identity to it, which currently retains the historical atmosphere and character of the Rickyard that gives it its name. The proposal for a fence/gate outside the cottage will disrupt the symmetrical facade of the cottage and obscure the view into the yard, it will therefore have an adverse

effect on the historical quality of the conservation area.

6.10 The Llandaff Society objects to the proposal. A summary of the grounds of objection relating to this planning application are as follows:

- (i) Whilst the revised scheme goes some way to meeting previous strong objections, particularly by retaining the central porch, they still do not result in satisfactory resolution of the key design issues - how to amend this property without destroying its integrity, and the integrity of its setting.
- (ii) The slightly reduced impact of the re-design of the extension on no: 11 Heol-y-Pavin is appreciated, however, problems remain in terms of the proposal's impact on our precious Conservation Area. The 2 key problems are;
 - (a) the grossly inappropriate slab-like single storey extension and the alien materials proposed, which would ruin views of the wonderfully timeless stone wall of the end house in Penedre, to other houses in the vicinity, and
 - (b) the yard gates which - because they are set back from the road - would cut across the middle of the front façade of the property.

The proposals would neither conserve nor enhance the Conservation Area and should be refused.

The Llandaff Society urges the Council to refuse this revised proposal.

The Llandaff Society also objects to the proposal as it is clearly contrary to Local Development plan policies KP17 and EN9. The form of the proposal is incongruous, with intrusive lines and overpowering scale and of inappropriate materials and with total disregard for context. The amended plans do not dispel concerns that irreparable harm will be caused to this intimate and distinctive part of the conservation area. Allowing it would ruin the area and undermine policy and would not protect or enhance the conservation area.

6.11 The agent for the scheme has submitted a letter supporting the proposals. A summary of the letter is as follows:

Planning permission was sought for a single storey extension under application no. 19/00475/DCH, but was subsequently withdrawn on the advice of the Local Planning Authority who expressed concerns over impact of the development on neighbouring properties.

Since this time the applicant has undertaken a detailed topographical survey of the site, to determine the ground levels and height of boundary treatment along shared boundaries.

The revised submission provides sections showing the relationship of the proposed development to the boundary lines of neighbouring properties. It demonstrates that the proposed development would not have 'undue effect' on the amenity of neighbouring occupiers, given the extension would not significantly rise above the existing boundary treatment shared with neighbouring properties and would not result in any unacceptable overshadowing. Therefore, the proposal has addressed the concerns of the Council and should be supported by the Local Planning Authority and planning permission ought to be granted.

Representations Relating to the Current Amended Scheme

- 6.12 Local members were re-consulted and a further objection has been received from Councillor P Hill-John who suggests that the amended scheme should be refused for the following summarised reasons:
It will have a considerable impact on the integrity of the setting within the Conservation Area.

The proposal would obscure the side wall of No. 1 Penedre, which contravenes the recommendations set out in the Conservation Area Appraisal Review. All should be aware of the reasons for the Review and what its purpose is. Pages 49, 53 and 56 within the Review document raise matters as follows:

The alterations and extensions will affect and overlook neighbouring properties. The extension be visible from the road and encroach upon spaces between buildings.

The extensions will not be in character as timber cladding is not within the vicinity.

The Review should be referenced, particularly with regard to the area, additional controls within Llandaff, painting and contravention of the Article 4.

Reference should be made to the Planning (Listed Buildings and Conservation Areas) Act 1990, which advises that LPA's should formulate and publish proposals for the preservation and enhancement of any parts of their area, and asks why the LPA does not uphold this.

- 6.13 Further to consultations on amended plans and additional information received, an additional 4 objections have been received from the following neighbours, 11 Heol-y-Pavin (a), 1 Penedre (b), 3 Penedre (c), 27 Cardiff Road (d).
A summary of the grounds of objection relating to this planning application are as follows:

(a) 11 Heol-y-Pavin

The modified plans, of the proposed new building (in reality a new house and not an extension) do not protect or enhance the conservation area.

The plans show the building will be to a height in line with the second storey window sill of the old cottage, which means it is approximately 3.14 metres high. The building will stick out like a sore thumb in the conservation area and contravenes planning laws put in place to protect conservation areas.

The Conservation area Appraisal review should be referred to and reminds us what needs to happen to ensure what should and should not be built in the conservation area of Llandaff.

Cardiff's Local Development Plan states: development relating to any heritage assets will only be permitted where it can be demonstrated that it preserves or enhances the assets architectural quality, historical and cultural significance,

character, integrity and/or character.

The plans proposed a flat roof, painted timber cladding, pressed metal sheeting, pvc plastic windows. Does the Planning Department think these features preserve and enhance the integrity and character of the conservation area?

The building will affect and overlook neighbouring properties. The high square grey metal/timber clad flat roofed box will be highly visible to both Penedre and Heol-y-Pavin.

The building will encroach on spaces between buildings. This new house will be against the side wall of 1 Penedre and against the side wall of the outhouse of 11 Heol-y-Pavin, which is much lower (2.3m). It is infill of open space, which is limited in the conservation area.

The building will not be in character with the surrounding area. The Planning Committee should come to Llandaff and see if any other high flat roofed, timber clad buildings with plastic windows can be found in the conservation area.

The Authority needs to uphold its own principles.

They are required by law to 'formulate and publish proposals for the preservation and enhancement of any part of the area.

Planners should refer to the Listed Buildings and Conservation Areas Act 1990. There are no heritage gains and a recommendation to allow this building flies in the heart of the conservation area and flies in the face of all and any legislation I have seen and read around buildings in protected conservation areas.

This application must be refused.

(b) 1 Penedre

Concern is raised over the impact of the new build on my property. Previously raised concerns are:

Potential impact on the foundations of my house due to proximity of the build and the age of my house.

Loss of light to front of my property.

Loss of character to the area and my gable end wall with characteristic stone work.

Concern is raised at proximity of the new build to my end wall. There is damp affecting this wall and concern about how to conduct repair work and get access to my wall with an extension that is so close.

For these reasons I object.

(c) 3 Penedre

The latest set of plans substitute a sheet metal sloping edge on the extension for three varying height flat roofs in a row, what a mess.

The residents in the vicinity have paid well over the odds for our properties on the basis of loving the historic context of our homes and we do all we can to preserve this unique part of heritage.

The response to this proposal in Llandaff conservation area should be an automatic and emphatic no.

If the level of opposition, including all interested parties, the local MP and the First Minister of Wales does not hold sufficient weight, what is the point of having a consultation process.

(d) 27 Cardiff Road

Supplemental objections (with visuals) – after two applications (one withdrawn), errors in plans, numerous amendments and numerous queries unanswered and unaddressed (e.g. floor slab height), the building is still a bad and obtrusive proposal which neither preserves or enhances the conservation area.

There has been no attempt by the applicant to engage local residents, despite the fact the view from Heol-y-Pavin will be ruined, when Council guidance recommends this.

The proposal is highly visible which is against planning guidance.

An inappropriate flat roof, will not enhance the conservation area and does not comply with planning policy and guidance for conservation areas.

The height is out of proportion with the main house and dominating. The old plans and new plans remain unaltered in height.

The materials do not harmonise with the surroundings and do not comply with planning policy, it will have sheet metal coping, upvc doors and windows and even more timber cladding.

How can the Council ever grant this application without breaching that planning policy and guidance.

6.14 The Llandaff Conservation Group further objects as summarised: The current proposals do not represent an enhancement to the Conservation Area and do not outweigh the objections and concerns previously raised by the Group. Officials are requested to pay attention to the application and ensure the Conservation Area Guidance and principles are met.

6.15 The Llandaff Society and the Planning and Conservation Advisor to the Llandaff Society object to the proposal. A summary of the grounds of objection relating to this planning application are as follows:

The Chairman of the Llandaff Society and Planning and Conservation Advisor to the Llandaff Society consider the amended plans to still have a serious negative effect on the Conservation Area for the following reasons:

(i) adverse impact on views into this intimate corner of the Conservation Area from Heol-y-Pavin, a key pedestrian route towards the Green and Cathedral.

(ii) The modern slab block extension proposed would mask the lower half of a beautiful stone built pine end wall of 1 Penedre and it would be close to the entrance pathway and porch of this Victorian cottage.

For these reasons it is considered contrary to LDP policy EN 9, to the CAA (existing and proposed) and to the Council's Infill SPG and should be refused.

7. **ANALYSIS**

7.1 The key issues for the consideration of this application are: a) design of proposal and impact on neighbouring properties; b) impact on conservation area.

7.2 In assessing the impact of the proposed development, the proposal should be considered against Policy KP 5 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 proposals;

x. ensuring no undue affect on the amenity of the neighbouring occupiers.....'

7.3 With regard to guidance which helps inform Policy KP 5, the following advice within the adopted Residential Extensions and Alterations Supplementary Planning Guidance 2017 (SPG) can be considered, noting that due to the position of the proposed extension, a number of points may be applicable to the site.

7.4 Paragraph 7.6 of the adopted Residential Extensions and Alterations Supplementary Planning Guidance states that:
'Side extension: design principles: proposals should be appropriate to the existing house in terms of....scale, form and finish.'

7.5 In Paragraph 7.12 of the SPG, it is stated that: front extensions should normally be sited behind the building line. The building line is considered a line formed by the fronts or sides of houses along a street. Each case is a matter of judgement. Some areas have a clear building line whereas others are more variable.

7.6 With regard to siting, scale and impact on the street scene, Paragraph 7.24 of the SPG states that the scale and form of an extension must be in keeping with, subservient to the existing building and its setting.

7.7 The SPG guidance continues at Paragraph 7.25 with regard to overlooking, stating extensions should not result in adverse loss of privacy to neighbours.

7.8 At Paragraph 7.26 of the SPG it is stated that:
'extensions should not be overbearing to your neighbours or result in an unacceptable loss of daylight or sunlight to neighbouring properties.'

7.9 Impact on amenity, privacy and visual amenity.
SPG - Paragraph 7.56 states: any extensions to the side or rearshould maintain a 'reasonable' extension togarden ratio. This will vary according to the size and location of the house.

7.10 Detailing and materials
Paragraph 7.65 of the SPG states all materials and detailing should reflect or complement the existing house.

- 7.11 Paragraph 8.31 continues *'Original gates, railings and walls should be retained, restored and repaired.'*
- 7.12 In respect of considering Built Heritage, Policy KP 17 of the Cardiff Local Development Plan states that: *'Cardiff's distinctive heritage assets will be protected, managed and enhanced, in particular the character and setting of its Scheduled Ancient Monuments; Listed Buildings; Registered Historic Landscapes, Parks and Gardens; Conservation Areas; Locally Listed Buildings and other features of local interest that positively contribute to the distinctiveness of the City.'*
- 7.13 Also, in terms of development affecting the historic environment, Policy EN 9 of the Cardiff Local Development Plan states that: *'Development relating to any of the heritage assets...or their setting will only be permitted where it can be demonstrated that it preserves or enhances that asset's architectural quality, historic and cultural significance, character, integrity and/or setting.'*
- 7.14 In addition it should be noted that the adopted Llandaff Conservation Area Appraisal provides general guidance with regard to residential extensions and suggests that matters to be considered include the effect of overlooking or dominance to neighbouring properties.
- 7.15 The adopted Appraisal also mentions that Heol-y-Pavin and nearby streets have a varied streetscape and building scale is modest. Natural materials play a strong part in defining the street scene and decoration of houses, with high stone boundary walls defining roads and plot rhythms.
- 7.16 The adopted Appraisal continues with - Issues which are of concern in this vicinity include loss of architectural detailing and lack of maintenance to boundary walls.
- 7.17 Therefore, enhancement opportunities to be welcomed are the use of natural building materials.
- 7.18 The adopted Appraisal also generally suggests the special character of Llandaff be maintained and new development integrated taking into consideration the affect or overlooking of neighbouring properties or domination of neighbouring properties.
- 7.19 Thought should be given to: is the extension visible from the road or public viewpoint. Will it encroach upon spaces between buildings closing out distant views. An extension that would intrude upon well established views is unlikely to protect the character of the conservation area.
- 7.20 Also, encouragement is given to the removal or improvement of previous inappropriate work as part of any new proposal.
- 7.21 The design of successful extensions requires a knowledge of building type and a sensitive handling of scale and detail.

- 7.22 The adopted Appraisal continues with new development: The following principles are designed to ensure that Llandaff's distinctive character is protected and enhanced in proposals for development:

New development should respect its historic context in scale, form, materials and design. This can be expressed in: continuity or variety in building line, adjacent building heights, roofs and cornice lines, excellence in new design.

- 7.23 In terms of conservation areas, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that: *.....with respect to any building or other land in a conservation area.....special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*
- 7.24 Planning Policy Wales Edition 10 Paragraph 6.1.16 states that: Preservation or enhancement of a conservation area can be achieved by a development which either makes a positive contribution to an area's character or appearance or leaves them unharmed. Mitigation measures can also be considered which could result in an overall neutral or positive impact of a proposed development in a conservation area.
- 7.25 TAN24: The Historic Environment states at Paragraph 6.3 that: *Local Authorities must also give special attention to the desirability of preserving or enhancing conservation areas when taking planning decisions.*
- 7.26 Paragraph 6.7 also, states that: *Many conservation areas include sites or buildings that make no positive contribution to, or indeed detract from the character or appearance of the area; their replacement should be a stimulus to imaginative, high-quality design and an opportunity to enhance the area.*
- 7.27 Tan 12 Design states at paragraph 5.6.1: in conservation areas there should be regard to the desirability of preserving or enhancing their character and appearance.

Design of the Proposal and Impact on Neighbouring Properties

- 7.28 The proposed single storey extension would be to the side of an existing two storey extension and would be roughly 'L' shaped. The extension would back onto the common boundaries with No. 11 Heol-y-Pavin and No. 1 Penedre. An existing small extension and an outbuilding would be demolished to accommodate the proposal. The design of the single storey extension would be contemporary, with conventional glazed openings, fronting onto the existing courtyard and a single ply membrane flat roof with metal fascia.
- 7.29 The submitted scaled drawings indicate that the proposed single storey extension would be roughly rectangular in shape measuring 8.5 by 7.8- 8.0 metres (noting that boundaries are not parallel). It would have a flat roof of varying heights ranging from 2.1 to 2.8 metres above finished floor level. (finished floor level would be 10cm above existing ground level). Where the extension meets the existing boundary wall along Penedre, the parapet height of the roof would be 0.2 metres higher than this wall and 2.2 metres higher than the street level of Penedre. Along the common boundary wall with No. 11 Heol-y-Pavin, the proposed flat roof would have heights of either 2.3 or 2.65

metres along this boundary, with the majority of the lower part of the roof being alongside this existing wall. The proposed flat roof would be 0.3-0.5 metres higher than this boundary wall although a small section of the higher roof would be 0.85 metres above this wall. The boundary wall has two heights at 1.8 and 2.0 metres. The lean-to structures situated at either end of this boundary wall (within the curtilage of No. 11 Heol-y-Pavin), have maximum heights of 2.85 and 2.5 metres. The tops of both of these sloping roofs are marginally higher than the proposed flat roof.

- 7.30 The height and length of the proposed flat roof extension along the common boundary with No.11 Heol-y-Pavin does not raise concern. The height of the structure has been kept to a minimum and has been lowered to 2.3 metres along the majority of the boundary with No. 11 Heol-y-Pavin.
- 7.31 The height and length of the extension along the common boundary with No. 1 Penedre does not raise concern. The height of the structure has been kept to a minimum along the west stone boundary wall with a flat roof commencing at a height of 2.1 metres and rising to a maximum height of 2.8 metres (all from finished floor level) where the proposed extension adjoins the front elevation of No. 1 Penedre. It then becomes a flat roof of varying heights of 2.8 metres dropping down to 2.3 metres where it meets the common boundary with No. 11 Heol-y-Pavin.
- 7.32 In consideration of the above, it is concluded that the proposal would not result in an un-neighbourly or overbearing form of development, nor would it cause unacceptable harm to the amenities of the neighbouring occupiers. It is therefore, considered acceptable in terms of impacts upon neighbouring amenity when considered against relevant policy and guidance.
- 7.33 The design of the extension is modern and uses natural materials along with modern materials, including conventional glazed openings and a low profile single ply membrane flat roof covering with a metal fascia. It is considered that the proposed flat roof would help to rationalise the flat roof of the existing two storey extension and that the subservient nature of the proposed extension to the existing building and its discreet position and use of complementary materials are considered to result in an acceptable design response in this instance.

Impact on Llandaff Conservation Area

- 7.34 Throughout the planning process, the applicant has generally responded positively to observations raised relating to the character and appearance of the building and the wider conservation area. Accordingly, positive design changes have been made to the proposals.
- 7.35 The proposed extension will replace a small modern lean-to extension and outbuilding, which are considered to be unsympathetic to the character and appearance of the conservation area.
- 7.36 Measures which are considered to positively impact upon the existing situation

at the site, include the replacement of casement windows with upvc sliding sash windows, a replacement timber porch which would replace an existing unsympathetic upvc version, stone cladding to the ground floor and timber cladding to the first floor of the existing rendered two storey side extension, together with the demolition of two modern structures.

- 7.37 It is not uncommon for contemporary additions to adopt a low profile form in order to harmonise with the established traditional character of an area. While this may be unacceptable in more prominent locations, this is a relatively discrete location; where conventional glazed openings and the form of the roof are not considered to detract from the character of the conservation area.
- 7.38 Llandaff is characterised by an organic layout that has developed over many years. This property is unusual in that it does not front the main highway and is set back from the terrace at Penedre. Evidence from historic mapping indicates that a building (given address of No. 15 Heol-y-Pavin) occupied the yard area in the 1950's. Since this building was demolished and the changes made to the side, the open character of this corner and associated view towards the stone gabled terrace of Penedre has formed a part of the area's character. However, in consideration of the single storey design and positioning of the extension, it is considered that this view would not be compromised to a significant degree.
- 7.39 In respect of views and the visibility of the proposed development it is considered that the proposal will not result in harm to the character or appearance of the conservation area due to its position within the site and single storey design. Glimpsed views would be possible from public view points, however, the proposed extension would for the most part be concealed by the stone boundary wall.
- 7.40 The views across the application site towards properties along Penedre are not considered to be materially harmed, as the proposal will replace an existing outbuilding which in part conceals the front elevation of the adjacent property. It is considered that the proposed low flat roof with grey metal fascia would be a sufficiently recessive feature that would reflect the appearance of slate roofs and darkly finished fascias/gutters which characterise the area. This flat roof form is also considered to be a preferable alternative to a necessarily steeper mono or dual pitched slate roof, which would be likely to increase the prominence of the proposed new building and potentially block more of the view towards the stone gable of No. 1 Penedre and likely have an adverse effect on the amenities of adjacent occupiers. Views of the proposed flat roof itself will only be possible from very limited private viewpoints.
- 7.41 Members should be aware that the Llandaff Conservation Area Appraisal Consultation Draft 2019 review document is currently out to public consultation and is not as yet adopted guidance. However, it is considered that the proposals do not conflict with the guidance within the existing or draft appraisal documents.
- 7.42 Overall, it is considered that the proposal as amended accords with Policies KP

5, KP 17 and EN 9 of the Cardiff Local Development Plan, in that it effectively responds to local context and preserves the character of the Llandaff Conservation Area. The alterations proposed to the windows, porch and cladding to the existing building will enhance the area's character and appearance.

Third Party Representations

- 7.43 In respect of the third party representations which have not already been addressed in the report:
The request to consider previous comments and objections has been noted and carried out.
Some comments raised are not considered to be material planning considerations.

Other Considerations

- 7.44 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.
- 7.45 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.
- 7.46 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.
- 7.47 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.

8. **Conclusion**

- 8.1 Having regard to the policy context above, the proposal is considered to be acceptable and planning permission is recommended for the reasons stated above.



Existing Block Plan

Boundary wall

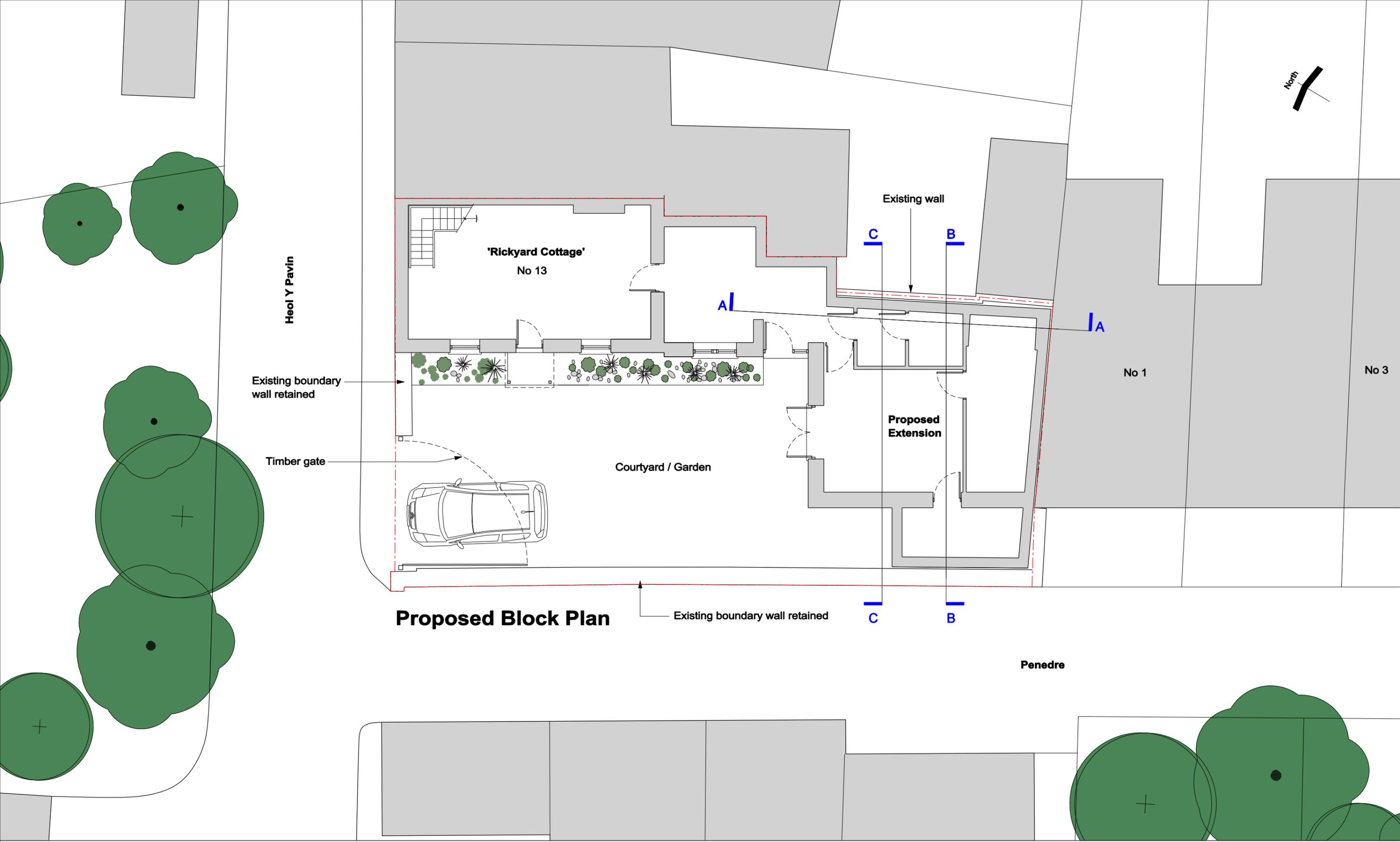
Penedre



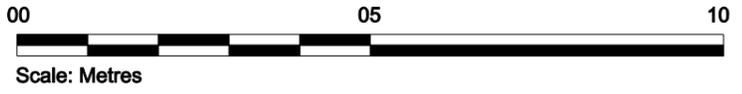
Richard Whitaker Architects Ltd
 43 Plas Saint Andresse
 Penarth Haven
 Penarth
 CF64 1BW
 Tel: 029 2071 2631
 Mob: 0781 8888 070
 Email: mail@richardwhitaker.com

Site: **Rickyard Cottage**
13 Heol Y Pavin
Llandaff. CF5 2EG
 Scale: Date:
 1:100 @ A3 June 2019

Revision: Drawing No: **462 - P01**
 Title: **Existing Block Plan**



Proposed Block Plan



Richard Whitaker Architects Ltd
 43 Plas Saint Andresse
 Penarth Haven
 Penarth
 CF64 1BW
 Tel: 029 2071 2631
 Mob: 0781 8888 070
 Email: mail@richardwhitaker.com

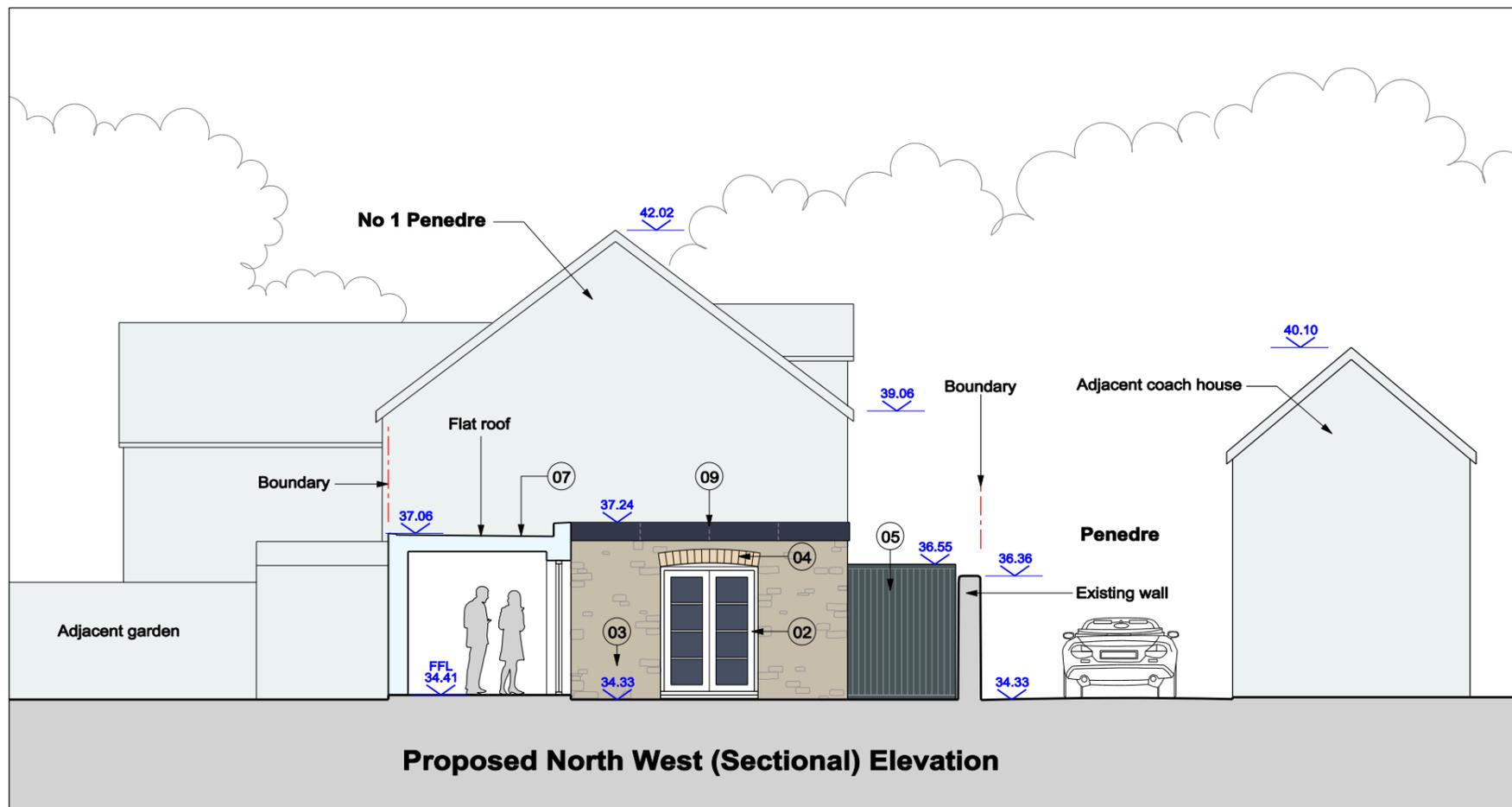
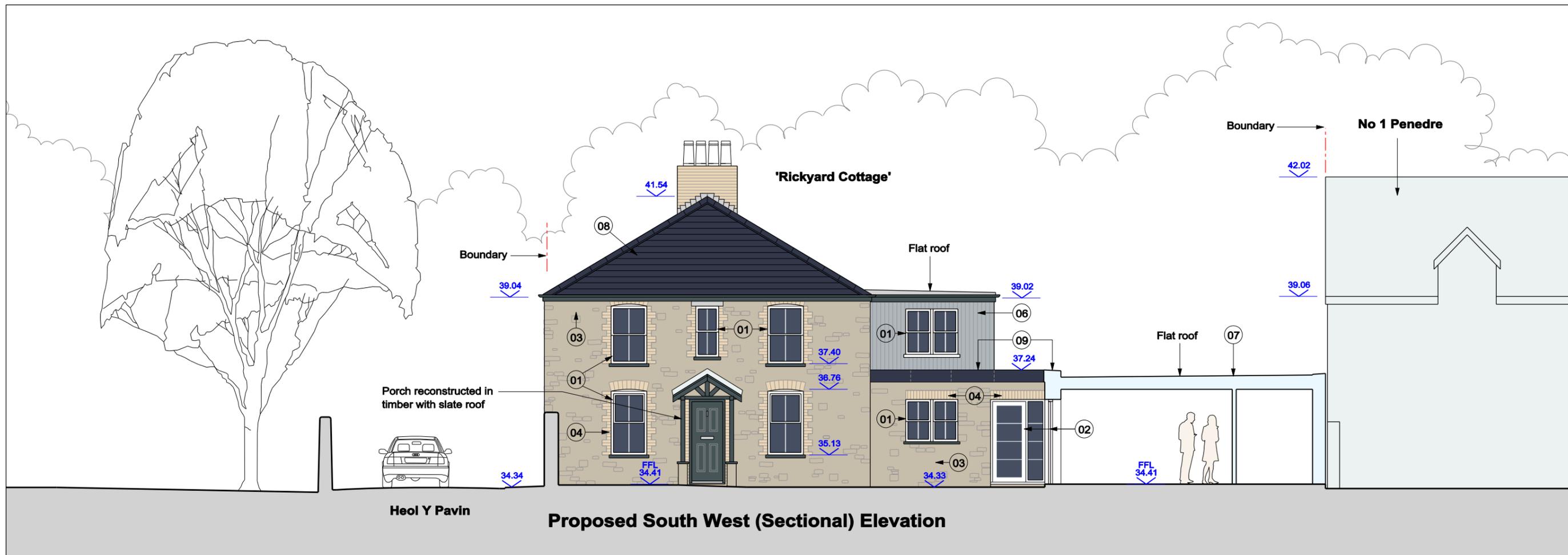
Site: **Rickyard Cottage**
13 Heol Y Pavin
Llandaff. CF5 2EG

Scale: 1:100 @ A3
 Date: June 2019

Revision: C

Title: **Proposed Block Plan**

Drawing No: **462 - P06**



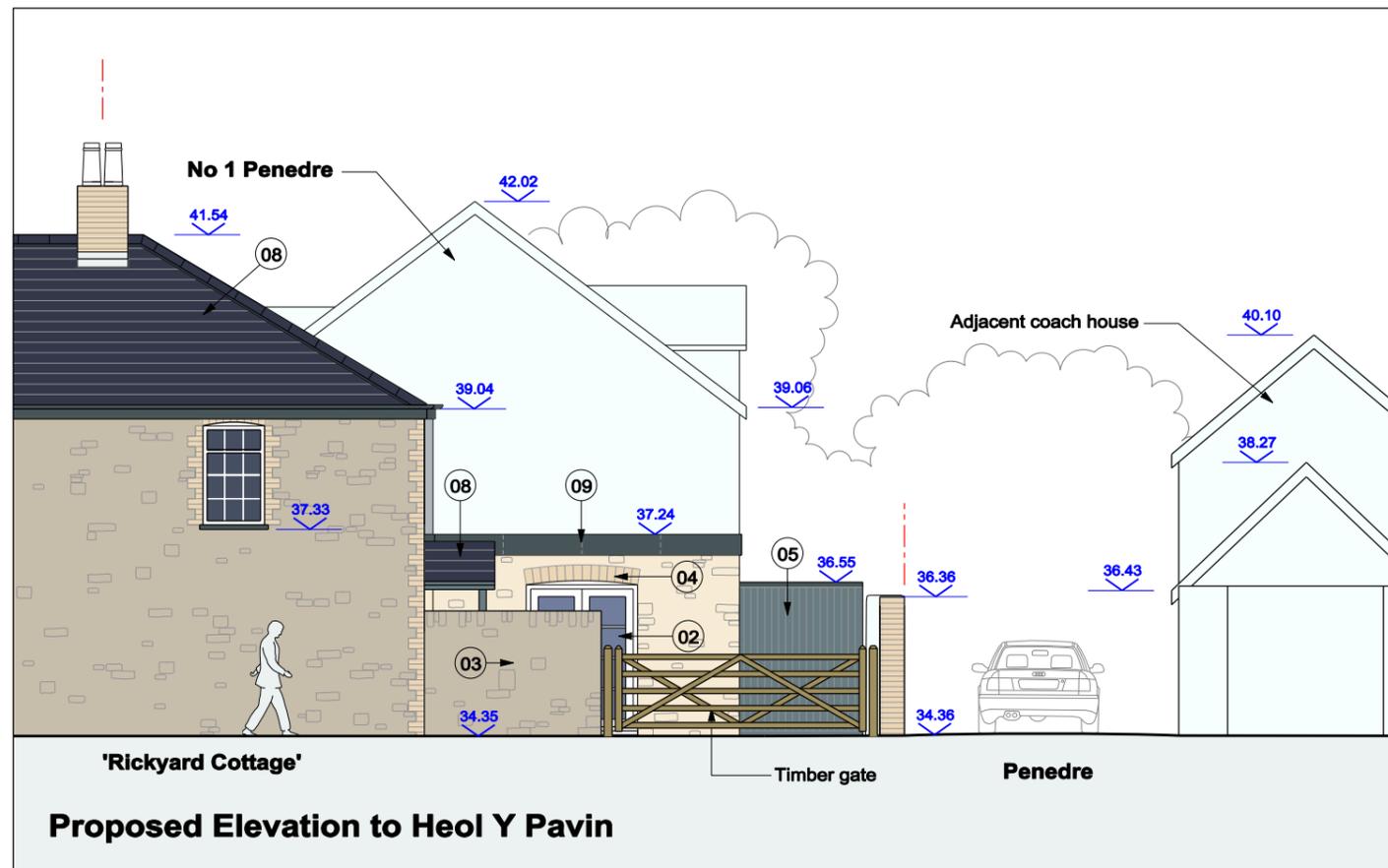
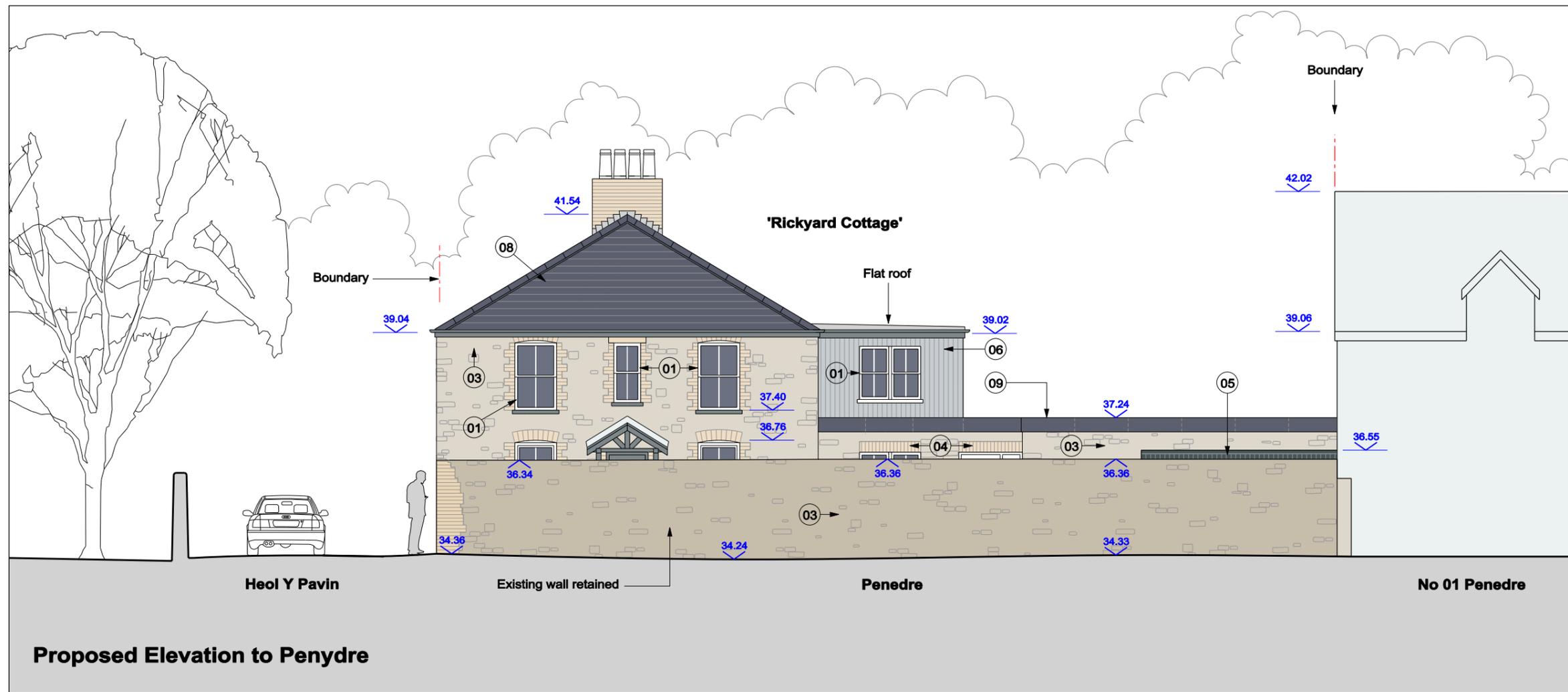
- LEND:**
- 01 = uPVC sash windows
 - 02 = uPVC doors
 - 03 = Natural stone
 - 04 = Facing brick
 - 05 = Dark stained timber cladding
 - 06 = Timber cladding
 - 07 = Single ply membrane flat roof
 - 08 = Slate
 - 09 = Grey coloured metal fascia

Richard Whitaker Architects Ltd
 43 Plas Saint Andresse
 Penarth Haven
 Penarth
 CF64 1BW
 Tel: 029 2071 2631
 Mob: 0781 8888 070
 Email: mail@richardwhitaker.com

Site: **Rickyard Cottage**
13 Heol Y Pavin
Llandaff. CF5 2EG
Proposed Elevations
 Title: **(sheet 01)**

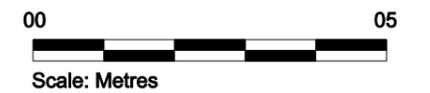
Drawing No: **462 - P09**

Scale: 1:100 @ A3 Date: June 2019 Revision: D



LEDEND:

- 01 = uPVC sash windows
- 02 = uPVC doors
- 03 = Natural stone
- 04 = Facing brick
- 05 = Dark stained timber cladding
- 06 = Timber cladding
- 07 = Single ply membrane flat roof
- 08 = Slate
- 09 = Grey coloured metal fascia



Richard Whitaker Architects Ltd

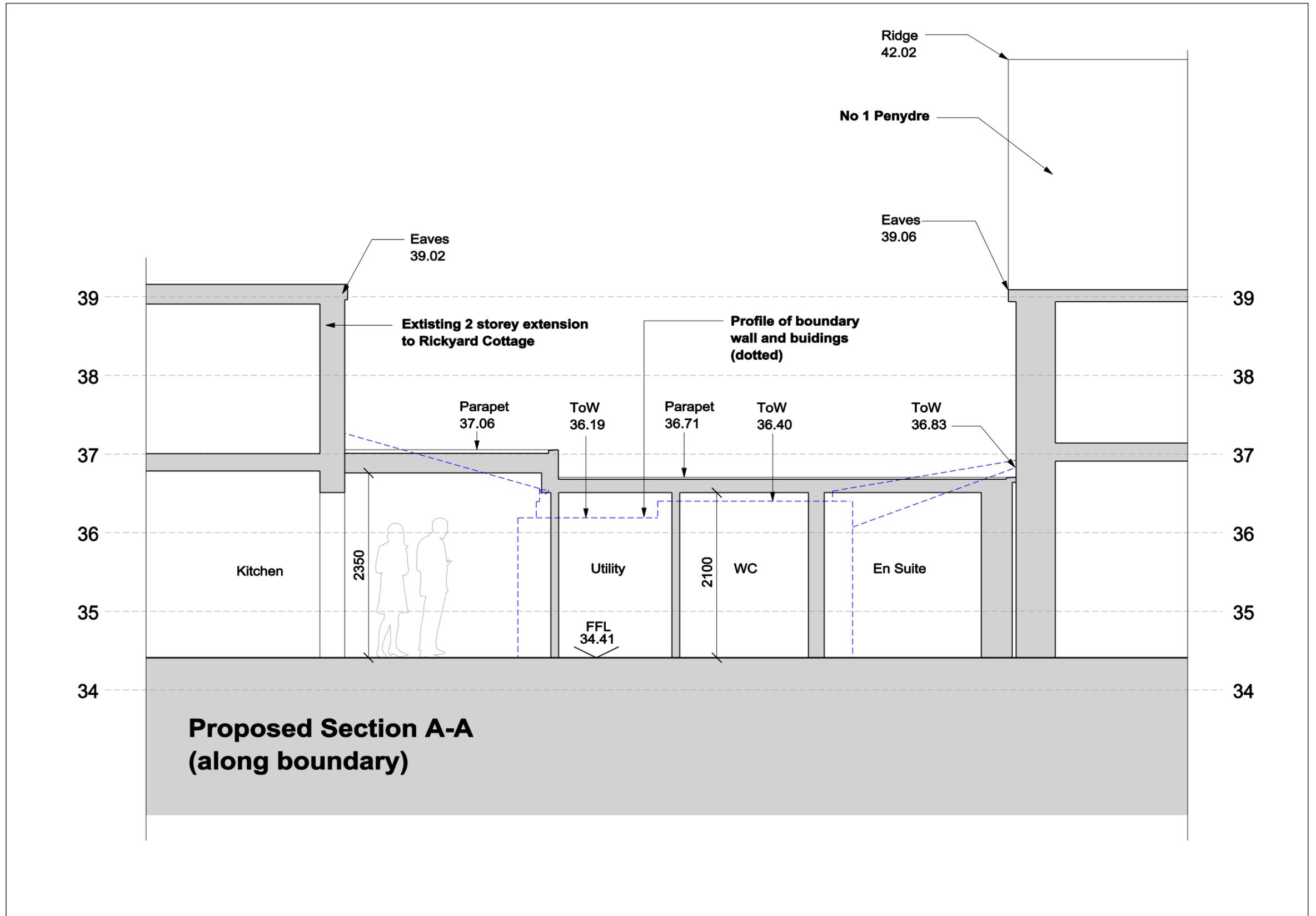
43 Plas Saint Andresse
 Penarth Haven
 Penarth
 CF64 1BW
 Tel: 029 2071 2631
 Mob: 0781 8888 070
 Email: mail@richardwhitaker.com

Site: **Rickyard Cottage**
13 Heol Y Pavin
Llandaff. CF5 2EG

Title: **Proposed Elevations**
(Sheet 02)

Drawing No: **462 - P10**

Scale: 1:100 @ A3 Date: June 2019 Revision: E



Richard Whitaker Architects Ltd
43 Plas Saint Andresse
Penarth Haven
Penarth
CF64 1BW
Tel: 029 2071 2631
Mob: 0781 8888 070
Email: mail@richardwhitaker.com

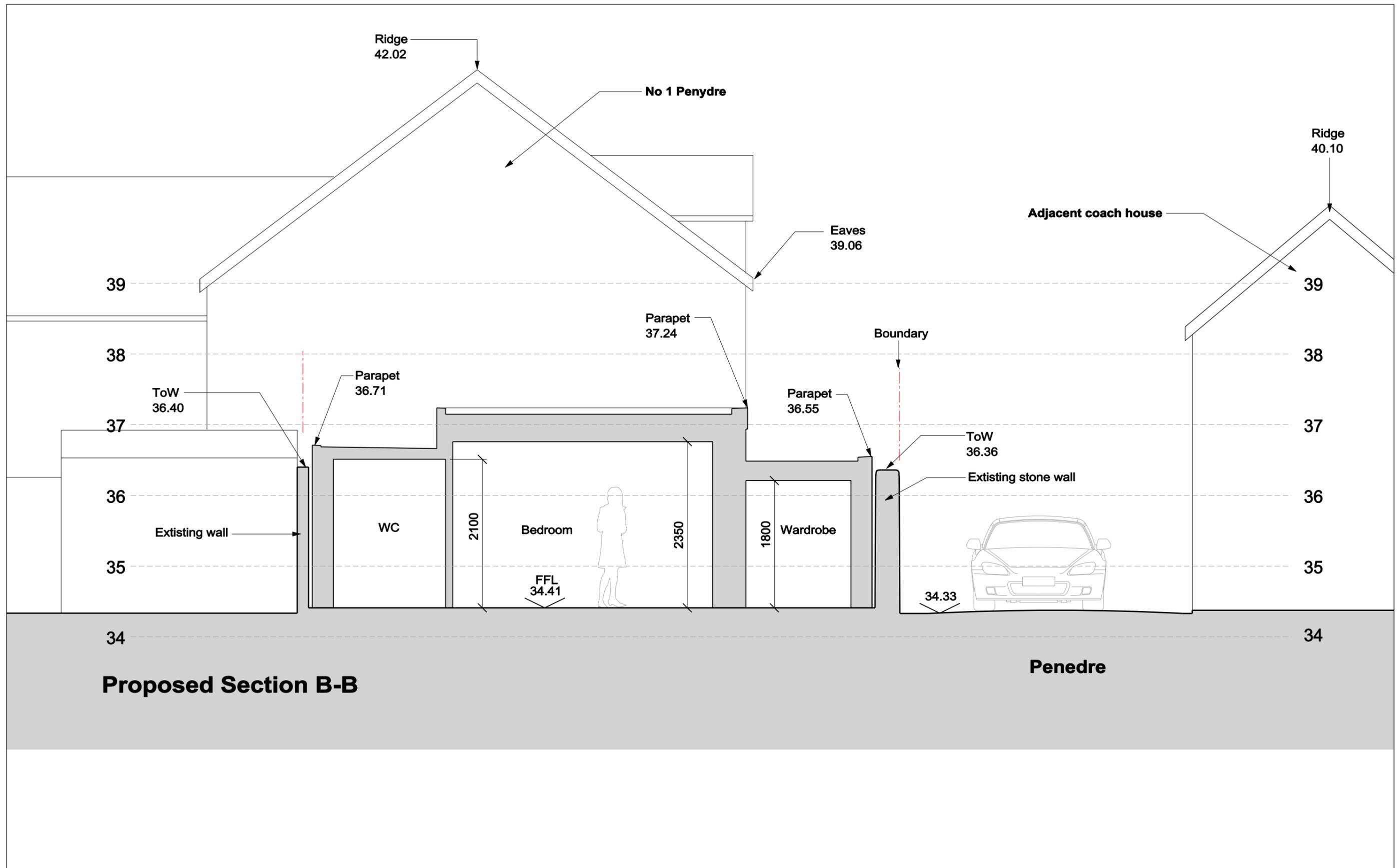
Site: **Rickyard Cottage**
13 Heol Y Pavin
Llandaff. CF5 2EG

Scale: 1:50 @ A3
Date: June 2019

Revision: C

Title: **Proposed Section A-A**

Drawing No: **462 - P11**



Richard Whitaker Architects Ltd
 43 Plas Saint Andresse
 Penarth Haven
 Penarth
 CF64 1BW
 Tel: 029 2071 2631
 Mob: 0781 8888 070
 Email: mail@richardwhitaker.com

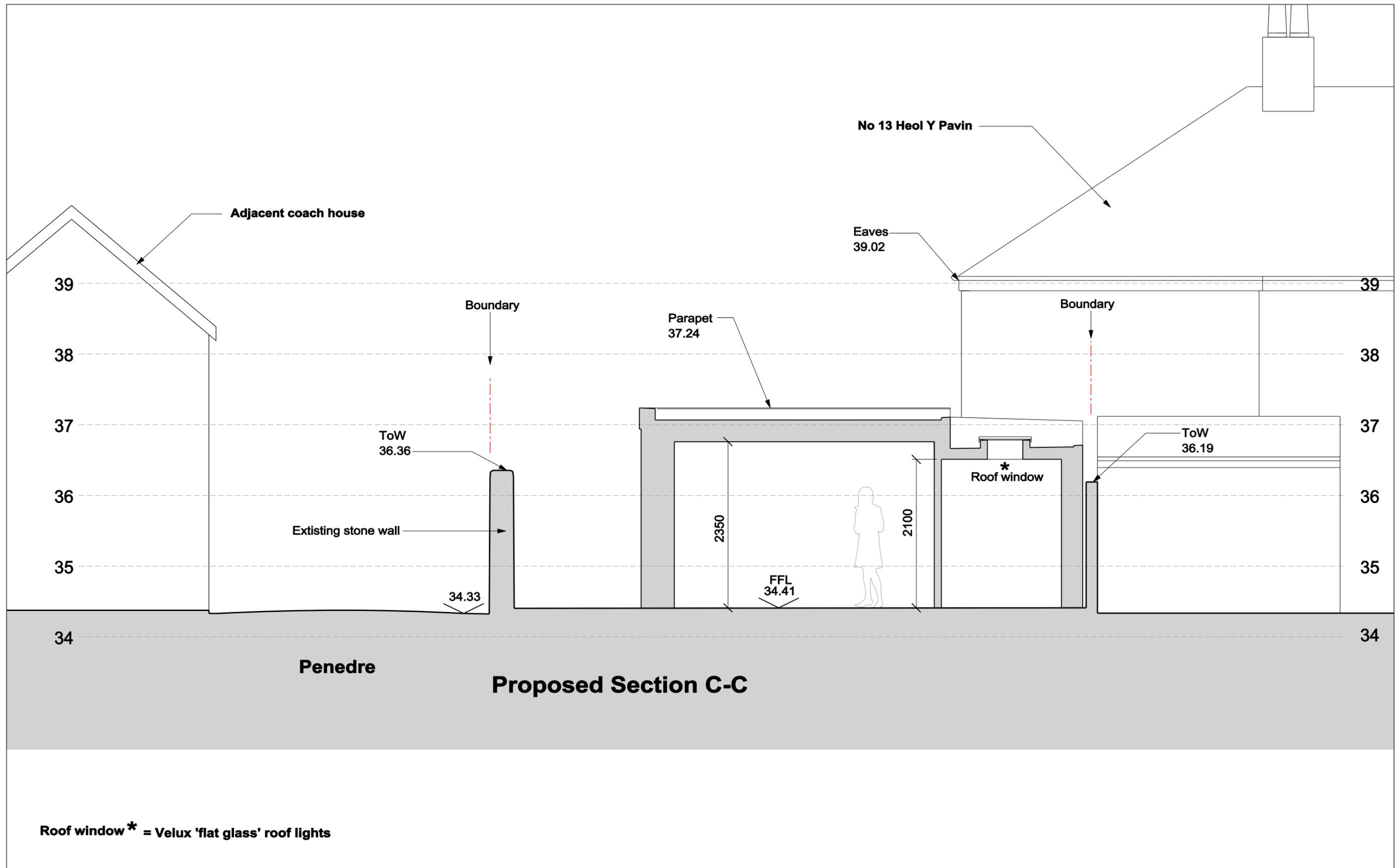
Site: **Rickyard Cottage**
13 Heol Y Pavin
Llandaff. CF5 2EG

Scale: 1:50 @ A3
 Date: June 2019

Revision: C

Title: **Proposed Section B-B**

Drawing No: **462 - P12**



Richard Whitaker Architects Ltd
 43 Plas Saint Andresse
 Penarth Haven
 Penarth
 CF64 1BW
 Tel: 029 2071 2631
 Mob: 0781 8888 070
 Email: mail@richardwhitaker.com

Site: **Rickyard Cottage**
13 Heol Y Pavin
Llandaff. CF5 2EG

Scale: 1:50 @ A3
 Date: June 2019

Revision: C

Title: **Proposed Section C-C**

Drawing No: **462 - P13**