



Appeal Decision

by Clive Sproule BSc MSc MSc MRTPI MEnvSci CEnv

an Inspector appointed by the Welsh Ministers

Decision date: 20-03-2023

Appeal reference: CAS-02496-B9N6W7

Site address: 4 Claremont Avenue, Rumney, Cardiff CF3 4LR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr B Jones against the decision of Cardiff Council.
 - The application Ref 22/02551/HSE, dated 27/10/2022, was refused by notice dated 09/01/2023.
 - The development proposed is conversion of detached garage/workshop into annexe with new Dutch barn type roof.
 - A site visit was made on 06/03/2023.
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Decision

1. The appeal is dismissed.

Main Issues

2. These are the effect of the proposed development on: a) the character and appearance of the locality; and b) the living conditions of the occupiers of No.6 in relation to visual impact.

Reasons

Character and appearance

3. No.4 is a large semi-detached house in a pair that stands on the corner with Newport Road, which is a busy urban highway, whereas Claremont Avenue is a residential street. The front elevation of No.4 faces onto Claremont Avenue and has amenity space to front, side and rear of the dwelling. The garage and workshop building ("the building") that would be extended by the appeal scheme, is located within the amenity space between the side elevation of No.4 and the neighbouring semi-detached house, No.6. The building is positioned toward the rear of the side elevations of Nos.4 and 6, but is clearly visible from Claremont Avenue.
4. The building is a substantial structure within the group of rear amenity spaces that are behind the dwellings around this corner of Claremont Avenue and Newport Road. The

large rear extension to a nearby veterinary clinic does not disrupt these rear amenity spaces, nor does it detract from them, as the context for that extension is principally the commercial function of a veterinary practice with a frontage onto Newport Road.

5. The building already has a residential context, which the proposed annexe would utilise. The appeal proposal would extend the building upward through a modified roof form, from its current simple gable ended pitch roof design to a Dutch barn style roof that would provide first floor living accommodation within it. It would be a noticeably larger structure than the substantial garage and workshop building that would provide the basis of its ground floor accommodation.
6. In a residential area such as this, the context of a proposed annex is likely to be important to its potential appropriateness. At No.4, the building is an established part of the built fabric of the street scene, and is clearly ancillary to No.4. However, the design of the building appears to be more recent than the houses on either side of it.
7. Extending the building upwards in the proposed Dutch barn roof form, would cause it to have a significantly greater physical presence between Nos. 4 and 6, and in the rear amenity spaces behind them where a lower single storey structure would be expected. In addition, it would be a design that would clearly contrast with the architectural style and pattern of the development around it, and that would provide its immediate context. This contrast in architectural styles would be highly visible from these rear amenity spaces, the associated dwellings and from Claremont Avenue outside No.4. It would also be seen from other locations where views are attainable.
8. Cardiff Local Development Plan 2006 - 2026 ("LDP") policy KP5 requires all new development to be of a high quality, sustainable design that responds to local character and context. For the reasons given above, the appeal scheme would fail to be an appropriate response to the character and context of the appeal site and the locality, which conflicts with LDP policy KP5. This also fails to meet the aims of the Council's "Cardiff Infill Sites Supplementary Planning Guidance" ("the SPG"), which seeks development in such locations to be sensitive to its context and complement the character of its surroundings.

Living conditions

9. The building is positioned next to the property boundary with No.6 and projects past the extended rear elevation of No.6. This will provide a degree of screening from the garden of No.4, where ground levels are slightly lower than those at No.6. Even so, the proposed extension would increase significantly the built form next to the rear amenity space of No.6.
10. While the form of the proposed Dutch barn roof would be expected to have less visual impact to occupiers of the rear amenity space at No.6 than a vertical wall at first floor level, the additional height of the extended garage and workshop building would be significant. The side element of the Dutch barn roof next to the rear amenity space at No.6 would be higher than the existing ridge height of the garage, where it would transition onto the uppermost roof plane to a new ridgeline. The scale and form of the extended roof would result in a much greater level of close proximity visual enclosure at the rear of No.6. It would be overbearing and sufficient to cause an unacceptably harmful visual impact on users of the rear amenity space at No.6. This conflicts with LDP policy KP 5 criterion x, which requires all new development to ensure no undue effect on the amenity of neighbouring occupiers, and also the aims of the SPG which seeks such development to protect residential amenity.

Conclusion

11. All matters raised in this case have been taken into account and none, including the scope of possible planning conditions, have been found to outweigh the identified harm and conflict with development plan policy. Accordingly, the proposal would not be a sustainable form of development, and the appeal should be dismissed.
12. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of making our cities, towns and villages even better places in which to live and work.

Clive Sproule

INSPECTOR