

2023/01282/FUL

Received on 26 January 2024

APPLICANT: Harveys Surveyors & Building Consultants Ringwood House, 1, Ringwood Crescent, St. Athan, CF62 4LA

AGENT: Mr Dylan Harvey 130 Newton Nottage Road, Porthcawl, Bridgend, CF36 5EE

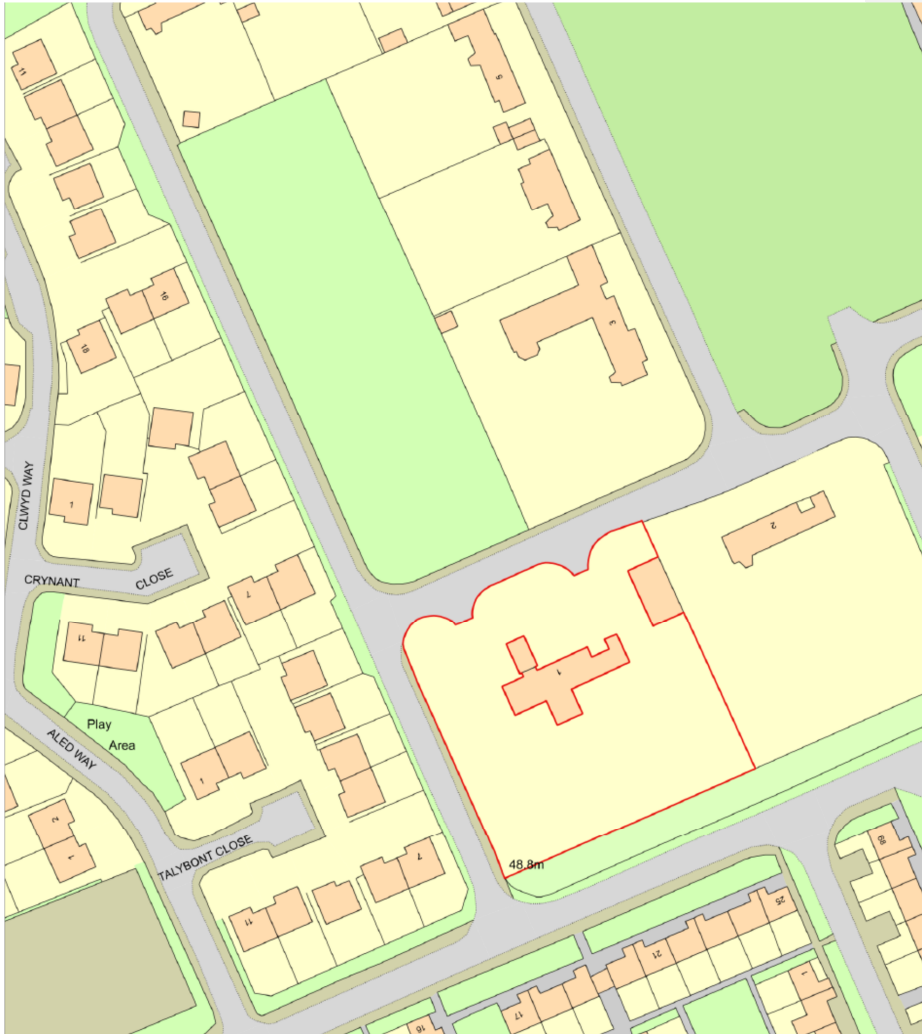
Ringwood House, 1, Ringwood Crescent, St. Athan

Dormer to the front elevation of the property approximately 5.4m x 1.8m.

SITE AND CONTEXT

The site is Ringwood House, 1, Ringwood Crescent. Located within the St.Athan Settlement Boundary, as identified within the Vale of Glamorgan Local Development Plan 2011-2026. The site is a detached, residential dwelling house, which is sited opposite public, open green space. The site is just outside of the Upper and Lower Thaw Special Landscape Area.

A site plan is presented below:



DESCRIPTION OF DEVELOPMENT

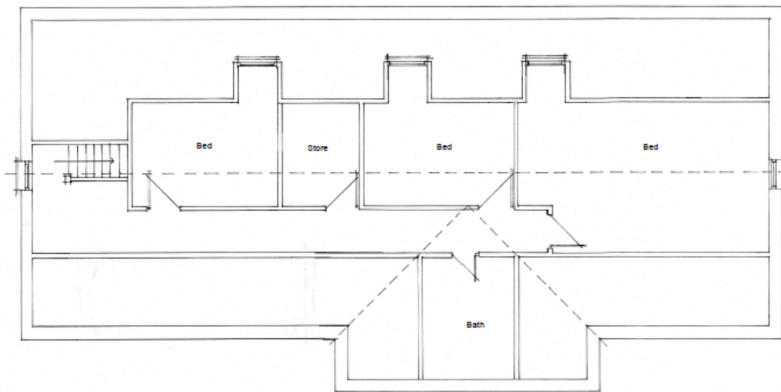
The application seeks retrospective planning permission for the erection of a large, pitched roof, front dormer. The as-built dormer is stated to measure approximately 5.54m wide, 2.67m to the eaves, 3.70m full height and 2m deep. The currently unauthorised development is subject to an on-going Enforcement Case, ref: ENF/2023/0256/CMP.

Pre-Built and As-Built Plans are presented below:

Pre-Built:



Second Floor Existing

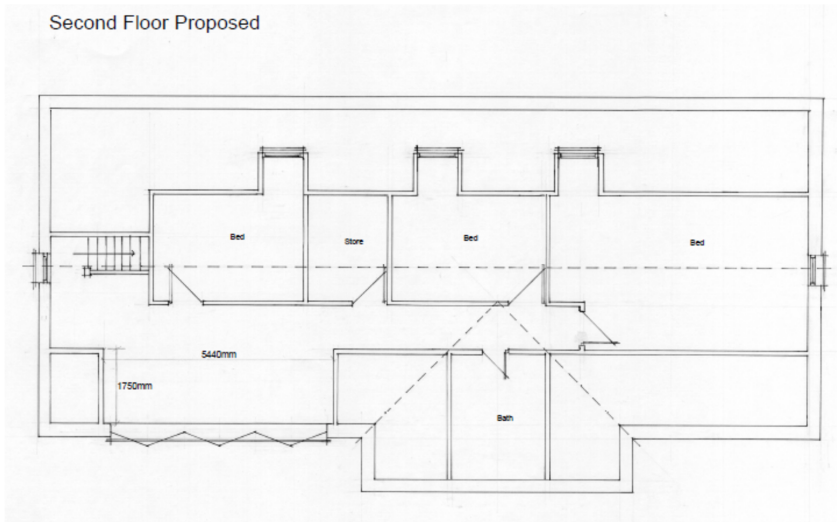


As-Built:



Proposed Elevations

Second Floor Proposed





PLANNING HISTORY

2006/00834/FUL, Address: 1, Ringwood Crescent, St. Athan, Proposal: Detached garage, Decision: Approved,

2008/01406/FUL, Address: Ringland House, 1, Ringwood Crescent, St. Athan, Proposal: Garage with first floor accommodation (amendment to approval 2006/00834/FUL), Decision: Approved,

2009/00770/FUL, Address: 1, Ringwood Crescent, St. Athan, Proposal: First floor bedroom extension and ground floor store extension, Decision: Approved,

2013/00694/FUL, Address: 1, Ringwood Crescent, St. Athan, Proposal: Rear conservatory extension, Decision: Approved,

CONSULTATIONS

1. St. Athan Community Council were consulted on 30 January 2024 and commented in support of the application.
2. St Athan Ward Members were consulted on 30 January 2024. No comments have been received.

REPRESENTATIONS

The neighbouring properties were consulted on 30 January 2024. A site notice was also displayed on 22 February 2024. One comment in support of the application has been received to date.

REPORT

Planning Policies and Guidance

Local Development Plan:

Section 38 of The Planning and Compulsory Purchase Act 2004 requires that in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Vale of Glamorgan Adopted Local Development Plan 2011-2026 forms the local authority level tier of the development plan framework. The LDP was formally adopted by the Council on 28 June 2017, and within which the following policies are of relevance:

Strategic Policies:

POLICY SP1 – Delivering the Strategy

Managing Development Policies:

POLICY MD2 - Design of New Development
POLICY MD5 - Development within Settlement Boundaries
POLICY MD9 - Promoting Biodiversity

In addition to the Adopted LDP the following policy, guidance and documentation supports the relevant LDP policies.

Future Wales: The National Plan 2040:

Future Wales – the National Plan 2040 is the national development plan and is of relevance to the determination of this planning application. Future Wales provides a strategic direction for all scales of planning and sets out policies and key issues to be considered in the planning decision making process.

Planning Policy Wales:

National planning policy in the form of Planning Policy Wales (Edition 12, February 2024) (PPW) is of relevance to the determination of this application.

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales.

The following chapters and sections are of particular relevance in the assessment of this planning application:

Chapter 2 - People and Places: Achieving Well-being Through Placemaking,

- Maximising well-being and sustainable places through placemaking (key Planning Principles, national sustainable placemaking outcomes, Planning Policy Wales and placemaking)

Chapter 3 - Strategic and Spatial Choices

- Good Design Making Better Places

Technical Advice Notes:

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. The following are of relevance:

- Technical Advice Note 12 – Design (2016)

2.6 “Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality and function of an area, should not be accepted, as these have detrimental effects on existing communities.”

4.8 “Appraising “character” involves attention to topography; historic street patterns, archaeological features, waterways, hierarchy of development and spaces, prevalent materials in buildings or floorscape, architecture and historic quality, landscape character, field patterns and land use patterns, distinctive views (in and out of the site), skylines and vistas, prevailing uses and plan forms, boundary treatments, local biodiversity, natural and cultural resources and locally distinctive features and traditions (also known as vernacular elements).”

6.16 “The appearance and function of proposed development, its scale and its relationship to its surroundings are material considerations in determining planning applications and appeals. Developments that do not address the objectives of good design should not be accepted.”

Welsh National Marine Plan:

National marine planning policy in the form of the Welsh National Marine Plan (2019) (WNMP) is of relevance to the determination of this application. The primary objective of WNMP is to ensure that the planning system contributes towards the delivery of sustainable development and contributes to the Wales well-being goals within the Marine Plan Area for Wales.

Supplementary Planning Guidance:

In addition to the adopted Local Development Plan, the Council has approved Supplementary Planning Guidance (SPG). Some SPG documents refer to previous adopted UDP policies and to ensure conformity with LDP policies, a review will be carried out as soon as is practicable following adoption of the LDP.

The Council considers that the content and guidance of the adopted SPGs remains relevant and has approved the continued use of these SPGs as material considerations in the determination of planning applications until they are replaced or otherwise withdrawn. The following SPG are of relevance:

- Residential and Householder Development (2018)

8.7.1. Extensions to the front of properties will usually be prominent in the street scene and therefore require careful design, particularly in terms of scale and massing.

8.10.1. Generally, proposals that involve major changes to the existing roof (e.g. raising the ridge or eaves, or extensions to the roof) will potentially have a big impact on the appearance of the property and can cause harm in a street with a consistent street scene.

- Biodiversity and Development (2018)

Other relevant evidence or policy guidance:

- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management

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 preparation of this report.

Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

Issues

The key issues to consider are the design and visual impact of the development on the character of the property and the street scene, as well as the potential impact upon the amenity of neighbouring residential properties.

Design and Visual Impact

The as-built front dormer is suited to the left of the existing gable feature on the properties front elevation and is highly visible from the public highway. The proposed plans show the as-built dormer measures approximately 5.54m wide, 3.70m full height to the pitched roof (2.67m to the eaves) and 2m deep. The front dormer is set down from the existing ridge by 0.28m. The materials used are consistent in colour with the existing roof form.

Policy MD2 (Design of New Development) is also of relevance, and states that in order to create high quality, healthy, sustainable and locally distinct places development proposals should:

- Be of a high standard of design that positively contributes to the context and character of the surrounding natural and built environment and protects existing features of townscape or landscape interest.*
- Respond appropriately to the local context and character of neighbouring buildings and uses in terms of use, type, form, scale, mix and density.*

In addition, Section 2.6 of Technical Advice Note 12 (Design) also supports this, which states: *"Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality and function of an area, should not be accepted, as these have detrimental effects on existing communities."*

Section 8.11 of the Council's Residential and Householder Development SPG sets out clear guidance on Loft Conversions / Roof Extensions and whilst stating that a loft conversion can be an effective way of achieving additional living accommodation within the roof space, such development can, have a significant effect on the appearance of a property.

The SPG sets out a number of considerations in paragraph 8.11.3. Consideration should be given to the following:

- Dormer extensions should be designed to reflect dormer extensions that are an original feature of other buildings in the street scene.*
- The windows in dormer extensions should be positioned to match the pattern, size and shape of those present in the rest of the existing house.*
- Dormer extensions should be positioned on the least prominent elevations. Exceptions could include dormer extensions on the front facing roof slope where this is a traditional feature of other properties within the street scene, provided it does not detract from the character of the street. The design should reflect the original features of other buildings in the street.*
- Dormer extensions should be set up from the existing eaves of the property, set down from the existing ridge, and set in from the sides of the roof.*
- Two smaller dormer windows are often preferred to one larger window.*
- The cheeks of a dormer extension should be finished in materials to complement those used in the existing roof (i.e. hanging slates rather than cladding). Dark framed windows are preferable to white.*

The as-built, pitched roof dormer is of a scale and prominence which is not considered to be a reflection of the original features on any of the surrounding properties which are notably traditional in appearance. Whilst there are examples of several small, pitched roof front dormers present within surrounding properties, including on the detached garage which serves the host dwelling, these are of an appropriate scale which do not detract from the character of the ancillary building. Additionally, the other examples of existing small front dormers on nearby properties are not within the immediate context of the site and are significantly smaller than the as-built dormer, to which this application relates.. Therefore, in terms of visual amenity, the as-built front dormer is considered to have a significant detrimental impact in relation to the character of the existing property, noting its incongruous and conspicuous appearance within the street scene.

Furthermore, the as-built front dormer is considered an inappropriate, out of proportion and a prominent addition to the property's roof elevation that fails to respect the criteria set out under the relevant policies and supplementary planning guidance, and as a result is considered to be a poor quality design that would be detrimental to the character of the street scene. In this regard a recent planning application for Number 5, Ringwood Crescent regarding a proposed front dormer was refused on the basis of visual impacts and the subsequent appeal (ref: CAS-03090-R1Z0D6) dismissed on 9th February 2024. The Inspector made the following comments:

Commented [LR1]: Add reference in when we quote appeals

“Given its position on the front of the property and the open aspect of the street, the proposal would be visually prominent and would be viewed in the context of the surrounding unaltered roofs of the dwellings on this part of Ringwood Crescent. Consequently, it would be an incongruous and discordant feature in the street scene that would not positively contribute to the context and character of the surrounding built environment.”

The Inspector also noted:

“The wider area of Ringwood Crescent is characterised by dwellings of a consistent age and form which, despite many of them having limited variations of gable projections, gives a strong sense of uniformity which significantly contributes to the character and appearance of the area.”

Noting the above, there is significant concern in terms of the appearance of the front dormer in relation to the visual character of the property and the neighbouring properties, as the proposed dormer is considered to be over-scaled, unduly prominent and unsympathetically designed relative to the host building. Moreover, as noted above, the materials used on the as-built dormer are consistent in colour to the existing roof form. However, the materials used are not considered to overcome the visual harm caused by the mammoth scale and protrusion of the as-built dormer against the existing roof form. Such harm is amplified by the lack of other extensions of similar design and form and the significant prominence of the works within the street scene.

In addition, the massing of the dormer is such that it forms an inappropriate, discordant and visually intrusive feature on the front elevation, particularly when viewed from the street scene, which can only be deemed an unacceptable design proposal.

Taking the above into consideration, it is considered that the as-built dormer fails to comply with the council's adopted Local Development Plan – in particular Policies

MD2 (Design of Development) (criteria 1 and 2) and MD5 (Development within Settlement Boundaries) (criterion 3). The proposal also fails to comply with TAN12 (paras 2.6 and 6.16) and the above sections from the Council's SPG on Residential and Householder Development.

Impacts on Neighbouring Amenity

Criterion 8 of policy MD2 requires that new development should safeguard existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance. Additional guidance is contained in the Council's SPG on Residential and Householder Development (2018).

The host dwelling is sited over 21m away from any neighbouring properties to the front, rear or sides. Therefore, in terms of the neighbouring amenity, it is not considered that the proposal significantly harms the privacy or views of any of the nearby-located properties, and neighbouring amenity is therefore not a matter of concern under this application that would warrant the refusal of the application.

Overall, it is considered that the visibility/view from the front dormer has no impact upon neighbouring amenity, as the projection is limited to the public open space to the front. This is not identified as being anymore impactful than the existing windows and therefore considered to not have an overbearing impact upon neighbours nor the existing public space to the front.

Other Issues

Consideration is also given to impacts relating to Parking and Amenity Space. The proposed second floor plans provided do not show the as-built dormer as serving an additional bedroom. Therefore, there are considered to be no impacts on the existing parking space which currently serves the dwelling. Moreover, there are considered to be no impacts on the existing amenity space which currently serves the occupiers as a result of the development.

Biodiversity and Green Infrastructure

Para. 6.4.5 of Planning Policy Wales (Edition 12, 2024) states that: "Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity..... "

Additionally, the Council's Biodiversity and Development SPG (2018) requires new development to provide ecological enhancements to promote biodiversity within the Vale of Glamorgan.

The application has not been supported with any ecological enhancement scheme, however it is noted that there is sufficient amenity space on site to include biodiversity enhancements such as a bird box and landscaping and this could have been controlled by condition if acceptable in all other regards.

In terms of Green Infrastructure Planning Policy Wales (Paragraph 6.2.12) requires all planning applications to be supported with a Green Infrastructure Statement. No such statement has been provided as part of the application. Notwithstanding this, given the works are limited to the existing roof of the property, the scheme does not give rise to adverse impacts upon surrounding green infrastructure to the extent that this would give rise to harm in its own right. On the basis of the unacceptability of the scheme on its design grounds a Green Infrastructure Statement has not been requested.

REASON FOR RECOMMENDATION

The decision to refuse planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026 and Future Wales – the National Plan 2040.

Having regard to the Council's duties under the Equality Act 2010 the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.

It is considered that the decision complies with the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

The appropriate marine policy documents have been considered in the determination of this application in accordance with Section 59 of the Marine and Coastal Access Act 2009.

RECOMMENDATION

REFUSE (W.R.)

1. By virtue of the scale, character and prominence of the front dormer, and its relationship to the uninterrupted roof planes of the other dwellings within the street scene, the as-built front dormer sets a detrimentally harmful precedent within the wider area. Overall, the development appears as a discordant addition that is visually harmful to the appearance and character of the host property and the character of the street as a whole. Accordingly, the proposal is not in compliance with Policies SP1, MD2 and MD5 of the Vale of Glamorgan LDP (Local Development Plan) 2011-2026 and the Residential and Householder Development SPG (Supplementary Planning Guidance).