

DELEGATED REPORT

Application No:	P/22/0052
Site Address:	8 Lakeside Gardens Gurnos Merthyr Tydfil CF48 1EN
Development:	Change of use of part of ground floor to a self contained flat and associated external alterations
Case Officer:	Rebecca Owens
Site Visit:	7th March 2022
Application Expiry Date:	20th July 2022
Consultation reply date expired:	28th March 2022

APPLICATION SITE

The application relates to a relatively large detached dwelling with generous curtilage, located in a mainly residential area within the settlement boundary. The site is bound by a highway to the front, other dwellings on either side and a grass verge to the rear separating it from a highway.

PROPOSED DEVELOPMENT

Full planning permission is sought to change part of the ground floor of the existing dwelling into a self-contained flat. This would be accessed via the existing driveway off Lakeside Gardens before entering the flat through an existing set of doors in the front elevation of the property (serving as the main entrance). The flat itself would comprise two bedrooms, a living room, kitchen and bathroom and would have no rear access into the existing private garden area. Indeed the flat would have a curtilage limited to the floor area of the flat itself and a small area to the front in which its allocated parking spaces (two in total) would be sited. The flat would therefore have no private external amenity space but the majority of the front garden comprising of the driveway and grassed area would become a shared space with the existing dwelling.

There would also be some external changes to the dwelling. These mainly relate to changes to the windows and doors within the south eastern elevation which comprise of:

- The replacement of an existing door with a window;
- The replacement of existing French doors with a window; and
- The replacement of an existing window with French doors.

In addition, a new roof light is proposed in the north eastern facing roof plane which would serve one of the two bedrooms.

PLANNING HISTORY

The relevant planning history is summarised below:

P/99/0362 Single domestic garage
 Granted planning permission subject to conditions on 13 December 1999

CONSULTATION

The following bodies were consulted and their responses are presented below:

Head of Engineering	No objection
Planning Division's Policy Group Leader	No objection
Environmental Health Manager	No response
Dwr Cymru Welsh Water	No objection subject to condition

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the neighbouring properties and two site notices were displayed within the vicinity of the site.

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

Future Wales: the National Plan 2040 (February 2021) sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities.

National Planning Policies

Planning Policy Wales (Edition 11, February 2021)

Local Planning Policies

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 are relevant to the determination of this application:

- SW1: Provision of New Homes
- SW4: Settlement boundaries
- SW9: Planning Obligations
- SW11: Sustainable design and Placemaking
- SW12: Improving the Transport Network
- SW13: Protecting and Improving Local Community Facilities
- CW1: Historic Environment
- EnW4: Environmental Protection

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 2, Planning Obligations.
- Note 4, Sustainable Design.

PLANNING CONSIDERATIONS

Principle

The application site is located within the primary growth area of the settlement boundary (Policy SW4) and as such, the proposal is deemed to be acceptable in principle subject to compliance with other relevant planning policies and material planning considerations.

Design and visual amenity

The proposal would only result in minor external alterations in the form of changes to rear window and door arrangements. These would not be readily visible from the front street and as such would have no harmful impact on the character of the dwelling itself or indeed the wider streetscene. However, the proposal would introduce a self-contained flat with the only external space being a shared front garden. There would therefore be huge pressure for items/structures/buildings, which are typically found within rear gardens, such as washing lines, garden furniture, outside storage areas, outbuildings, refuse/recycling bins/bags, boundary enclosures and other residential paraphernalia to be introduced to the front garden space (as this would be the only outside space available to the occupants of the flat). Such visual intrusion would impinge on the character and appearance of the existing/proposed dwellings and wider street scene and emphasises the poor/cramped and inappropriate layout of the proposal.

Residential amenity

The proposal would result in the introduction of an additional residential unit into a mainly residential area and indeed within the curtilage of an existing dwelling. Given the modest size of the property proposed it is not considered that it would give rise to a significant increase in the comings and goings to the site and would not result in a substantially greater level of noise and disturbance.

It is also noted that the proposal relates to the change of use of part of the existing dwelling and consequently no extensions or new structures are proposed. As such there would be no additional effect on the adjoining neighbours with respect to overbearing impact, overshadowing or loss of light. In addition, the only windows and doors serving the flat would be located within the front and south western elevations. These are existing openings already serving the existing dwelling (with some minor alterations to those in the south western elevation) and they overlook the front and rear gardens respectively of the existing dwelling. They would therefore not give rise to any harmful overlooking or loss of privacy to the neighbouring dwellings and indeed there would be little change in circumstance. However, it is noted that a new roof light is also proposed in the north eastern facing roof slope. This would face towards the adjoining dwelling known as 9 Lakeside Gardens. However, this neighbouring property is at a higher level than the application and the window would be positioned adjacent to the flank elevation of the neighbouring garage. In addition it would be installed at a height which is above eye level. As such, the proposal is acceptable in terms of overlooking and loss of privacy.

Notwithstanding the above, the impact of the flat on the existing dwelling within the site must also be considered. In this respect, it is noted that the proposed flat would not have any external amenity space to the rear and as such, the windows in the south western elevation serving the living room and a bedroom would look directly into the private rear garden and conservatory of the existing dwelling and occupants of the existing dwelling would have direct views into these rooms within the flat. The agent has suggested that these windows would have blinds to overcome this but this cannot be controlled/enforced by the local planning authority. This is considered to be an unacceptable arrangement which would give rise to harmful overlooking between both properties and consequently impinge on the privacy of their occupants.

Parking and highway safety

The flat would be served by two parking spaces to the front with the remaining dwelling served by a further two spaces. It is considered that this is adequate parking provision to meet the needs of the two residential units and there is ample space within the driveway to allow vehicles to turn and exit in a forward gear. As such, no concerns are raised with respect to car parking or highway safety. In addition, the site is served by a local bus service allowing the occupiers of the flat to be less reliant on private transport. The proposal is therefore in accord with Policies SW11 and SW12 of the LDP and it is noted that the Head of Engineering has not raised any objection in this respect.

Conclusion

In reaching the recommendation, the requirements of section 3 and 5 of the Wellbeing of Future Generations (Wales) Act 2015 have been taken into account. The recommendation is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Minister's well-being objective of supporting safe, cohesive and resilient communities.

Accordingly the following recommendation is made:

RECOMMENDATION: BE REFUSED

REASONS:

1. The proposal would result in an unacceptable cramped layout with no private external amenity/garden space. This is not characteristic of the surrounding area and would likely result in residential paraphernalia, usually hidden in rear gardens, being sited in a prominent location to the front of the dwelling. As such, there would be an adverse impact on the character and appearance of the area contrary to Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.
2. The flat by virtue of its poor relationship with the dwelling known as 8 Lakeside Gardens would result in overlooking between the two properties which would give rise to an unacceptable infringement on privacy. As such the proposal is contrary to Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

