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APP/2009/5954

WARD Liscard

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**Location:** 7 Grace Close Liscard Wirral CH45 4LH

**Proposal:** Construction of roof to cover part of yard (4.1m x 2.7m)

**Applicant:** Mr George Graham  
The Queens P.H.  
60 Liscard Village  
Liscard  
Wallasey  
CH45 4JR

**Agent:** Mr Peter Hinton  
Wirral Planning Advice & Appeals Service  
31 Shrewsbury Drive  
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CH49 6LB

**Development Plan allocation and policies:** Primarily Residential Area  
Wirral Unitary Development Plan  
Policy HS11 House Extensions  
SPG11 House Extensions  
Supplementary Planning Document 2 Designing for Self-Contained Flat Developments and Conversions.

**Planning History:** 2006/6227 - Retention of a rear conservatory Refuse 15/09/2006  
Appeal Decision: Dismissed 23/03/2007.

2007/5749 - Erection of a rear conservatory Approve 13/06/2007.

2009/5298 - Erection of a garden shed Approve 07/05/2009.

**Representations and consultations received:** Representations:

A site notice was displayed on the wall at the head of Grace Close. A total of 6 letters of notification have been sent to properties in the area. At the time of writing this report 1 letter of objection had been received, signed by the residents of No.5, 6 and 8 Grace Close, listing the following grounds:

- There is no policy directly relating to flat developments and greater consideration should be given to the effect on neighbouring flat dwellers;
- The proposal is for a utility room, and a PVC door has been sited;
- The applicant has not referred to previous developments to the property for a rear conservatory and garden shed;
- The previously approved garden shed has electricity and a telephone;
- The previous developments are step by step moving away from what is acceptable and is in no way inkeeping with the original design of the building;
- The extensions will allow for a greater occupancy, greater disturbance, more vehicles etc;
- Difficulty of maintenance to first floor flat (e.g. restricting access to windows).

Councillor Leah Fraser requested the application be removed from delegation on the grounds the Council do not have a planning policy with regards to flats on the Wirral and the proposal constitutes overdevelopment.

Consultations:

None.

**Directors comments:** The application was deferred for a committee site inspection on the 22nd October 2009.

PROPOSAL

Construction of roof to cover part of yard (4.1m x 2.7m) to the north elevation of the building.

#### PRINCIPLE OF DEVELOPMENT

The proposal is acceptable in principle under policy HS11 and SPG11.

#### SITE AND SURROUNDINGS

The site comprises a ground floor flat in a modern two-storey block of four flats, situated in a primarily residential area. There is a 1.8 metre high wooden fence along the party boundary, a 1.8 metre high fence and vegetation to the rear, and a 3 metre high rendered wall to the opposite boundary with a cricket ground to the north.

#### POLICY CONTEXT

The application shall be assessed under policy HS11 House Extensions and SPG11 House Extensions. Whilst there is no specific policy relating to flat extensions, HS11 and SPG11 refer specifically to scale, design and the effect on neighbouring properties and the character of the area. The policy forms guidelines and is not applied prescriptively. In the case of every application, a site inspection is undertaken and the individual merits of each case are considered. The Local Planning Authority took it into consideration that in the case of a flat development any proposal has the potential to impact on a larger number of dwellings. Both HS11 and SPG11 assess the impact of development on neighbouring residents and are directly relevant in this instance.

#### OUTLOOK

Taking all matters into consideration it is considered that the only property the proposal would be visible from is the first floor flat No.8. The Inspector's report relating to the refused conservatory (2006/6227) pointed to the objection from the flat above the conservatory (No.8) which objected to loss of outlook. The Inspector considered whilst the conservatory was visible from this flat, the conservatory was below the windows and the aspect from them was still predominantly open and unobstructed. Therefore the Inspector considered the conservatory did not materially harm the outlook from the flat, and this did not form any part of the Inspector's decision in dismissing the appeal.

The Local Planning Authority considers there has been no material change in circumstances to contradict the Inspector's view, and acknowledges the Inspectorate's decision that the proposal will not harm the outlook from Flat 8. This forms a material consideration. The current application proposes to span below a further window of Flat 8, but this is not considered to affect the outlook these windows should expect to enjoy. Therefore this proposal is not considered to form a visually obtrusive feature and the proposal is not considered to harm neighbouring residents.

#### APPEARANCE AND AMENITY ISSUES

The proposals are not considered to have an increased detrimental impact on any neighbouring property or land use. The proposal is not visible from the neighbouring properties No.5 and No.6 and is set well back from the street scene. The 2.5-metre high ridge height is not considered excessive in terms of scale. The proposal is acceptable in terms of size and complies with relevant Council policy HS11 and SPG11.

The volume of the application (in addition to the previously approved applications) is not considered unacceptable. It will not result in harm to the original building or neighbouring properties. It is not considered to result in overdevelopment of the site as an adequate amount of garden amenity space is retained and the proposal remains subordinate to the original building.

The Council can only take into account matters that are directly relevant to the planning process. Matters that do not fall within planning remit include the maintenance of common parts of the apartments including access to cleaning

windows and gutters, the loss of emergency exits. It is accepted these are important issues, however, the application must be evaluated against national regional and Local Planning Policy, together with relevant material planning considerations.

The case officer noted on site a door had been constructed, which has not been included in the planning application. It should be noted should planning permission be granted for the proposed roof as shown on the plans, this would not include the existing door.

**HIGHWAY/TRAFFIC IMPLICATIONS**

There are no highway implications relating to this proposal.

**ENVIRONMENTAL/SUSTAINABILITY ISSUES**

There are no environmental/sustainability issues relating to these proposals.

**HEALTH ISSUES**

There are no health implications relating to this application.

**CONCLUSION**

The proposal has been assessed on its visual impact and its impact on surroundings and the character of the building. It is considered the proposal would not adversely impact on the amenities that the occupiers of the neighbouring properties can reasonably expect to enjoy or be harmful to the street scene.

**Summary of Decision:** The proposal is not considered to have a harmful visual impact on its surroundings or the character of the building. It is deemed not to adversely impact on the amenities that the occupiers of the neighbouring properties can reasonably expect to enjoy. The proposal is acceptable in terms of scale and design, complies with policy HS11-House Extensions and SPG11-House Extensions, and is recommended for approval.

**Recommendation:** **Approve**

**Last Comments By:** **03 September 2009**

**56 Day Expires On:** **28 September 2009**

**Case Officer:** **Miss S Hesketh**

**Notes:**

Informative:

Please note the development hereby permitted is for the proposed roof as shown on the approved drawing.