

**Planning Committee**

16 February 2012

**Reference:**  
**APP/11/01441**

**Area Team:**  
**South Team**

**Case Officer:**  
**Mr K Spilsbury**

**Ward:**  
**Clatterbridge**

**Location:**  
**Proposal:**

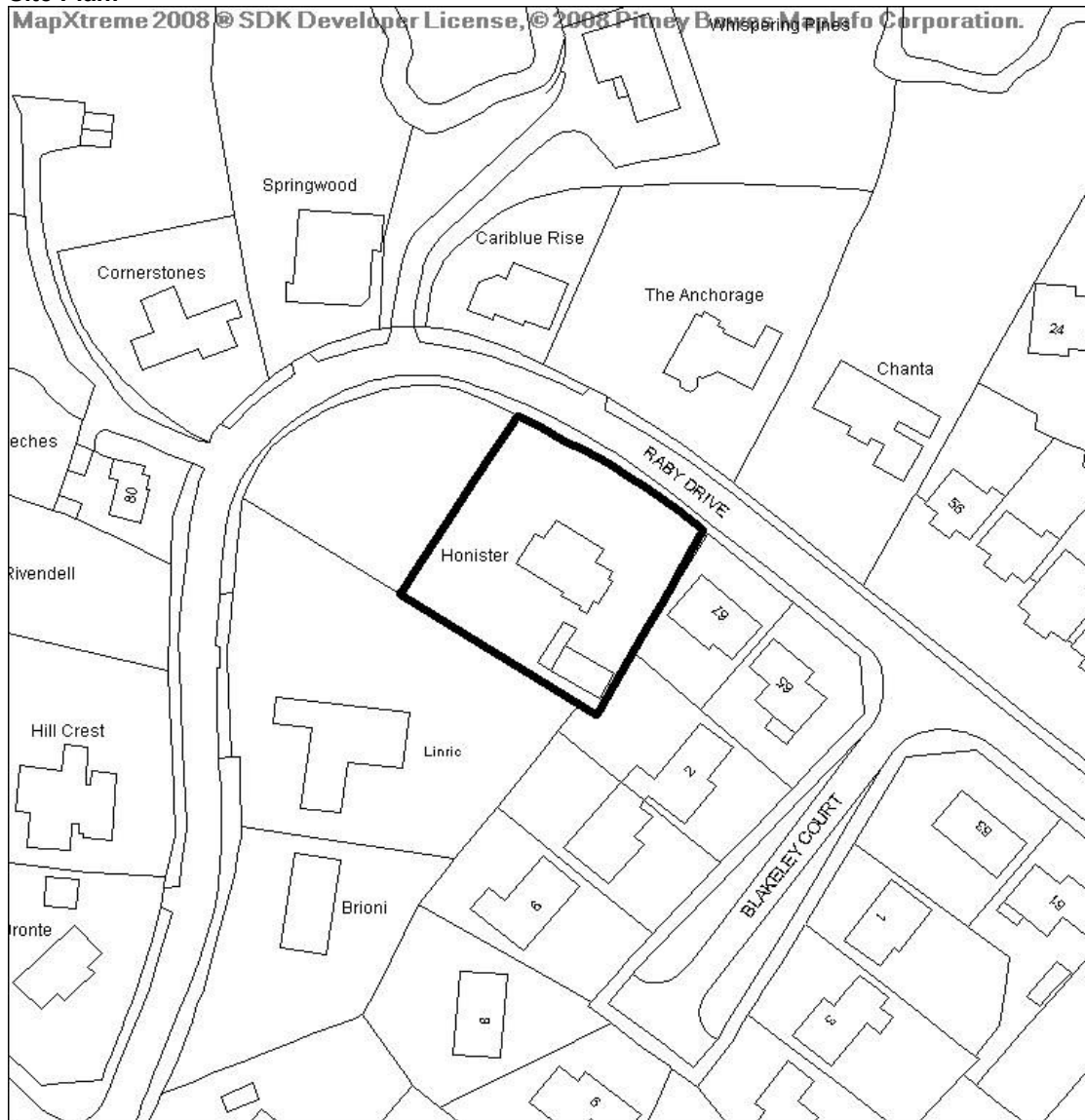
Honister, RABY DRIVE, RABY MERE, CH63 0NQ

Retrospective planning application for the demolition of a carport, proposed single storey extension, proposed 2-storey garage with home office with the insertion of 4 velux rooflights and a flue to the rear elevation of the garage. (Amendment to APP/2010/00606)

**Applicant:**  
**Agent :**

Mrs Joanne Mckinnel  
chdesign

**Site Plan:**



**Development Plan allocation and policies:**

Primarily Residential Area

**Planning History:**

APP/10/00606 - Demolition of carport, proposed single storey extension, proposed 2 storey garage with home office - APPROVED 13/07/2010

**Summary Of Representations and Consultations Received:****REPRESENTATIONS**

Having regard to the Council's Guidance on Publicity for Applications, 15 neighbour notifications were sent to adjoining properties. A site notice was also posted.

At the time of writing this report two letters of objection have been received from the occupiers of 4 & 6 Blakeley Court. The objections can be summarised as follows:

1. The installation of 4 velux window and flue are a breach of the original planning approval
2. The new windows allow overlooking to occur into both gardens, bedrooms, lounge areas and conservatories taking away privacy
3. Smoke will blow from the flue into their gardens

Two further letters of concern have also been raised by the occupiers of the Anchorage and 2 Blakeley Court. The concerns are as follows:

1. The potential number of commercial vehicles in association with the home office that may park outside the house may result on detriment to highway safety
2. Fear of fumes entering the property from the new flue.

Councillor Povall has requested that the application be taken out of delegated powers on the grounds that the development is contrary to Policy HS11 - criteria 1: The scale of the extension being appropriate to the size of the plot ,not dominating the existing building and not so extensive as to be unneighbourly, particular regard being had to the effect on light to and the outlook from neighbours' habitable rooms and not so arranged as to result in significant overlooking of neighbouring residential property.

**CONSULTATIONS**

Director of Technical Services (Traffic & Transportation Division) - No objections

**Director's Comments:****REASON FOR REFERRAL TO PLANNING COMMITTEE**

The application has been taken out of delegation by Councillor Povall stating the development is contrary to Policy HS11 - criteria 1: The scale of the extension being appropriate to the size of the plot, not dominating the existing building and not so extensive as to be unneighbourly, particular regard being had to the effect on light to and the outlook from neighbours habitable rooms and not so arranged as to result in significant overlooking of neighbouring residential property.

**INTRODUCTION**

The proposed development is a retrospective planning application for the demolition of a carport, proposed single storey extension, proposed 2-storey garage with home office with the insertion of 4 velux roof lights and a flue to the rear elevation of the garage. (Amendment to APP/2010/00606). The previous scheme was approved with conditions on 13/07/2010 under delegated powers, however as the scheme was not built in accordance with the approved plans planning permission is now sought for an amended development which now includes the insertion of 4 velux roof lights and a flue to the rear elevation of the garage.

**PRINCIPLE OF DEVELOPMENT**

As with the previous scheme, the property lies within an area designated as primarily residential within Wirral's Unitary Development Plan and as such the erection of extensions to dwellings is acceptable in principle subject to policy HS11 of Wirral's Unitary Development Plan.

The overall principle of the extensions to the dwelling has been established under the previous approval, however as the scheme was not built in accordance with the approved plans, the principle of the new development which now includes 4 velux roof lights and a flue to the rear elevation of the garage must now be assessed against Policy HS11.

Objections and representations from neighbouring properties have been received in relation to the new scheme which must also be taken into consideration when assessing the amended scheme.

### **SITE AND SURROUNDINGS**

The property is an attractive detached house set in approximately half an acre of garden. The car port has now been demolished and the single storey extension and two storey garage with home office have both been erected. The site is screened from the road by a number of mature trees within the front garden.

There are four roof lights in the rear south facing roof slope of the garage extension offering views from the home office towards the rear garden of Linrie, 2,4 and 6 Blakeley Court. The aluminium flue is centrally located within the same roof slope in between the roof lights.

The rear boundary of the property is made up of an approximately 2m high close board fence and hedge row, there are also a number of sporadic trees, some 3-4m in height running along the boundary between Honister and Linrie.

Adjoining properties to the south and east are a mix of modern detached houses and bungalows with well maintained gardens.

### **POLICY CONTEXT**

Unitary Development Plan Policy HS11 and Supplementary Planning Guidelines: House Extensions have been considered in the determination of this application. Policy HS11 states that proposals should be appropriate to the plot, be not so extensive as to be unneighbourly and not arranged as to result in significant overlooking of neighbouring residential properties.

The overall design of the scheme, scale of the extension in terms of the plot size and its relationship to the dwelling as well as the surrounding properties has been assessed under the previous approval and has been deemed acceptable.

However due to the location of the roof lights in the rear south facing elevation of the home office, it is deemed necessary, should members be minded to approve the application to impose a condition for those windows to be non opening and obscurely glazed in order to prevent any overlooking into the neighbouring properties.

### **APPEARANCE AND AMENITY ISSUES**

As the only variation to the original approval is for the addition of roof lights and a flue to the rear elevation it is considered that the proposed development is of a scale that is appropriate to the size of the plot and in terms of design, original features on the front elevation of the house have been replicated to ensure the proposal complements the original building.

The extension has been set in from the boundary and the roof has been hipped to reduce the impact of the extension on the adjacent properties. 67 Raby Drive which is situated to the east has an existing single storey rear extension with a balcony above. This is sited close to the boundary with Honister and as such to ensure there would be no loss of privacy between the properties the window in the front elevation of the extension is conditioned to be to be obscurely glazed and non-opening should members be minded to approve the scheme

At the time of writing this report two letters of objection have been received from the occupiers of 4 & 6 Blakeley Court, concerned that the installation of 4 velux window and flue are a breach of the original planning approval, they also states that the new windows allow overlooking to occur into both gardens, bedrooms, lounge areas and conservatories taking away their privacy and the new flue will allow smoke to blow into their gardens.

The Local Planning Authority considers that the introduction of a condition to ensure the roof light

windows are obscurely glazed and non opening will mitigate against any potential overlooking into neighbouring gardens and will still allow light into the home office. There is a large window in the west facing elevation of the building that will allow the occupier a sufficient outlook and will still maintain surrounding residential privacy.

Two further letters of concern have also been raised by the occupiers of the Anchorage and 2 Blakeley Court with regard to the potential number of commercial vehicles in association with the home office that may park outside the house may result on detriment to highway safety and further fear of fumes entering the property from the new flue.

The concern raised over smoke from the flue blowing into neighbouring gardens is not a material planning consideration or an issue that can be controlled within the remit of the Local Planning Authority and therefore cannot be considered in the determination of this application.

The Local Planning Authority must can only consider the application that is before them. The proposal has been assessed by the Director of Technical Services - Traffic and Transportation Division who have confirmed that the proposals are unlikely to result in any increase in traffic and are satisfied that highway safety will not be affected. As such, it is not considered that the proposals represent any adverse impact on highway safety that would warrant a refusal of planning permission.

### **SEPARATION DISTANCES**

As with the original approval the side (south-east) elevation of the 2-storey extension would be sited 16 metres from the rear elevation of 2 Blakeley Court and the front elevation would be some 11 metres behind the rear elevation of the adjacent property, 67 Raby Drive.

5 levels of privacy can be secured by using obscure glazing with Level 1 providing the least obscurity and Level 5 offering the greatest obscurity. Since the windows proposed are roof lights and already off-set at an angle to prevent direct overlooking, it is considered that the conditioning of level 3 obscurity to the roof lights and that the roof lights be fixed & non-opening, that the development would not result in any additional loss of privacy to the surrounding residential properties as this would prevent any overlooking into those properties to the south of the site, Linrie and 2, 4 and 6 Blakeley Close.

### **HIGHWAY/TRAFFIC IMPLICATIONS**

The Director of Technical Services - Traffic and Transportation Division have been consulted as part of the notification process and have confirmed that the proposals are unlikely to result in any increase in traffic and are satisfied that highway safety will not be affected. As such, it is not considered that the proposals represent any adverse impact on highway safety that would warrant a refusal of planning permission.

### **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**

It is considered that subject to conditions the proposed development would not result in any significant harm to adjoining properties. The proposal satisfies the criteria set out in Policy HS11 of Wirral's Unitary Development Plan and the current Supplementary Planning Guidelines: House Extensions. The proposal is therefore recommended for approval.

### **Summary of Decision:**

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposed development, subject to conditions, is considered to satisfy the criteria set out in Policy

HS11 of Wirral's Unitary Development Plan and the current Supplementary Planning Guidelines: House Extensions. The proposal is therefore recommended for approval.

**Recommended**      **Approve**  
**Decision:**

**Recommended Conditions and Reasons:**

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

**Reason:** To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The proposed north east facing first floor window shall be obscurely glazed (not less than Level 3) and non-opening and shall be permanently retained as such thereafter.

**Reason:** In the interests of residential amenity having regard to policy HS11 of Wirral's Unitary Development Plan

3. Within 1 month of the date of this permission, the 4 roof lights on the south west facing roof slope of the extension as indicated on Drawing No's. DW6 REV E Proposed garage 1st floor, DWG 9 REV C Proposed rear & side elevations and DWG 40 - Roof Plan shall be obscurely glazed (not less than Level 3) and non opening and shall be permanently retained as such thereafter.

**Reason:** In the interests of residential amenity having regard to policy HS11 of Wirral's Unitary Development Plan

**Further Notes for Committee:**

**Last Comments By:** 17/01/2012 10:13:09

**Expiry Date:** 13/02/2012