

**Planning Committee**

16 February 2012

**Reference:**  
**APP/12/00012**

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

**Case Officer:**  
**Miss A McDougall**

**Ward:**  
**Heswall**

**Location:**  
**Proposal:**  
**Applicant:**  
**Agent :**

Melrose, 90 OLDFIELD ROAD, HESWALL, CH60 6SG  
Proposed replacement dwelling and associated landscape works.  
Mrs Alison Al-Kadhimi  
Roger Stephenson Architects

**Site Plan:**



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**Development Plan allocation and policies:**

Green Belt

GB4 (Replacement of Existing Dwellings in the Green Belt)

HS4 (Criteria for New Housing Development)

**Planning History:**

APP/96/06011 - Erection of a side porch and dormer extensions to front and rear - Approved 06/09/96

APP/10/00999 Proposed extension and remodelling of the existing house and associated landscape works - Approved 26/01/11

**Summary Of Representations and Consultations Received:**

**REPRESENTATIONS**

Having regard to the Council Guidance on Publicity for Applications, 5 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 2 objections have been received from Councillor Johnson and 52 Oldfield Drive, listing the following grounds:

1. Not in keeping with Green Belt boundaries
2. Unneighbourly development

**CONSULTATIONS**

The Director of Technical Services (Traffic & Transportation Division) - Unadopted section of road, no objections.

**Director's Comments:**

**REASON FOR REFERRAL TO PLANNING COMMITTEE**

Councillor Johnson has requested the application be taken out of delegated powers as the application is not in keeping with the Green Belt policies.

**INTRODUCTION**

The proposal is for the erection of a replacement dwelling. The application follows a previous application for the remodelling of the original dwelling, the appearance and scale of the house remains the same but the process of development differs as the original house will now be demolished.

**PRINCIPLE OF DEVELOPMENT**

The plot is located within the Green Belt, it is acceptable in principle to replace existing dwellings within the Green Belt under UDP Policy GB4 - Replacement of existing dwellings in the Green Belt.

**SITE AND SURROUNDINGS**

The existing dwelling is a low level dormer bungalow set within a row of three dwellings, number 90 being the central building. The house is flanked by 2 dwellings, number 52 Oldfield Drive which is a two storey dwelling with a habitable third floor, number 92 Oldfield Road has recently been constructed, the house is two connecting units and is a modern design twist on a traditional barn design.

The plot is in a highly attractive location that looks out onto fields to the west which are designated "Special Landscape" and the Dee Estuary.

**POLICY CONTEXT**

The proposal is for a replacement dwelling in the Green Belt, the scheme will be assessed against the following policies;

Policy GB4 (Replacement of existing dwellings in the Green Belt)

The replacement of existing dwellings in the Green Belt will be permitted subject to the following criteria:

- (i) the dwelling is not in an isolated or visually prominent location in the countryside;

(ii) there is direct vehicular access to the dwelling;

(iii) the replacement dwelling is not more than 15% larger than the dwelling it replaces or larger than the existing dwelling plus any remaining permitted development allowance for extension;

(iv) the curtilage of the replacement dwelling should be the same as or wholly contained within the curtilage of the existing dwelling.

The Local Planning Authority will remove permitted development rights for further extensions when granting permission for a replacement dwelling which is materially larger than the existing dwelling.

Where the replacement dwelling's location in the curtilage would result in a lesser impact in the Green Belt than that of the existing dwelling, the Local Planning Authority will require the replacement dwelling to be positioned accordingly. In other cases the Local Planning Authority will require the replacement dwelling to be located in the same place as the existing dwelling.

Policy HS4 (Criteria for new housing development)

Proposals for new housing development on allocated sites and within the Primarily Residential Areas shown on the Proposals Map will be permitted subject to the proposal fulfilling all the following criteria:

(i) the proposal being of a scale which relates well to surrounding property, in particular with regard to existing densities and form of development;

(ii) the proposal not resulting in a detrimental change in the character of the area;

(iii) access and services being capable of satisfactory provision, particularly for off-street car parking areas and garages, and adequate vehicular access;

(iv) the provision of appropriate landscaping and boundary treatment which relates the proposed development to its surroundings, paying particular attention to the maintenance of existing natural features and vegetation in accordance with Policy GR5;

(v) the appropriate provision of design features which contribute to a secure environment and reduce the likelihood of crime;

(vi) incorporating provision for accessible public open space and children's play areas in accordance with Policy GR6; and

(vii) the provision of adequate individual private or communal garden space to each dwelling.

For all proposals whose main elevations are parallel, or nearly so, an adequate distance should be kept between habitable rooms in separate dwellings. In addition, where the gable end of one property fronts onto the rear elevation of another, then an adequate separation should be achieved.

A previous application 10/00999 for the remodelling of the dwelling was assessed under UDP Policy GB5 - Extension of existing dwellings in the Green Belt, this application and the resultant development is a material consideration in determining the current planning application. Policy GB5 states; The extension of existing dwellings in the Green Belt will be permitted, provided that the floorspace of the resultant dwelling is no more than 50% larger than that of the habitable floorspace of the original dwelling, and subject also to the enlarged dwelling not having a harmful visual impact on its surroundings.

#### **APPEARANCE AND AMENITY ISSUES**

The original dwelling is a dormer bungalow set in a row of three properties both of which are substantially larger than number 90. The footprint of the house is square with a garage to the side, the house has a volume of 807.7m<sup>3</sup> the total including the 15% allowance under UDP Policy GB4 would equate to 928.8m<sup>3</sup>. The proposed replacement house is 1128.9m<sup>3</sup> not taking into account allowance of Permitted Development. The proposed replacement dwelling does exceed the permitted replacement volume including 15% as set out in Policy GB4. However the footprint and appearance

of the dwelling reflects the resultant dwelling under planning approval 10/00999, which was assessed under Policy GB5 where it was considered that the impact of the replacement dwelling was acceptable. This previous approval and the fact that this proposal will result in exactly the same development is a material planning consideration.

The proposed replacement dwelling exceeds the 15% increase by approximately 200m<sup>3</sup>, the proposed lower ground garage and store equates to 188m<sup>3</sup>, this element of the design does not detrimentally impact the Green Belt in terms scale or openness. The replacement dwelling is also lower in height than the two adjoining houses and is located centrally in an existing built row.

The appearance of the dwelling is modern and differs to the two adjoining houses both of which are different in style to each other. As there are only 3 properties within the immediate street scene the difference in appearance works well and allows each house to demonstrate its own character and design without being overbearing to the neighbouring property.

The appearance, scale and siting of the dwelling has been approved as part of the remodelling approval 10/00999. The applicant has submitted a structural survey stating that the extensions cannot be built hence the need for the application for a replacement dwelling. The resultant dwelling would be the same design, scale and appearance as the previously approved scheme. The proposal does not harm the objectives of the Green Belt and taking into account the previous approval as a material consideration, the proposal is acceptable having regard to Wirral's UDP Policy GB4 and HS4.

#### **SEPARATION DISTANCES**

The proposal for the remodelling of the house increases the height of the building however the outlook remains the same to the front and rear. To the front there are no dwellings and therefore no overlooking, the building line of the proposed house is in line with the front of number 52 Oldfield Drive so will not impact the front windows of this property.

There is a detached dwelling to the rear number 50 Oldfield Drive which is 27m from the proposed dwelling side to rear facing, this therefore meets the separation distance of 14m window to blank wall.

#### **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.

#### **CONCLUSION**

The replacement dwelling is acceptable in terms of siting and appearance, the scheme repeats the previously approved extensions application.

#### **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 resultant dwelling would be the same design, scale and appearance as the previously approved scheme. The proposal does not harm the objectives of the Green Belt and taking into account the previous approval as a material consideration, the proposal is acceptable having regard to Wirral's UDP Policy GB4 and HS4.

**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. Before any construction commences, samples of the materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

**Reason:** To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy GB4 and HS4 of the Wirral Unitary Development Plan.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to a dwelling shall be erected unless expressly authorized in writing by the Local Planning Authority.

**Reason:** In order to protect the character of the area/residential amenities of nearby occupants and to accord with Policy GB4 of the Wirral Unitary Development Plan.

4. The windows to the south side facing elevation shall be obscurely glazed prior to first occupation and shall be retained as such thereafter.

**Reason:** Having regard to residential amenity and the neighbouring property number 52 Oldfield Drive.

**Further Notes for Committee:**

1. The applicant should contact United Utilities Service Enquires on 0845 746 2200 regarding connection to the water mains/public sewers.

**Last Comments By:** 08/02/2012

**Expiry Date:** 05/03/2012