

**Planning Committee**

6 March 2012

**Reference:**  
**APP/11/01520**

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

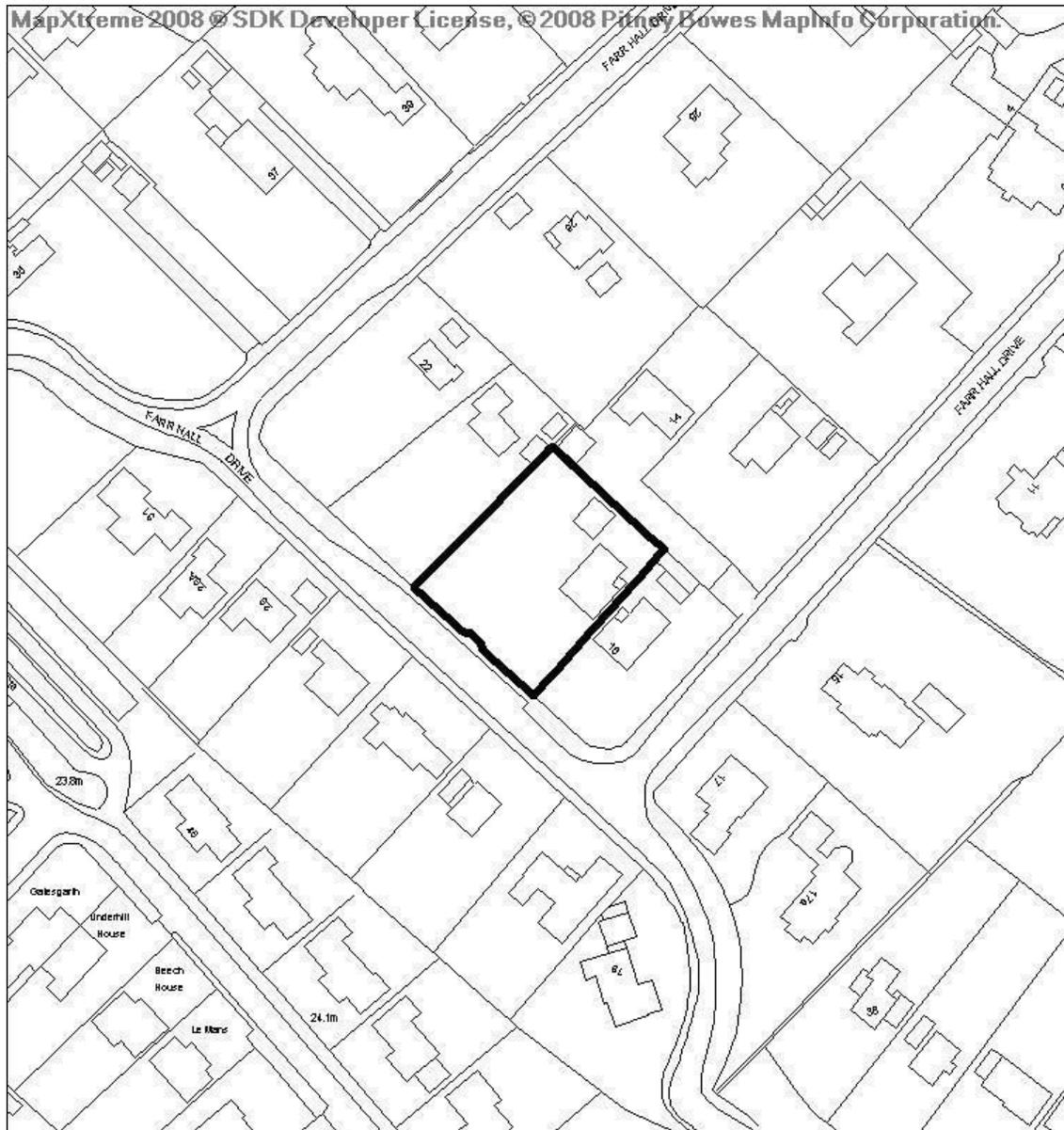
**Case Officer:**  
**Mr K Spilsbury**

**Ward:**  
**Heswall**

**Location:** Redwood, 18 FARR HALL DRIVE, HESWALL, CH60 4SH  
**Proposal:** Demolition of existing bungalow and garage and replacement with a new 2 storey house with a flat roof, basement and double garage (detached), new driveway and amended front entrance from Farr Hall Drive. (Amended Description)

**Applicant:** Mr and Mrs Collins  
**Agent :** N/A

**Site Plan:**



**Development Plan Designation:**

Primarily Residential Area

**Planning History:**

APP/11/00337 - Demolition of existing bungalow and replacement with new three storey house with basement, single garage, driveway and amended entrance from Farr Hall Drive - Approved 13/05/2011

**Summary Of Representations and Consultations Received:**

## REPRESENTATIONS

Having regard to the Council Guidance on Publicity for Applications, 13 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 3 letters of objection have been received from 2, 14 and 22 Farr Hall Drive & 26 Farr Hall Drive, listing the following grounds:

1. Not to scale with surrounding properties
2. Will result in a detrimental change in the character of the area
3. Does not blend in with residential area
4. Contrary to policy HS4
5. Unsuitable Design for the size of the plot
6. Invasion of privacy
7. Distance between the proposed building and the thatched cottage roof is by law incorrect and could be queried
8. Length out of keeping with surrounding character
9. Rear window will impinge upon privacy of No.12 and No.14
10. Unappealing appearance
11. Potential structural damage to the environment as development could cause subsidence up the hill
12. Concern over presence of springs when level of land altered
13. Concern over removal of trees and impact upon properties to the rear of the site including; 12, 14 and 16 Farr Hall Drive
14. Concern over fuel used in occupiers fire and impact upon adjacent thatched roof.
15. Over development & out of character
16. The proposed height is contrary to a covenant on the land
17. Loss of views
18. Inappropriate design.
19. Noise pollution as a result of possible air conditioning units and contrary to HS4
20. The application has been taken out of delegation by Councillor Hodson for the following reasons:
21. Unneighbourly Development
22. Alteration to the street scene
23. Invasion of privacy

The Heswall Society have expressed their concern with regards to the buildings mass, its location within the plot, the location of the windows and potential overlooking of 14 Farr Hall Drive. They analyse the development against Liverpool's SPG 10 with regards to private amenity space and Wirral's SPG – House Extensions with regards to the buildings proximity to the boundary. They conclude that the replacement dwelling has a harmful impact upon 14 Farr Hall Drive as a result of visual intrusion and would be unneighbourly as a result as height and mass.

A Qualifying petition of objection containing signatures from 30 separate addresses has been received objecting to the scheme on that grounds that it is not in harmony with the neighbouring properties and has no architectural merit.

## CONSULTATIONS

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

United Utilities: No Objections

## **Directors Comments:**

Consideration of this application was deferred from Planning Committee on 16 February 2012 for a formal Committee Site visit to take place.

## **REASON FOR REFERRAL TO PLANNING COMMITTEE**

The application was taken out of delegation by Councillor Hodson stating "Unneighbourly development, alteration to the street scene and invasion of privacy".

## **INTRODUCTION**

The proposed development is a resubmission of a previously approved scheme for the demolition of the existing bungalow and replacement with a new 2 storey house with a flat roof, basement and double garage. The development also involves the construction of a new vehicular access front entrance from Farr Hall Drive.

## **PRINCIPLE OF DEVELOPMENT**

The principle of the development is acceptable subject to policy HS4 & GR7 of Wirral's Unitary Development Plan.

The site is for a replacement dwelling and is therefore acceptable in terms of the Interim Planning Policy 'New Housing Development'.

## **SITE AND SURROUNDINGS**

The site is located within a primarily residential area characterised by a variety of dwelling designs set within their own grounds. The land drops away relatively steeply to the south west towards the River Dee.

The site of the development currently contains a single storey bungalow, located on the south eastern boundary and a detached double garage towards the rear of the site. There are a number of mature trees and shrubs surrounding the site, screening the property from the road as well as an approximately 2m high close boarded fence running along the side boundaries with 16 and 20 Farr Hall Drive.

There is a two storey modern dwelling located to the east of the site (16 Farr Hall Drive) and to the west is a two storey thatched dwelling (20 Farr Hall Drive). Directly to the rear of the site set further up the hill is a single storey bungalow (14 Farr Hall Drive). This is set slightly higher than the dwelling site, due to the increase in the gradient of the land. There is some large trees and shrubs running along the rear boundary as well as an approximately 2m high hedgerow that creates some partial screening.

## **POLICY CONTEXT**

The proposed development is for a replacement dwelling on a site with a number of mature trees as such policy HS4 and GR7 of Wirrals Unitary Development Plan are relevant in this instance:

HS4 Criteria for New Housing Development states:

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.

GR7 Trees and New Development states:

In assessing the protection to be given to trees on development sites the Local Planning Authority will consider the general health, structure, size and life expectancy of trees, their visual value within the locality and their value for nature conservation and will require that buildings, structures and hard surface areas are sited in order to:

(i) substantially preserve the wooded character of the site or of the surrounding area;

(ii) provide for the protection of trees of greatest visual or wildlife value and other vigorous healthy trees;

(iii) ensure that trees to be retained have adequate space in order to prevent damage to their canopy or root structures during construction and to allow for the future growth of canopy and roots to normal mature sizes;

(iv) prevent the removal of trees by occupiers of the development to obtain reasonable sunlight to habitable rooms, secure an open unshaded garden area, or to remove perceived dangers to life and property; and

(v) protect trees on adjacent land which may be affected by the development proposed;

Applications should include detailed plans showing the location of individual trees to be affected by the development proposed, together with information related to trunk girth, species mix, height, canopy spread and general health and condition. Trees to be felled should be clearly indicated.

Where development involving the loss of trees is to be permitted, the Local Planning Authority will, as a condition of planning consent, require replacement trees to be planted elsewhere on the site where this is required in order to protect or preserve local amenity.

Planning conditions will include provision for the future maintenance of newly planted stock, including the replacement of failures, until the newly planted stock is established and capable of normal unaided growth; and during the construction period, measures related to the protection of trees to be retained.

Work to trees, including felling, removal, thinning and crown lifting should be completed prior to construction commencing in accordance with a scheme of work agreed in advance with the Local Planning Authority.

As stated above the overall principle of a replacement dwelling is deemed acceptable subject to the above policies and as such will be assessed within the next sections.

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

The proposed development is for the demolition of the existing dwelling and the erection of a two storey dwelling, with an excavated basement level and associated garage.

The design of the dwelling has been amended from that previously approved. The dwelling has a flat roof and is now substantially lower than the previous scheme. It is the developers intention that the

dwelling has the appearance of an imitation Georgian Villa with a large entrance doors onto the garden located to the south east elevation, orangery on the north west elevation and an enclosed spiral staircase on the north east elevation.

The newly proposed dwelling will be located centrally within the site and will follow a similar building line to that of the neighbouring property 16 Farr Hall Drive. 20 Farr Hall Drive is set back behind the proposed dwelling and is at a slight angle to the proposed new dwelling.

A number of the larger conifer trees have now been removed from the site since the previous scheme was approved. It is considered that they had little visual value and generally dominated the site. The larger trees towards the front of the site have been retained to preserve the woodland appearance of the area.

The new scheme has been amended at the request of the Local Planning Authority so that the first floor bedroom above the orangery has now been removed. It was considered that a visual break between properties was important to maintain the character of large properties set within large plots of land.

A number of local residents have expressed concern over the appearance of the dwelling and its suitability within the street scene.

Whilst the proposed dwelling is unique in design and according to a number of the representations, not to everyone's taste, when viewed within the context with the surrounding area, it is considered that the proposal will not result in a detrimental change of the character of the area as all surrounding dwellings vary in size, style and appearance.

It is considered that the amendment to the design of the dwelling ensures that the general street pattern is adhered to and the size, scale and massing is wholly appropriate to the size of the plot and when viewed within the context of the street scene. Visually the dwelling house will only be in partial view from Farr Hall Drive as the existing trees along the front of the site create a visual buffer.

As local residents have expressed concern over the potential loss of trees on site, a landscaping condition can be imposed should members be minded to approve the proposed scheme to ensure that the proposed development will remain in keeping with the character of the area.

As with the previous scheme the private amenity space is located to the front of the dwelling in the form of a large garden which follows the general street pattern of the Drive.

Further objections have also been received in relation to the windows in the rear windows facing 12 and 14 Farr Hall Drive. This issue will be addressed within the section below.

Structural damage to the environment through the construction of the project, subsidence, flooding of land caused by damaging springs and the potential of fire damage to the adjacent thatched roof are not material planning considerations and cannot be considered in the determination of this application.

#### **SEPARATION DISTANCES**

The dwelling will be located to the rear of the site with the main amenity space to the front of the property. There are a number of trees located along the rear boundary of the site as well as an approximately 2m high hedge row that offers screening of the site from 12 and 14 Farr Hall Drive which will help to ensure privacy.

It is considered that as 12 and 14 Farr Hall Drive are located on higher ground than that of the proposed dwelling, the proposal will not have any adverse impact upon amenity of the adjacent properties in terms of overlooking as the rear windows of the proposed house are located in excess of the 21m recommended separation distance employed by the local planning authority. There are also a number of mature trees running along the boundary that will screen it from the bungalow.

The height of the building has been reduced from that of the previously approved scheme and due to the increasing land levels from the site towards the north east, it is considered that there will be no loss of amenity to any of the surrounding dwellings as sufficient separation distances have been

provided.

#### **HIGHWAY/TRAFFIC IMPLICATIONS**

It is considered that there is sufficient off street parking within the site and following consultation, the Director of Technical Services - Traffic Management Division has no objection to the scheme.

#### **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 proposed development is acceptable in terms of the criteria set out in Policy HS4 and GR7 of Wirral's unitary Development Plan and 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 is acceptable in terms of the criteria set out in Policy HS4 and GR7 of Wirral's unitary Development Plan and 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 external finishes of the development hereby permitted shall match those of the existing building in material, colour, style, bonding and texture.

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

3. The area(s) so designated within the site shall be suitably landscaped in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority before any works commence on site, the landscape work to be completed during the first available planting season following completion of the development hereby approved and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

**Reason:** To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality.

4. 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 authorised.

**Reason:** In order to protect the character of the area/residential amenities of nearby

occupants and to accord with Policy HS4 of the Wirral Unitary Development Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision re-enacting or revoking the provisions of that Order), no window or dormer window shall be added to the property unless expressly authorised.

**Reason:** In order to protect the residential amenities of nearby occupants and to accord with Policy HS4 of the Wirral Unitary Development Plan.

6. Details of a scheme of planting to provide a screen for the site/along the North East and South West boundaries, consisting predominantly of trees or other suitable plants shall be submitted to and approved in writing by the Local Planning Authority unless otherwise agreed in writing with the Local Planning Authority.

The agreed planting shall be carried out in accordance with the details so approved within the first planting season immediately following the carrying out of the development. Any trees which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

**Reason:** To safeguard the amenities of neighbouring occupiers and to ensure that the proposed development does not prejudice the appearance of the locality and to accord with Policy HS4 of the Wirral Unitary Development Plan.

7. Within three months of the date of this permission details of the scheme demolition of the existing dwelling shall be submitted to and approved in writing with the local planning authority.

**Reason:** In the interest of the Interim Planning Policy

8. Prior to the first occupation of the development the existing dwelling shall be demolished in accordance with the approved scheme of demolition as outlined in condition 7 of this approval.

**Reason:** In the interest of the Interim Planning Policy

9. Detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved.

**Reason:** To ensure that the development is satisfactorily sited and designed in relation to adjacent development and the highway and that satisfactory gradients are achieved. In accordance with policy HS4 of Wirral's Unitary Development Plan.

10. The development hereby approved shall be carried out in accordance with the details shown on the plan(s) received by the Local Planning Authority on 25 January 2012

**Reason:** In the interest of amenity having regard to policy HS4.

**Last Comments By:** 18/01/2012 14:05:13

**Expiry Date:** 14/02/2012