

Planning Committee

6 March 2012

Reference:
APP/11/01525

Area Team:
South Team

Case Officer:
Mrs J McMahon

Ward:
Heswall

Location: Beacon Cottage, 4 MOORLAND CLOSE, GAYTON, CH60 0EL
Proposal: Two storey rear extension. First floor side extension over garage.
Applicant: Dr M Lockyer
Agent : C W Jones

Site Plan:



Development Plan Designation:

Primarily Residential Area

Planning History:

No planning history

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

Having regard to the Council's Guidance on Publicity for Planning Applications, 4 notifications were sent to adjoining properties and a site notice was displayed near the site. Representations have been received from 8 Anthony's Way around possible intrusion on privacy and an objection has been received from 2 Moorland Close on the following grounds:

1. loss of natural light and sunlight
2. adversely affect outlook from kitchen window
3. pollution from proposed chimney

Tree Preservation Officer - no objection

CONSULTATIONS

Department of Law, HR and Asset Management (Pollution Control Division) - Although not within the planning remit the applicant should be made aware that the property is within a smoke control area and only approved fuels may be burnt (coal and wood are not authorised fuels).

Wirral Wildlife - Recommend conditions for the protection of badgers within the vicinity of the site.

Director's Comments:

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

REASON FOR REFERRAL TO PLANNING COMMITTEE

This application has been referred to Planning Committee by Councillor Johnson following representations to him from a neighbour expressing concerns that the proposals appear unneighbourly and would impinge on their amenities.

INTRODUCTION

The application is for the erection of extensions to the existing garage by adding a first floor and wrapping the extended building around the rear elevation and towards the rear boundary.

PRINCIPLE OF DEVELOPMENT

The site lies within an area designated as primarily residential where the erection of extensions to dwellings is acceptable subject to the limitations set out in Policy HS.11 and SPG.11.

SITE AND SURROUNDINGS

The site is occupied by a modern detached house located in a corner position at the head of the cul-de-sac. There are two identical houses to either side, 6 Moorland Close is on the south side and sits at right angles to no.4, and no.2 Moorland Close, which adjoins to the east in an elevated position. The property backs on to Urban Greenspace (The Beacons) which is designated as a site of Local Biological Importance.

POLICY CONTEXT

UDP Policy HS.11 and Supplementary Planning Guidelines: House Extensions have been taken into consideration in the determination of this application. Policy suggests that in primarily residential areas house extensions will generally be acceptable provided there would be no significant loss of amenity to neighbouring properties and that there would be detrimental impact on the character of the original property or the street scene.

APPEARANCE AND AMENITY ISSUES

The proposed additions would raise the height of the garage from a flat roofed structure some 2.3 metres high to a full height building that would be approximately 0.2 metres lower than the existing house and would be set back 5.2 metres from the main front elevation. The development would complement the shape, scale and window proportions of the original dwelling and is acceptable in design terms.

The adjoining property, 2 Moorland Close, has an identical garage sited adjacent to no.4's, however, the house is at a much higher level. This property was built with a kitchen window that faces south-west towards the application site, the window is not the only source of light to this room as there is a secondary opening in the rear elevation. The distance between the extension and the side elevation of no.2 is some 9.6 metres, bearing in mind there is a difference of around 2 metres in ground levels it is considered that the development would not affect the residential amenity of the adjoining property to an unacceptable degree.

The neighbours' objection raises the issue of possible pollution from a new chimney, however, this matter is not within the remit of the Local planning Authority.

The occupier of 8 Anthony's Way raises concern over possible loss of privacy. The south-west elevation of the extension has a full height window at first floor level, there is at least 13 metres between the window and the boundary with 8 Anthony's Way and does not directly face the elevation of this house. The distance of the proposed window to the boundary is sufficient and given it does not directly face any part of the house, there will be no overlooking. The separation distances are acceptable and are in accordance with the usual guidance.

SEPARATION DISTANCES

The distance between the extension and the south-west and south-eastern boundaries is 13 metres and 21 metres respectively.

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 development is considered to have no serious detrimental impact on neighbouring properties and is acceptable in terms of its design. The proposal satisfies the criteria set out in Policy HS.11 of Wirral's Unitary Development Plan and the current Supplementary Planning Guidelines: House Extensions.

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 development is considered to have no serious detrimental impact on neighbouring properties and is acceptable in terms of its design. The proposal satisfies the criteria set out in Policy HS.11 of Wirral's Unitary Development Plan and the current Supplementary Planning Guidelines: House Extensions.

Recommended Decision: **Approve**

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. Works on the site shall only take place between 08.00 hours and 18.00 hours.

Reason: For the protection of badgers having regard to Policy NC7 of the Wirral Unitary Development Plan

3. Any holes or trenches left open overnight shall have a means of escape provided for badgers, for example in the form of a scaffolding plank.

Reason: For the protection of badgers having regard to Policy NC7 of the Wirral Unitary Development Plan

4. All materials, especially those containing lime, shall be stored securely within the site.

Reason: For the protection of badgers having regard to Policy NC7 of the Wirral Unitary Development Plan

Further Notes for Committee:

Informatives for the Applicant

1. The applicant should be aware that the property is within a smoke control area and as such only approved fuels maybe burnt (coal & wood are not authorised fuels)

2. There are exemptions to the above, where what is termed an '**exempted appliance**' is installed and would allow for certain types of wood to be burnt. A list of exempted appliances is available via the Council's website or directly at <http://smokecontrol.defra.gov.uk>. This lists the appliances and the types & condition of timber that can be burnt. These fires are designed to burn smokelessly.

3. It is an offence within a smoke control area for your fire to give off smoke, however it is a defence to show that the are using an exempted appliance, with the correct wood and in the correct manner i.e well maintained etc.

4. Whilst not necessarily an issue for yourselves, I am aware that Building Regulations have some specific standards that must be adhered to in relation to the end of any chimney or flue from a solid fuel appliance and any opening windows. The plans do seem to show windows in the roof space of the property close to the proposed chimney.

Last Comments By: 27/01/2012 09:42:02

Expiry Date: 17/02/2012