

## Planning Committee

18 August 2016

Reference: APP/16/00693    Area Team: North Team    Case Officer: Miss A McDougall    Ward: Moreton West & Saughall Massie

Location: 2 GIRTRELL ROAD, UPTON, CH49 4LQ  
Proposal: Erection of three bedroom detached house to rear of garden  
Applicant: Mr & Mrs Condron  
Agent: N/A

### Site Plan:



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**Development Plan allocation and policies:**

Primarily Residential Area

**Planning History:**

No planning history

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

Having regard to the Council Guidance on Publicity for Applications, 14 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report, a Qualifying petition of objection has been received containing 43 signatures and 26 objections have been received, listing the following grounds:

1. cramped development
2. impact onto neighbouring residential amenity
3. impact on drainage and flooding
4. difference in land levels
5. loss of garden
6. loss of wildlife habitat
7. traffic implications
8. loss of light
9. neighbouring trees
10. loss of privacy and outlook
11. impact onto neighbouring gardens
12. driveway crosses the front garden of no.16 Wellbrae Close (land registry details attached to objection letter from 16 Wellbrae Close)
13. out of character

**CONSULTATIONS:**

**Head of Environment & Regulation (Traffic & Transportation Division)** - No Objections

**Wirral Wildlife** - Not a known habitat however advisory comments regarding protected species.

**Director's Comments:**

Consideration of this application was deferred from Planning Committee on 21 July 2016 to allow for a formal Members Site Visit to take place.

**REASON FOR REFERRAL TO PLANNING COMMITTEE**

Councillor Blakeley has requested that the application be taken out of delegated powers by reason of its height, siting and coverage of the small backland site, which would result in a cramped development that would have an unsympathetic relationship to nearby properties. Furthermore it would detract from the amenities of adjoining residents by reason of its proximity to side boundaries, overlooking and loss of privacy.

A qualifying petition of objection containing 43 signatures has also been received.

**INTRODUCTION**

The proposal is for the erection of a detached two-storey dwelling to the rear of 2 Girtrell Road.

**PRINCIPLE OF DEVELOPMENT**

The proposal is for the erection of a dwelling in a Primarily Residential Area, the principle of development is considered acceptable, subject to current planning policies.

**SITE AND SURROUNDINGS**

The application site is located to the rear of no.2 Girtrell Road but would be orientated to face onto Wellbrae Close to the rear of 2 Girtrell Road. The surrounding area is residential in character and the houses are two-storey and semi-detached post war dwellings. The gardens of the properties on Girtrell Road are very long and run down to meet the more recent residential developments on Wellbrae Close and Girtrell Close. The site is also bounded by the rear gardens of dwellings along Saughall Massie

Road, the general character of boundary treatments is timber fencing and mature vegetation.

## **POLICY CONTEXT**

The proposal is for the erection of a new dwelling in a residential area, as such the proposal will be assessed in accordance with Wirral's UDP Policy HS4 and the National Planning Policy Framework.

Policy HS4 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.

The environment around the home has a major impact on residents' quality of life. When new residential development is proposed, both on allocated sites where a new environment is being created and where new housing is proposed within the existing residential areas, it is important that new housing blends in well with that already built and creates a safe external environment.

The NPPF states; Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

Local planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.

Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Development Management Policies in the Joint Waste Local Plan for Merseyside and Halton are also applicable. Policy WM8 requires development to incorporate measures for achieving efficient use of

resources, Policy WM9 also requires development to provide measures for waste collection and recycling, including home composting.

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

The proposal is for a detached dwelling, the design of the property is a traditional style that reflects the design of housing within the immediate area. The dwelling is two-storey, three bedrooms with a single storey garage to the side.

In terms of the Councils current policies, the principle of erecting a dwelling within the residential area is acceptable, the proposed siting also meets the Councils current interface distances in terms of window to window outlook.

The dwelling is to be constructed within close proximity to the side boundary with no.4 Girtrell Road, the design of the house includes a single storey element adjacent to this boundary in order to provide a visual break between the application site and the neighbouring properties. The two-storey element of the dwelling is situated between 4m and 6.5m from the side boundary with 4 Girtrell Close and approximately 22m from the rear windows of 4 Girtrell Close.

In terms of the visual setting of the proposed dwelling the house would sit within the streetscene of Wellbrae Close and would be at the end of the road, it is considered that the siting of the dwelling is not out of character with Wellbrae Close. Many of the properties on Girtrell Road have large gardens with depths up to 40m, many of these properties do not have the potential for rear access and could not be developed in a similar way as the current proposal.

The proposed dwelling would form part of the street scene of Wellbrae Close and would be located at the end of the close within the turning head, the application plans show vehicle access and off road parking. Concerns have been raised from neighbouring properties due to a strip of land outside of the site on Wellbrae Close and that the land belongs to 16 Wellbrae Close, therefore the proposed driveway may not be achievable without agreement from the land owner however land ownership is not a planning consideration in this instance.

Objections have been raised with regard to the impact of the development on local wildlife and gardens, following consultation with Wirral Wildlife, it has been acknowledged that the area is not a known bat haven however advisory comments have been included in relation to bats as a protected species. In terms of the impact onto neighbouring gardens, the development will be within close proximity to the side boundary of 4 Girtrell Road and the rear boundary of 203 Saughall Massie Road, the gardens of these properties are substantial and attractive that are well kept.

#### **SEPARATION DISTANCES**

The siting of the dwelling meets the Councils current interface distances of 21m window to window (habitable rooms) and 14m window to blank elevation. The properties on Saughall Massie Road are approximately 30m from the side elevation of the dwelling, no.2 and no.4 Girtrell Road are 21m away window to window, the development does not introduce window to window overlooking to the dwellings on Wellbrae Close.

#### **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**

It is considered that the proposal is acceptable in terms of siting, scale, appearance and having regard to Wirral's UDP Policy HS4.

#### **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 policy advice. In reaching this decision the Local Planning Authority has considered the following:-

It is considered that the proposal is acceptable in terms of siting, scale, appearance and having regard to Wirral's UDP Policy HS4.

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

**Recommended Conditions and Reasons:**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 19 May 2016.

**Reason:** For the avoidance of doubt and to define the permission.

3. 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 HS4 of the Wirral Unitary Development Plan.

4. Details of all fencing, walls, gateways and means of enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is completed and the work shall be carried out prior to occupation, in accordance with the details so approved, and subsequently maintained to the satisfaction of the Local Planning Authority.

Reason(s): To ensure a proper standard of separation from, and standard of amenity with respect to, neighbouring property.

5. Prior to commencement of development a plan and scheme of works outlining the vehicle access, vehicle parking, turning, manoeuvring, levels, surface, drainage and the materials to be used shall be submitted to and agreed in writing prior to first occupation of the dwelling and these areas shall be retained thereafter for that specific use.

**Reason:** In the interests of highway safety and to accord with Policy HS4 in the in the Wirral Unitary Development Plan

6. On insertion the windows hereby approved at first floor to the south facing side elevation shall be fitted with fixed and obscure glazing up to a height of 1.7m from the finished first floor internal floor level and shall be permanently retained in that condition thereafter.

**Reason:** Having regard to residential amenity.

7. NO DEVELOPMENT SHALL TAKE PLACE until a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with policies WM8 and WM9 of the Waste Local Plan.

8. PRIOR TO FIRST OCCUPATION OR USE OF THE DEVELOPMENT, arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details previous submitted to and agreed in writing by the Local Planning Authority, prior to the first occupation of the building.

**Reason:** To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to Waste Local Plan Policy EM9.

**Further Notes for Committee:**

1. If any bats are found, it is a legal requirement that work must cease and advice sought from a licensed bat ecologist. Bats are known to be active in this area and all British Bats are European Protected Species under the Habitat Regulations 2010. They are also a UK protected species under Schedule 5 of the Wildlife and Countryside Act 1981 as amended. To avoid harmful effects on bats please ensure that all exterior lighting should follow the guidance of the Bat Conservation Trust [www.bats.org.uk](http://www.bats.org.uk)

**Last Comments By:** 05/07/2016

**Expiry Date:** 28/07/2016