

Planning Committee

31 May 2018

Reference:
APP/18/00041

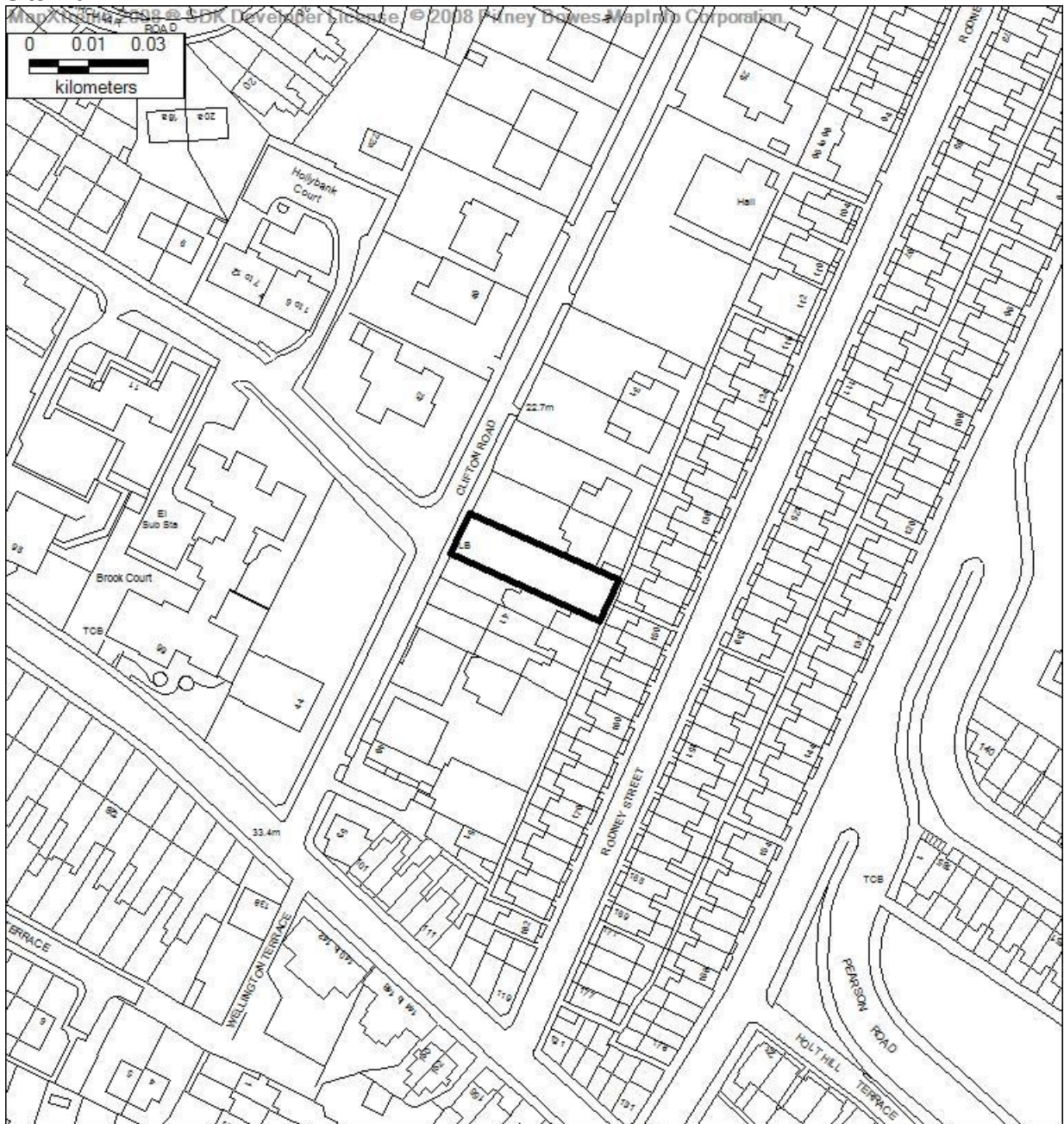
Area Team:
South Team

Case Officer:
Mr K Spilsbury

Ward:
**Birkenhead and
Tranmere**

Location: 37 CLIFTON ROAD, TRANMERE, CH41 2SF
Proposal: Construction of two semi-detached dwellings adjacent to 37 Clifton Road (Amended design)
Applicant: Mr P Waltho
Agent : Light Blue Solutions Ltd.

Site Plan:



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Development Plan designation:

Primarily Residential Area

Planning History:

Location: 37 Clifton Road, Birkenhead, Wirral
Application Type: Full Planning Permission
Proposal: Change of use to office accommodation.
Application No: APP/74/00043
Decision Date: 25/04/1974
Decision Type: Withdrawn

Summary Of Representations and Consultations Received:REPRESENTATIONS:

Having regard to the Council's Guidance on Publicity for Applications, 33 notifications were sent to neighbouring properties. A Site Notice was also displayed. At the time of writing this report 7 representations have been received with objections on the following grounds:

1. sewage
2. density
3. traffic problems
4. impact upon the character of the area.

Concern has been raised by Conservation Areas Wirral with regards to infilling of a spacious plot to the detriment of the conservation area and the applicant's failure to grasp the significance of the CA Appraisal.

Birkenhead and Tranmere Neighbourhood Planning Forum also object to the proposal due to the design and proposed materials as well as the siting of the development in relation to 42 Clifton Road (Grade 2 listed).

A qualifying petition of objection with 26 signatures has also been received from Clifton Park and Conservation Association.

CONSULTATIONS:

Highways - No Objections

Environmental Health - No Objections

United Utilities - No Objection

Merseyside Fire and Rescue - No Objection

Highways England - No Objection

DIRECTORS COMMENTS:**REASON FOR REFERRAL TO PLANNING COMMITTEE**

A qualifying petition of objection has been received.

INTRODUCTION

The proposed development is for the erection of two semi-detached dwellings at the side of 37 Clifton Road.

PRINCIPLE OF DEVELOPMENT

The site is located within the Clifton Park Conservation Area. The area is primarily residential in character and as such the principle of the development is acceptable subject to the criteria set out in Policy CH2 and HS4 of the adopted Wirral Unitary Development Plan and the National Planning Policy Framework (NPPF).

SITE AND SURROUNDINGS

The proposal is for the erection of a detached dwelling to be sited between no.37 and 39, where there is quite a large area of undeveloped land between the two properties.

The character of the area is residential and the plot is flanked by residential properties. No.39 is an end terrace - three-storey dwelling which is situated on a much higher land level than no.37. No.39 is set further forward than no.37.

To the rear of the plot are mature trees that are covered by a Tree Preservation Order. There are terraced houses to the rear of the site which are much small in scale than the dwellings on Clifton Road.

POLICY CONTEXT

Policies CH2, HS4 and GR7 of the adopted Wirral Unitary Development Plan and the National Planning Policy Framework (NPPF) are directly relevant in this instance.

Policy HS4 states that 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 being of a scale which relates well to surrounding property, in particular with regard to existing densities and form of development, the proposal not resulting in a detrimental change in the character of the area, 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 and the provision of adequate individual private or communal garden space to each dwelling. In addition 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.

Policy CH2- Development Affecting Conservation Areas states development located within, adjacent to, or otherwise affecting the setting or special character of a Conservation Area, will be permitted where the visual and operational impact of the proposals can be demonstrated to preserve or enhance: (i) the distinctive characteristics of the Area, including important views into and out of the designated Area; (ii) the general design and layout of the Area, including the relationship between its buildings, structures, trees and characteristic open spaces; and (iii) the character and setting of period buildings and other elements which make a positive contribution to the appearance and special character of the Area.

When granting consent, special regard will be given to matters of detailed design, especially within main frontages and prominent elevations, and to the nature, quality and type of materials proposed to be used.

As the site is covered by a blanket Tree Preservation Area Policy GR7 -Trees and New Development is relevant. As such development should be sited to substantially preserve the wooded character of the site or of the surrounding area; provide for the protection of trees of greatest visual or wildlife value and other vigorous healthy trees; 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; 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 protect trees on adjacent land which may be affected by the development proposed.

The main thrust of the National Planning Policy Framework is for the delivery of sustainable development on sustainable sites. As the development is for two new dwellings within an existing residential area that is well served by public transport the scheme is considered to be in sustainable location.

APPEARANCE AND AMENITY ISSUES

The proposal is for two semi-detached dwellings that have been designed to appear as one large dwelling when viewed from the road in order to mimic the size and scale of the surrounding dwellings.

Having regard to the Council's Guidance on Publicity for Applications, notifications were sent to

adjoining properties. A Site Notice was also displayed. At the time of writing this report 7 representations have been received.

The main thrust of the objection relates to sewage, density, traffic problems, impact upon the character of the area.

Concern has been raised by Conservation Areas Wirral with regards to infilling of a spacious plot to the detriment of the conservation area and the applicant's failure to grasp the significance of the CA Appraisal.

Birkenhead and Tranmere Neighbourhood Planning Forum also object to the proposal due to the design and proposed materials as well as the siting of the development in relation to 42 Clifton Road (Grade 2 listed).

A qualifying petition of objection has also been received.

Following on from consultation with the Conservation officer, the design of the proposal has been completely changed in order to ensure the development ties into the character of the surrounding conservation area, without detriment to surrounding Listed Buildings. The design is now more traditional in appearance, the scale and the siting reflects that of the existing housing stock.

Concerns raised over increased sewage in the system are not a planning matter and as such a refusal on such matters could not be sustained.

Having regards to the Conservation Area appraisal it is considered that erection of two dwellings in this particular format will not compromise the setting of the conservation area or the surrounding Listed Buildings. The building has been designed to appear as one large dwelling of similar size and scale to surrounding buildings. The density of the dwellings increases towards this part of the Conservation area and as such the overall plot sizes are comparable to the surrounding plots. As such, in terms of density, the site can easily accommodate six large dwellings without detriment to surrounding residential properties.

The closest Listed Building is some 38m from the site and is screened from the site by the adjoining properties. It is therefore considered that the introduction of two properties in this location will not compromise the setting of the neighbouring listed buildings.

The overall design of the proposal has been amended at the request of the Local Planning Authority. The design is now a lot more traditional with bay windows and a traditional roof. The appearance is that of a Victorian Villa and as such will tie into the existing fabric of the surrounding conservation area. The original design was deemed out of character and in no way tried to replicate or tie into the character of the area. The materials used on the external facing of the building will be conditioned to ensure that they are acceptable in the setting should members be minded to approve the development.

Having regards to the proposed layout of the development the LPA standards are outlined within SPG11. This states; that habitable room windows directly facing each other should be at least 21 metres apart. Main habitable room windows should be at least 14 metres from any blank gable.

The development has been set back in line with the adjoining properties to preserve the building line of development along this section of Clifton Road. The separation distances will therefore not be met at the rear of the site with the adjoining terraces Rodney Street however they will follow the existing built form of the street scene as none of the dwellings running along Clifton Road meet these requirements. In this instance it is therefore considered that a reduction in separation distances can be acceptable.

Having considered the proposal the design of the area and the accommodation proposed it is considered that the proposed layout is acceptable given the context of the site in relation to the surrounding dwellings. The design and siting of the houses will not appear out of context or character in this area and as such comply with policies CH2 and HS4 of the Wirral UDP.

With regards to UDP Policy GR7 - trees and new development, the applicant has submitted an arboricultural method statement which has outlined a number of trees running along the rear of the site

to be removed i.e. T4, T5 and T6. The Arboricultural officer has accepted the findings of the report as he considers they offer limited amenity value to the conservation area.

All traffic and transportation considerations, including car parking and highway safety are dealt with below.

In summary, the proposal is considered suitable for the site and is not considered detrimental to the character of the area. The proposed new dwellings have adequate levels of amenity space and off-street parking. The proposal complies with Policy CH2, HS4, GR7 of the Wirral UDP and the provisions of the NPPF and is recommended for approval.

SEPARATION DISTANCES

SPG11 states that habitable room windows directly facing each other should be at least 21 metres apart. Main habitable room windows should be at least 14 metres from any blank gable. As stated above the proposed dwellings will not achieve the required separation distances between habitable windows on the proposed dwellings and those to the rear on Rodney Street. However the proposal will be no closer than the surrounding properties and in some instances achieve a greater separation distance. The development has been set back in line with the adjoining properties to preserve the building line of development along this section of Clifton Road and thus the setting of the Conservation area. The separation distances will therefore not be met at the rear of the site with the adjoining terraces Rodney Street however they will follow the existing built form of the street scene as none of the dwellings running along Clifton Road meet these requirements. In this instance it is considered that a reduction in separation distances can be acceptable.

TRAFFIC AND TRANSPORTATION ISSUES

There are no Highway implications relating to this proposal. The Engineers Department has raised no objection to the proposed scheme. In response to the objections raised in relation to traffic and parking difficulties arising as a result of the development, the proposal has made provision for ample off-street parking for more than one car within each plot. The siting of the proposal is not considered to impact on visibility or traffic safety in the vicinity and therefore complies with Policy HS4.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no environmental or sustainability issues.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal has been considered with regards to Conservation, design, amenity, highway safety and trees and is considered suitable for the site and is not considered detrimental to the character of the Clifton Park Conservation Area or to surrounding Listed Buildings. The proposed dwellings have adequate levels of amenity space and off-street parking. The proposal complies with Policy CH2, HS4 and GR7 of the Wirral UDP and the provisions of the NPPF and is 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 policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposal has been considered with regards to Conservation, design, amenity, highway safety and trees and is considered suitable for the site and is not considered detrimental to the character of the Clifton Park Conservation Area or to surrounding Listed Buildings. The proposed dwellings have adequate levels of amenity space and off-street parking. The proposal complies with Policy CH2, HS4 and GR7 of the Wirral UDP and the provisions of the NPPF and is recommended for approval.

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 13th April 2018 and listed as follows: 01 A (Dated 13/04/18), 02 A (Dated 13/04/18), 03 A (Dated 13/04/18), 04 (Dated 28/03/18) and 10 B (Dated 13/04/18)

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

3. Before any construction commences, samples of the facing/roofing/window 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. The area(s) so designated within the site shall be suitably landscaped in accordance with a scheme to be submitted to and approved 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.

The detailed landscaping plans shall include:

- (i) details of boundary treatments and hard surfaces
- (ii) the location, size and species of all trees to be planted
- (iii) the location, size, species and density of all shrub and ground cover planting
- (iv) a schedule of implementation

Reason: In the interests of visual amenity and the protection of wildlife having regards to Policy HS4 and NC7 of the Wirral Unitary Development Plan.

5. Before the development hereby permitted is first commenced, a datum for measuring land levels shall be agreed in writing. Full details of existing and proposed ground levels and proposed finished floor levels shall be taken from that datum and submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: To ensure a satisfactory appearance and avoid overlooking having regard to Policy HS4 of the Wirral Unitary Development Plan.

6. No tree, shrub or hedgerow felling, or any vegetation management and/or cutting operations should take place during the period 1st March to 31st August inclusive unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect birds during their breeding season and to comply with Policy NC7 in the Wirral Unitary Development Plan.

7. The development shall be carried out strictly in accordance with the approved Arboricultural Method Statement. Which details shall include the retention of an Arboricultural Consultant to monitor and periodically report to the LPA, the status of all tree works and tree protection measures throughout the course of development.

Reason: To protect all trees worthy of retention having regards to UDP Policy GR7

Last Comments By: 17/05/2018
Expiry Date: 05/03/2018