

## Planning Committee

16 August 2018

**Reference:**  
**APP/18/00669**

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

**Case Officer:**  
**Mrs S Day**

**Ward:**  
**Clatterbridge**

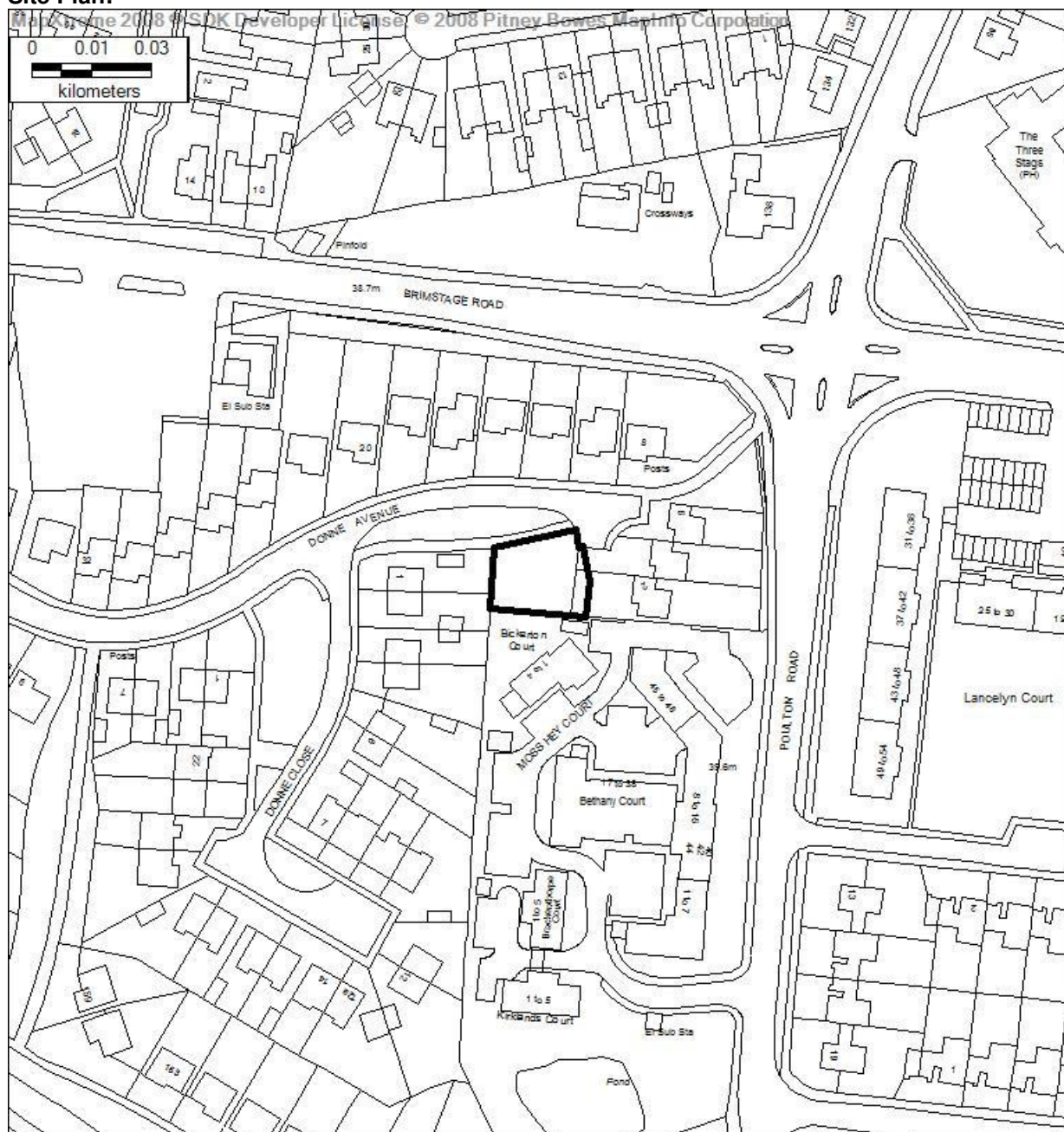
**Location:** 2 DONNE AVENUE, SPITAL, CH63 9YH

**Proposal:** Erection of new two-storey, four bedroom, detached dwelling with single, detached garage.

**Applicant:** Mr Loughlin

**Agent :** D Brigden Architectural

### Site Plan:



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**Development Plan designation:**

Primarily Residential Area

**Planning History:**

Location: 2 Donne Avenue, Spital, Wirral, CH63 9YH  
Application Type: Full Planning Permission  
Proposal: Erection of a new pitched roof over side garage and at front of property  
Application No: APP/02/06185  
Decision Date: 09/08/2002  
Decision Type: Approve

Location: 2 Donne Avenue, Spital, Wirral, CH63 9YH  
Application Type: Full Planning Permission  
Proposal: Change of use from public open space to private garden.  
Application No: APP/09/05501  
Decision Date: 15/07/2009  
Decision Type: Approve

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

Having regard to the Council's Guidance on Publicity for Applications, 29 letters were sent to neighbouring properties. A Site Notice was also displayed. 23 individual objections have been received which can be summarised as follows:

1. Overlooking and loss of privacy
2. Position of access is unsafe and will create difficulties for neighbours
3. Loss of open space and greenery
4. Loss of trees
5. Encroachment onto public footpath
6. Noise and disruption from building work
7. Increase in on street parking.

**CONSULTATIONS:**

**Highways** - No objections

**Director's Comments:****REASON FOR REFERRAL**

The application has received over 15 objections which, under the current scheme of delegation, means it must be determined by the Planning Committee.

**INTRODUCTION**

Erection of a detached dwelling and garage.

The site is within a residential area where new dwellings can be acceptable in principle subject to the relevant policies.

**SITE AND SURROUNDINGS**

Garden area to the west of 2 Donne Avenue. Surrounding properties are mainly a mix of two storey detached and semi-detached properties.

**POLICY CONTEXT**

The land to the west of 2 Donne Avenue is located within a primarily residential area where new residential development can be acceptable in principle subject to the relevant planning policies.

Policy HS4 of the Wirral Unitary Development Plan (UDP) sets out the criteria for new residential development. This requires that the proposal in general terms must relate well to adjacent properties and not result in a detrimental change in the area or to the amenity of neighbouring properties.

The site is covered by a Tree Preservation order UDP Policy GR7 forms part of the wider responsibility to conserve natural beauty and sets criteria for assessing the protection to be given to trees on development sites.

Development Management Policies in the Joint Waste Local Plan for Merseyside and Halton are also applicable. Policy WM8 indicates that development should make efficient use of resources; Policy WM9 also requires development to provide measures for waste collection and recycling, including home composting, which can be secured through a planning condition.

The National Planning Policy Framework (revised NPPF, 24 July 2018) indicates that good design is a key aspect of sustainable development. Planning decisions are expected to ensure developments add to the overall quality of the area, are visually attractive as a result of good architecture and sympathetic to local character, and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space). Poor design that fails to take the opportunities for improving the character and quality of the area should be refused (NPPF paragraphs 124, 127 & 130 refer). NPPF, paragraph 170 also indicates that decisions should contribute to and enhance the natural and local environment.

### **APPEARANCE AND AMENITY ISSUES**

Two storey detached house and garage to be built on the garden to the west of 2 Donne Avenue. The application site was originally open space but was granted consent for a change of use to the garden of 2 Donne Ave in 2009.

The proposed dwelling sits within the site and has its main aspect to the west and north. Interface distances between the proposed dwelling and those on the north side of Donne Avenue exceed 25m. to the west the interface distance to properties on Donne Close exceeds 21m. To the east the distance to 2 Donne Avenue is 14m. 4 and 6 Donne Avenue are further away. All these interface distances meet or exceed the normal requirements.

The dwelling has a detached garage and a driveway which could accommodate 2 cars. As such adequate off street parking is provide and it is not anticipated that the addition of one dwelling will result in traffic problems or an increase in on street parking.

The site is covered by a blanket Tree Preservation Order which extends to Bickerton Court to the rear. Of the 9 trees identified on site, it is proposed to remove 4. One of these trees is in a poor condition and two are identified as of low value. The remaining Elm tree is a large tree which will dominate the garden area to the west of the dwelling. In addition to the remaining 5 trees , a landscape condition can be applied to ensure replacement planting to mitigate for the loss of existing trees.

The design of the dwelling is simple and will complement the style of other properties in the area.

### **SEPARATION DISTANCES**

The separation distances are detailed in the main body of the report

### **HIGHWAY/TRAFFIC IMPLICATIONS**

There are no Highway objections to this proposal.

### **ENVIRONMENTAL/SUSTAINABILITY ISSUES**

The application was accompanied by a bat survey. The survey found no evidence of bats roosting in the trees on site.

### **HEALTH ISSUES**

There are no health implications relating to this application.

### **CONCLUSION**

The proposal for the erection of a detached dwelling is not in conflict with Policy HS4 (New Housing Development) of the Unitary Development Plan and complies with the principles of the National Planning Policy Framework.

**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 for the erection of a detached dwelling is not in conflict with Policy HS4 (New Housing Development) of the Unitary Development Plan and complies with the principles of the National Planning Policy Framework.

**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 4/6/18 and listed as follows: 0189 OP 1.002, 0189 OP 6.001, 0189 DD 5.001 and 0189 OP 4.002.

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

3. Before any construction commences, samples of the facing and roofing 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. Prior to the first occupation of the dwelling hereby approved, details of the proposed refuse storage shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**Reason :** To ensure the provision of adequate refuse storage in accordance with Policy WM9 of the Joint Waste Local Plan.

5. No tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance and/or building works is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, trees, scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval to the Local Planning Authority.

**Reason:** In the interests of nature conservation having regard to Policy NC7 of the Wirral Unitary Development Plan.

6. Prior to the commencement of development, details of a landscaping scheme shall be submitted to and agreed in writing with the Local Planning Authority. The approved landscaping shall be completed before the dwelling hereby approved is occupied. Within 5 years of the implementation of the approved landscaping scheme, any plants or trees which die or become diseased shall be replaced with an equivalent plant or tree.

**Reason:** To retain and enhance the character of the area in accordance with policy GR5 of

the Wirral Unitary Development Plan.

7. Construction of the development authorised by this permission shall not begin until the Local Planning Authority has approved in writing a full scheme of works for the construction of the new vehicle access from the highway and any amendments to the existing highway made necessary by this development, including details of the vehicle crossing access, new carriageway, new footway and verges in accordance with LPA specifications. The approved works shall be completed in accordance with the LPA written approval and prior to occupation of the development.

**Reason:** In the interests of Highway safety

**Further Notes for Committee:**

1. In order to fulfil the highway condition, it will be necessary to enter into a legal agreement with the Council to secure the works under the Highways Act and the New Roads and Streetworks Act. The agreements would include details of the works to be carried out including all necessary new carriageways, footways, kerbing, surface water drainage and verge.

**Last Comments By:** 05/07/2018  
**Expiry Date:** 30/07/2018