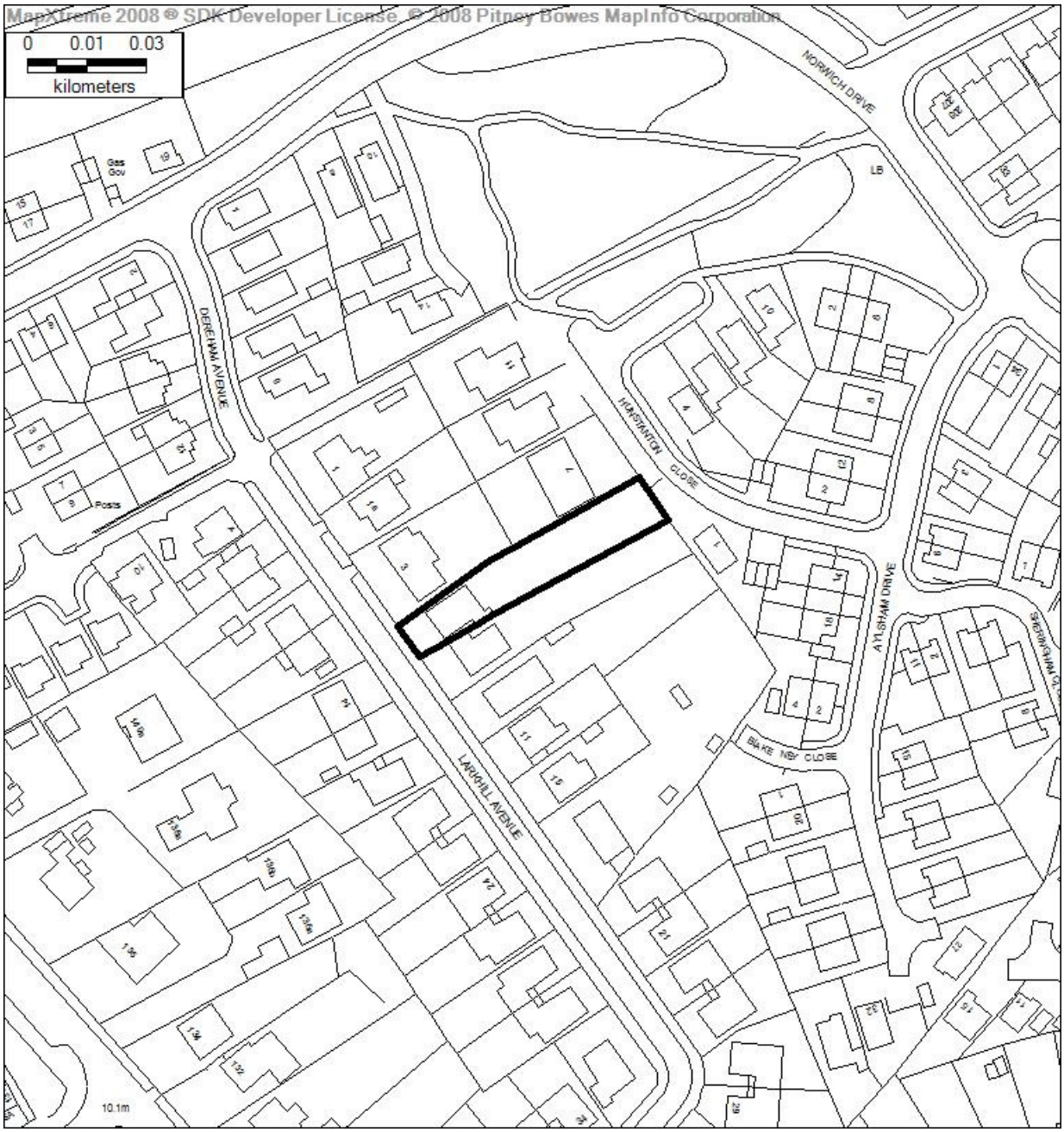
Planning Committee
13 September 2018

Reference:	Area Team:	Case Officer:	Ward:
APP/18/00390	**North Team**	**Mr N Williams**	**Upton**

Location: 5 LARKHILL AVENUE, UPTON, CH49 4PN
Proposal: Erection of a bungalow in the rear garden of 5 Larkhill Avenue, with access from Hunstanton Close
Applicant: Mrs Jeffries
Agent : Rivergate Limited

Site Plan:



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Development Plan designation:
Primarily Residential Area

Planning History:

Location: Rear of 5 Larkhill Avenue, Upton, Wirral, CH49 4PN
Application Type: Outline Planning Permission
Proposal: Erection of a dormer bungalow (outline)
Application No: OUT/06/05231
Decision Date: 24/03/2006
Decision Type: Refuse

Location: 5 LARKHILL AVENUE, UPTON, CH49 4PN
Application Type: Full Planning Permission
Proposal: Proposed 2-bedroom dormer bungalow with access onto Hunstanton Close

Application No: APP/17/01118
Decision Date: 12/12/2017
Decision Type: Refuse

Summary Of Representations and Consultations Received:

REPRESENTATIONS

Having regard to the Council's Guidance for Publicity on Planning Applications, 14 notifications were sent to adjoining properties and a site notice was displayed near the site. At the time of writing, there had been 9 objections received. The objections can be summarised as:

1. Proposed dwelling is out of keeping and taller than others in Hunstanton Close;
2. Insufficient parking;
3. Highway safety concerns;
4. Overlooking and loss of privacy;
5. Overbearing;
6. Previous refusal on site;
7. Harm to tree;
8. Noise and disruption during construction;
9. Drainage and flooding concerns;
10. Loss of property value;

CONSULTATIONS
Environmental Health - No objection

Highways - No objection

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE
A Director at the agency submitting the planning application, Rivergate Limited, is an Elected Member of the Council and there have been a number of objections received.

INTRODUCTION
The application is for the erection of a 2-bedroom bungalow in the rear garden of 5 Larkhill Avenue, with access from Hunstanton Close.

A recent application for a similar proposal (APP/17/01118) was refused.

SITE AND SURROUNDINGS
The site comprises the rear garden of 5 Larkhill Avenue, which is a bungalow with a long rear garden and large outbuilding to the rear of the property. The plot is situated in a Primarily Residential Area. The proposed bungalow will be accessed from, and will front onto Hunstanton Close. Hunstanton

Close is a cul-de-sac characterised by brick/render bungalows with low pitch roofs.

POLICY CONTEXT
The application is subject to Wirral Unitary Development Plan (UDP) Policy HS4: Criteria for New Housing Development. This policy requires new housing to be of a scale and form which relates well to surrounding properties and does not result in a detrimental change in the character of the area. For all proposals whose main elevations are parallel, or nearly so, an adequate distance should be kept between habitable rooms in separate dwellings. Policy TR9: Requirements for Off Street Parking and Supplementary Planning Document 4: Parking Standards are also relevant.

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, and Policy WM9 also requires development to provide measures for waste collection and recycling.

The National Planning Policy Framework (Revised NPPF July 2018, paragraphs 124, 127, 128 & 130) are also applicable. The creation of high quality building and places is fundamental and decisions should ensure that development will function well, add to the quality of the area, be visually attractive as a result of good architecture, layout and effective landscaping and be sympathetic to local character. It is made clear that poor design, which fails to take the opportunities available for improving the character and quality of the area and the way it functions should be refused.

APPEARANCE AND AMENITY ISSUES
The previous application was refused for the following reasons:

- The proposal is considered to be of a scale, design and density which does not relate to surrounding properties and would result in a detrimental change to the character of the area. As such the proposal is contrary to Policy HS4 of the adopted Wirral Unitary Development Plan and the National Planning Policy Framework.

- The proposed plot size, and scale and orientation of the building is considered to result in an overbearing structure when viewed from neighbouring properties and will result in a significant increase in overlooking and loss of privacy. The proposal is deemed detrimental to the amenities of neighbouring properties. The proposal is contrary to Policy HS4 of the adopted Wirral Unitary Development Plan and the National Planning Policy Framework.

- The development is considered to provide insufficient amenity space and inadequate outlook. The proposal is deemed detrimental to the amenities of future occupants. The proposal is contrary to Policy HS4 of the adopted Wirral Unitary Development Plan and the National Planning Policy Framework.

- In the absence of a tree survey, the Council are unable to assess the impact of the potential loss of any trees on the landscaped appearance of the residential area. The proposal is therefore contrary to policy GR7 of the adopted Wirral Unitary Development Plan

One of the main reasons the previous scheme was unacceptable was due to the limited depth of the application site. It was proposed that only the rear most part of the garden of 5 Larkhill Avenue would be utilised, and this resulted in the application site being only 21 metres in depth. This limited depth required the dwelling to be sited on an angle, and resulted in the proposed dwelling appearing as an overdevelopment of a small plot.

The application site for this current application has now been increased to a depth of almost 31 metres, which results in a plot which is at least comparable to others in the area. This allows for the proposed dwelling to be sited so that it is generally in line with the dwellings adjoining the site to the north (7 - 11 Hunstanton Close). These dwellings are all bungalows of slightly different designs and the proposed bungalow will therefore be largely consistent with this. The proposed bungalow will be set slightly set forward of the 7 Hunstanton Close in order to provide sufficient rear garden space and to prevent overlooking. Given that 1 Hunstanton Close (on the opposite side of the application site) is set much further forward and almost adjacent to the footway, this proposed siting is considered to be acceptable.

The property to the south-east of the application site (1 Hunstanton Close) is also a bungalow and, as noted above, is set much further forward than the other properties on this side of the road. This property is set close to the road and will screen the proposed dwelling when approaching the site from the entrance of Hunstanton Close.

The properties on the opposite side of Hunstanton Close are also bungalows but are also of a slightly different design from Nos. 7 - 11. Therefore, whilst the street scene of Hunstanton Close contains only bungalows, there is some variety within the design and character of properties. Although the proposed bungalow does have accommodation in the roof space and will be taller than neighbouring properties, there are no dormer windows on the front elevation and it will appear as a single-storey property when viewed from Hunstanton Close. This will be consistent with the surrounding area and will not have a particularly negative impact upon the overall character of the area, and is considered to make effective use of the land.

The re-orientation of the proposed dwelling, together with the increase in the rear garden area, will ensure that no direct overlooking will be created. There will be a distance of approximately 12.5 metres from the rear dormers to the rear boundary, ensuring no loss of privacy to the existing private garden area of 5 Larkhill Avenue. There are no first-floor windows on the front elevation other than velux windows, ensuring no overlooking of properties opposite the site. There are no primary habitable windows on the side elevation of 7 Hunstanton Close and the proposed dwelling will be sufficient distance away from 1 Hunstanton Close to ensure that it does not have an unacceptable adverse impact on either of these properties.

The increase in the rear garden area has also improved levels of outlook for future occupiers of the property. Whereas previously habitable windows would have been within metres of the boundary, restricting outlook and providing a significantly substandard garden area, the current proposal will have substantial outlook to both the front and rear, together with a rear garden more than 10 metres in depth.

The fourth reason for refusal related to the potential impact of the new access on an existing tree at the front of the site. Due to this access being of an insufficient width for a formal vehicular access, access into the site will only be for pedestrians. This overcomes concerns about the insufficient vehicular access into the site, and also allays concern over potential impact upon this tree.

Overall, the proposed development is considered to make effective use of the land and will not have an adverse impact upon the amenities of neighbouring properties or the character of the street scene. The scale of the proposed dwelling is considered to be suitable and although slightly larger than surrounding properties, this will not have a particularly negative impact upon the character of the area. Amended plans were submitted to reduce the footprint and height of the dwelling and ensure a sufficient rear garden area is provided, ensuring that the dwelling and the plot it sits upon is of an acceptable scale which relates acceptably to surrounding area. The revised proposal is therefore considered to comply with Wirral Unitary Development Plan Policy HS4 and the National Planning Policy Framework.

SEPARATION DISTANCES
All required separation distances are complied with in this instance.

HIGHWAY/TRAFFIC IMPLICATIONS
Due to the access into the site from Hunstanton Close being insufficient, the proposed dwelling does not have any dedicated off-street parking. However, the site is considered to be in a sustainable location with areas for on-street parking near to the site. It is therefore considered that there are no highway safety concerns which warrant refusal of the application.

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
Overall, the proposed development is considered to make effective use of the land and will not have an adverse impact upon the amenities of neighbouring properties or the character of the street scene. The

scale of the proposed dwelling is considered to be suitable for this site and will not have a particularly negative impact upon the character of the area. The proposal is therefore considered to comply with Wirral Unitary Development Plan Policy HS4 and 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 proposed development is considered to make effective use of the land and will not have an adverse impact upon the amenities of neighbouring properties or the character of the street scene. The scale of the proposed dwelling is considered to be suitable for this site and will not have a particularly negative impact upon the character of the area. The proposal is therefore considered to comply with Wirral Unitary Development Plan Policy HS4 and 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 22nd August 2018 and listed as follows: 2018_01; 2018_02; 2018_03

   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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to the 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.

Further Notes for Committee:

Last Comments By: 18/06/2018
Expiry Date: 11/07/2018