

**Planning Committee**  
18 October 2018

**Reference:**  
**APP/18/00770**

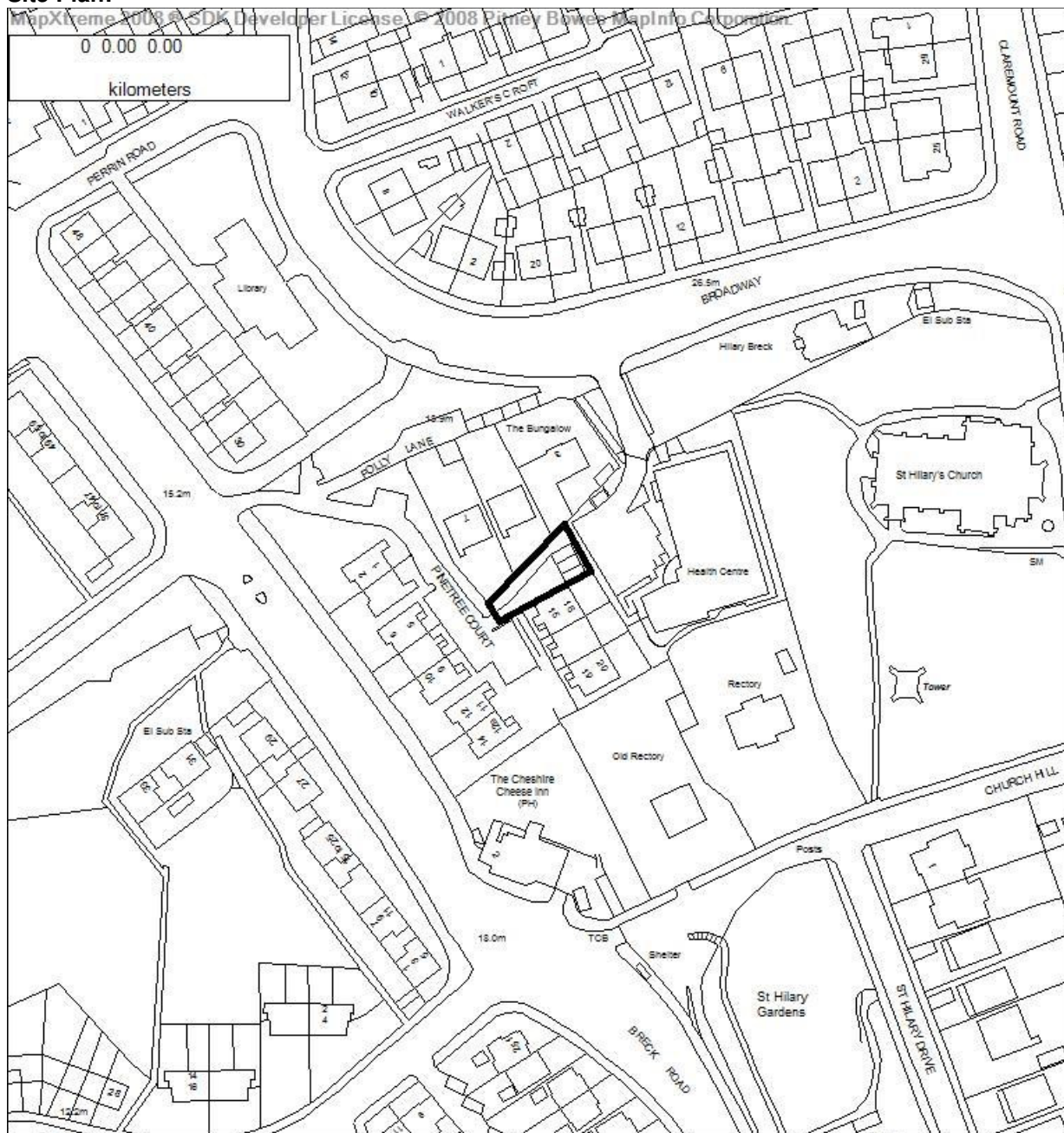
**Area Team:**  
**North Team**

**Case Officer:**  
**Mr N Williams**

**Ward:**  
**Wallasey**

**Location:** Land Adjacent to Pinetree Court, 28 Wallasey Village, Wirral, CH44 2DH  
**Proposal:** Erection of bungalow  
**Applicant:** Mr Waters  
**Agent :** Mr McHugh

**Site Plan:**



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**Development Plan designation:**  
Primarily Residential Area

**Planning History:**

There is no relevant planning history for this site

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

Having regard to the Council's Guidance for Publicity on Planning Applications, 17 notifications were sent to adjoining properties and a site notice was displayed near the site. At the time of writing, there had been 17 individual objections received. The objections can be summarised as:

1. Noise;
2. Insufficient parking;
3. Highway safety concerns;
4. Future occupiers may not be in keeping with existing use;
5. Potential damage to the road;
6. Loss of light and privacy;
7. Out of keeping;
8. Cramped development;
9. Insufficient outlook/amenities for future occupiers;
10. Would impede on adjacent steps/ramp

**CONSULTATIONS**

**Highways** - No objection

**Environmental Health** - No objection

**Director's Comments:**

Consideration of this application was deferred from Planning Committee on 13 September 2018 to allow for a formal Members Site Visit to take place.

**REASON FOR REFERRAL TO PLANNING COMMITTEE**

Councillor Paul Hayes requested the application be removed from delegation given the level of concern from neighbours that it constitutes an overdevelopment of the site. In addition, 17 individual objections were received.

**INTRODUCTION**

The application is for the erection of a bungalow.

**SITE AND SURROUNDINGS**

The site currently contains 3 attached garages towards the rear of the site with an area of hardstanding in front of them, accessed via Pinetree Court

The site is designated in the Wirral Unitary Development Plan as a Primarily Residential Area. The site is located within Pinetree Court, which is a small cul-de-sac located off Wallasey Village. Pinetree Court contains a number of two-storey properties which are used as private apartments for residents over 55 years-old. The land rises to the east within Pinetree Court, with properties on the eastern side of the road being set higher than those opposite, with the land further east rising further for St Hilary's Medical Centre.

**POLICY CONTEXT**

The proposal is subject to Wirral Unitary Development Plan Policy HS4: Criteria for New Housing Development and the National Planning Policy Framework (NPPF). Policy HS4 states that new residential schemes should not result in a detrimental change in the character of the area and should be of a scale which relates well to the surrounding area, whilst the NPPF advocates a presumption in favour of sustainable development as well as delivering a wide choice of high quality homes.

**APPEARANCE AND AMENITY ISSUES**

Principle

As noted, the existing use of the site is for garages and an area of hardstanding. There will be no loss of any residential garden area and the land is considered to constitute brownfield land. It is therefore considered that this scheme is an example of making effective use of land and therefore complies with the principles of Section 11 of the NPPF.

A large number of objections have been received on the basis that the use of this unit may be out of keeping with the nature of the area. The occupation of the flats within Pinetree Court are restricted to over 55 year-olds and there is concern that occupiers of the new bungalow will not be subject to such restrictions. However, from a planning perspective, it is not considered that the provision of a new one-bedroom bungalow in this location (which does not have restrictions on occupation) would have a particularly detrimental impact upon the character of the surrounding area or the general amenity of existing occupiers. Additionally, given the prevailing nature of the immediate area and the small scale of the bungalow, there is the potential that future occupiers may be in keeping with the existing occupiers of Pinetree Court. In any case, this is not considered sufficient reason to warrant refusal of the application given the small scale nature of the proposal.

#### Visual Impact

Whilst the bungalow will be smaller in scale than the existing properties on Pinetree Court, this is not considered to be a particular concern in this instance. The design of the existing properties on either side of the road do differ from each other, therefore already giving some variety in building appearance. In addition, the site at present contains a small row of garages and it is considered that a small bungalow on the site with some landscaping to the front would actually enhance the appearance of the area. The bungalow will be set back from the front elevation of 15/16 Pinetree Court by approximately 5 metres and given the orientation of the rear boundary of 7 Folly Lane, the proposed bungalow will not be prominent within the street scene and it will therefore have minimal visual impact upon the character of the area.

The main external finish of the proposed bungalow will be render. The majority of properties on Pinetree Court are brick, but there are significant elements of render on the properties on the eastern side, directly adjacent to the application site. The design of the proposed bungalow has also been altered slightly in order to incorporate brick headers and cills on the front elevation, helping it to blend in more with the brick and render appearance of the adjacent properties. It is therefore considered that the finishing materials of the proposal will not be particularly out of keeping within this area.

#### Impact on Neighbours

The bungalow will be largely screened from properties to the north (3 - 7 Folly Lane) by existing boundary treatment, which consists of a large wall and fairly dense vegetation. These neighbouring properties also appear to be set marginally higher than the application site, whilst the scale of the proposed bungalow is not substantially larger than the existing garages on the site. Given the substantial boundary treatment in this location, only the top part of the roof will be visible from the properties on Folly Lane, and it is not considered that this will have a particularly detrimental impact upon the amenities of these properties.

The front of the proposed bungalow will be approximately 29 metres from the front elevation of the properties opposite, which is considered more than sufficient to ensure that there will be no loss of privacy to occupiers of these properties, even with the application site being set slightly higher. Given the small scale of the proposed bungalow, it will not have an unacceptable adverse impact upon the amenities of existing properties within Pinetree Court.

Concerns have been raised that the development will impinge upon existing stepped and ramp access up to the flats at 15-20 Pinetree Court - however, amended plans have been submitted to show that the amenity space will not block these steps and access will be retained.

#### Amenities of Future Occupiers

The main amenity area for the new dwelling will be located to the front of the property. This is considered more desirable from an amenity point of view given that the land rises to the rear and would result in a less inviting amenity space where it located to the rear. Additionally, having the main amenity space to the front will allow for the bungalow to be set back from the front elevation of adjacent properties, lessening its impact upon the street scene. The quiet and private nature of Pinetree Court will also ensure that the amenity area to the front is a pleasant and useable space, and is considered

sufficient given that the bungalow is only a small one-bedroom property. A condition has been attached for a full landscaping scheme to be submitted prior to first occupation, and this will ensure that this amenity area is sufficiently private for future occupiers, but without resulting in a large fence or wall to the front of the site.

There are rear windows on the rear elevation of the proposed dwelling which will be within close proximity to the rear boundary, which currently consists of a fence and rises up towards St Hilary's Medical Centre. Whilst these windows will therefore face this tall rear boundary at close proximity, one of these windows serves a small kitchen area whilst the other is large patio doors for the main living area which is also served by an additional window on the front elevation. The bedroom is also located within the front of the property with a window on the front elevation. It is therefore considered that there is sufficient outlook for the habitable rooms within the proposed bungalow, and the unit will provide adequate living standards for future occupiers.

#### **SEPARATION DISTANCES**

All required separation distances are complied with in this instance.

#### **HIGHWAY/TRAFFIC IMPLICATIONS**

Off-street parking will be provided to the front of the proposed bungalow, accessed directly off Pinetree Court. It is not considered that the addition of a one-bedroom bungalow will have a detrimental impact upon highway safety in the area.

#### **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**

In conclusion, it is considered that the proposed development will not have an unacceptable adverse impact upon the character of the area or the amenities of neighbouring properties and the proposal therefore complies 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:-

It is considered that the proposed development will not have an unacceptable adverse impact upon the character of the area or the amenities of neighbouring properties and the proposal therefore complies with Wirral Unitary Development Plan Policy HS4 and the National Planning Policy Framework.

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

#### **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 26th July 2018 and listed as follows: 2018 004 300 001 Revision 01; 2018 004 300 002 Revision 01

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

3. Notwithstanding the information submitted with the application, prior to first use of the dwelling hereby permitted, full details of a landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall include details of any hard boundary treatment and shall be implemented in full prior to first use of the proposal and shall be retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** For the avoidance of doubt and in the interests of amenity, having regard to Wirral Unitary Development Plan Policy HS4

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.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no walls, fences or other means of enclosure shall be erected forward of the dwelling hereby permitted other than that approved under Condition 3

**Reason:** To preserve the visual amenities of the area and to accord with Policy HS4 of the Wirral Unitary Development Plan.

6. NO DEVELOPMENT SHALL TAKE PLACE until 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 plans. The development shall be carried out in accordance with the approved details.

**Reason:** In the interests of residential amenity and to comply with Policy HS4 of the Wirral Unitary Development Plan.

**Further Notes for Committee:**

**Last Comments By:** 18/07/2018

**Expiry Date:** 10/08/2018