

Planning Committee

18 October 2018

Reference:
APP/18/00936

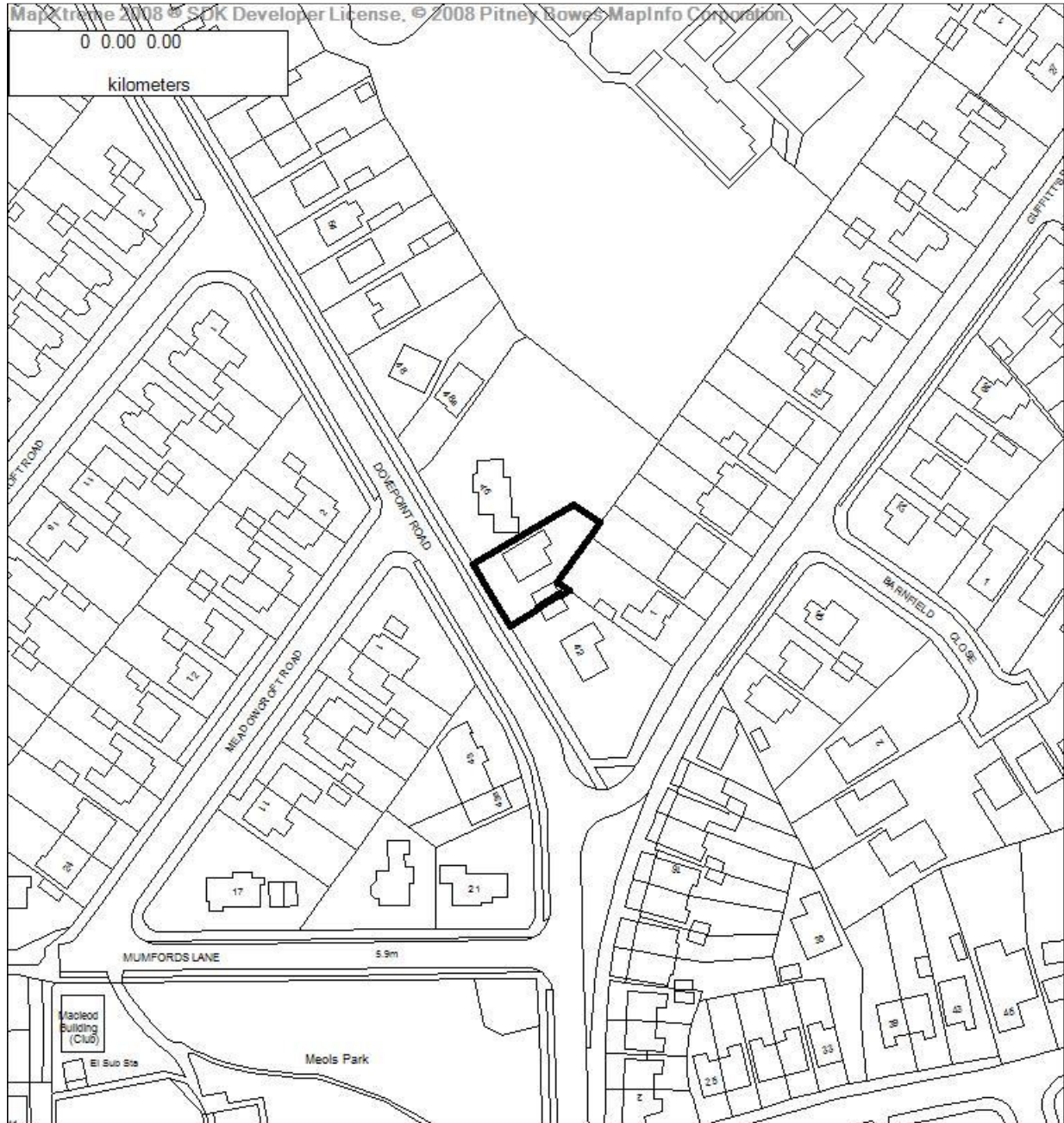
Area Team:
North Team

Case Officer:
Mr G Roberts

Ward:
Hoylake and Meols

Location: 44 DOVEPOINT ROAD, MEOLS, CH47 6BB
Proposal: Retention of two storey rear extension with amended window design
Applicant: Mr Webster
Agent : N/A

Site Plan:



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Development Plan designation:
Primarily Residential Area

Planning History:

Location: 42 Dovepoint Road, Meols ,L47 6BB
Application Type: Full Planning Permission
Proposal: Erection of kitchen and bedroom extension
Application No: APP/78/11282
Decision Date: 18/01/1979
Decision Type: Conditional Approval

Summary Of Representations and Consultations Received:

REPRESENTATIONS

Having regard to the Council's Guidance on Publicity for Applications, 8 notifications were sent to adjoining properties. A Site Notice was also displayed. In total 3 representations were received following publicity of this application – 2 were objections on the following grounds:

1. Overlooking of rear gardens and property / loss of privacy; and
2. Overbearing nature of the proposal.

One statement of support was received from an individual who is not a resident of the adjoining properties who supported the application on the basis of the design being an improvement compared to the existing.

A second round of notifications were sent to adjoining properties on 27.09.18 due to a material change to the scheme relating to an amended window design. No additional comments were received.

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

Councillor Gerry Ellis was contacted by one of the objectors to the scheme and as a consequence the application has been removed from the scheme of delegation in order that it is determined at planning committee.

INTRODUCTION

The application is for the retention of a two-storey rear extension which has already been constructed at the rear of 44 Dovepoint Road. This breach of planning has arisen due to the applicant misinterpreting the relevant permitted development rights. Planning Enforcement is aware of the situation as it stands. Upon realising this error, the applicant has applied for planning permission retrospectively. Notifications were subsequently sent out to adjoining properties, two of whom objected citing loss of privacy/overlooking and the overbearing nature of the proposal.

Councillor Gerry Ellis was contacted by one of the objectors and as a consequence the application has been removed from the scheme of delegation in order that it is determined at planning committee.

In discussions with the applicant during the application process, the Council made clear its position that the application, as first submitted, was unacceptable and could not be supported due to the close proximity of the first floor rear bedroom window nearest to the rear garden boundaries of the properties fronting Guffitts Rake. As a result an angled window with a splayed wing was proposed as a design solution to reduce the scope for overlooking into the rear gardens of the adjacent properties fronting Guffitts Rake from the first floor rear bedroom window by limiting the angle/line of sight which is possible.

With this intervention the angle of the line of sight in to the rear gardens is no worse than that which were possible prior to the construction of the extension and is therefore considered acceptable. Overlooking into the garden of 1 Guffitts Rake is significantly reduced, whilst views of the rear elevations of 3 and 5 Guffitts Rake are largely obscured from the window in question having been visible before, albeit from a further distance. The extension unquestionably brings the rear elevation closer to the rear boundaries of 3 & 5 Guffitts Rake and the separation is marginally shorter than what would be considered ideal, but at approximately 9 metres to the boundary of 3 Guffitts Rake this is considered

acceptable given that only the bottom end of the garden is overlooked and some of the view is interrupted by fencing. Line of sight distances to the rear garden of 5 Guffitts Rake are acceptable.

PRINCIPLE OF DEVELOPMENT

The proposal is acceptable in principle subject to the provisions of policy HS11 of the adopted Wirral Development Plan and SPG11.

SITE AND SURROUNDINGS

The site comprises a detached rendered dwelling with a separate side garage both of which front Dovepoint Road. The site is situated in a Primarily Residential Area of mixed design two-storey properties. At the front of the property the site is enclosed by a low wall. At the rear it is enclosed by wooden fences ranging between 1.6 and 1.8 metres in height. The rear garden has an irregular shape which increasingly narrows towards the rear boundary along its south eastern (side) boundary. This boundary also forms the rear boundary of plots fronting Guffitts Rake (Nos 1 & 3 Guffitts Rake). The north west (side) boundary and north east (rear) boundary of the site are bounded by the rear garden of No.46 Dovepoint Road.

POLICY CONTEXT

The application shall be assessed against policy HS11 House Extensions of the adopted Wirral Unitary Development Plan and Supplementary Planning Guidance Note 11 on House Extensions. Policy HS11 sets out house extensions will be permitted subject to the criteria of scale, materials and design. HS11 does not set out maximum size limits on detached dwellings, rather each application is assessed on its own merits and the scale of the extension should be appropriate to the size of the plot. SPG11 supports this and refers to the importance of considering the specific character of the building and the context of the property.

APPEARANCE AND AMENITY ISSUES

The two-storey rear extension is considered acceptable in scale and design and with the installation of the design solution proposed in respect to the sensitive first floor rear bedroom window closest to the rear boundaries of 1, 3 and 5 Guffitts Rake, it is not considered to adversely affect the amenities of neighbouring properties. The scale is appropriate to the size of the plot and does not over dominate the original detached dwelling. It incorporates a pitch roof to match the original property, and is not considered to form an over dominant feature. The two-storey extension is set off the boundaries and is not considered detrimental to the outlook of the neighbouring properties, or effect the light to habitable rooms. There remains a reasonably sized rear garden space. The proposal complies with Policy HS11 of the adopted Wirral Unitary Development Plan and Supplementary Planning Guidance Note 11 on House Extensions.

SEPARATION DISTANCES

Supplementary Planning Guidance Note 11 on House Extensions states 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. There are no properties located directly to the rear of 44 Dovepoint Road only those properties fronting Guffitts Rake whose rear elevations face in a perpendicular direction to that which the rear of the applicant's property faces. There is therefore no scope for upstairs habitable room windows to look directly into one another. Irrespective of the absence of directly facing first floor habitable rooms, the separation distances between the first floor habitable rooms as found are acceptable.

There are no significant issues of direct overlooking to neighbouring gardens. No.3 Guffitts Rake is most affected, but the impact is limited to the bottom end of the garden, the western corner of which can be viewed from a distance of 8-9 metres from the window in question which is marginally shorter than would be considered ideal but it should be noted that some of the view is interrupted by No.3's boundary fence. This situation represents a significant improvement to the original proposal. Overall, the proposal is not considered to result in loss of privacy.

It is considered necessary to condition the proposed new first floor angled window with a splayed wing facing north-east towards No.44's rear boundary, to prevent significant overlooking into the garden of Nos 1 and 3 Guffitts Rake.

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.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal is considered acceptable in scale and design, it does not harm the character of the host dwelling, surrounding area or the amenities of neighbouring properties, and complies with policy HS11 House Extensions of the adopted Wirral Unitary Development Plan, SPG11 House Extensions, 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 proposal is considered acceptable in scale and design, it does not harm the character of the host dwelling, surrounding area or the amenities of neighbouring properties, and complies with policy HS11 House Extensions of the adopted Wirral Unitary Development Plan, SPG11 House Extensions, 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 (30 September, 2018 and 02 October, 2018) and listed as follows: (drawing nos: 552 03 Rev.C and 552 04 Rev.C, dated: 30 September, 2018; and drawing no: 552 05 Rev.B, dated 02 October, 2018)

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

3. Prior to occupation of the southernmost first floor rear bedroom closest to the rear boundary of 1 Guffitts Rake (Bedroom 1 as shown on drawing no: 05), the proposed angled window with splayed wing to the right shall be implemented in full as shown on drawing 05 and retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity, particularly the relationship to adjoining occupiers, having regard to Policy HS11 of the Wirral Unitary Development Plan.

Last Comments By: 11/10/2018
Expiry Date: 21/09/2018