

## Planning Committee

17 January 2019

**Reference:**  
**APP/17/01540**

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

**Case Officer:**  
**Mr B Pratley**

**Ward:**  
**New Brighton**

**Location:** 25 WARWICK DRIVE, EGREMONT  
**Proposal:** (Amended Plans) Two and three storey extension to provide 4 additional flats.  
**Applicant:** Evsil Developments Ltd  
**Agent :** KDP Architects

### Site Plan:



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**Development Plan designation:**  
Primarily Residential Area

**Planning History:**

No previous planning history

**Summary Of Representations and Consultations Received:****1.0 WARD MEMBER COMMENTS**

Prior to becoming a member of Planning Committee Councillor Jones requested that the application be taken out of delegation due to the impact of the development on local residents. Councillor Hackett has also expressed concern about the proposal.

**2.0 SUMMARY OF REPRESENTATIONS****REPRESENTATIONS**

Having regard to the Council Guidance on Publicity for Applications, 21 notifications were sent to adjoining properties. A site notice was also displayed. 41 objections were initially received, and a petition with 69 signatures, listing the following grounds:

1. Failure to provide parking spaces is unacceptable
2. Highway safety issues
3. Scale is inappropriate
4. Detrimental impact on neighbouring properties
5. Overlooking/loss of privacy
6. Impact on community
7. Potential increase in crime and disturbance

1 item of correspondence has been received in favour of the proposal.

Following consultation on amended plans, 34 objections were submitted, and an additional petition, containing 63 signatures, listing the following grounds:

1. Overbearing and unneighbourly
2. Insufficient parking spaces
3. Highway safety issues and access for emergency services.
4. Scale is inappropriate
5. Flat roofs are not appropriate
6. Detrimental impact on neighbouring properties
7. Overlooking/loss of privacy
8. Impact on community
9. Loss of garden

**CONSULTATIONS**

**Highways** - No objection.

**United Utilities** - No objection.

**3.0 APPRAISAL****3.1 Reason for referral to Planning Committee**

3.1.1 Prior to becoming a member of Planning Committee Councillor Jones requested that the application be taken out of delegation due to the impact of the development on local residents. Councillor Hackett has also expressed concern about the proposal. Furthermore, the Council has received more than 15 letters and a petition of more than 25 signatures objecting to the proposed development.

**3.2 Site and Surroundings**

3.2.1 The existing property is a detached red brick building located at the end of Warwick Drive and the corner of Manor Lane that is currently converted into 4 flats. The neighbouring properties are typically large three storey houses, some of which are in single occupancy and others that have been converted into flats.

### **3.3 Proposed Development**

3.3.1 The proposal is for an extension to an existing building to provide an additional 4 flats.

3.3.2 The property is a detached building, previously used as a single residential dwelling. It has previously been converted into 4 flats, and therefore the proposed extension would result in a total of 8 flats within the property.

### **3.4 Development Plan**

#### **3.4.1 HS4 Criteria for New Housing Development Policy**

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 fulfilling all the following criteria:

- i. the proposal being of a scale which relates well to surrounding property, in particular with regard to existing densities and form of development;
- ii. the proposal not resulting in a detrimental change in the character of the area;
- iii. access and services being capable of satisfactory provision, particularly for off-street car parking areas and garages, and adequate vehicular access;
- iv. 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;
- v. the appropriate provision of design features which contribute to a secure environment and reduce the likelihood of crime;
- vi. incorporating provision for accessible public open space and children's play areas in accordance with Policy GR6; and
- vii. the provision of adequate individual private or communal garden space to each dwelling.

For all proposals whose main elevations are parallel, or nearly so, an 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.

#### **3.4.2 Policy HS13 - Self-Contained Flat Conversions**

Proposals for the conversion of existing buildings into self-contained flats will be permitted subject to:

- i. the conversion ensuring the privacy of neighbours and occupants including the layout of car parking areas to prevent overlooking of habitable room windows;
- ii. access normally being provided to individual flats within the main structure of the building. If external staircases have to be provided they must not result in significant overlooking of neighbours' windows or private amenity space;
- iii. any extensions required complying with Policy HS11;
- iv. any new windows required to serve habitable rooms, such as living rooms, kitchens or bedrooms, not overlooking adjoining properties to an unacceptable degree;
- v. any interior vertical partitions not cutting across windows and ceiling height reductions not being visible externally;

- vi. adequate sound proofing between flats;
- vii. any basement flat having windows with two-thirds of their height above the existing outside ground level giving sufficient daylight penetration, a reasonable outlook and not immediately adjacent to parking bays and vehicle access ways;
- viii. main living rooms having a reasonable outlook and not lit solely by roof lights, nor in close proximity to high boundary or gable walls;
- ix. access to rear yards/gardens being provided from each flat;
- x. adequate visibility at entrance and exit points and turning space for vehicles; and
- xi. the proposal otherwise complying with Policy HS4 and Policy HS5.

#### 3.4.3 Supplementary Planning Document 2

This documents states that a successful project should:

- relate well to the geography and history of the place and the lie of the land;
- sit happily in the pattern of existing development and routes through and around it;
- respect important views (from public vantage points);
- respect the scale of neighbouring buildings;
- use materials and building methods, which are as high or of higher quality as those used in existing buildings; and
- create new views and juxtapositions, which add to the variety and texture of the setting.

Unless it can be demonstrated that privacy would not be unduly affected, 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. If there are differences in land levels or where development adjoins that of different ridge height, such as three storey development adjacent to two storey property, a greater separation should be provided. For every metre difference in ridge height (or part thereof) the above distances should be increased by 2 metres.

### 3.5 **Other Material Planning Considerations**

3.5.1 The National Planning Policy Framework (NPPF) supports sustainable housing development which encompasses good design and widens the choice of high quality homes.

Development should and make a positive contribution to an area and use opportunities to improve the character and quality of an area. Policies and decisions are required to ensure development will function well and add to the quality of the area over its lifetime to provide a high standard of amenity for existing and future occupiers. Development of poor design that fails to take the opportunities available for improving the character and quality of an area should be refused (NPPF paragraphs 127 & 130 refers).

#### 3.5.2 SPD4 - Parking Standards

This document sets out maximum limits for vehicle parking spaces.

### 3.6 **Assessment**

3.6.1 The main issues pertinent in the assessment of the proposal are;

- Principle of development;
- Design;
- Highways; and
- Amenity

#### 3.7 Principle of Development

3.7.1 The site is located within a Primarily Residential Area and as such the principle of developing the site to provide additional residential accommodation is acceptable, subject to compliance with UDP Policy HS13 and SPD2.

- 3.8 Design:
- 3.8.1 Warwick Drive consists largely of red brick semi-detached dwellings of a traditional design. The existing property at number 25 is of a similar design, albeit that it is detached. The property on the far side of Warwick Drive is a flat roofed single storey structure. The flat roofed apartment block at 21 Webster Avenue is also visible from the application site. To the east of the site is Nautilus House, a two storey building with a green copper roof. The surrounding area is therefore characterised by a variety of building and roof types.
- 3.8.2 The application as originally submitted proposed the erection of five additional flats within a part two and part three storey extension. The overall height of the structure, when measured from the ground level directly outside of the original building, would have been 7.4 metres. Concerns were raised by officers regarding the height of the proposal and the detrimental impact it was considered to have on the character of number 25, and the wider area.
- 3.8.3 Amended plans have been received reducing the number of proposed units to four, and reducing the height of the three storey element to 6.4 metres. The reduction in height has been achieved largely through the replacement of a pitched roof with a flat roof. As noted above, flat roofs are a feature of development within the area. The development will not be significantly visible from Warwick Drive although it will be more visible when passing along Manor Lane. The other design elements, such as fenestration and use of juliet balconies, are modern in character and therefore complement this flat roofed extension. The proposal is considered to be appropriate in its context, and it will have an acceptable impact on the character and appearance of the area.
- 3.9 Highways:
- 3.9.1 Four parking spaces are proposed, one for each dwelling. This meets the requirements of SPD4.
- 3.10 Ecology:
- 3.10.1 There are no Environmental/Sustainability issues relating to these proposals.
- 3.11 Amenity:
- 3.11.1 The plans as originally submitted indicated that the proposed flats would be 4.8 metres from the boundary with 23 Warwick Drive. Officers were concerned that the proposal would have an overbearing impact on occupants of this property. The amended plans have positioned the extension 5.6 metres from the boundary. This is considered to be a sufficient distance to prevent it having an overbearing impact on the occupants of number 23. The distance, coupled with the fact that the application site is at a lower elevation than number 23, will ensure that the proposal will not result in an unacceptable loss of light for occupants of this neighbouring property.
- 3.11.2 The only windows on the south west elevation of the extension will serve bathrooms and the stair core, and will be obscure glazed. The proposal will not result in the loss of any privacy at 23 Warwick Drive. The majority of the windows will be in the north east elevation of the extension. These will overlook the car park within the grounds of Nautilus House.
- 3.11.3 The rear (north west) wall of the proposed building will be 2.2 metres from the rear boundary of 22 Caithness Drive. This wall will be 4.2 metres above present ground level. 22 Caithness Drive has a 25 metre garden and the proposal is not considered to have a detrimental impact on occupants of this dwelling as a result of loss of light or overbearing.

#### **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 to be of a scale and design that is acceptable to the character of the residential area. There are no significant impacts on the amenities of neighbouring

properties. The proposal is not considered to result in loss of outlook, privacy, daylight or sunlight to neighbouring properties. As such the proposal complies with Policy HS4 of the adopted Wirral Unitary Development Plan, SPD4 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 10 December 2018 and listed as follows: 1483 201 Revision H.

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

3. Before any construction commences, details 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 HS13 of the Wirral Unitary Development Plan.

4. PRIOR TO FIRST OCCUPATION OF THE DWELLINGS arrangements for the storage and disposal of refuse, including facilities for recycling, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection having regard to Policies WM8 and WM9 of the Joint Waste Local Plan.

5. The window(s) above ground floor level on the south west facing elevation of the development hereby approved shall glazed with obscured glass and top hung opening outwards and thereafter be permanently retained as such.

**Reason:** To safeguard the amenities of occupiers of adjoining properties and to comply with Policy HS4 of the Wirral Unitary Development Plan.

**Further Notes for Committee:**

**Last Comments By: 19/11/2018**

**Expiry Date: 24/01/2019**