

Planning Committee

17 January 2019

Reference:
APP/18/01243

Area Team:
**Development
Management Team**

Case Officer:
Mr G Roberts

Ward:
Bebington

Location: 36 CLAREMONT WAY, HIGHER BEBINGTON, CH63 5QR
Proposal: Two storey rear & side extension
Applicant: Mr & Mrs Williams
Agent : David Crowder Architecture

Site Plan:



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Development Plan designation:
Primarily Residential Area

Planning History:

No planning history.

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

Cllr Williams requested that the case be removed from delegation following objections from the occupants of Nos 23 & 34 Claremont Way which are located on either side of the application site. Cllr Williams concerns relate to the visual intrusion on the amenity of the two neighbouring properties.

2.0 SUMMARY OF REPRESENTATIONS**REPRESENTATIONS**

Having regard to the Council Guidance on Publicity for Applications 13 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 2 objections have been received. The planning issues raised were as follows:

1. Design not in keeping with surrounding character;
2. Loss of light (daylight and sunlight)/overshadowing; and
3. Scale and dominance (visual intrusion).

CONSULTATIONS

None required.

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

- 3.1.1 Councillor Williams requested that the application be taken out of delegation due to the impact of the development on local residents.

3.2 Site and Surroundings

- 3.2.1 The application site (36 Claremont Way) is located within a Primarily Residential Area. The site comprises a semi-detached dwelling located at the end of the cul-de-sac of Claremont Way. No.36 adjoins No.34 on its party wall boundary and it shares its common boundary with No.23 Claremont Way. The surrounding area is composed of similar styled semi-detached houses. The siting of the Nos.34/36 and Nos.21/23 semis (at a 45 degree angle to Claremont Way) ensures that these plots have more spacious wedge shaped gardens than other properties directly fronting Claremont Way.

3.3 Proposed Development

- 3.3.1 This application seeks approval for a two storey rear and side extension set back off the rear corner of the original dwelling.

3.4 Development Plan

- 3.4.1 The application will be assessed under policy HS11 House Extensions of the Wirral Unitary Development Plan and SPG11 House Extensions.
- 3.4.2 Policy HS11 states that the scale of any proposed development should be appropriate to the size of the plot and not dominate the existing building, and not be so extensive as to be unneighbourly. Particular regard should be had to the effect on light to and the outlook from neighbours habitable rooms and development should not result in significant overlooking of neighbouring residential property.
- 3.4.3 HS11 also states that the design features and materials used for extensions should complement the existing building.

- 3.4.4 In respect to two storey rear extensions to semi-detached houses Policy HS11 requires proposed extensions to be set at least 2.5 metres off the party boundary.
- 3.4.5 SPG11 states that it is always important to consider the specific character of the building being extended and to take account of the context of the property. Extensions should reflect the existing dwelling and should retain the character, scale, design and materials of the original property.
- 3.4.6 Extensions built close to the boundary with a neighbouring property may have an adverse impact on the enjoyment of that property. Extensions should not be so large as to create an effect of over-dominance or cause significant visual intrusion or significantly affect existing levels of daylight and sunlight. As such, SPG11 requires extensions to comply with the 45 degree test where appropriate.
- 3.4.7 SPG11 states with regards to rear extensions that they should not dominate nor significantly alter the existing levels of sunlight, privacy and daylight to adjoining properties.
- 3.4.8 In respect to two storey side extensions SPG11 states that they should be set back from the front of the dwelling by 1 metre and should have a lower ridge height while maintaining a 1 metre distance from the side boundary.
- 3.4.9 In relation to the roofs of extensions, SPG11 states that in order to be in keeping they should reflect those of the existing dwelling in terms of pitch, angles, and materials used. It also states that a lower ridge line will often allow the extension to remain in scale with the existing roofs.
- 3.5 Other Material Planning Considerations**
- 3.5.1 The National Planning Policy Framework (NPPF) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development and creates better places in which to live and work
- 3.5.2 NPPF Para 127 states that developments should function well and add to the overall long term quality of the area. They should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. They should be sympathetic to local character, including the surrounding built environment, while not preventing or discouraging appropriate innovation or change and they should promote a high standard of amenity for existing and future users.
- 3.6 Assessment**
- 3.6.1 The main issues pertinent in the assessment of the proposal are;
- Principle of development (appropriateness of a residential extension in a primarily residential area);
 - Design; and
 - Amenity
- 3.7 Principle of Development:
- 3.7.1 The development is acceptable in principle subject to Policy HS11 of Wirral's Unitary Development Plan, SPG11 and the provisions of the National Planning Policy Framework.
- 3.8 Design:
- 3.8.1 The scale and design of the proposed development is not considered detrimental to the character and appearance of the host dwelling, the street scene or surrounding area. The proposal would not be adversely prominent on the street scene due to more than adequate set back from the principle elevation and lower ridge height compared with that of the existing dwelling ensuring that the proposal is subordinate to the main dwelling, not overbearing/dominant.

3.8.2 The siting of the property (at a 45 degree angle to Claremont Way) also ensures that side/rear extension is barely visible from the street scene as one approaches the property from the bottom of Claremont Way. The two storey rear extension projects an acceptable distance of 4.5 metres off the main rear elevation thereby passing the 45 degree angle test and it is located a more than sufficient 3.35 metres off the party boundary. The proposed materials and design features match the existing and in view of these factors the design and scale of the extensions are considered reasonable.

3.9 Amenity:

3.9.1 In terms of amenity, it is considered that the proposed development would not be so extensive as to be overbearing or to result in overlooking or unreasonable levels of overshadowing in relation to neighbouring properties' habitable rooms. It is acknowledged that there will be a degree of impact in terms of loss of sunlight/overshadowing to No.34's conservatory in winter (photos were provided by the occupant of No.34 showing the path of the late afternoon sun during the winter months). It is considered that this impact would be less pronounced in the summer months when the sun is higher in the sky. It should also be noted that if the conservatory was not located adjacent to the party boundary, then as per the evidence provided by the applicant, the extension passes the 45 degree angle test relative to what would be the closest ground floor habitable room window if the conservatory was not in situ.

3.9.2 At 3.35 metres off the party boundary with No.34, the side/rear extension also comfortably exceeds the minimum requirement of at least 2.5 metres setback off the party boundary for a two storey rear extension to a semi-detached dwelling required under Policy HS11. It is therefore considered that it would be unreasonable not to permit the proposed policy compliant extension to No.36 because of the presence of No.34's conservatory on the party boundary (which it should be noted is not a habitable room), particularly when the extension of No.34's side/rear corner has previously been permitted, albeit to one storey only.

3.9.3 In terms of loss of sunlight to No.34's fairly large rear garden, it is considered that the impact would be negligible particularly in summer. Furthermore, there would be no privacy impact given the absence of any first floor windows on the side elevation facing No.34.

3.9.4 At its closest point, the side/rear extension would be located a sufficient distance of 7 metres from neighbouring 23 Claremont Way. And whilst having one first floor window on its front elevation (facing across the front elevation No.23) and another on its first floor side elevation (facing the bottom of No.23's rear garden), these windows will be to a bathroom and en-suite shower room respectively. In order to ensure the privacy of the occupants of No.23, the requirement for these windows to be opaque will be secured by condition. At ground floor level, the existing garage, which is to be retained, will prevent views in/out of the bi-fold doors proposed on the side elevation of the proposal. The proposal will unquestionably be clearly visible from the side garden of No.23, but from an acceptable distance which is not considered to lead to visual intrusion or a loss of outlook.

3.9.5 Given that the applicant site is located to the north of No.23 no impact has been identified in terms of loss of light to No.23's garden given that proposal will not obscure the sun's path at any time of day, in any season.

3.9.6 Separation distance do not apply in this instance as the closest main habitable rooms to the rear are approximately 23 metres away and are completely obscured by mature trees on the plot's rear boundary.

3.9.7 In view of these factors, it is considered on balance that the extension will not have a significant adverse impact on the amenities Nos 34 and 23 can reasonably expect to enjoy in terms of loss of privacy, light and outlook.

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 not considered to have a significant adverse impact on the amenities which the occupiers of the neighbouring properties can reasonably expect to enjoy in terms of loss of light, privacy or outlook. The proposed development is not considered detrimental to the character and appearance of the host dwelling, street scene or surrounding area. The proposal is acceptable in terms of scale and design, complies with the provisions of Policy HS11 of the adopted Wirral Unitary Development Plan, SPG11 and the provisions 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 (18 October, 2018) and listed as follows: (drawing no: CWB/000, dated: 19.09.18)

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

3. The first floor bathroom window (front elevation) and first floor en-suite shower room window (side elevation) shall not be glazed otherwise than with obscured glass (UPVC and top/side hung, opening inwards or outwards) and thereafter be permanently retained as such.

Reason: To safeguard the amenities of occupiers of adjoining properties and to comply with Policy HS11 of the Wirral Unitary Development Plan.

Further Notes for Committee:

Last Comments By: 20/11/2018

Expiry Date: 13/12/2018