

Planning Committee

17 April 2019

Reference:
APP/18/01425

Area Team:
Development
Management Team

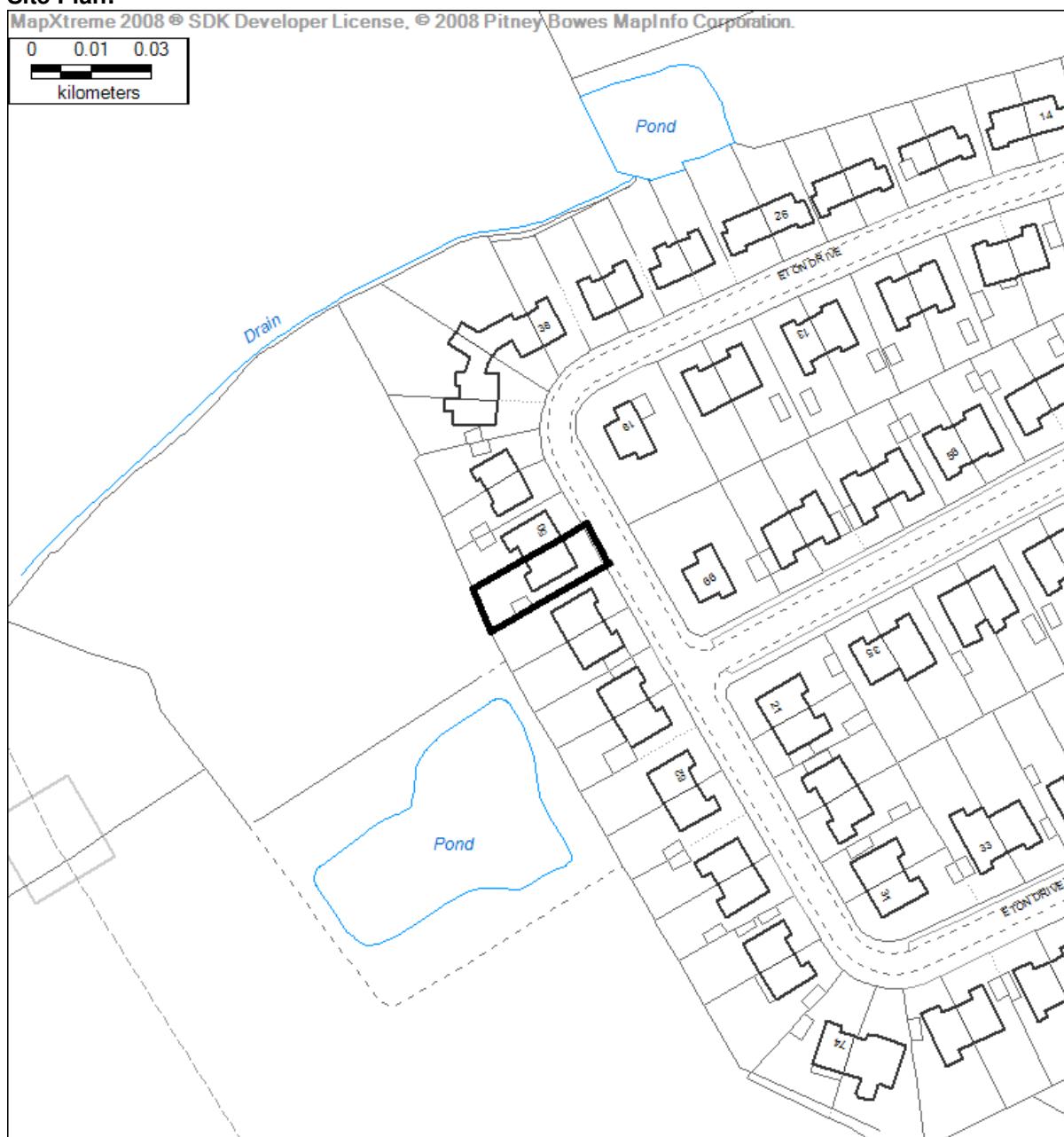
Case Officer:
Mrs S Williams

Ward:
Clatterbridge

Location: 52 ETON DRIVE, THORNTON HOUGH, CH63 1JS
Proposal: Erection of a rear dormer window
Applicant: Mrs Kirby
Agent : DROME ARCHITECTS

Qualifying Petition: Yes Number of Signatures: 68

Site Plan:



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Development Plan designation:

Infill Village in the Green Belt
Green Belt

Planning History:

Location: 52 ETON DRIVE, THORNTON HOUGH, CH63 1JS
Application Type: Lawful Development Certificate Proposed
Proposal: Proposed permitted development of side, rear and roof extensions, moving of front door and new windows within roof.
Application No: LDP/18/01235
Decision Date: 18/12/2018
Decision Type: Lawful Use

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

- 1.1 Councillor Povall has requested the application to be taken out of delegation on the grounds that it is completely out of character with the rest of the properties in Eton Drive. It is overdevelopment of a small plot to the detriment of the surrounding neighbours.

2.0 SUMMARY OF REPRESENTATIONS**REPRESENTATIONS**

Having regard to the Council's Guidance for Publicity on Planning Applications, 4 notifications were sent to adjoining neighbouring properties and a site notice was displayed near the site. At the time of writing this report 7 objections have been received. Additionally, a petition has been received containing 68 signatures, and in line with the Council's Scheme of Delegation the application must therefore be referred to Planning Committee. Concerns can be summarised as:

1. Not in keeping with the area;
2. The height of the extension is already above the roof line;
3. Unattractive/Unsightly;
4. Detrimental effects on neighbouring properties/Intrusive;
5. Building works do not seem to reflect the original drawing;
6. De-value of properties;
7. No party wall has been built;
8. Building works to the rear have not had planning permission, but has been installed regardless;
9. Loss of view from No.50;
10. Damage to No.50 in the visible appearance of structural cracks and leaks under the roof;
11. Owner of No.52 was not willing to pay for the party wall which is a legal requirement;
12. Damage to No.52 and the stress this is causing to the elderly owner is unacceptable;
13. Ensure that a structural engineer inspects this building work to ensure that all unapproved work is halted and that a party wall is installed and that all damage to No.50 is rectified and made safe.

CONSULTATIONS

Wirral Green Belt - Has raised no objection on the basis the proposal does not exceed the 50% limit on the original property.

3.1 Reason for referral to Planning Committee

- 3.1.1 Councillor Povall has requested the application be taken out of delegation on the grounds that 'it is completely out of character with the rest of the properties in Eton Drive. It is overdevelopment of a small plot to the detriment of the surrounding neighbours'.

- 3.1.2 Additionally, a qualifying petition of objection containing 68 signatures has been received, and in line with the Council's Scheme of Delegation the application must therefore be referred to Planning Committee.

- 3.1.3 The application was deferred from Planning Committee on 21st March 2019 to allow Members to visit the site.

3.2 Site and Surroundings

- 3.2.1 52 Eton Drive is a semi-detached bungalow which is located within Thornton Hough, which is designated as an 'Infill Village in the Green Belt' in Wirral's Unitary Development Plan. To the south of the application site are other bungalows and to the north are two-storey semi-detached dwellings. The roof styles of the other bungalows consist of gable ends when compared to the original hipped roof of No.50-52 Eton Drive.
- 3.2.2 The neighbouring property, 50 Eton Drive, has previously extended over the years with a front/rear dormer and a conservatory to the rear. There are other examples of rear and side dormers within the surrounding area and whilst it is appreciated that these additional structures are relatively small in scale, it should be acknowledged that roof extensions (along with rear extensions) are not an uncommon feature within the surrounding area.
- 3.2.3 Given that the property is located within Wirral's Green Belt, the rear boundary directly adjoins large open fields and therefore there are no residential properties directly to the rear of the application site.
- 3.2.4 The principal, front elevation of the property faces towards the garden areas of 19 Eton Drive and 66 Oxford Drive. The boundary treatment to these properties (adjacent to the highway) consists of approximately 1.8m high wooden fencing and tall, mature hedge screening.

3.3 Proposed Development

- 3.3.1 The proposal is for the erection of a rear dormer extension.
- 3.3.2 A Lawful Development Proposal was previously submitted (LDP/18/01235) for the Council to consider whether the development submitted constituted 'permitted development'. A certificate was issued on the 18th December 2018 confirming that the works for side, rear and roof extensions, the moving of the front door and new windows were permitted development and would therefore not require planning permission. The only part of the proposed works included within this planning application which therefore requires planning permission is the rear dormer. This is the only aspect which should be assessed as part of this application.
- 3.3.3 It should be noted that at the time of writing this report, works on site have commenced. It is understood the majority of the works being carried out have been assessed under LDP/18/01235, and as these works do not require planning permission the Council has no control. It has been brought to the Council's attention that works have also started on the rear dormer. In this instance, due to this application being currently assessed, it is considered unreasonable for the Council to consider enforcement action at this stage. Any works the applicant is undertaking that may require planning permission is being done at their own risk.

3.4 Development Plan

- 3.4.1 The application property is located within land designated as Green Belt in Wirral's Unitary Development Plan (UDP). Wirral UDP Policy GB5 - Extension of Existing Dwellings in the Green Belt and Policy HS11 – House Extensions, SPG11 – House Extensions and National Planning Policy Framework (NPPF) - Requiring Good Design are all directly relevant in this instance.
- 3.4.2 With regards to Policy HS11, it is considered that extensions should be designed in such a way as to have no significant adverse effect on the appearance of the original property, the amenities of neighbouring properties, in particular through overlooking or an adverse effect on the area in general. SPG11: House Extensions acts as a supporting document in relation to HS11.
- 3.4.3 The property is located within the Green Belt and is therefore subject to policy GB5 of Wirral's Unitary Development Plan. This policy states that an extension of existing dwellings in the Green Belt will be permitted, provided that the resultant dwelling is no more than 50% larger than that of the habitable floor space of the original dwelling, and subject also to the enlarged

dwelling not having a harmful visual impact on its surroundings.

3.5 Other Material Planning Considerations

3.5.1 Proposals affecting the Green Belt - Paragraph 143 of the NPPF states that 'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'. The NPPF also states that 'local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very Special Circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations'. Paragraph 145 (c) states 'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'.

3.7 Assessment

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

- Principle of development;
- Design; and
- Amenity

3.8 Principle of Development:

3.8.1 In principle, extensions to dwellings located within the Green Belt are considered acceptable subject to the criteria above.

3.9 Design:

3.9.1 The proposal incorporates a rear dormer. The original proposal included raising the height of the original roof by approximately 0.8m. Amended plans were requested and have been received on 9th January 2019. The ridge height of the proposal has now been reduced to follow the pattern of the height of the existing roofline.

3.9.2 The proposed rear dormer would be set in approximately 0.8m from the boundary with 50 Eton Drive, 1.2m from the boundary with 54 Eton Drive and 0.8m from the rear wall. The dormer extension is set significantly lower than the ridge height of the property and, in addition, the plans indicate a visual break between the rear wall and the structure itself. The windows vertically correspond with the ground floor windows. In terms of the requirements for dormer extensions, the proposal complies with Wirral's SPG11: Rear Dormers.

3.10 Highways:

3.10.1 There are no highway implications relating to this proposal.

3.11 Ecology:

3.11.1 There are no Environmental/Sustainability issues relating to these proposals.

3.12 Amenity:

3.12.1 Due to the design and scale of the proposed dormer it is considered that the proposal would be unlikely to have a significant impact on the daylight levels of neighbouring properties. Wirral's' SPG11 requires dormer extensions to be set in 0.5m from the gable and party boundaries and in this case the proposed dormer is set in more than the required distances. Additionally, the rear windows would look across the rear garden of the application property itself and the large fields to the rear. The adjoining property already has a rear dormer itself and therefore concerns raised relating to intrusion do not warrant refusal.

3.12.2 As stated above, the property is located within a residential street where there are several examples of various extension and house types. The adjoining property has extended with a front and rear dormer and rear conservatory. It should again be noted that the majority of the works shown on the submitted plans have been determined to be permitted development, as certified through LDP/18/01235. The height of the dormer subject to this application is set significantly lower than the original roofline of the property which helps limit the impact on neighbouring properties. The property still maintains a single-storey appearance when

viewed from the street scene. Additionally, the proposal is located on the rear elevation and therefore does not impact on the appearance of the street scene.

- 3.12.3 The property is located within the Green Belt and is therefore subject to policy GB5 of Wirral's Unitary Development Plan. This policy states that the extended property must be no more than 50% larger than that of the habitable floor space of the original dwelling. The extended dwelling must also not have a harmful visual impact on its surroundings.
- 3.12.4 The original floor space of the property has been calculated to be approximately 99.16 square metres, this floor area includes the detached garage as it falls within 5m of the dwelling house and stands as an original feature. The proposed extension (even when including the hip to gable, rear and side extension allowed under LDP/18/01235) has been calculated to be approximately 25.67 square metres, giving an overall floor space of approximately 124.83 square metres. This is therefore an approximate increase of 26% of floor space when compared to the original floor space of 99.16 square metres and therefore complies with the 50% increase of floor space stated as suitable within Policy GB5.
- 3.12.5 The proposed extension is not considered to be detrimental to the openness of the Green Belt. The rear dormer extension is not considered visually obtrusive or out of keeping with the area given the variety of other extensions and house types. There are no issues of loss of light or privacy to neighbouring properties.
- 3.12.6 Several concerns have been raised relating to the commencement of works on site prior to the grant of planning permission. It is understood that the majority of the works being carried out include the erection of the hip to gable, rear and side extension. Additionally, it has been confirmed by neighbours that the rear dormer is in the process of being constructed. As stated above under para. 3.3.3, it is considered unreasonable for the Council to consider enforcement action at this stage. Any works the applicant is undertaking that may require planning permission is being done at their own risk.
- 3.12.7 Concerns have also been received relating to party wall issues and the damage to 52 Eton Drive. Whilst the Council sympathises with the residents of neighbouring properties these issues do not fall within the remit of planning control and therefore are not established reasons to refuse planning permission. It should also be noted that the applicant may have instructed a private Building Inspector to carry out the assessment of works and therefore, again, the Council has no control.
- 3.12.8 Overall, the proposal is not considered to be detrimental to the openness of the Green Belt. In addition, the proposal would not cause harm to the character and appearance of the area or have a harmful visual impact on its surroundings or an adverse impact to the amenities of neighbouring properties. The proposed development complies with relevant Council policies GB5 and HS11 of Wirral's Unitary Development Plan and is therefore considered acceptable.

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 would not cause any harm to the openness of the Green Belt due to the design and position of the plot. The proposal is not considered to have a harmful visual impact on its surroundings or an adverse impact to the amenities that the occupiers of neighbouring properties expect to enjoy. The proposed development complies with relevant policies NPPF, GB5 - Extension of Existing Dwelling in the Green Belt, HS11 - House Extensions and SPG11 - House Extensions and is therefore considered acceptable.

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 1st November 2018 and listed as follows: plan/drawing numbers E050-000 (date 19.09.2018), E050-005 (date 28.06.2018) and amended plan received on 1st April 2019, plan/drawing number E050-007 revision C.

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

Further Notes for Committee:

Last Comments By: 05/12/2018

Expiry Date: 27/12/2018