
ITEM	APP/2007/5365	WARD New Brighton
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Location: 123 Seabank Road Egremont Wirral CH45 7PD

Proposal: Retention of wood framed tree house.

Applicant: Mr Philip Lewis
123 Seabank Road
Egremont
Wirral
CH45 7PD

Development Plan allocation and policies: Primarily Residential Area
HS11: House Extensions
SPG11: House Extensions

Planning History: None.

Representations and consultations received: Representations:
A total of 6 letters of notification have been sent to properties in the area. At the time of writing this report 3 objections have been received from the occupiers at 125 Seabank Road, 70 Penkett Road and 127 Seabank Road, listing the following grounds:

The occupier at 125 Seabank Road objected on the grounds of direct overlooking to the rear and the increase level of noise.

The occupier at 70 Penkett Road objected on the grounds of direct overlooking and loss of privacy.

The occupier at 127 Seabank Road objected on the grounds of loss of privacy.

Consultations:
None

Directors comments: PROPOSAL
The proposal is for the retention of a wood framed tree house. The tree house is sited in the rear garden of 125 Seabank Road projecting along the boundary with 70 Penkett Road. It is raised from ground level by 4.3 metres.

PRINCIPLE OF DEVELOPMENT
The proposal has been considered unacceptable due to direct overlooking to the occupiers of neighbouring properties.

SITE AND SURROUNDINGS
125 Seabank Road has a large rear garden, there is approximately a 1.6-1.8 metre high wooden fence and sporadic vegetation screening to all rear boundaries.

POLICY CONTEXT
The application property is located within land designated as Primarily Residential Area in the Wirral Unitary Development Plan and the property itself falls under the use class C3 as it is a dwelling house. Policy HS11: House Extensions and SPG11 are directly relevant in this instance.

APPEARANCE AND AMENITY ISSUES
The tree house is raised 4.3 metres from ground level, although the neighbouring properties of 125 Seabank Road have large rear gardens the tree house directly overlooks the rear gardens.

With regards to the objections received from the occupiers at 123 and 127 Seabank Road and 70 Penkett Road it has been considered that these objections are valid and therefore the tree house would create overlooking and invade the privacy in which the neighbours can reasonably expect to enjoy.

In addition, the tree house is sited approximately 28 metres away from the property, if

it were to be lowered by 0.3 metres it would fall under the General Permitted development Act 1995 Schedule 2 Part 1 Class A. Therefore the Local Planning Authority would be unable to take action.

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 directly overlooks the rear gardens of the occupiers at adjoining properties and therefore does not comply with Policy HS11: House Extensions or SPG11. Therefore it has been considered that the proposal is unacceptable.

Recommendation: Refuse

Reason(s):

- 1 Unneighbourly development - overlooking and loss of privacy. (R08D)

Last Comments By: 23 August 2007

56 Day Expires On: 17 September 2007