
ITEM	APP/2007/5655	WARD West Kirby and Thurstaston
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Location: 10 Caldy Wood Caldy Wirral CH48 2LT

Proposal: Erection of a conservatory to the west side of the property, a two storey extension to the rear and east side of the property, and a balcony with railings to the front elevation of the property at first floor level (amended description).

Applicant: Diaz Associates
5 Cavendish Road
Crosby
Liverpool
L23 6XB

Development Plan allocation and policies: Development Plan allocations and policies:
Primarily Residential Area

Caldy Conservation Area
Site of Local Biological Importance
Design Guidelines Area

Relevant Policies:

Policy HS11 House Extensions
Policy SPG11 House Extensions
Policy CH2 Development Affecting Conservation Areas
Policy CH11 Caldy Conservation Area
Policy NC6 Sites of Biological Importance
Policy SPG8 Design and Density Control Guidelines: Caldy Village
RSS; Policy DP3
PPS9-Protection of biodiversity and geological conservation

Planning History: None.

Representations and consultations received: Representations:
A total of 8 letters of notification have been sent to properties in the area. At the time of writing this report 3 objections from 8 & 10 Caldy Wood and "Badgers Croft", Caldy Wood have been received, listing the following grounds:

- There are inaccuracies in the submission, including the site boundaries, the number of children living at the property, indication of pavements on the plan, the applicant implies they have planted the trees which are indigenous
- The proposal is detrimental to neighbouring properties and the design of the Caldy conservation area
- The applicant dismisses the architectural importance of the property
- Concern for the safety of badgers
- No offer is made to renewable energy
- Trees will be lost and roots damaged
- The proposal is unbalanced and disproportionate to the site
- No8 and No12 will be affected
- Issues of overlooking
- The scale of the windows are not inkeeping
- The materials proposed are not inkeeping
- The design of the concave conservatory roof is alien to the property
- Leaves gathering in the concave roof
- The conservatory will affect the building line

Councillor Watt requested the application should be taken out of delegation as the proposal does not accord with Policy CH11, NC6, N611, HS11 and SPG2.

Consultations:

The Conservation Officer (internal) had no objection to the proposal and considered the whole development in line with local conservation policy

Natural England requested a bat survey, a method survey and mitigation package. A copy of their letter has been sent to the applicant.

The Wirral and Cheshire Badger Group determined did not require a licence from Natural England. They had concerns regarding the boundary lines as shown on the site plan. They commented that all boundaries should allow for free movement of wildlife.

Directors comments:

PROPOSAL

Erection of a conservatory to the west side of the property, a two-storey extension to the rear and east side of the property, and a balcony to the front elevation of the property at first floor level (amended description).

The conservatory measures 6.3 metres in width, 7.8 metres in length, and 3.7 metres in height with a inverted roof. The two-storey extension projects 3 metres to the rear of the property and 6 metres in width. There are windows to all elevations. To the east elevation there is a single storey side extension projecting 4 metres and measuring 5 metres in length.

PRINCIPLE OF DEVELOPMENT

The proposal is recommended for approval with conditions in accordance with Policy HS11 House Extensions, Policy SPG11 House Extensions, Policy CH2 Development Affecting Conservation Areas, Policy CH11 Caldý Conservation Area, Policy NC6 Sites of Biological Importance, Policy SPG8 Design and Density Control Guidelines: Caldý Village, RSS; Policy DP3 and PPS9-Protection of biodiversity and geological conservation.

SITE AND SURROUNDINGS

The property comprises a modern brick residential dwelling, situated in Caldý Conservation Area and land designated Primarily Residential Area in the Wirral UDP. The dwelling is situated in an elevated position, and the landscape has been terraced to the front. There is 3-metre high dense vegetation and tall trees to the side and rear boundaries. To the rear of the property there is an area of Special Biological Interest. As such Natural England were consulted. The neighbouring property No12 has two first floor windows and two ground floor windows facing the proposal. No8 has 1 first floor window and is situated at a lower ground level.

POLICY CONTEXT

The application property is located within land designated as Primarily Residential Area, Conservation Area and Design and Guidelines Area in the Wirral Unitary Development Plan, and the property itself falls under the use class C3 as it is a dwelling house. Policies HS11-House Extensions, SPG11 House Extensions, CH2 Development Affecting Conservation Areas, CH11 Caldý Conservation Area and SPG8 Design and Density Control Guidelines: Caldý Village are directly relevant in this instance. In addition Policy DP3-Quality in New Development should be taken into consideration.

The property is located adjacent to land designated Site of Local Biological Importance. The application is assessed against the relevant UDP Policy NC6 Sites of Biological Importance and PPS9-Protection of biodiversity and geological conservation has also been referred to.

APPEARANCE AND AMENITY ISSUES

The proposal is considered acceptable in terms of scale and design and is not considered to be detrimental to the neighbouring properties or the street scene. Whilst there were objections received with concerns regarding the design of the proposal, it is considered that the proposals remain subordinate to the original property and complies with policy HS11, SPG11 and SPG8 whereby the recommended separation distances are met and the extension complements the property. The conservatory introduces a new design element to the original dwelling, which is considered aesthetically pleasing and maintains the modern character of the property. The property is set back from the highway and it is not considered to upset the building line. The two-storey rear extension is not visible from the street scene and is set approximately 21 metres off the side boundaries. The single storey side extension is screened by the original property. The property is large in size and is situated on a large plot of land, and as such is considered appropriate in terms of scale. The Conservation Officer had no objection to the proposal and considered it in

line with policies CH2 and CH11. A condition shall be attached that the bricks and tiles of the rear and side extension match the original property.

The proposal is not considered to result in overlooking or overshadowing to the neighbouring properties due to the boundary treatment and it achieves the separation distances as set out in Policy SPG11. The scale of the windows are considered inkeeping as they do not result in an increase of overlooking. The balcony to the front elevation is not considered to result in overlooking as there is a 58 metre separation distance to the property opposite.

Concerns were raised regarding the site boundaries. The applicant noted the mistake to the rear boundaries and submitted an amended site plan. Concerns were also raised regarding the loss of trees and root damage. The applicant has stated on the application form that no trees shall be felled.

Issues that were raised by neighbours but do not form material planning considerations for refusal include the number of children living at the property, the indication of pavements on the plan, the implication the applicant has planted the trees which are indigenous, the concern the applicant dismisses the architectural importance of the property and that no offer has been made to incorporate renewable energy and leaves gathering in the concave roof.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The property is located adjacent to land designated Site of Local Biological Importance. Policy NC6 Sites of Biological Importance sets out sites which demonstrate local importance for nature conservation.

Ecological Assessment of Protected Species

· Badgers

The Wirral and Cheshire Badger Group had no objection to the application subject to a condition allowing for the free movement of wildlife

· Bats

The Bat Inspection concluded that bat roost potential is considered to be low and no evidence of use was found. The applicant consulted The Tyrer Partnership who are ecology surveyors specialising in protected species. The survey was carried out 27th July 2007 at a time when bats are active and present in breeding. No evidence of bats was found in the loft or on the exterior elevations. There is roost potential but it is not considered to be high. It is recommended a bat person is present when the hanging tiles and elm cladding are removed to cover the possibility of bats being present, and the removal of tiles is undertaken outside the breeding season May - August. Depending on the level of bat use, the bat person may require a Natural England European Protected Species Licence.

As such the proposal is considered to comply with policy PPS9-Protection of biodiversity and geological conservation.

Councillor Watt commented the proposal does not comply with policy NC11 Sites of Local Importance for Earth Science, however this piece of land is not designated as such under the Wirral Unitary Development Plan.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal is acceptable in terms of scale and design and complies with policy HS11, CH2, CH11, SPG8 and SPG11. It is not considered to be detrimental to the adjoining site and through the provision of suitably worded conditions, the proposed building work is not considered to have a detrimental impact on the sensitive neighbouring site in accordance with Policy NC6.

Summary of Decision:

The proposal is not considered to have a harmful visual impact on its surroundings or

adversely impact the amenities that the occupiers of the neighbouring properties can reasonably expect to enjoy. The proposal complies with relevant policy set out in Wirral's UDP and is recommended for approval subject to enforceable conditions.

Recommendation: Approve

Condition(s):

- 1 Full planning permission: standard commencement date. (C03A)
- 2 Materials to match existing (C59A)
- 3 There are to be no trenches left overnight without a suitable means of escape for badgers.
- 4 No works shall be carried out on the development hereby approved from 2000 hours until 0600 hours.
- 5 All permitted works to the roof to the building subject to this grant of planning permission should only be carried out between the months of September and December. The timbers shall only be treated with permithrin-based materials, the details of which shall be submitted to and approved by the Local Planning Authority prior to the commencement of development.
- 6 Within one month of the date of this permission, details shall be submitted to the Local Planning Authority confirming any necessary mitigatory measures necessary or undertaken to ensure that the implementation of the development hereby approved does not adversely affect any existing badger setts or otherwise result in the disturbance of badgers.

Reason for conditions

- 1 Standard (CR86)
- 2 In the interests of visual amenity. Policy HS11 of the UDP (CR65)
- 3 To ensure that the development is not harmful to the local badger population.
- 4 To ensure that the development is not harmful to the local badger population and residential amenity.
- 5 To prevent disturbance to roosting bats. (CR84)
- 6 In order to ensure that adequate protection is provided to badgers resident in proximity to the application site during the development works hereby permitted, having regard to Policy NC7 Species Protection of the Adopted Wirral Unitary Development Plan.

Last Comments By: 17 May 2007

56 Day Expires On: 12 June 2007