

## Planning Committee

27 March 2012

**Reference:**  
**APP/12/00029**

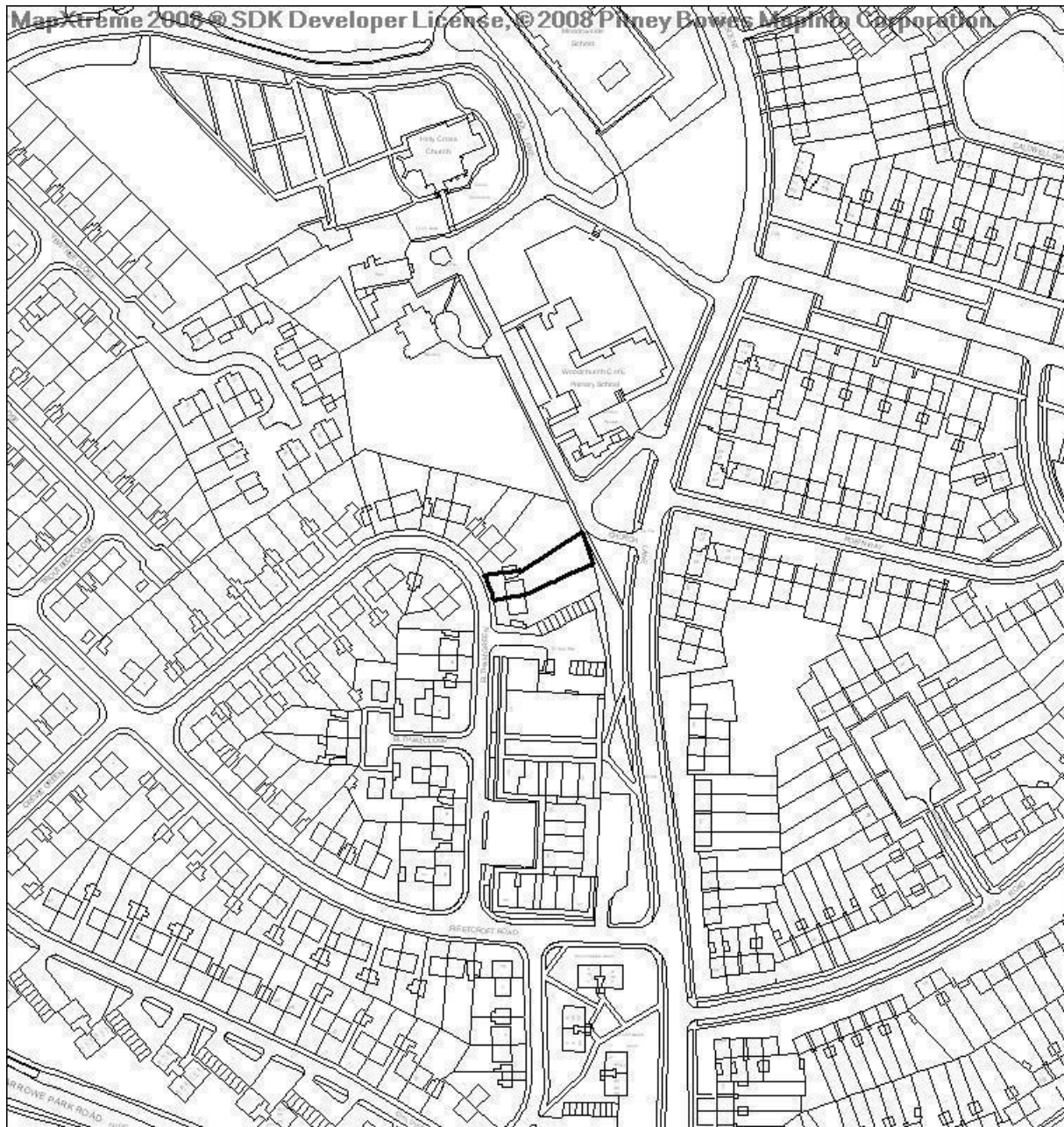
**Area Team:**  
**North Team**

**Case Officer:**  
**Miss K Elliot**

**Ward:**  
**Upton**

**Location:** 35 ELTHAM GREEN, WOODCHURCH, CH49 5NQ  
**Proposal:** Proposed two storey side/rear extension and single storey rear extension  
**Applicant:** Mr Hamid Sarwar  
**Agent :**

### Site Plan:



**Development Plan allocation and policies:**

Primarily Residential Area

**Planning History:**

None.

**Summary Of Representations and Consultations Received:****REPRESENTATIONS**

Having regard to the Council's Guidance on Publicity for Applications, three letters of notification were sent to the occupiers of adjoining properties. A Site Notice was also displayed. At the time of writing this report, three letters of objection from No.33 and No.37 Eltham Green and an unknown address had been received and these can be summarised as follows:

1. The extension will be far too big and close to neighbouring properties;
2. The building will extend out too far and encroach on neighbour's view and block out light to their property;
3. There will be a significant loss of light to the patio area at No.33 which is currently private, close to the kitchen and benefits from the morning sun whereas the rest of the garden is shaded by conifers;
4. Windows serving the hall and landing at No.33 will have light severely restricted by the extension;
5. The extension will be imposing, intrusive and oppressive by reason of its size and proximity to the boundary;
6. The proposal will be hugely detrimental to the enjoyment of neighbouring properties and their gardens.

**CONSULTATIONS**

None required.

**DIRECTORS COMMENTS:****REASON FOR REFERRAL TO PLANNING COMMITTEE**

Councillor Smith requested this application be removed from delegation and considered by Planning Committee following representations he has received from local residents that the application will result in a loss of light to neighbouring properties.

**INTRODUCTION**

The proposal is for the erection of a two storey side and rear extension and single storey rear extension.

**PRINCIPLE OF DEVELOPMENT**

The principle of the development is acceptable subject to the provisions of Policy HS11 (House Extensions) and SPG11 (House Extensions).

**SITE AND SURROUNDINGS**

The site comprises a semi-detached brick property in an area of similar design. The dwelling has a detached garage situated at the side of the property which corresponds with that of No.33. The property benefits from a large rear garden which is enclosed by 1.8 metre fencing on all sides and conifers along the northern boundary of the site.

**POLICY CONTEXT**

The proposal relates to a two storey side and rear extension and single storey rear extension, therefore Policy HS11 and SPG11 are directly relevant in this instance. In its criteria for development of this nature it outlines that to avoid the effect of 'terracing', where two storey side extensions are added to the sides of semi-detached houses of similar style with a consistent building line and ground level, the first floor of a two storey side extension should be set back at least 1.5 metres from the common boundary; or at least 1 metre from the front elevation and 1 metre from the common boundary; or at least 2 metres from the front elevation. This is supplemented by SPG11 which recommends that they have a lower ridge height and retains 1 metre to the side boundary for maintenance purposes. Policy HS11 also states that where the rear extension is two storey, the proposed extension should be set back at least 2.5 metres from the party boundary, which is also relevant to the proposal. In relation to the proposed single storey rear extension, SPG11 states that

those within 1 metre of the party boundary should not project more than 3 metres from the original rear wall do the property. In more general terms Policy HS11 and SPG11 state that the scale of the extension must be appropriate to the size of the plot, not dominating the existing building and not so extensive as to be unneighbourly.

### **APPEARANCE AND AMENITY ISSUES**

The proposed two storey side and rear extension will be situated behind the existing flat roof garage and is set back 5 metres from the main front elevation of the building, therefore it reads clearly as an addition to the property. The extension projects 4 metres beyond the rear elevation at two storey and extends towards the party boundary with No.37 at single storey. The direction of the boundary is such that it cuts in to the application site and this has therefore dictated the shape of the single storey rear extension. This part of the proposal projects 3 metres in depth initially and steps away to project a further metre, thus mitigating its impact. This ensures that the outlook from the rear of No.37 is protected and retains a 45 degree outlook. The proposal, as presented, achieves that which would be recommended if the boundary line ran at a right angle to the rear wall as in most instances.

An objection was received from No.37 regarding the size and proximity of the extension to their property and that it would lead to a loss of view and light. However the proposed two storey rear element of the extension retains 6.5 metres to the party boundary with No.37 which complies with the guidance outlines in Policy HS11 and SPG11. This is therefore considered more than sufficient to protect the outlook of No.37 and retain a 45 degree outlook. The extension is located to the north of No.37, and taking in to consideration the movement of the sun from east to west, is not considered to lead to a loss of light or appear over-dominant to the rear of No.37. The proposals will not impinge on the view of their own garden and the loss of a view over private land is not a reasonable ground on which to object.

Objections were also raised by No.33 with particular reference to the potential for loss of light to their side patio area and that the size and proximity of the extension to the boundary would make it appear imposing and oppressive when viewed from that side. No.33 is situated to the north of the proposed extension and has a north east facing garden which will characteristically not enjoy the same amount of sunlight than a south facing property. There are mature conifers along the side boundary between the two properties which contribute to the neighbour's garden being overshadowed at certain time of the day at present. However, taking in to account the aspect of the extension in relation to No.33 it is acknowledged that there will be a certain degree of overshadowing in the morning but this will not be significantly worse than it already experiences. It is also more likely to occur in winter months. However in summer, when the sun is higher in the sky, the extension is unlikely to result in any increased overshadowing than is already created by the presence of a two storey house at No.35.

An objection of loss of light to areas of the house including the hall and landing could not be sustained as these are not considered habitable rooms under SPG11. The patio area also referred to in the objection is only a small proportion of what is a large rear garden at No.33 and could not be said to be their only usable amenity space. Loss of privacy to the patio is not anticipated as there are only high level windows proposed in the side of the extension which can be obscurely glazed by condition. The proposed extension is not considered to have a detrimental impact on the amenities which the adjoining property at No.33 can reasonably expect to enjoy as it actually points away from the proposal due to it being situated at the bend in the road. The front and rear facing windows will be unaffected and views of the extension from these areas will be restricted, therefore it is not considered to be over-dominant or oppressive when viewed from No.33.

In summary, it is considered that the proposal can be accommodated within the plot without significantly impacting on the amenities which the occupiers of neighbouring properties can reasonably expect to enjoy. The proposed extensions will have no impact on the established trees in and around the site and this has been confirmed by the Tree Preservation Officer. The proposal retains acceptable levels of separation to the neighbours on either side and is not considered to impact on their outlook from habitable rooms. The extension is capable of remaining subordinate to the host dwelling and includes a lower roof line and set back in its design in accordance with Policy HS11 and SPG11. The proposal is not considered to have an adverse impact on the amenities which the occupiers of neighbouring properties can reasonably expect to enjoy and is recommended for approval.

## **SEPARATION DISTANCES**

SPG11 states that 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. There are no residential properties to the rear of the site and the set back of the extension from the front elevation ensures that it does not increase overlooking to properties opposite. There are no side windows in the proposal facing south towards No.37 and those in the north elevation will be obscurely glazed by condition but are situated at a high level so as to prevent overlooking to No.33. The proposal is therefore not considered to result in direct overlooking to neighbouring properties.

## **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 is not considered to have an adverse impact on the character of the original dwelling or on the amenities that the occupiers of the neighbouring properties can reasonably expect to enjoy. The proposal is acceptable in terms of scale and design, complies with Policy HS11 of the adopted Wirral Unitary Development Plan and SPG11.

### **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 and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposal is not considered to have an adverse impact on the character of the original dwelling or on the amenities that the occupiers of the neighbouring properties can reasonably expect to enjoy. The proposal is acceptable in terms of scale and design, complies with Policy HS11 of the adopted Wirral Unitary Development Plan and SPG11.

**Recommended Decision:      Approve**

### **Recommended Conditions and Reasons:**

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

**Reason:** To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. Prior to the extension being brought in to use, the windows in the north facing elevation of the two storey side/rear extension hereby permitted shall be obscurely glazed and non-opening to a minimum height of 1.7 metres from the internal finished floor level, and shall be retained as such thereafter.

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

### **Further Notes for Committee:**

**Last Comments By: 14/02/2012 17:32:59**

**Expiry Date: 06/03/2012**