

**Planning Committee**

30 May 2013

**Reference:**  
**APP/13/00283**

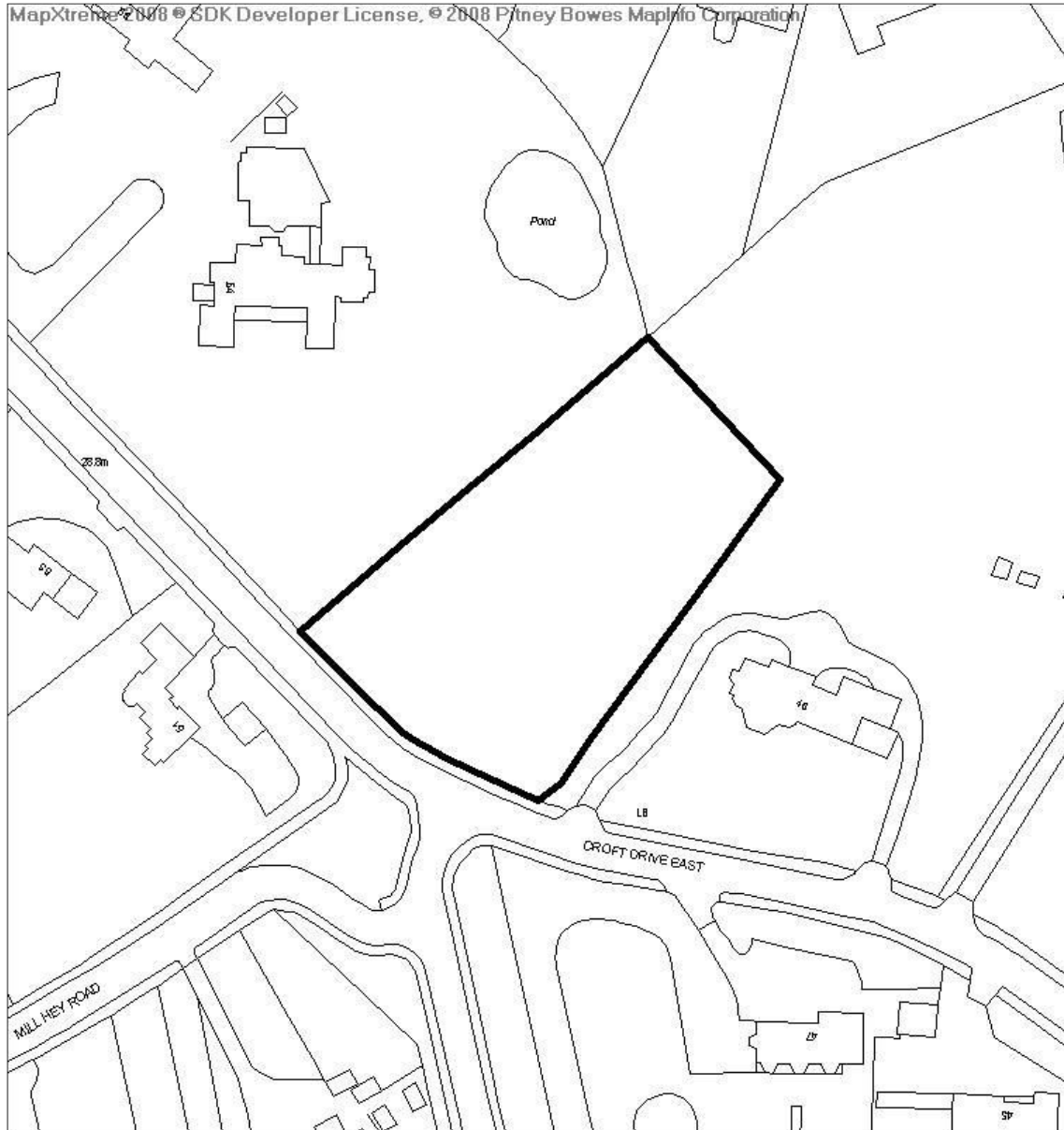
**Area Team:**  
**North Team**

**Case Officer:**  
**Miss K Ellison**

**Ward:**  
**West Kirby and  
Thurstaston**

**Location:** 52 CROFT DRIVE EAST, CALDY, CH48 1LS  
**Proposal:** New Residential Dwelling  
**Applicant:** Ms Jackson  
**Agent :** ShepherdMyers

**Site Plan:**



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**Development Plan allocation and policies:**

Conservation Area (for illustrative purposes)  
Density and Design Guidelines Area

Primarily Residential Area

**Planning History:**

Location: S Caldy Manor Croft Drive Caldy L482jp  
Application Type: Full Planning Permission  
Proposal: Erection of 16 dwelling houses  
Application No: APP/77/06928  
Decision Date: 14/06/1977  
Decision Type: Conditional Approval

Location: Caldy Chase, Croft Drive ,Caldy,L48 2JP  
Application Type: Full Planning Permission  
Proposal: 16 detached dwellings with garages  
Application No: APP/79/12553  
Decision Date: 28/08/1979  
Decision Type: Withdrawn

Location: Drayton, Croft Drive East ,Caldy,Wirral,L48 1LS  
Application Type: Full Planning Permission  
Proposal: Erection of a greenhouse.  
Application No: APP/83/23438  
Decision Date: 06/10/1983  
Decision Type: Conditional Approval

Location: Drayton, Croft Drive East ,Caldy,Wirral,L48 1LS  
Application Type: Full Planning Permission  
Proposal: Erection of an extension to garage.  
Application No: APP/83/23925  
Decision Date: 12/01/1984  
Decision Type: Conditional Approval

Location: Garden west of (adjacent) Drayton, 46, Croft Drive East, Caldy. L48 1LS  
Application Type: Outline Planning Permission  
Proposal: Erection of a detached house.  
Application No: OUT/90/07468  
Decision Date: 04/01/1991  
Decision Type: Approve

Location: West of (adj) Drayton, 46 Croft Drive East, Caldy, Wirral, L48 1LS  
Application Type: Outline Planning Permission  
Proposal: Erection of a detached house (outline)  
Application No: OUT/98/06135  
Decision Date: 11/09/1998  
Decision Type: Approve

Location: West of (adj) Drayton, 46 Croft Drive East, Caldy, Wirral, L48 1LS  
Application Type: Full Planning Permission  
Proposal: Erection of a detached house (outline) (Renewal of planning permission  
OUT/98/6135/D granted 11th September 1998)  
Application No: APP/01/06595  
Decision Date: 26/09/2001  
Decision Type: Approve

Location: West of (adj) Drayton, 46 Croft Drive East, Caldy, Wirral, L48 1LS  
Application Type: Full Planning Permission  
Proposal: Erection of a detached dwelling  
Application No: APP/04/06556  
Decision Date: 27/08/2004  
Decision Type: Approve

Location: West of (adj) Drayton, 46 Croft Drive East, Caldy, Wirral, L48 1LS  
Application Type: Full Planning Permission  
Proposal: This proposal is for the erection of a three storey detached dwelling with integral garage and single storey pool building to rear (variation on APP/04/6556/D)  
Application No: APP/05/07697  
Decision Date: 09/02/2006  
Decision Type: Refuse

Location: West of (adj) Drayton, 46 Croft Drive East, Caldy, Wirral, L48 1LS  
Application Type: Full Planning Permission  
Proposal: Erection of a new dwelling and double garages.  
Application No: APP/06/06747  
Decision Date: 10/11/2006  
Decision Type: Refuse

Location: Muldron, 52 Croft Drive East, Caldy, Wirral, CH48 2JP  
Application Type: Full Planning Permission  
Proposal: Erection of dwelling house (amendment to application number APP/2006/6747/D).  
Application No: APP/07/05607  
Decision Date: 06/06/2007  
Decision Type: Refuse

Location: 52 CROFT DRIVE EAST, CALDY, CH48 1LS  
Application Type: Full Planning Permission  
Proposal: Erection of new dwelling  
Application No: APP/12/01427  
Decision Date: 11/03/2013  
Decision Type: Withdrawn

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

##### **REPRESENTATIONS:**

Having regard to the Council's Guidance on Publicity for Applications, 13 letters of notification were sent to adjoining properties. A site notice was also displayed. Objections from the Chart, 51 Croft Drive, Alisa Craig-The Steeple and 1 Mill Hey Road have been received on the following grounds:

1. the design of the proposal is out of keeping with the area; and
2. the height of the proposed dwelling and its prominence.

##### **CONSULTATIONS:**

Head of Environment & Regulation (Traffic Management Division) - no objections.

Merseyside Fire & Rescue Services - No objections

United Utilities - No objections

##### **DIRECTORS COMMENTS:**

##### **REASON FOR REFERRAL TO PLANNING COMMITTEE**

Councillor Elderton requested that the application be removed from delegated powers following representations made by local residents on the grounds that the application is out of character with the area.

##### **INTRODUCTION**

The application proposes a dwelling on a vacant site. The site has previously been the subject of a

number of applications. The principle of demolishing the dwelling that formerly occupied the site has been previously established. Outline consent was granted for a new dwelling on this site in 1998, renewed in 2001 (APP/2001/6596). A full application was subsequently submitted and approved for the erection of a detached dwelling on 27/08/2004, APP/2004/6556. The consent lapsed and two further applications were refused on the grounds of the Councils Interim Housing Policy.

The proposed dwelling is predominantly two storey, incorporating a three storey area. It is of a contemporary style and design, incorporating large clear glazing units and a flat roof.

### **PRINCIPLE OF DEVELOPMENT**

The property is situated within a Primarily Residential Area and therefore the proposal for a dwelling is acceptable. The plot is capable of supporting a new dwelling given its secluded nature and size and the development is therefore considered acceptable in principle subject to the provisions of Policies HS4 (New Housing Development) and CH11 (Caldy Conservation Area) of the adopted Wirral Unitary Development Plan and the Caldyc Conservation Area appraisal. The principle of the demolition of the property that originally occupied the site has previously been established and it has since been demolished.

### **SITE AND SURROUNDINGS**

The estate was established during the flourishing of the Arts and Crafts style and to some extent this has been followed as a prevalent style, although some of the more recent examples show a diluted, standardised form not in accordance with the original ethic. There is a wide range of architectural styles within the conservation area, adding to its special interest. The streetscene of Croft Drive East is mixed in terms of style and design. The spacing, density and landscape setting remain as consistent features.

The site itself is relatively flat in terms of topography and well screened to all boundaries. It therefore occupies a relatively secluded position and a good degree of separation from surrounding sites.

### **POLICY CONTEXT**

The site is designated as Primarily Residential, Conservation Area and Density and Design Guidelines Area. The application shall be assessed against policies HS4 (Criteria for New Housing Development), Policy HS5 (Density and Design Guidelines) and Policy CH11 (Caldyc Conservation Area) of the adopted Wirral Unitary Development Plan, the Caldyc Village Conservation Area Appraisal and the relevant sections of the National Planning Policy Framework.

With regards to the redevelopment Policy CH11 (Caldyc Conservation area) would seek to retain the low density maturely landscaped suburb with substantial houses set within large grounds. Additionally the recently adopted conservation area appraisal recognises that parts of the area are affected by the redevelopment of modest sized housing with properties that are 'over large for the plot.

### **APPEARANCE AND AMENITY ISSUES**

The landscaped setting with glimpsed/ partial views of substantial houses set within large grounds defines the character of the Caldyc conservation area. The density and spacing is also a consistent feature of this particular part of the conservation area with plots retaining a feeling of spaciousness and physical separation from surrounding properties.

The property is set back some 20m from the road and set off all boundaries to achieve physical and visual separation with its surroundings. It retains a large open garden that is a feature of this particular part of the conservation area. The proposal has been orientated at a 30 degree angle to Croft Drive East, avoiding an elongated flat elevation fronting the conservation area. The form of the building incorporates a number of set backs and the building line is staggered projecting back away from the road. The siting and overall form is intended to reduce its mass and visual dominance in relation to the conservation area and any impact on the landscaped setting.

The overall scale and bulk of the dwelling has been considered so the property relates well its landscaped setting. The properties within this part of the road are partially visible through the landscaping. The proposed dwelling will be partially visible adding interest to the streetscene without

appearing visually obtrusive. The previously consented scheme is of a similar scale and footprint but would differ in terms of architectural style. It was a large two storey dwelling with a steeply pitched roof incorporating a three storey gable feature and dormers. APP/06/6746 for a replacement dwelling was refused on the basis of the interim housing policy and subsequently appealed. Within paragraph 8 of the inspectors appeal decision it is noted that it would preserve and enhance the character of the conservation area and did not therefore consider the scale of development proposed to be unacceptable and the principle of a dwelling of this size and scale has therefore previously been established.

A number of objections received relate specifically to the height of the proposed dwelling. The proposal is predominantly two storey with a flat roof is of a lesser scale to a standard two storey dwelling and that approved and others houses within the area which generally incorporate large pitched roofs with dormers. The total height is 5.5m to the roof of the first floor. There is a further three storey element covering a relatively small area of the overall footprint. This is however set further into the site and totals 8.4m to the highest point. The previously approved dwelling measures 10.2m in height to the highest point with a 9 m high prominent gable feature. I would therefore consider that the proposed development is of a lesser scale and height that many of those surrounding and is therefore acceptable for a site of this size and character.

The main concerns raised by objectors relate to the design of the development being out of keeping with the area and the visual impact on the conservation area. It is both accepted and acknowledged that there are areas of very distinct character within the conservation area that determine the parameters for new developments. This particular part of the conservation area has no definitive style, the individual parcels of land have been developed over a significant period of time. As such it now features a catalogue of house designs representing different styles and different periods of domestic architecture, with some appearing more prominent but by no means exclusive. The character is largely attributable to the landscaped setting as opposed to the architectural style. The principle of a contemporary style of property representing a current and relevant example of domestic architecture within the area is not considered inappropriate. The site and its surroundings lend itself to the opportunity to make a statement with an innovative high quality design solution and the contemporary approach is considered acceptable, adding a further layer of development and visual and historical interest to the conservation area. The design is well articulated. The use of set backs introduces depth and interest with large areas of glazing reducing the overall visual dominance. The contrasting materials proposed would work well within this context. No trees will be removed to facilitate the development however a landscaping condition will be attached to the approval. The approach to the design overall is therefore considered acceptable and seeks to preserve the most significant feature of the conservation area.

The isolated nature of the site and the level of existing screening ensures there will be no adverse impact in relation to residential amenity with regards to overlooking, loss of privacy or outlook. No objections have been received of this nature.

#### **SEPARATION DISTANCES**

SPG11 recommends a separation distance of 21m between habitable room windows to prevent overlooking. The property at no. 54 Croft Drive East is situated a minimum of 40m from any part of the proposal. The side elevation of no. 46 is situated a minimum of 26m from the side elevation of this property and a separation distance of 40m from the second storey element of the proposal. No habitable room windows will therefore be affected by the proposals and as such it would exceed the standards set out within SPG11. To the rear of the site there will be no issues of overlooking. A number of first floor windows to the western elevation facing no. 54 are situated within 5m of the boundary. The boundary is however well screened with substantial planting belonging to the neighbouring property. The garden is of a substantial size and this will only affect a relatively small area. To the adjacent elevation facing no. 46 there is again substantial screening that would limit the degree of overlooking. There is a minimum separation distance of 12m between the first floor windows and the boundary of 46. Any overlooking resulting would only affect the area of driveway immediately adjacent to the boundary.

#### **HIGHWAY/TRAFFIC IMPLICATIONS**

There are no highway/traffic implications in relation to these proposals.

## **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 acceptable in terms of scale, design, siting and layout and will not have any detrimental impact on the scale or character of the conservation area nor would it result in any adverse impact with regards to residential amenity. The proposal therefore accords with the criteria set out within Policy HS4 (New Housing Development), Policy CH11 (Caldy Conservation Area) and the adopted Caldyc Conservation area character appraisal.

### **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 acceptable in terms of scale, design and siting, will not impact negatively upon the visual amenity of the conservation area, its landscaped setting or the amenities of neighbouring properties. The proposal therefore accords with the criteria set out within Policy HS4 (Criteria for New Housing), Policy CH11 (Caldyc Conservation Area) of the adopted Wirral Unitary Development Plan and the Caldyc Conservation Area Appraisal.

**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. NO DEVELOPMENT SHALL TAKE PLACE BEFORE samples of the facing and roofing materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

**Reason:** To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy HS4 and CH11 of the Wirral Unitary Development Plan.

3. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on the 5th March 2013 and listed as follows: Drawing no. 6011/PA/003 Rev A; 6011/PA /004 Rev A; 6011/PA/005 RevA (dated 28.11.12)

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

4. NO DEVELOPMENT SHALL TAKE PLACE BEFORE details of a scheme of landscaping, phased in relation to any phasing of the development, which shall include details of both hard and soft landscaping works and earthworks, has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be carried out in the first planting season following the completion of each development phase. Any trees, shrubs or plants that die within a period of five years from the completion of development,

or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species, unless the Local Planning Authority gives prior written permission for any variation.

**Reason:** To ensure satisfactory landscape treatment of the site which will protect the character and appearance of the site and to ensure the proposed development enhances the visual amenity of the locality, having regard to Policy HS4 and CH11 of the Wirral Unitary Development Plan.

5. NO DEVELOPMENT SHALL TAKE PLACE BEFORE details and samples of the rainwater goods to be used in the external construction of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

**Reason:** To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy HS4 and CH11 of the Wirral Unitary Development Plan.

**Further Notes for Committee:**

**Last Comments By:** 18/04/2013 11:48:44  
**Expiry Date:** 30/04/2013