

**Planning Committee**

30 May 2013

**Reference:**  
**APP/13/00234**

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

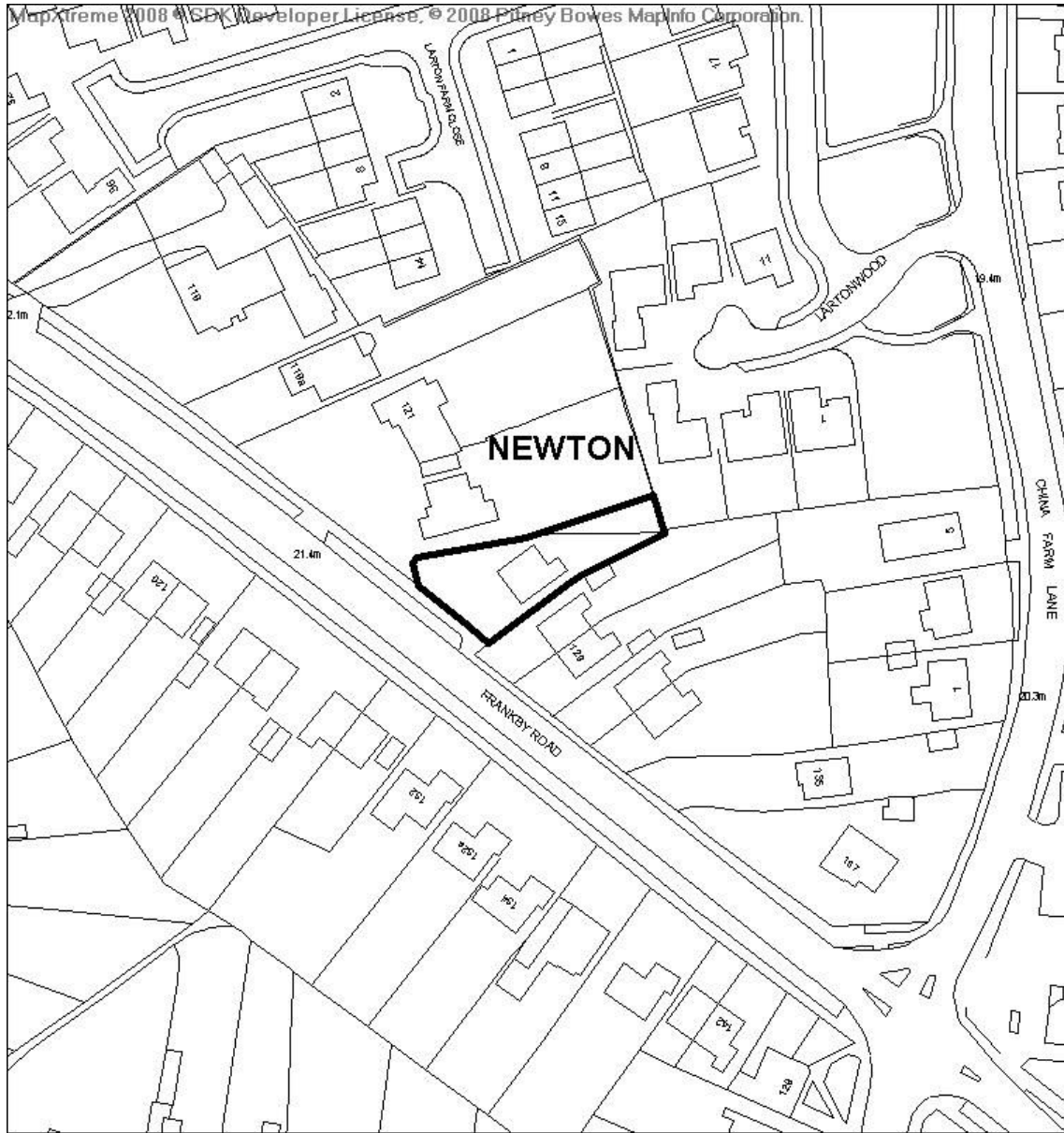
**Case Officer:**  
**Mrs S Lacey**

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

**Location:** Milford, 125 FRANKBY ROAD, NEWTON, CH48 9UT  
**Proposal:** Erection of a two-storey rear extension together with alterations extensions and replacement of roof to existing (main) dwelling (amended description).

**Applicant:** Mr Weatherall  
**Agent :** SDA

**Site Plan:**



**Development Plan allocation and policies:**

Primarily Residential Area

**Planning History:**

Location: Milford, 125 Frankby Road, Newton, Wirral, CH48 9UT  
Application Type: Full Planning Permission  
Proposal: Erection of a single storey side extension  
Application No: APP/07/06420  
Decision Date: 03/09/2007  
Decision Type: Approve

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

Having regard to the Council's Guidance on Publicity for Applications, 3 notifications were sent to adjoining properties. A Site Notice was also displayed. Two representations has been received following publicity of this application from 5 Larton Wood and 123 Frankby Road and a qualifying petition of signatures from 38 households has been submitted citing the following concerns:

1. Overlooking and loss of privacy to the house and garden of 5 Larton Wood due to the first floor windows and second floor doors and Juliette balcony coming closer.
2. The applicant has not provided an accurate site plan and the application is misleading;
3. The application is contrary to policy HS11 and SPG11 as follows:
  - a) The extent and volume of the proposed alterations, including the roof alterations;
  - b) The effect of light and outlook;
  - c) Overlooking.
4. The existing property already extends 5m beyond No.123 to the east;
5. It is questionable whether the extension can be built and maintained within the plot;
6. There is overlooking to the first floor bedroom window of No.123, which is 17 metres away;
7. A site visit to No.123 has not been undertaken;
8. The roof extensions are over bearing and overly dominant;
9. Loss of daylight and sunlight to No.123;
10. The proximity of the extension to No.123;
11. Bats roost in the roof of No.125.

The description of development was amended for clarity on 19th April 2013, and the neighbours were re-notified and given the statutory 21 days to submit representations. A second site notice was displayed on 25th April 2013. There have been no alterations to the plans as originally submitted.

**CONSULTATIONS**

None Required

**DIRECTORS COMMENTS:**

Consideration of this application was deferred from Planning Committee on 18 April 2013 to allow for a formal site visit.

**REASON FOR REFERRAL TO PLANNING COMMITTEE**

The application is submitted by SDA Architects and Surveyors, a partner and architect of which is an elected Member of the Council.

A qualifying petition of signatures from 38 households was submitted.

### **INTRODUCTION**

The application proposes a two-storey rear extension with rear gable and windows a ground, first and second floors. The main roof of the original property will be replaced. There have been no amendments made to the plans as originally submitted on 26th February 2013.

### **PRINCIPLE OF DEVELOPMENT**

The proposal is acceptable in principle subject to the provisions of policy HS11 of the adopted Wirral Development Plan and SPG11.

### **SITE AND SURROUNDINGS**

The site comprises of a detached brick and rendered dwelling situated in a Primarily Residential Area of mixed design properties. There are a variety of detached and semi-detached bungalows and two-storey dwellings, with hipped and gabled roofs. No.123 is a detached bungalow with two-storey side/rear extension and a rear dormer window, set forward of No.125. No.127 is a semi-detached two-storey dwelling with a landing and bathroom windows to the side elevation.

### **POLICY CONTEXT**

The application shall be assessed against policy HS11 House Extensions of the adopted Wirral Unitary Development Plan and Supplementary Planning Guidance Note 11 on House Extensions. Policy HS11 sets out house extensions will be permitted subject to the criteria of scale, materials and design. HS11 does not set out maximum size limits on detached dwellings, rather each application is assessed on its own merits and the scale of the extension should be appropriate to the size of the plot. SPG11 supports this and refers to the importance of considering the specific character of the building and the context of the property.

### **APPEARANCE AND AMENITY ISSUES**

The two-storey rear extension is considered acceptable in scale and design and is not considered to affect the amenities of neighbouring properties. The scale is appropriate to the size of the plot and does not overdominate the original detached dwelling. It incorporates a gable roof but remains subordinate to the original property and is not considered to form an overdominant feature. The two-storey extension is set off the boundaries and is not considered detrimental to the outlook of the neighbouring properties No.123 or 127, or effect the light to habitable rooms. There remains 20 metres of rear garden space, which is considered acceptable.

The property is of individual design and the proposed replacement roof is not considered to harm the character of the original property or the character of the street scene. The proposed roof is no higher than the existing roof, and it is not considered detrimental to the amenities of surrounding neighbours.

The proposal complies with Policy HS11 of the adopted Wirral Unitary Development Plan and Supplementary Planning Guidance Note 11 on House Extensions.

### **SEPARATION DISTANCES**

Supplementary Planning Guidance Note 11 on House Extensions states 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. The property to the rear, 5 Larton Wood, is set at an angle and is 27 metres away. There are no issues of direct overlooking to neighbouring properties and the proposal is not considered to result in loss of privacy. It is considered necessary to condition the proposed new first floor window facing north-west towards No.123 is obscurely glazed, to prevent overlooking to No.123. It is not considered reasonable or necessary to condition the window that is already in place.

### **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 considered acceptable in scale and design, will not harm the character of the surrounding area or the amenities of neighbouring properties, and 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 considered acceptable in scale and design, will not harm the amenities of neighbouring properties, and complies with policy HS11 of the adopted Wirral Unitary Development Plan, Supplementary Planning Guidance Note 11 House Extensions and the National Planning Policy Framework.

**Recommended          Approve**  
**Decision:**

#### **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. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 26 February 2013 and listed as follows: drawing number 217\_2012\_01 Revision C (dated 29.01.2013)

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

3. The proposed new first-floor and second-floor windows facing north west (towards No.123 Frankby Road) shall be glazed in obscure glass and shall be non-opening below a height of 1.7 metres measured from the internal finished floor level. The windows shall not thereafter be altered in any way without the prior approval of the Local Planning Authority.

**Reason:** To satisfactorily protect the residential amenities of neighbouring occupiers and having regard to Policy HS11 of the Wirral Unitary Development Plan.

**Last Comments By:** 01/04/2013 10:01:53

**Expiry Date:** 23/04/2013