

**Planning Committee**

31 October 2013

**Reference:**  
**APP/13/00980**

**Area Team:**  
**South Team**

**Case Officer:**  
**Miss A McDougall**

**Ward:**  
**Heswall**

**Location:** The Shieling, 60 PIPERS LANE, HESWALL, CH60 9HN  
**Proposal:** Two Storey detached domestic property  
**Applicant:** Linda Thompson  
**Agent :** Technical Developments Ltd

**Site Plan:**



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

## **Planning History:**

Location: The Shieling, 60 PIPERS LANE, HESWALL, CH60 9HN  
Application Type: Outline  
Proposal: Two Storey detached domestic property  
Application No: APP/13/00981  
Decision Date: 12/09/2013  
Decision Type: Approved

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

### **REPRESENTATIONS:**

Having regard to the Council Guidance on Publicity for Applications, 13 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report a qualifying petition of objection and 10 separate household letters of objections have been received from 37, 47, 49, 56 & 58 Pipers Lane, 1 & 3 Heathside, 11 The Pipers, 98 Oldfield Drive and Coral Ridge listing the following grounds:

1. scale of the development, height, mass, bulk and design.
2. detrimental change in character of the area
3. overdevelopment
4. harmful in terms of overlooking
5. the proposal does not provide appropriate landscaping or information on new ground modeling
6. loss of aspect
7. removal of trees

### **CONSULTATIONS:**

Head of Environment & Regulation (Traffic & Transportation Division) - No Objections

Wirral Wildlife - There may be a possibility of badgers foraging and conditions may be appropriate in this instance.

## **Director's Comments:**

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

Councillor Andrew Hodson has requested that the application be taken out of delegated powers due to the proposal having an un-neighbourly impact due to overlooking, disturbance from noise, fumes, lighting arrangements, drainage arrangement and the unacceptable scale, form and appearance. The development is an over development of the site.

A qualifying petition of objection containing 44 separate household signatures has also been received.

### **INTRODUCTION**

The proposed application is for the replacement of an existing dwelling. The existing dwelling is a bungalow with living space to the roof, the proposed dwelling is to be a two-storey detached property, the site has been sub-divided, the remainder of the site has the benefit of outline planning consent for one detached dwelling OUT/13/00981.

### **PRINCIPLE OF DEVELOPMENT**

The site contains one dwelling and is located within the designated Primarily Residential Area, the principle of development is acceptable.

### **SITE AND SURROUNDINGS**

The site currently contains one detached bungalow, with living accommodation within the roof. The application is to sub-divide the site and gain outline planning consent for the replacement of the bungalow with a two-storey dwelling, the side garden benefits from outline consent for a detached dwelling under planning reference OUT/13/00981. The plot itself is located on Pipers Lane that is a mix of dwelling types, there is no uniform design along the street scene or height, the properties to the rear on Heathside are much elevated in comparison to this level of dwellings and this level of dwellings on this side of Pipers Lane is elevated in comparison to the other side of Pipers Lane. For example, from Pipers Lane, the roof of properties to the south are visible from the highway but the

main bulk of the dwellings is lower than street level and the properties to the north are elevated above street level. Pipers lane rises in ground level to the east, the levels are quite gentle and does not create a great difference on terms of the land levels of the dwellings within the street scene.

Whilst there is no set design of house types, the immediate neighbours and the existing property are dormer style bungalows, there is two-storey dwelling at number 54 Pipers Lane and two-storey dwellings from number 64 Pipers Lane to the west.

### **POLICY CONTEXT**

The development is for a new/replacement dwelling and will be assessed against Wirral's UDP Policy HS4; Proposals for new housing development on allocated sites and within the Primarily Residential Areas will be permitted subject to the proposal being of a scale which relates well to surrounding property, in particular with regard to existing densities and form of development. The proposal not resulting in a detrimental change in the character of the area, access and services being capable of satisfactory provision, particularly for off-street car parking areas and garages, and adequate vehicular access, the provision of appropriate landscaping and boundary treatment which relates the proposed development to its surroundings, paying particular attention to the maintenance of existing natural features and vegetation and the provision of adequate individual private garden space.

For all proposals whose main elevations are parallel, or nearly so, an adequate distance should be kept between habitable rooms in separate dwellings. In addition, where the gable end of one property fronts onto the rear elevation of another, then an adequate separation should be achieved.

Having regard to the National Planning Policy; Local planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.

Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

### **APPEARANCE AND AMENITY ISSUES**

The existing dwelling is a bungalow with living accommodation within the roof space, the proposal is to replace the dwelling with a two-storey property.

The proposed dwelling is a true two-storey property with a built height of 9.7m, from the internal floor level the building height is 8.7m, the design of the dwelling is gable ended, this reduces the scale of the building to the side elevations as the roof will slope away from neighbouring properties, the entrance into the dwelling is from the side elevation which runs along the vehicle access point, there is a terrace to the front at ground floor and a balcony to the front elevation at first floor, the balcony includes privacy screens to the side at approximately 1.8m high from internal floor level. The main living room windows are located to the front and rear elevations, the windows to the side are either secondary windows or above 1.7m from the internal floor, the windows that are secondary are shown on plan ref 102 Rev.P1 to be obscurely glazed.

The footprint of the building is different in comparison to the original dwelling, the location of the dwelling is moved further into the plot from number 58 Pipers Lane, from 6m at the front corner to 9m and from 5.5m at the rear corner to 10m.

The houses are at an angle but run in line with one another in terms of the proposed dwelling and number 58 Pipers Lane, the proposed dwelling for example is closer to the boundary at its rear point and number 58 is closer to the boundary at its front corner point.

The front elevation of the dwelling is set approximately 4.6m (this includes the front bay & balcony) forward of the front of number 58 Pipers Lane at a distance of 6m to 7m from the party boundary and 9m from the side of the dwelling. The rear elevation of the proposed dwelling projects 4m out from the rear elevation of the dwelling and between 6m & 7m from the party boundary. The plan shows that

between the proposed dwelling and the existing dwelling there will be access for a vehicle as well as access into the dwelling.

The replacement dwelling is larger in scale than the existing bungalow, the revised siting of the dwelling and the simple design allow the proposed dwelling to not have an adverse impact onto the character of the street scene. Concerns have been raised with regards to the scale of the building and its design, the character of Pipers Lane is varied due to the myriad of design and house types along the road, whilst number 58 is also a bungalow the property to the east, number 54 Pipers Lane is a replacement dwelling and has a height of 8.7m, the properties to the west are also two-storey in height. Therefore the proposed replacement as a two-storey dwelling is not out of character or scale within the existing street scene. The main impact of the replacement dwelling is to the neighbouring bungalow at number 58 Pipers Lane, however the proposed dwelling has been moved away from the boundary and the hipped roof slopes away from number 58, which provides a visual break between the two properties and reduces the impact of the change in scale between the dwellings.

The design and scale of the dwelling is not out of character and takes into account the scale and appearance of existing dwellings within the street scene. The siting of the building is sympathetic to the existing neighbouring properties, the proposal is therefore acceptable having regard to Wirral's UDP Policy HS4 and the National Planning Policy Framework.

### **SEPARATION DISTANCES**

The current local authority separation distances are 14m window to blank elevation and 21m window to window, this is a minimum distance and greater distances will be required where there are differences in land levels or where the development adjoins that of different ridge and/or eaves height. In these cases an increased separation distance will be required so that for every metre difference in ridge height or part thereof, the distances in the standard shall be increased by 2m.

The proposed dwelling is two-storey in comparison to the original bungalow, the houses to the rear on Heathside and Oldfield Drive are at a much elevated level to the site and are set at an angle to the proposed dwelling, the dwellings to the rear are set at an indirect distance of 35m from the proposed rear elevation of number 60 Pipers Lane.

To the opposite side of Pipers Lane, the dwellings are at a much lower level, the first floor of the proposed dwelling will have views over the roof pitch of these dwellings, the outlook between the dwellings is also not direct due to the angle of the dwellings opposite, namely numbers 47 and 49 Pipers Lane. The proposed dwelling, measured from the proposed balcony, is set 35m to the nearest point of the properties opposite, as with the rear elevation of the dwelling the front does not have a direct window to window view.

Having regard to the separation distances, the window to window separation distance, from the front elevation of the proposed dwelling, would be approximately 39m, however the front elevation does not have a direct window to window outlook and is set within the built form of existing dwellings with an indirect separation distance of 35m. The siting of the dwelling in terms of separation distances is adequate and will not have a detrimental impact in terms of outlook and loss of privacy.

### **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.

### **CONCLUSION**

The replacement dwelling is appropriate in terms of scale and appearance, the development is not out of character having regard to the street scene and the existing neighbouring properties.

### **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 siting, scale and appearance of the replacement dwelling is appropriate in this location, having regard to Wirral's UDP Policy HS4 and the National Planning Policy Framework.

**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. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 25 July 2013 and listed as follows: 11 Rev.P1, 101 Rev.P1, 102 Rev.P1, 103 Rev.P1, 104 Rev.P1, 106 Rev.P1.

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

3. Before any construction commences, samples of the 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 of the Wirral Unitary Development Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to a dwelling shall be erected unless expressly authorised.

**Reason:** In order to protect the character of the area/residential amenities of nearby occupants and to accord with Policy HS4 of the Wirral Unitary Development Plan.

5. Detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved.

**Reason:** To ensure that the development is satisfactorily sited and designed in relation to adjacent development and the highway and that satisfactory gradients are achieved.

6. On insertion, the windows to the first floor side elevations shall contain non-opening obscure glazing to a height of 1.7m from the finished internal floor level and shall be retained as such thereafter.

**Reason:** Having regard to residential amenity.

**Last Comments By:** 02/09/2013 10:28:56  
**Expiry Date:** 19/09/2013