

**Planning Committee**

20 March 2014

**Reference:**  
**APP/13/01494**

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

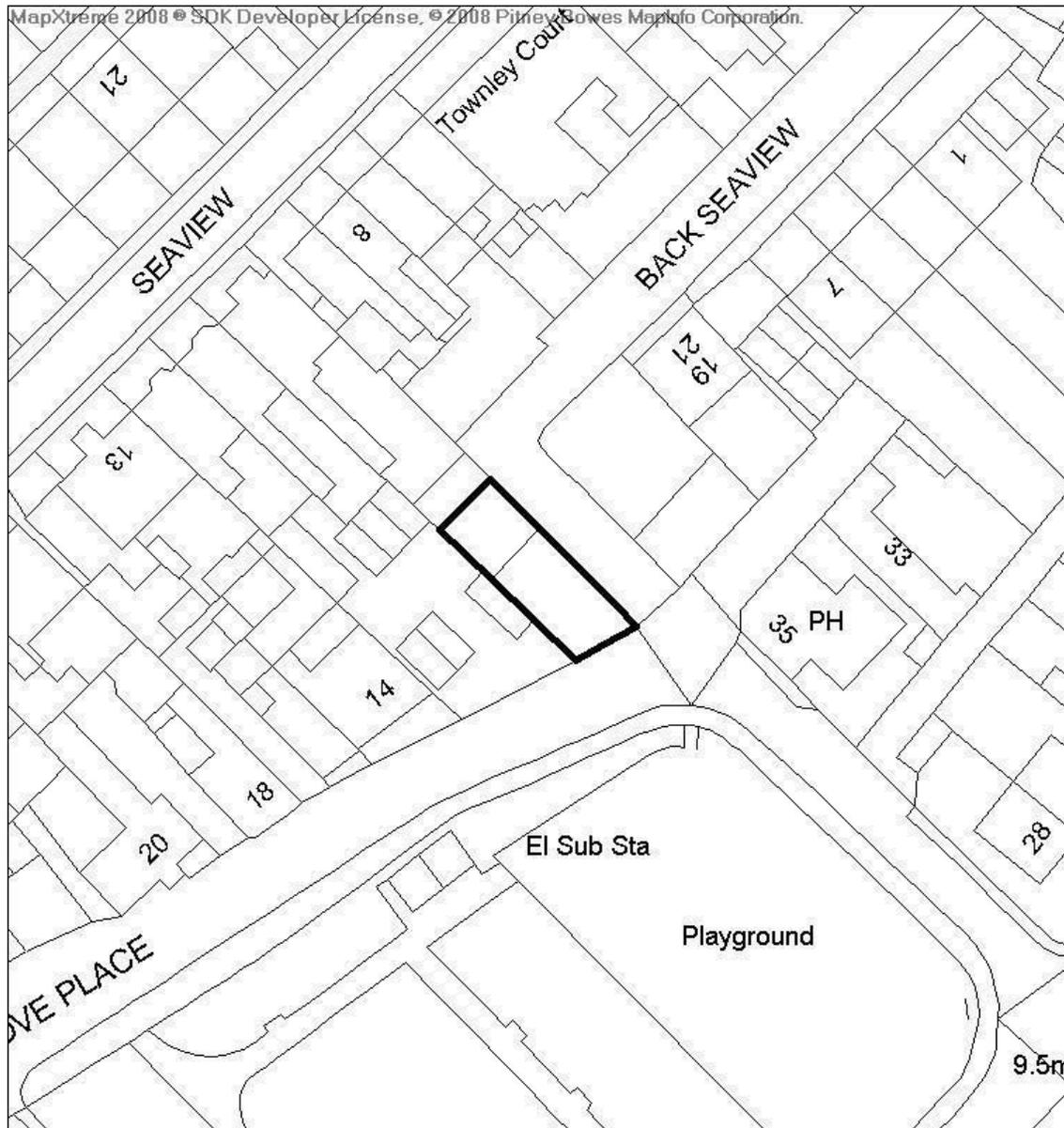
**Case Officer:**  
**Mrs S Lacey**

**Ward:**  
**Hoylake and Meols**

**Location:** Boat Storage Yard, BACK SEA VIEW, HOYLAKE, CH47 2DL  
**Proposal:** Demolition of existing vacant storage unit and erection of 1 No. detached dwelling (amended site plan received)

**Applicant:** Mr Thompson  
**Agent :** Concept Architecture

**Site Plan:**



## **Development Plan Designation:**

Primarily Residential Area

## **Planning History:**

Location: Land to the rear of 10 SEA VIEW, HOYLAKES, CH47 2DJ  
Application Type: Full Planning Permission  
Proposal: Demolition of existing vacant storage unit & erection of 1no. detached dwelling  
Application No: APP/13/01157  
Decision Date: 08/11/2013  
Decision Type: Refuse

Location: Land to the rear of 10 SEA VIEW, HOYLAKES, CH47 2DJ  
Application Type: Full Planning Permission  
Proposal: Demolition of existing vacant storage unit & erection of 1no. detached dwelling  
Application No: APP/13/00278  
Decision Date: 21/06/2013  
Decision Type: Refuse

Location: 10 Sea View ,Hoylake ,L47 2DD  
Application Type: Full Planning Permission  
Proposal: To continue to use premises as a garage and store for fishing gear  
Application No: APP/81/17756  
Decision Date: 08/04/1981  
Decision Type: Conditional Approval

Location: 10 Sea View ,Hoylake ,L47 2DD  
Application Type: Full Planning Permission  
Proposal: Erection of garage and storage.- land to the south east  
Application No: APP/81/18838  
Decision Date: 27/08/1981  
Decision Type: Approve

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

### **REPRESENTATIONS**

Having regard to the Council Guidance on Publicity for Applications, 6 letters of notification were sent to neighbouring properties. A site notice was displayed. 10 letters of objection were received from No.2 Mumford Lane, 41 Deneshey, "Gull Cottage" 14 Grove Place, 90 Meols Parade, 83 Allport Road, 15 Guffits Rake, Flat 3 74 Birch Road, Flat 7 20 Cearnes Road, 11 and 12 Seaview. The objections are cited as follows:

1. Impair the outlook to the Plasters Arms pub garden;
2. Cramped appearance;
3. Appear out of keeping with the traditional style of housing;
4. The current application is even larger than the previous application that was refused;
5. The area is already very built up;
6. Congestion;
7. Hoylake is becoming an area for speculative property developers which is totally changing the character of Hoylake
8. The design is such that there is a far greater area of red brick; this is not sympathetic to the distinctive historic character of the area.
9. The structure is even more obtrusive in terms of size;
10. The proposed building would completely overwhelm and overshadow the property at no 11 and would impose light restriction to the rear of the property at no 11 and create an eyesore;
11. This is not an application based on a need for the person to build a property to live in but instead a money making opportunity, making the house as big as possible;
12. The garage building which is currently on the plot is currently being used by a business as a storage area so it is not a vacant plot as listed.

13. The road in front of this plot is next to an intersection of 2 very narrow roads, if the building work went ahead due to the small plot size then the road in front of the area would become a dumping area for deliveries, materials, equipment, blocking the road for traffic and affecting the Plasterers Arms trade and the children's play area which is dependent on people parking on this street when visiting;
14. The proposal will not fit on the plot;
15. This proposal has the size, proportions and area of a 3 bedroom dwelling;
16. The proposal states that the existing sandstone wall will be reused and the height will be 1500mm meaning the gardens of 10 and 11 Seaview could be directly overlooked.
17. It is not clear whether the entire wall will be constructed from recycled sandstone;
18. The gable ends has meant that the bricked height is now far greater than the previous proposal;
19. Car parking is an issue;
20. No permission will be granted for access from No.11 for demolition, construction and maintenance;
21. The proposal will overshadow and dominate the rear amenity area of No.11 and the garden of No.10 Seaview. The inclusion of gable ends has only exacerbated the situation;
22. Lack of consultation by the applicant;
23. The proposed streetscape is misleading as it gives the impression that the height to the eaves of the current application is less than of Gull Cottage, this is not the case Gull Cottage measures 5m to the eaves.
24. Issues with statements made in application forms including provision of bins and the site area;
25. The amended drawings are not showing online;
26. Now the plan has been revised and the plot is even smaller, the proposal will appear more cramped and overdeveloped;
27. This modern house situated adjacent to some of the oldest houses in Hoylake will stick out like a sore thumb;
28. The proposal has not overcome all the previous reasons for refusal;
29. Insufficient rear amenity space proposed.

### **CONSULTATIONS**

Head of Environment and Regulations (Traffic and Transportation Divisions) had no objection to the proposal.

Head of Environment and Regulations (Environmental Health Division) had no objection to the proposal.

Merseyside Fire and Rescue commented on the application in relation to Approved Document B5 of the Building Regulations

### **Director's Comments:**

Consideration of this application was deferred from Planning Committee on 20 February 2014 to allow for a formal site visit.

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

Councillor Gerry Ellis requested this application be removed from delegation and considered by the Planning Committee following representations he had received from local residents that the development is of a scale and design inappropriate for the site.

### **INTRODUCTION**

The application proposes the erection of a detached dwellinghouse to the rear of No.10 Sea View Road. Following concerns raised by neighbouring properties, the applicant submitted amended plans clarifying (reducing) the size of the plot.

There has been a previous application for a three-bed detached dwelling on the site (application reference APP/13/00278) which was refused on 21 June 2013 for the following reasons:

1. *'In the opinion of the Local Planning Authority, the design of the proposed development would appear visually incongruous in the street scene and would detract from visual amenity. This is*

*contrary to Policy HS4 of the adopted Wirral Unitary Development Plan and the National Planning Policy Framework'.*

*2. 'The proposal would result in a form of development having a cramped and overdeveloped appearance, which the local Planning Authority considers would cause overlooking and overshadowing that would be detrimental to the amenities of neighbouring properties. In the opinion of the Local Planning Authority, the design of the proposed development would appear incongruous in the street scene and would detract from visual amenity. This is contrary to Policy HS4 of the adopted Wirral Unitary Development Plan and the NPPF'.*

A second application (APP/13/01157) was refused on 8 November 2013 as it was not considered the amendments had overcome all the reasons for refusal, including scale, design, siting and materials.

#### **PRINCIPLE OF DEVELOPMENT**

The site is designated as a Primarily Residential Area in the Wirral Unitary Development Plan and is subject to UDP Policy HS4 'New Housing Development'. The proposal is thereby acceptable in principle.

#### **SITE AND SURROUNDINGS**

The site is situated to rear of No.10 Sea View Road, which comprises of a brick two-storey dwelling. The proposal will face onto Grove Place, which is characterised by small fishermans cottages dating back to the 19th Century. Whilst the site is not designated as a Conservation Area, its strong historic character should be protected. Features of adjacent cottages include low pitch slate roofs with chimneys, recessed windows, quoin details, sandstone walls, stone cills and headers, small bay windows and sash windows. The site is currently bounded by a 2m high sandstone wall, and there is a storage building within the site.

#### **POLICY CONTEXT**

The application shall be assessed against UDP Policies HS4 'New Housing Development', TR9 'Requirements for Off-Street Parking', Joint Waste Local Plan Policies WM8 and WM9, SPD4: Parking Standards, and the National Planning Policy Framework. Policy HS4 'Criteria for New Housing Development' criteria (i) and (ii) state proposals must relate well with neighbouring properties and the character of the surrounding area. Policy TR9 sets out considerations for off-street parking provision, including the availability of alternatives, road safety and traffic management issues and the likelihood of parking on residential roads. The Waste Local Plan sets out policies in relation to waste management and prevention. The National Planning Policy Framework (NPPF) paragraph 64 makes it clear that poor design that fails to take opportunities for improving the character of an area should be refused.

#### **APPEARANCE AND AMENITY ISSUES**

The proposal is considered acceptable in scale and the design, is considered to have overcome the Local Planning Authority concerns with previous applications, and complies with UDP Policy HS4 and the NPPF. The design now takes consideration of the adjacent cottages, and the gable roof, small bay and vertical windows with headers and cills reflects the surrounding properties. Materials can be conditioned to ensure a good quality finish. The proposed brick is considered acceptable in an area of mixed design. It is not considered harmful to the character of the area or the amenities of surrounding properties. The scale of the dwelling has been broken up by incorporating a single storey outrigger, and reducing the length of the two-storey element adjacent to the rear garden of No.11. Whilst the new gable roof design will increase the height of the building, this is not considered to have a harmful impact on the garden of No.11. No.11 has a rear garden measuring approximately 37m, and the bottom section of the garden (adjacent to the proposed dwelling) is used for car parking and a seating area. It is considered there is sufficient garden space that will remain unaffected by the proposal. The proposed dwelling is not considered to overdominate the neighbouring properties. The siting of the proposal is considered acceptable - there remains a reasonable spacing between the properties, reflecting the character of the area. The dwelling has adequate private amenity space, 7.3m to the rear of the property, which is acceptable given the adjacent properties on Grove Place have much smaller rear yards, and there is a public park directly opposite. There is reasonable outlook from the living area and the main bedrooms. The proposal is not considered to affect the outlook from neighbouring properties. The proposal thereby complies with policy HS4 and the NPPF.

## **SEPARATION DISTANCES**

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. No.10 Sea View Road to the rear of the site is 27.5m away, and meets the required separation distance. No.19/21 Back Sea View (north-east of the site) has no windows on the side elevation facing the proposal, and is 17 metres from the plot. The proposed ground floor windows are not considered to result in overlooking or loss of privacy given the inclusion of boundary treatment, which can be secured by condition. The proposed rear first floor window serves a bathroom, and this can be obscurely glazed to prevent overlooking. The proposal is not considered to result in direct overlooking or significant loss of privacy to habitable windows. The proposal is not considered to affect the outlook to the Plasters Arms Public House.

## **HIGHWAY/TRAFFIC IMPLICATIONS**

Objections were received regarding parking and congestion.

Considerations under UDP Policy TR9 include the likelihood of on street parking, operational levels of minimum and maximum parking standards, road safety and the availability of alternative means of travel, SPD4 sets a maximum standard of 2 car parking spaces for houses with 3 bedrooms.

The proposal does include one off-street parking space, which would be provided to the rear of the dwelling, accessed off Back Seaview. This car park space is considered acceptable and would not result in highway safety issues, nuisance, nor would it impact the provision of private amenity space for the dwelling proposed a degree that is considered unacceptable. In the event that the car park space is not utilised however (it is not considered that the Local Planning Authority could oblige the applicant to utilise the car parking space), the development is likely to result in an increased demand for on-street parking. The Head of Environment and Regulations (Traffic and Transportation Divisions) had no objection to the proposal since the dwelling is unlikely to have any significant traffic or highway safety concerns. Additional cars on the highway for one dwelling are not considered to be significantly detrimental to neighbours' amenity, and in considering alternative provision, the location is within easy walking distance of Market Street and associated public transport facilities including Hoylake train station at approximately 700m. Concerns regarding construction cannot form a reason for refusal. Thus the proposal is considered acceptable within the terms of UDP Policy TR9. There are thereby no significant highway implications relating to this proposal.

## **ENVIRONMENTAL/SUSTAINABILITY ISSUES**

The current use of the site is for storage and distribution, which is a 'non-conforming' use within a residential area. The proposal is considered to form a suitable use on a brownfield site. There are no environmental or sustainability issues arising from the proposal.

## **HEALTH ISSUES**

There are no health implications relating to this application.

## **CONCLUSION**

The proposal is considered to be of a scale and design which would not result in a detrimental change in the character of the residential area. The proposal is deemed acceptable due to the lack of significant impacts on the amenities of neighbours on every side. The proposal is not considered to result in loss of outlook, privacy, daylight or sunlight to neighbouring properties. As such the proposal complies with Policy HS4 of the adopted Wirral Unitary Development Plan and the National Planning Policy Framework.

## **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 to be of a scale and design which would not result in a detrimental change in the character of the residential area. The proposal is deemed acceptable due to the lack of significant impacts on the amenities of neighbours on every side. The proposal is not considered to

result in loss of outlook, privacy, daylight or sunlight to neighbouring properties. As such the proposal complies with Policy HS4 of the adopted Wirral Unitary Development Plan 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 27 November 2013 and listed as follows: drawing number PL01.

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

3. 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 of the Wirral Unitary Development Plan.

4. The first floor window facing north west shall not be glazed otherwise than with obscured glass and top hung, with opening parts 1.7 metres above finished floor level, and thereafter shall be permanently retained as such.

**Reason:** To safeguard the amenities of occupiers of adjoining properties and to comply with Policy HS4 of the Wirral Unitary Development Plan.

5. NO DEVELOPMENT SHALL TAKE PLACE BEFORE a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details and retained thereafter.

**Reason:** To safeguard the visual amenities of the locality and the privacy/amenities of the adjoining properties and to accord with Policy HS4 of the Wirral Unitary Development Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) no external alterations or extensions shall be carried out to the building(s) hereby approved.

**Reason:** To safeguard the amenities of the occupiers of adjoining property and the area generally and to accord with Policy HS4 of the Wirral Unitary Development Plan.

7. Prior to the first occupation of the dwelling arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority before the development is commenced. The approved details shall be implemented in full and shall be retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** To ensure a satisfactory appearance and adequate standards of hygiene and

refuse collection, having regard to policies WM9 of the Waste Local Plan.

8. No development shall take place until a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with policy WM8 of the Waste Local Plan.

9. NO DEVELOPMENT SHALL COMMENCE UNTIL full details of site and finished floor levels intended at the completion of the development in relation to existing site levels and the levels of adjoining land and the highway have been submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt the details shall include a datum for measuring land levels. The development shall be carried out and completed in full 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, having regard to UDP Policy HS4.

**Last Comments By:** 07/02/2014 16:28:58  
**Expiry Date:** 22/01/2014