

## Planning Committee

16 April 2014

**Reference:**  
**OUT/14/00094**

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

**Case Officer:**  
**Mr N Williams**

**Ward:**  
**Greasby, Frankby  
& Irby**

**Location:** 38 THURSTASTON ROAD, IRBY, CH61 0HF  
**Proposal:** Outline planning application to create 2 No. new residential properties  
**Applicant:** Mr & Mrs Silcock  
**Agent :** Architects-Direct.com

### Site Plan:



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### Development Plan allocation and policies:

Primarily Residential Area

**Planning History:**

There is no relevant planning history for this site.

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

Having regard to the Council's Guidance for Publicity on Planning Applications, 15 notifications were sent to adjoining properties and a site notice was displayed near the site. At the time of writing, there had been 7 comments received from the occupiers of 39, 42, 44, 46, 48 & 50 Martin Close, and 36 Thurstaston Road. The objections are on the following grounds:

1. the development would result in a loss of light and privacy to neighbours;
2. overshadowing;
3. would be out of character for the area;
4. overdevelopment of the site;
5. loss of trees would be harmful; and
6. proposal may set a precedent for the area.

**CONSULTATIONS**

Head of Environment & Regulation (Pollution Control Division) - No objection

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

**Director's Comments:****REASON FOR REFERRAL TO PLANNING COMMITTEE**

Councillor Tony Cox requested that the application be taken out of delegation due to the number of representations received and the objections stated within them.

**INTRODUCTION**

The application is for a proposal to build 2 No. additional dwellings on land at 38 Thurstaston Road. The application is for outline permission, with all matters reserved.

**PRINCIPLE OF DEVELOPMENT**

The principle of additional dwellings on a site within a Primarily Residential Area is acceptable, subject to relevant policy and guidelines.

**SITE AND SURROUNDINGS**

The application site contains an existing two-storey dwelling

**POLICY CONTEXT**

The application is subject to Wirral's Unitary Development Plan Policy HS4: Criteria for New Housing Development. This policy states that new housing development in Primarily Residential Areas will be permitted provided they are of a scale which relates well to the surrounding area and would not harm the character of the area.

Development Management Policies in the Joint Waste Local Plan for Merseyside and Halton are also applicable. Policy WM8 requires development to incorporate measures for achieving efficient use of resources, Policy WM9 also requires development to provide measures for waste collection and recycling, including home composting.

**APPEARANCE AND AMENITY ISSUES**

Although the application is only at outline stage, an indicative site plan has been submitted which shows how two additional dwellings could fit onto the site, without having an unacceptable impact on either the amenities of neighbouring properties or the character and appearance of the street scene. The dwelling at the front of the site will project forward of the traditional building line of properties along Thurstaston Road - however, importantly, it will effectively be in line with existing houses along Martin Close and should not appear as an obtrusive feature on the wider street scene. Similarly, the proposed dwelling in the rear garden will not appear as an incongruous feature as it will also be in line with other properties on Martin Close. The indicative proposed layout also shows this property as a

dormer bungalow, which would further lessen the scale and appearance of this dwelling, and ensure that there is no overlooking of neighbouring garden areas. It is not considered that two additional dwellings on this site will look particularly out of character, or unacceptably harm the amenities of neighbouring properties.

Although there will be some trees removed from the site, these trees are not considered to be worthy of preserving with a Tree Preservation Order. A number of trees will be retained along the front boundary, ensuring that the site will continue to be largely screened by trees, having a positive visual amenity value.

### **SEPARATION DISTANCES**

The indicative propose site layout demonstrates that two additional dwellings can be built on this site without compromising separation distances.

The proposed dwelling to the rear of the site will have first-floor windows 21 metres away from habitable windows on the back of properties on Martin Close

There will be a distance of approximately 2 metres between the proposed dwelling to the rear and 39 Martin Close. The side elevation of 39 Martin Close contains windows for a stairs/landing, a bathroom and a toilet - as none of these are habitable windows, the close proximity of the proposed dwelling is considered acceptable.

There will also be a distance of over 10 metres from the first-floor window to the boundary with the rear garden of 36 Thurstaston Road, ensuring no unacceptable loss of privacy to this neighbouring property.

The proposed dwelling at the front of the site is sited so that it is not directly in line with habitable windows on the rear elevation of Martin Close properties. This ensures there is a minimum distance of 14 metres between these windows and the proposed dwelling, which complies with required separation distances.

### **HIGHWAY/TRAFFIC IMPLICATIONS**

The three dwellings would all be accessed from the existing vehicular access onto Thurstaston Road. It is not considered that this would result in a highway safety issue.

### **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**

Overall, it is considered that the creation of two additional dwellings on this site would not unacceptably harm the amenities of neighbouring properties, or the overall character and appearance of the street scene. As such, the proposal is considered to comply with Wirral Unitary Development Plan HS4, 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 will not unduly harm residential amenity or the character and appearance of the area and is therefore considered to comply with Wirral 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 or two years from the date of the approval of the last of the reserved matters, whichever is the later.

**Reason:** To comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

2. Details of the reserved matters set out below shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
  - (a) Layout
  - (b) Scale
  - (c) Appearance
  - (d) Access and
  - (e) Landscaping

Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced and shall be carried out as approved.

**Reason:** To enable the Local Planning Authority to control the development in detail and to comply with Section 92(as amended) of the Town and Country Planning Act 1990.

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. 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 EM8 of the Waste Local Plan.

5. PRIOR TO FIRST OCCUPATION OR USE OF THE DEVELOPMENT, 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 previous submitted to and agreed in writing by the Local Planning Authority, prior to the first occupation of the building.

**Reason:** To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to Waste Local Plan Policy EM9.

**Further Notes for Committee:**

**Last Comments By:** 25/03/2014 15:02:16  
**Expiry Date:** 11/04/2014