

Planning Committee

17 June 2014

Reference:
APP/14/00085

Area Team:
North Team

Case Officer:
Mr N Williams

Ward:
Wallasey

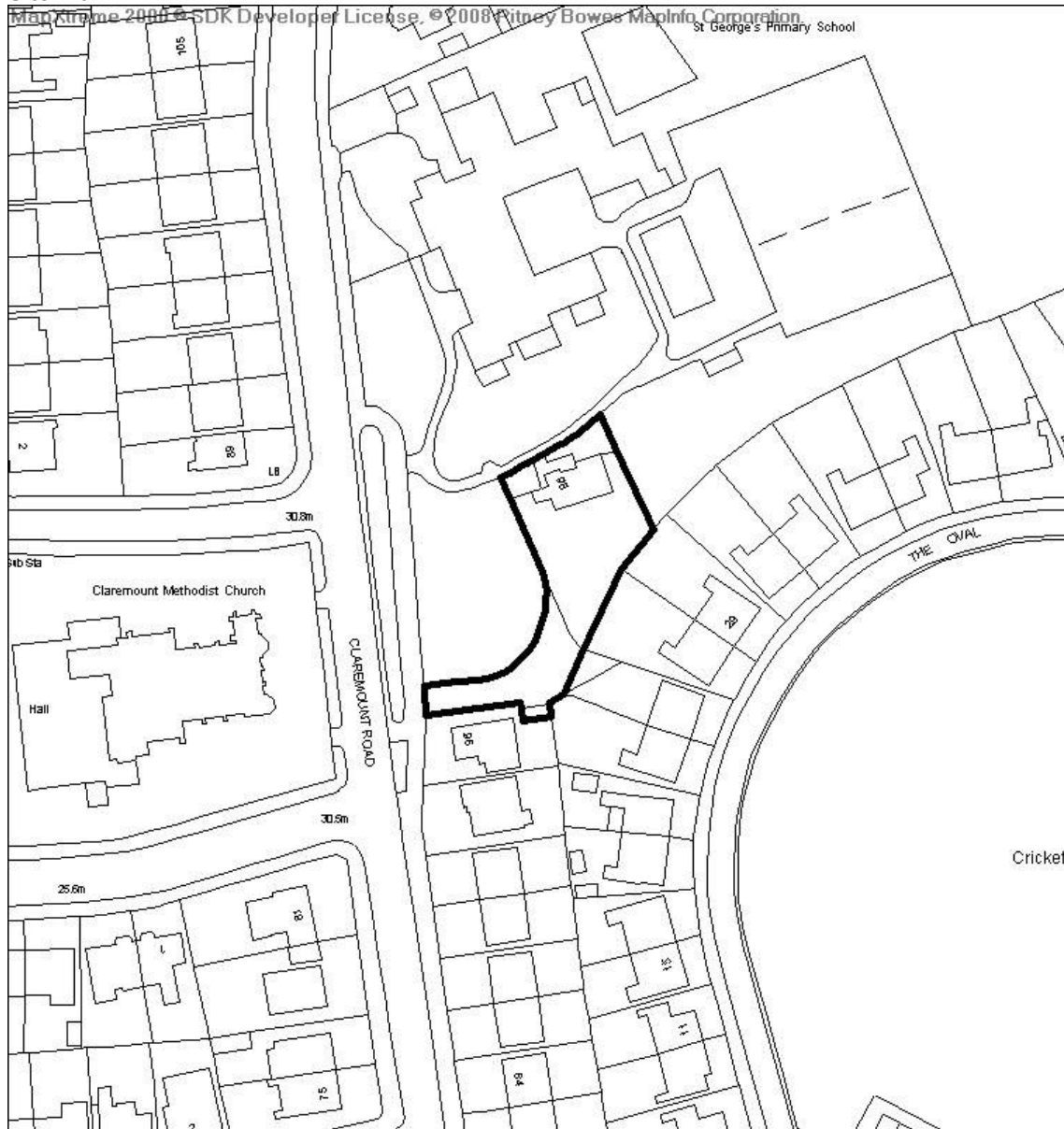
Location:
Proposal:

98 CLAREMOUNT ROAD, LISCARD, CH45 6UE
To build a pergola 3400mm high near bottom of drive, level ground area along part of south-east boundary (thus raising by 450mm) and erect 2000mm fence along this part of boundary, and erect pergola at height of 2350mm next to house

Applicant:
Agent :

Mr Paul Kenney
N/A

Site Plan:



Development Plan allocation and policies:

Primarily Residential Area

Planning History:

Location: St. Georges School Grounds, 98, Claremount Road, Liscard. L45 6UE
Application Type: Work for Council by outside body
Proposal: Construction of a driveway.
Application No: APP/87/05566
Decision Date: 19/05/1988
Decision Type: Approve

Location: 98, Claremount Road, Liscard. L45 6UE
Application Type: Full Planning Permission
Proposal: Erection of single storey extension to side and front and reroofing with pitched roof.
Application No: APP/89/05457
Decision Date: 24/05/1989
Decision Type: Approve

Location: 98 CLAREMOUNT ROAD, LISCARD, CH45 6UE
Application Type: Full Planning Permission
Proposal: Side and rear extension to bungalow
Application No: APP/11/01321
Decision Date: 21/12/2011
Decision Type: Approve

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

Having regard to the Council's Guidance for Publicity on Planning Applications, 7 notifications were sent to adjoining properties and a site notice was displayed near the site. At the time of writing, there had been 2 objections received. One objection was received from the occupiers of 25 The Oval, objecting on the grounds that the new pergola is excessive and will dominate the bottom of their garden and that it may be used as a car port. Another objection was received from the occupiers of 29 The Oval, objecting on the grounds that the raised land level and fence has a harmful impact on residential amenity, and the potential loss of trees.

CONSULTATIONS

No statutory consultations required for this application.

REASON FOR REFERRAL TO PLANNING COMMITTEE

Councillor Leah Fraser requested that the application be taken out of delegation due to concern about the scale of the proposed pergola and its impact on the visual amenity of neighbouring properties.

DIRECTORS COMMENTS:**INTRODUCTION**

The application is for the levelling of the ground along part of the south-east boundary, thus raising the land by 450mm - with a 2000mm fence along this part of the boundary and a pergola at height of 2350mm next to the house. These works have already been carried out, and the application is retrospective.

The application is also for the erection of an additional new pergola towards the front of the driveway. The scale and design of this new pergola has been amended significantly so that it is now approximately 3400mm in height, and 5000mm in length.

PRINCIPLE OF DEVELOPMENT

The principle of this development within a Primarily Residential Area is acceptable, subject to relevant policy guidelines.

SITE AND SURROUNDINGS

98 Claremount Road is a large, recently-extended bungalow located within a Primarily Residential Area. It is set back from Claremount Road, behind a fairly dense tree screen. There is a primary school to one side of the property, and the rear of dwellings on The Oval to the other side.

POLICY CONTEXT

The proposal is subject to Wirral's Unitary Development Plan Policy HS11: House Extensions, and Supplementary Planning Guidance 11: House Extensions.

APPEARANCE AND AMENITY ISSUES

The works that have been carried out result in the level of the application site being higher than neighbouring properties. The applicant claims that this was necessary in order for the land to be level. The erection of a 2m high fence on this raised land effectively results in the boundary fence to the rear of 29 The Oval being approximately 2.4m high, although it is not considered that this would have an unacceptable impact on the amenities of this property. The main dwelling of 29 The Oval is approximately 16 metres away from the rear boundary, and this is more than sufficient to ensure that the raised rear boundary does not harm the amenities of the occupiers of this property. Similarly, whilst the pergola sited on this raised land is also visible from this property, it is only partly visible above the fence and is not considered to be an overbearing feature and does not harm residential amenity.

The new pergola is to be sited towards the front of the driveway, although well set back from the entrance. It has been significantly amended from its original form - drastically reducing the height and length of it. The original height was almost 5m, whereas it has been reduced to 3.4m. The length was originally to be approximately 10m, but has been reduced to approximately 5m. In addition to this reduction, the change from a pitched roof to a flat roof will further lessen its visual impact. Although the pergola will be sited to the front of the main dwelling, the site is fairly well screened from the street scene by heavy tree cover. The reduction in scale and design will ensure that the new pergola is much more subordinate to the main dwelling, and has minimal visual impact when viewed from the street scene. Additionally, the pergola will be set approximately 4 metres off the boundary with properties on The Oval. This distance, and the reduced scale, will mean that the pergola does not have an unacceptable adverse impact on the amenities of these neighbouring properties. Whilst it may still be partly visible from these properties, this in itself will not cause an unacceptable degree of harm to residential amenity.

There have been objections received regarding the potential loss of trees on the site, and the use of the pergolas as a car/van port. However, none of the trees on the site are protected by a Tree Preservation Order whilst the actual use of the pergolas cannot be controlled through planning system provided the use is incidental to the enjoyment of the dwelling, and the parking of vehicles owned by the occupier of the property in this case is considered incidental.

SEPARATION DISTANCES

Separation distances do not apply in this instance, as no habitable windows will be directly affected by the proposed development.

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

In conclusion, it is considered that the raising (and levelling) of the land level along the south east boundary, and the erection of a 2m high fence and pergola upon this land, does not have an unacceptable degree of harm to the neighbouring property. In addition, the reduction in scale and change of design of the proposed pergola will ensure that this does not harm the character of the

street scene or the amenity of neighbouring properties. The development is therefore considered to be acceptable and complies with Wirral Unitary Development Plan Policy HS11: House Extensions.

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 development will not harm residential amenity or the character and appearance of the street scene and therefore complies with Wirral Unitary Development Plan Policy HS11: House Extensions

**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 3rd April 2014 and listed as follows: PL-002 Rev P1 (22/01/2014); and the approved plans received by the local planning authority on 14th May 2014 and listed as follows: PL-001 Rev P2 (13/05/2014), PL-003 Rev P2 (13/5/2014), and PL-005 Rev P2 (13/05/2014)

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

Further Notes for Committee:

Last Comments By: 05/05/2014 16:30:11
Expiry Date: 29/05/2014