

Planning Committee
23 July 2014

Reference:
APP/13/01595

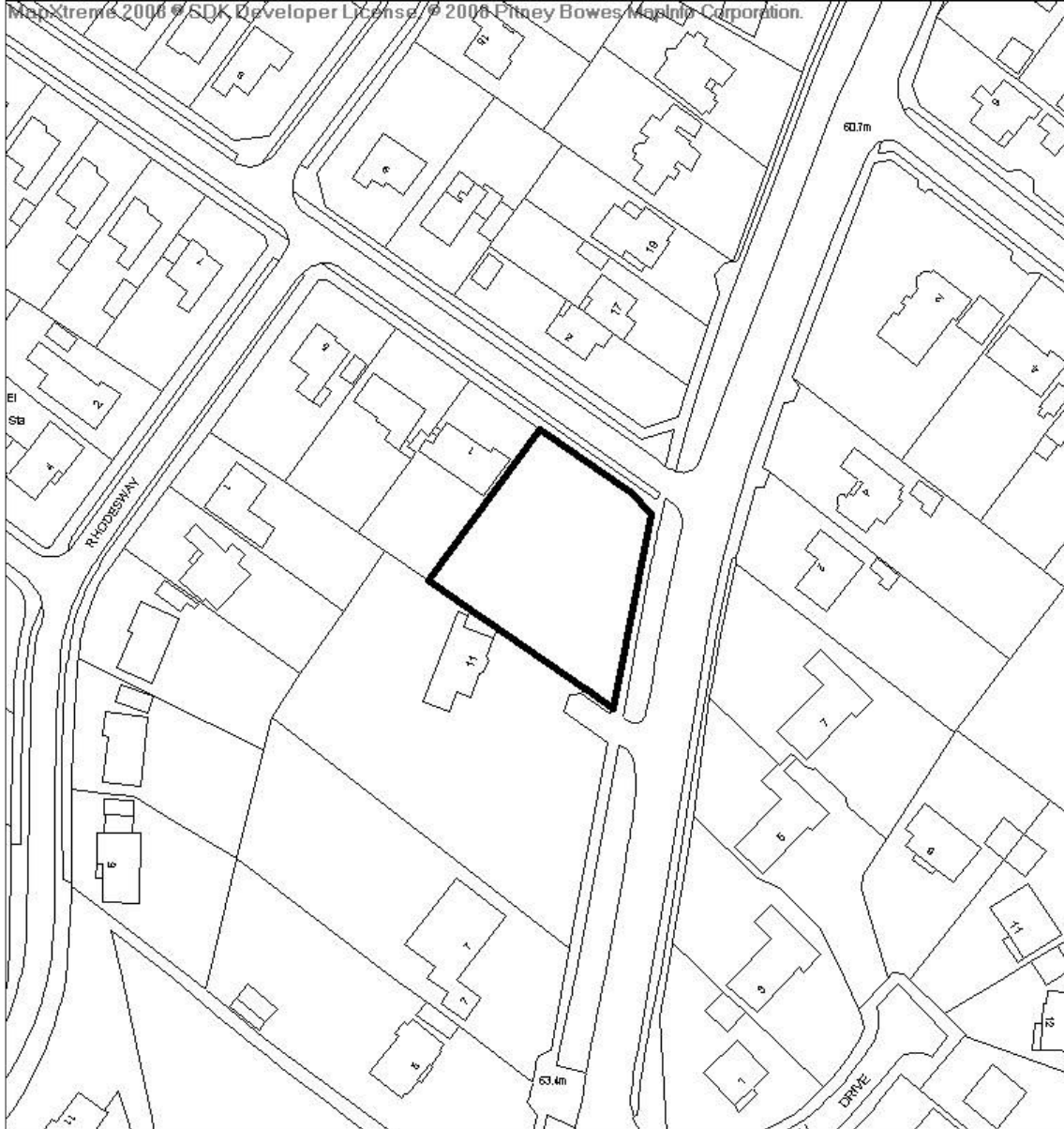
Area Team:
South Team

Case Officer:
Mr K Spilsbury

Ward:
Heswall

Location: Land adjacent to 1 Border Road, Heswall, Wirral CH60 2TN
Proposal: Erection of a detached dwelling
Applicant: Marlowe
Agent : SDA Architects & Surveyors

Site Plan:



Development Plan allocation and policies:
Primarily Residential Area

Planning History:

There is no relevant planning history relating to this site.

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

Having regard to the Council Guidance on Publicity for Applications, 12 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report one objection has been received from the occupier of 7 Chalkwell Drive. The objection can be summarised as follows:

1. Overlooking rear garden
2. The visual appearance of a dwelling when viewed from rear windows
3. loss of a garden and increased density
4. The development will be overbearing and out of character

CONSULTATIONS:

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

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

Director's Comments:**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. Under the current scheme of delegation any SDA application with at least one objection must be reported to Planning Committee.

INTRODUCTION

The proposed development is for the erection of a detached dwelling on the side garden of 1 Border Road.

PRINCIPLE OF DEVELOPMENT

The site is designated within Wirral's Unitary Development Plan as part of a Primarily Residential Area and as such the erection of a dwelling is acceptable in principle subject to the policies outlined below.

SITE AND SURROUNDINGS

The site of the proposed dwelling is within the side garden of 1 Border Road. This is located on the corner of Border Road and Barnston Road. There is an approximately 2.5m high hedge row running around the perimeter of Barnston Road. The garden is very large and extends to the rear of the dwelling some 15m.

There are a mix of dwellings within the area however most are large two storey dwelling set within their own grounds.

POLICY CONTEXT

As stated above the site is designated as part a a Primarily Residential Area and residential development is permitted subject to the proposal complying with Policy HS4 of the Wirral Unitary Development Plan (UDP).

UDP Policy HS4 sets out the parameters for acceptable residential development stating that the proposal should be of a scale which relates well to the surrounding property with particular regards to existing densities and form.

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.

The National Planning Policy Framework (NPPF) states that the purpose of Planning is help to

achieve sustainable development and that good design is a key aspect which should contribute positively for making places better for people. The NPPF also says that local planning authorities should resist inappropriate development of residential gardens where the development would cause harm to the local area. It is not considered that the proposed development is of such a scale to represent any harm to the local area, given the mix and density of development that already exists within the immediate locality. It is considered that the proposed development is in keeping with the principles of the NPPF.

APPEARANCE AND AMENITY ISSUES

The proposed development is the result of a number of negotiations between the developer and the Local Planning Authority. Whilst there is no distinctive style in the area one of the main characteristics of this section of Barnston Road is that of large detached dwellings set back from the main Road (Barnston) thus creating a sense of space.

The design has been refined to reflect the character of the area. The property will be faced in brick and render with a two storey bay window at the front, chimney breast at the side and vehicular access gained off Border Road.

At the time of writing this report one objection has been received from the occupier of 7 Chalkwell Drive. The objection can be summarised as follows:

1. Overlooking rear garden
2. The visual appearance of a dwelling when viewed from rear windows
3. Loss of a garden and increased density
4. The development will be overbearing and out of character

The dwelling is set back within the plot and the large hedge row running along Barnston Road will be retained. The size and siting of the dwelling is considered to be in keeping with the character of the area as well as the density and form of surrounding properties.

The siting of the dwelling would not result in an unneighbourly form of development, harmful to the occupiers of 7 Chalkwell Drive, 2 and 11 Barnston Road or to the neighbouring property 1 Border Road to the side. The proposed plans show the dwelling in line with the neighbouring property 1 Border Road and such the outlook from the proposed windows will achieve the required separation distances.

Whilst the occupiers of the surrounding properties (Including 7 Chalkwell Drive) will be able to see the dwelling from the overall bulk and massing would not be detrimental to the amenities which the occupiers of the adjacent properties could reasonably expect to enjoy. There are two windows in the side elevation of the new dwelling facing east which will be fixed and obscurely glazed up to a level of 1.7m from floor level if members are minded to approve the scheme.

It is the Local Planning Authorities opinion that one additional dwelling of a similar size and scale to those surrounding the site would be in keeping with the character of the area. The siting of the dwelling will not have any harmful impact upon the adjacent properties including 11 Barnston Road, 2 Border Road and 7 Chalkwell Drive or encroach upon the street scene of Barnston Road. The amenities of 1 Border Road will be maintained as those windows facing the site will be secondary.

The proposal is considered to be in keeping with existing development and general character of the area. The proposal is therefore considered acceptable having regard to Policy HS4 of the Wirral Unitary Development Plan and the National Planning Policy Framework.

SEPARATION DISTANCES

To maintain an acceptable outlook for the proposed new dwellings and to protect amenity of those surrounding the site the following separation distances need to be achieved: 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. If there are differences in land levels or where development adjoins that of different ridge height, such as three-storey development adjacent to two-storey property, a greater separation should be provided. For every metre difference in ridge height (or part thereof) the above distances should be increased by 2 metres.

The proposed dwelling is sited over 18m from 11 Barnston Road. There is a non habitable room window in the side elevation which appears to be frosted as such there is no loss of amenity. There are a number of windows in the side elevation of 1 Border Road, however all of these windows are secondary.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal. The Head of Environment & Regulation (Traffic & Transportation Division) has been consulted on highway safety and parking and has raised no objections to the proposed scheme.

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 to be in keeping with existing development and general character of the area. The proposal is therefore considered acceptable having regard to Policy HS4 of the 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 in keeping with existing development and general character of the area. The proposal is therefore considered acceptable having regard to Policy HS4 of the 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 18th June 2014 and listed as follows:
146_2013_02 Rev D (Dated 18.06.2014)

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

3. NO DEVELOPMENT SHALL TAKE PLACE until samples of the facing/roofing/window 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 area(s) so designated within the site shall be suitably landscaped in accordance with a

scheme to be submitted to and approved by the Local Planning Authority before any works commence on site, the landscape work to be completed during the first available planting season following completion of the development hereby approved and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality.

5. NO OCCUPATION OR USE OF THE DEVELOPMENT SHALL TAKE PLACE UNTIL the first floor side windows in the side elevation facing 7 Chalkwell Drive and the first floor side window facing 1 Border Road have been 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 written approval of the Local Planning Authority.

Reason: In the interest of residential amenity having regards to policy HS4 of the Wirral Unitary Development Plan

6. 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 policies WM8 and WM9 of the Waste Local Plan.

7. PRIOR TO THE FIRST OCCUPATION OF THE DWELLINGS 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. The approved details shall be implemented in full 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 WM8 and WM9 of the Waste Local Plan.

Further Notes for Committee:

Last Comments By: 07/03/2014 12:55:43

Expiry Date: 28/03/2014