

# Planning Committee

03 June 2015

**Reference:**  
**APP/14/01182**

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

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

**Ward:**  
**Oxton**

**Location:**  
**Proposal:**

5 VICTORIA MOUNT, OXTON, CH43 5TH  
Retrospective application for demolition of front boundary wall.  
Proposed front and partial side wall, widen front drop kerb for vehicular access, and glazed balcony to rear.

**Applicant:**  
**Agent :**

Mrs L Kerrigan  
SDA Architects & Surveyors

## Site Plan:



### **1. Development Plan allocation and policies:**

Conservation Area (for illustrative purposes)  
Density and Design Guidelines Area  
Primarily Residential Area

### **2. Planning History:**

Location: 5 VICTORIA MOUNT, OXTON, CH43 5TH  
Application Type: Full Planning Permission  
Proposal: New sunken patio to the front of the property: No.5 Victoria Mount.

Application No: APP/12/00779  
Decision Date: 06/08/2012  
Decision Type: Approve

Location: 5 VICTORIA MOUNT, OXTON, CH43 5TH  
Application Type: Full Planning Permission  
Proposal: Proposed 3-storey side extension  
Application No: APP/14/01601  
Decision Date: 09/04/2015  
Decision Type: Refuse

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

#### Consultations

Head of Environment & Regulation (Traffic & Transportation Division) - No Objections  
The Oxtton Society - Object to the proposals, wall too high and out of character with the area, arch not a design which is elsewhere in the Conservation area, single gates would be less obtrusive and should have gateposts similar to ones removed.

#### Neighbours

in line with the Councils policy for publicity of planning applications, letters were sent to 5 neighbouring properties, a notice displayed on site and advertised in the press.  
One objection has been received from 12 Prices Lane relating to the loss of available on street parking due to the widening of the pavement crossing.  
A letter of support has been received from 3 Victoria Mount stating that the works will enhance the street and help parking problems in the area.

### **4. DIRECTORS COMMENTS:**

The application is submitted by SDA Architects and Surveyors, a partner and architect of which is an elected Member of the Council.

### **INTRODUCTION**

The proposal is part retrospective, for the demolition of the front boundary wall and also includes proposals for a new wall and a glazed balcony to the rear of the property. The property is located within the Oxtton Conservation area.

### **PRINCIPLE OF DEVELOPMENT**

The principle of the development is acceptable subject to guidance given in The National Planning Policy Framework ( NPPF) and Policies CH2 , CH7 and CH3 of Wirral's Unitary Development Plan

### **SITE AND SURROUNDINGS**

The application site consists of a three storey end property in a terrace of three villas. The front garden area has had previous consent for a patio to be excavated below ground level. this work has been carried out. The front boundary wall has been demolished with temporary fencing forming a boundary.

the wall increases in height at the corner of the site as it turns into Prices Lane. The height at this point varies at between 1.5m and approximately 2m.

### **POLICY CONTEXT**

Policy CH2 concerns development which affects Conservation areas. Such development must be able to preserve and enhance the distinctive characteristics of the Conservation area, the general layout of the area and the character and setting of buildings and elements which make a positive contribution to the area.

Policy CH3 deals specifically with demolition in a Conservation area. Demolition can be accepted if the building or structure to be preserved has little historic importance and detailed redevelopment are proposed.

Policy CH7 sets out the specific criteria for Oxtun which reflects the objectives of CH2.

NPPF states that when determining planning applications Local Planning Authorities should take account of:-

- The desirability of sustaining and enhancing the heritage asset
- The positive contribution the heritage asset can make to sustainable communities
- the desirability of the new development making a positive contribution to local character

### **APPEARANCE AND AMENITY ISSUES**

There are two elements to the proposed development, the provision of a new boundary wall and a glazed balcony to the rear of the property.

#### **Boundary Treatment**

The proposed wall is to replace previous wall which was demolished without consent. Consent would have been required as the property is within a Conservation area. Whilst there are no definitive details of the whole of the original boundary treatment, the front portion of the wall onto Victoria Mount consisted, at least in part of a low stone wall. As the property is located on a corner, the original wall increases in height to over 1.8m as it turns the corner and forms the side boundary.

The original proposals were to provide a new front wall of 1.8m in height increasing to 2.63 over the door archway. A vehicular access of 4.9m was also proposed with 1.65 high gates.

The Oxtun society objected to the proposals on the basis of the height of the proposed wall, the arch being a feature untypical of the area and the large gates being obtrusive.

The boundary treatment in the immediate surrounding area is varied with walls of between 1m and 1.5m in height as a typical form of boundary treatment. The archway feature can be found on the boundary walls to older properties in the area, the nearest being in Polplar Road .

The application property is one of a group of six villas fronting Victoria Mount. Of the six properties ,only two retain the original low wall with the remaining properties having a higher wall, a hedge and a 1.6m fence as their boundary treatment. Given the variety of boundary treatment in the area, it is considered that a form of boundary which is similar in scale and materials would preserve the characteristics of the area and make a positive contribution to the Conservation area. It was however, considered that the original proposals were too high with an opening for vehicles which would be obtrusive and completely out of character with the surrounding Conservation area.

The plans have subsequently been amended to reduce the front wall to 1.5m high, the archway to 2.3m high and the width of the vehicular opening to 3m wide. These changes mean that the boundary wall is now of a comparable height to surrounding properties and the vehicular opening is far less obtrusive and again comparable to others in the vicinity of the site. The proposed boundary treatment is appropriate to this corner site and will make a positive contribution to the appearance and character of the conservation area.

#### **Rear Balcony**

The second element of the proposals relates to the erection of a balcony to the rear of the property. The proposed balcony is a simple glazed structure which sits above an existing single storey outrigger. As the property is on a corner, the balcony will be visible from the side, on Prices Lane, as well as the rear. No16 Prices Lane is a property which has been extended to include a front balcony which overlooks the rear garden of 5 Victoria Mount. Whilst the interface distance between the existing and proposed balcony falls short of 21m, the proposed balcony to 5 Victoria Mount is at a lower level than the existing one which will not compromise the privacy of 16 Prices Lane. The simple design of the balcony will not detract from the host building and will have a neutral impact on the character of the Conservation area.

## **SEPARATION DISTANCES**

The implications for separation distances are set out in the main body of the report

## **HIGHWAY/TRAFFIC IMPLICATIONS**

There are no Highway objections 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**

The proposals as amended, will result in a visual improvement to this corner plot and reinforce the characteristics of the surrounding Conservation area. The proposal accords with UDP policies CH2, CH3 and CH7 and the National Planning Policy Framework.

## **5. 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 proposals as amended, will result in a visual improvement to this corner plot and reinforce the characteristics of the surrounding Conservation area. The proposal accords with UDP policies CH2, CH3 and CH7 and the National Planning Policy Framework.

## **Recommended 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 September 2014 and listed as follows: 144\_2014\_01 and received on 7th May 2015 and listed as follows: 144\_2014\_02

**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 CH2 of the Wirral Unitary Development Plan.

4. Before any construction commences, details of the type of mortar and type of pointing to be used in the construction of the wall hereby approved, shall be submitted to and approved in writing by the Local Planning Authority. The wall shall be constructed in accordance with the

agreed details.

**Reason:** To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy CH2 of the Wirral Unitary Development Plan.

Consent under the Highways Act is required for the construction of a new or the amendment/removal of an existing vehicular access. such works are undertaken at the developers expense, including the relocation/replacement and/or removal of street furniture and vegetation as necessary. Please contact the Council's Highway Maintenance Team on 0151 606 2004 prior to the commencement of development, for further information.

**Further Notes for Committee:**

**Last Comments By:** 12/11/2014 15:06:53

**Expiry Date:** 13/11/2014

