

Planning Committee

17 September 2015

Reference:
APP/15/00824

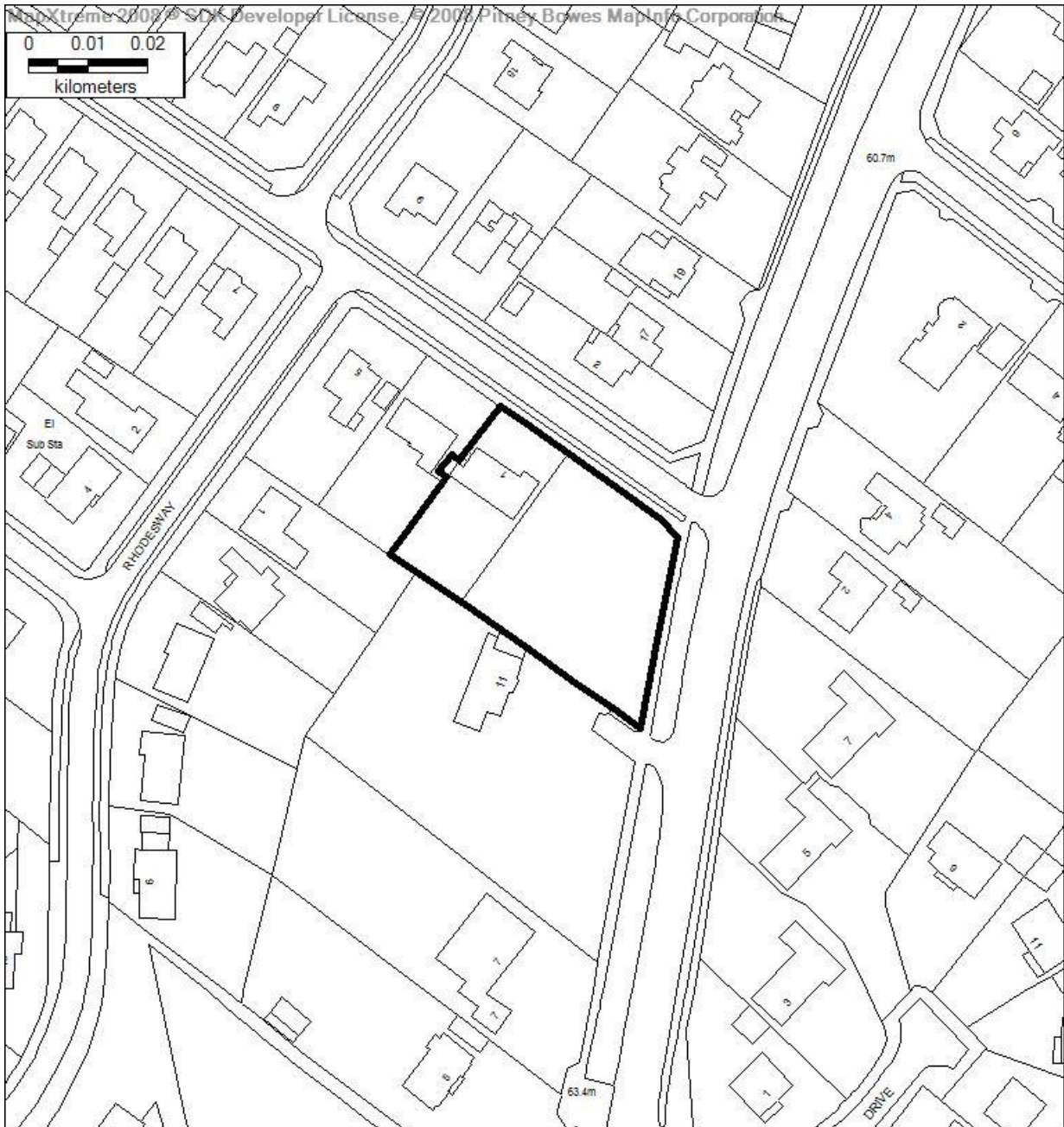
Area Team:
South Team

Case Officer:
Mr K Spilsbury

Ward:
Heswall

Location: 1 BORDER ROAD, BARNSTON, CH60 2TN
Proposal: Amendments to approved scheme APP/13/01595 - Boundary wall, gates, conservatory, Juliet balcony and adjustments to existing drop kerb
Applicant: Mr D Finn
Agent : SDA Architecture & Surveying

Site Plan:



© Crown copyright and database rights 2014 Ordnance Survey 100019803 You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Development Plan allocation and policies:

Primarily Residential Area

Planning History:

Location: Land adjacent to 1 Border Road, Heswall, Wirral CH60 2TN
Application Type: Full Planning Permission
Proposal: Erection of a detached dwelling
Application No: APP/13/01595
Decision Date: 24/07/2014
Decision Type: Approve

Location: 1 BORDER ROAD, BARNSTON, CH60 2TN
Application Type: Full Planning Permission
Proposal: First floor side extension and conservatory

Application No: APP/14/00039
Decision Date: 21/02/2014
Decision Type: Approve

Location: 1 BORDER ROAD, BARNSTON, CH60 2TN
Application Type: Full Planning Permission
Proposal: Erection of new boundary wall & gates
Application No: APP/14/00438
Decision Date: 28/05/2014
Decision Type: Approve

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 1 Barnston Road. The objection can be summarised as follows:

1. The introduction of a Juliet balcony will introduce overlooking of the garden, result in noise give views into a bedroom window.
2. The Rear conservatory will bring the property much closer to their property, will result in increased footprint and density, out of character and noise.

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 a resubmission of a previously approved scheme (13/01595) for the erection of a detached dwelling on the side garden of 1 Border Road. The proposal includes amendments to the boundary wall, gates, the addition of a conservatory and a dropped kerb

PRINCIPLE OF DEVELOPMENT

The site is designated within Wirral's Unitary Development Plan as primarily residential 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 allocated within a primarily residential area and as such residential development is permitted subject to the proposal complying with Policy HS4 of the Wirral Unitary Development Plan.

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

As stated above the proposed development is an amendment to that originally submitted. The scheme now includes a new boundary wall with fence above to match 1 Border Road, entrance gates, a new dropped kerb and entrance position on Border Road and the erection of a rear conservatory.

The scheme originally included a Juliet balcony at the rear overlooking the garden however following consultation with the Local Planning Authority (LPA) this was removed as it was considered this would potentially cause overlooking of the neighbouring property 11 Barnston Road.

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.

Whilst there is no distinctive style in the area one of the main characteristic 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.

At the time of writing this report one objection has been received from the occupier of 11 Barnston Road. The objection can be summarised as follows:

1. The introduction of a Juliet balcony will introduce overlooking of the garden, result in noise give views into a bedroom window.
2. The Rear conservatory will bring the property much closer to their property, will result in increased footprint and density, out of character and noise.

As stated above the Juliet balcony has now been deleted from the scheme and as such the concerns of the residents have been resolved. In terms of the proposed conservatory, this could be built under permitted development once the dwelling has been fully completed and as such a refusal on these grounds cannot be sustained. The door of the conservatory has been moved at the request of the LPA so that it opens into the side garden thus softening the overall impact of the proposed conservatory. The

rear of the conservatory is approximately 13m from the boundary with no.11 Barnston Road which is deemed a sufficient distance for a single storey structure not to have an adverse impact upon a neighbouring resident. In terms of character the proposed conservatory will not appear out of context as there is a similar conservatory at 1 Border Road.

As with the original application the dwelling is set back within the plot and the large hedge row running along Barnston Road will be retained. The development will not impact upon the hedge as it is set within the site. 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 first floor windows in the rear elevation of the proposed dwelling are over 18m from 11 Barnston Road. There is a secondary room window in the side elevation of this property which overlooks the site but it is not the main window as such there is no loss of amenity as the Juliet balcony has now been removed.

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 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 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.

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 25th June 2015 and listed as follows: 146_2013_01 ref G (Dated 24.04.2015) & 146_2013_02 ref F (Dated 24.04.2015)

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

3. Before any construction commences, 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 [S] 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

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.

8. No development shall take place until 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 for each of the dwellings hereby approved as and when they are completed and before each relevant dwelling is first occupied. Development shall be carried out in accordance with the approved details and retained as such thereafter.

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

Last Comments By: 24/07/2015 09:32:49

Expiry Date: 20/08/2015