

Planning Committee

21 October 2015

Reference:
APP/15/01138

Area Team:
South Team

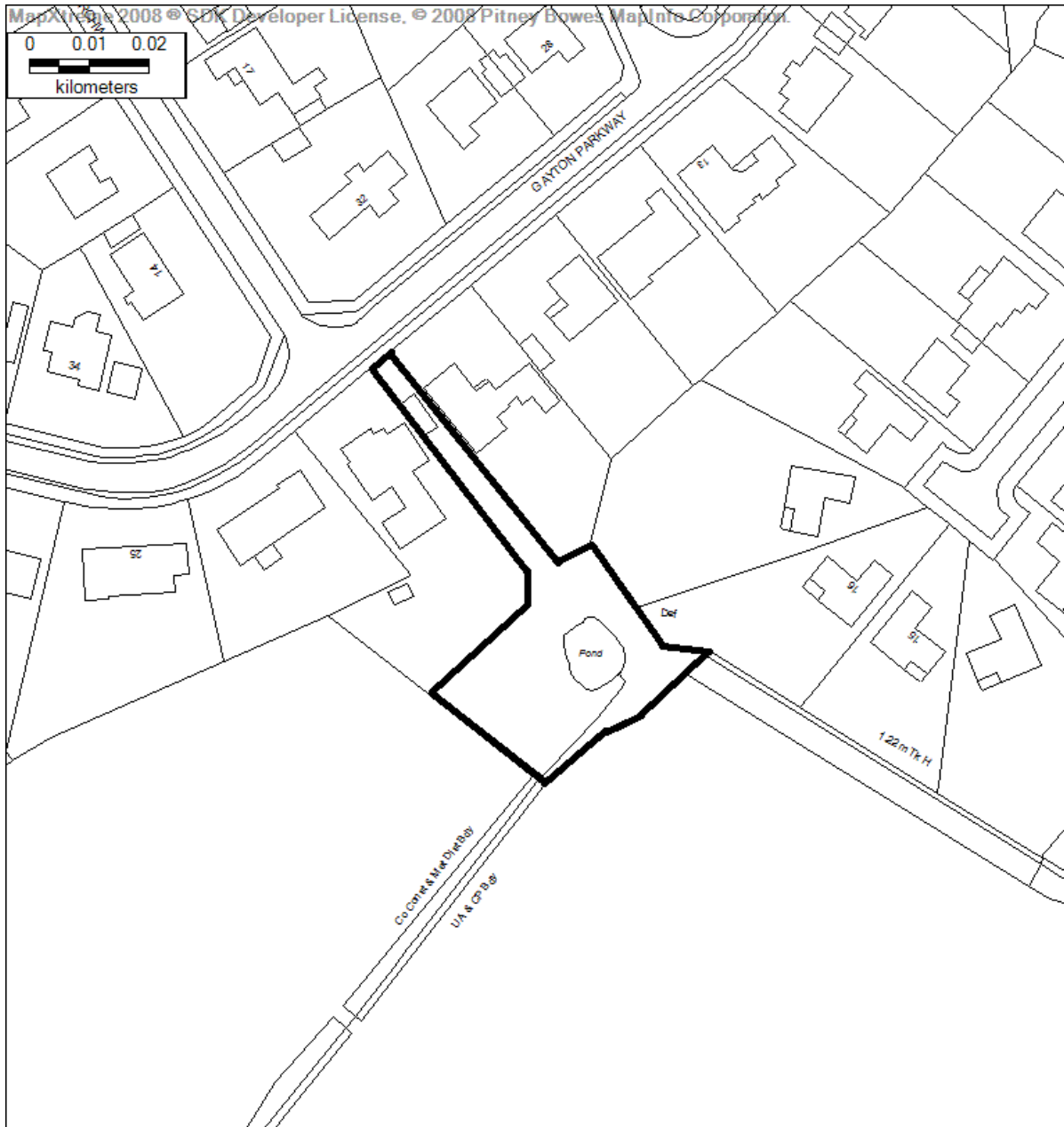
Case Officer:
Mr S Lacey

Ward:
Heswall

Location: 21 GAYTON PARKWAY, GAYTON, CH60 3SZ
Proposal: Erection of new dwelling at land to the rear of 21 Parkway, Gayton - amended site layout to that as approved as APP/15/00064 and the addition of two 'Juliet Balconies' to rear elevation

Applicant: Mr & Mrs Cotgrave
Agent : KJP Architecture

Site Plan:



© Crown copyright and database rights 2015 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:

Area of Special Landscape Value
Green Belt
Primarily Residential Area

Planning History:

Location: Land to the rear of 21 GAYTON PARKWAY, GAYTON, CH60 3SZ
Application Type: Full Planning Permission
Proposal: Erection of new dwelling at land to the rear of 21 Gayton Parkway - change of house type to that which was previously approved - 13/00735
Application No: APP/15/00064
Decision Date: 10/04/2015
Decision Type: Approve

Location: 21 Gayton Parkway, Gayton, Wirral, CH60 3SZ
Application Type: Full Planning Permission
Proposal: Erection of a front extension and front and rear dormer extensions
Application No: APP/02/05231
Decision Date: 25/04/2002
Decision Type: Approve

Location: 21, Gayton Parkway, Gayton. L60 3SZ
Application Type: Full Planning Permission
Proposal: Erection of a single storey extension at rear.
Application No: APP/88/06879
Decision Date: 15/11/1988
Decision Type: Approve

Location: Land to the rear of 21 GAYTON PARKWAY, GAYTON, CH60 3SZ
Application Type: Full Planning Permission
Proposal: Erection of new dwelling to land at the rear of 21 Parkway, Gayton.
Application No: APP/13/00735
Decision Date: 04/12/2013
Decision Type: Approve

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

Having regard to the Council Guidance on Publicity for Applications, 11 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 5 letters of objection have been received along with a petition of 37 signatures objecting to the proposal. The objections raised can be summarised as follows:

1. House built at variance to the previously approved scheme (APP/15/00065)
2. The property in its different position on the plot is overbearing and introduces overlooking.
3. The size and scale of the dwelling is excessive
4. The house can be seen from the street scene and interferes with views of the open landscape beyond and Welsh hills.
5. Trees have been felled and a pond infilled
6. Impact on property values

CONSULTATIONS:

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

Wirral Wildlife - No objections.

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

A qualifying petition of 37 signatures was received by the Council and under the scheme of delegation, this application is reported to Planning Committee for determination.

INTRODUCTION

The application seeks planning permission for the erection of a detached dwelling on land situated behind the existing dwelling 21 Gayton Parkway. The access to the dwelling would be between 19 and 21 Gayton Parkway. The land is situated within the primarily residential area but its boundary adjoins land in the Green Belt & an Area of special Landscape Value.

Planning permission has been granted for the erection of a detached dwelling on the land on two occasions under reference APP/13/00735 and APP/15/00065 . This application seeks planning permission for the erection of a dwelling in a different position on the plot. The proposed dwelling is of the same scale and design as that approved under APP/15/00065, with a minor alteration to the two outermost windows in the first floor rear elevation; the two windows have been changed to french doors with a Juliette balcony across the opening.

Work has already commenced on the development and at the time of writing this report, the site access has been created and the shell of the building has been erected.

PRINCIPLE OF DEVELOPMENT

The proposed development is for a detached residential dwelling within a Primarily Residential Area. The principle of development has been established as acceptable under the two previous planning approvals.

SITE AND SURROUNDINGS

The plot originally formed part of the garden area of no.21 Gayton Parkway. The land is bounded by residential properties on The Spinney and the land to the south is designated Green Belt and an Area of Special Landscape Value. The residential area is characterised by detached residential dwellings that are a mix of two-storey detached and dormer/bungalow dwellings.

POLICY CONTEXT

The proposal is for a new detached dwelling within a Primarily Residential Area, the proposed plot is a backland development site and will be assessed against Wirral's UDP Policies HS4 and HS10.

Proposals for the development of between one to three dwellings behind existing dwellings and accessed by a dedicated private drive will not be permitted unless the proposal retains the existing frontage dwellings of sufficient garden space, the proposed development including its access, not resulting in a detrimental change in the character of an area, nor in undue noise, disturbance, loss of privacy or sense of enclosure affecting adjoining residents, the proposed access being of sufficient width to provide a private drive of 3.0 metres width with amenity strips to one or both sides, and adequate passing places. The access must be properly formed and hard-surfaced, with adequate sight lines and visibility splays at its junction with the existing road. It should not have a seriously detrimental effect on the street scene or on highway safety. The proposed dwellings should provide adequate private garden space and adequate vehicle turning and parking/ garaging provision.

Proposals for new housing development on allocated sites and within the Primarily Residential Areas will be permitted subject to the proposal being of a scale which relates well to surrounding property, in particular with regard to existing densities and form of development and the proposal not resulting in a detrimental change in the character of the area.

For all proposals whose main elevations are parallel, or nearly so, an adequate distance should be kept between habitable rooms in separate dwellings. In addition, where the gable end of one property fronts onto the rear elevation of another, then an adequate separation should be achieved.

The proposed dwelling is a detached property located on a backland plot, the principle of development is acceptable.

APPEARANCE AND AMENITY ISSUES

Having regard to the current residential policies on backland plots, the proposed dwelling meets the guidance notes, the house is located to the rear of 21 Gayton Parkway and can be accessed via a private drive of 4m in width with a planted strip of 0.8m alongside no.19 Gayton Parkway.

The dwelling is a two-storey detached house, the overall design remains largely the same as the previous approval and the scale remains the same. The scale of the proposed dwelling is similar to the existing houses on The Spinney and its design is not out of keeping with the character of the area. As the house is a backland development, the property will not be readily seen from the highway and the house will not have a prominent impact onto the appearance of the street scene. The proposed plot has provision of private garden space as well as a suitable driveway and on site turning area.

The vehicle access into the site has already been created and once finished will be 4m in width and includes a planted strip between the access road and the boundary with no.19 Gayton Parkway. This will provide a natural screen between the existing dwelling and the access road.

The windows serving habitable rooms at the front of the property (both ground floor and first floor) provide outlook facing north east, toward the rear gardens of nos. 14 & 16 The Spinney. The windows are approximately 21m from the boundary with the houses on The Spinney, which gives a separation distance of approximately 45m window to window. Whilst the amended position of the house on the plot brings the house closer to properties at The Spinney, the house remains a significant distance away from those properties.

The windows to the rear have outlook to the south west and across the fields, these windows do not overlook neighbouring properties, the design of the house does not include side windows which protects the amenities of the rear of the houses on Gayton parkway.

The design of the dwelling is symmetrical and simple in appearance with two subordinate wings to the side of the main frontage. The design and the overall scale is nearly identical to the previously approved scheme (APP/15/00065). The amendment to the first floor rear windows does not introduce any new issues and does not have a detrimental impact on the overall design and appearance of the dwelling. The dwelling does not sit within a traditional street scene due to the plot being backland, however the house would not be alien in terms of design/scale in relation to the existing neighbouring houses. Due to the orientation of the house in relation to the neighbouring plots and the distance between the houses, the proposal does not have a detrimental impact on the level of amenity that neighbouring properties can reasonably expect to enjoy.

The plot that will accommodate the house is within the curtilage of the existing residential dwelling and forms the boundary to the designated Green Belt.

Due to the location of the land, concerns with regards to wildlife were raised during the previous application processes and subsequently a bat survey was carried out, it was found that bats forage and commute across the site and two trees were noted of importance, the Willow and Oak Tree.

The access road has been designed so that the development does not have a detrimental impact onto the Willow Tree which has been identified as a tree used by bats as a potential roost. The layout plan shows that the road has been designed to reduce any impact of the development onto the trees that have been identified within the bat survey. The retention of the trees also retains the appearance of mature vegetation along the boundaries of the plots within the area and acts as a buffer between the site and neighbouring properties.

Wirral Wildlife were consulted in the application process and have confirmed that they have no objection to the application non wildlife grounds.

In response to issues raised by neighbouring residents:

1. The fact that the development has not been carried out in accordance with planning approval APP/15/00065 either deliberately or in error, is not a valid reason to refuse this application. The Council must assess this scheme on its own merits.
2. The Council considers that proposed amended position of the house does not have a detrimental impact on the level of amenity that neighbouring residents can reasonably expect to enjoy given the ample separation distances that remain.
3. A detailed land survey has been submitted showing that the finished floor level of the property is approximately 70cm higher than the original land level prior to commencement of development. The Council considers the scale, height and design of the proposed dwelling to be acceptable.
4. The loss of a view is not a valid planning consideration. The fact that parts of the dwelling can be seen from the streetscene does not mean the proposal is unacceptable. The Council considers that the proposed dwelling does not have detrimental impact on the character of the streetscene.
5. The principle of developing this part of what was previously the domestic garden of 21 Gayton Parkway has already received planning approval and alterations to the landscape is to be expected. The trees on the site are not protected and the owner was entitled to remove the trees prior to commencement of development.
6. The impact of a development on the value of neighbouring properties is not a valid planning consideration.

It is considered that the proposed dwelling is acceptable in terms of siting, appearance, scale and relationship to existing neighbouring plots. The proposal is therefore acceptable having regard to Wirral's UDP Policies HS4 and HS10.

SEPARATION DISTANCES

The proposed dwelling exceeds the separation distances of 21m window to window and 14m window to blank wall. The orientation of the dwelling also reduces any possible feeling of overlooking.

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.

CONCLUSION

The design and siting of the dwelling is acceptable, the access and orientation of the proposed plot is successful in this location having regard to the proposed developments relationship with neighbouring properties and the overall character of the area. The siting, scale and appearance of the dwelling on this plot meets the criteria set out in Wirral's UDP Policies HS4 and HS10, the development is therefore acceptable.

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 design and siting of the dwelling is acceptable, the access and orientation of the proposed plot is successful in this location having regard to the proposed developments relationship with neighbouring properties and the overall character of the area. The siting, scale and appearance of the dwelling on this plot meets the criteria set out in Wirral's UDP Policies HS4 and HS10, the development is

therefore acceptable.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

1. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 12th August 2015 and listed as follows: drawing number 001, dated 5th December 2014, drawing number 002, dated 5th June 2015, drawing number 003, dated 28th July 2015, drawing number 004, dated 28th July 2015.

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

2. Within 3 months of the date of this permission, samples of the facing, roofing materials and hardstanding 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.

3. Within 3 months of the date of this permission, a landscaping scheme shall be submitted to and approved by the Local Planning Authority and the approved landscape work shall 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.

4. Within 1 month of a the date of this permission a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The provisions of the Construction Management Plan shall be implemented in full during the remaining period of construction and shall not be varied unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and to accord with Policy [§] of the Wirral Unitary Development Plan.

5. No trees indicated in the approved plan(s) or documentation to be retained shall be cut down, uprooted or destroyed, nor shall any trees be pruned other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any agreed pruning shall be carried out in accordance with British Standard 3998 (Tree Works).

Reason: To ensure the trees are properly considered and protected and that any agreed work is carried out to accepted arboricultural practices for the long term well being of the tree(s).

6. Notwithstanding the provisions of Schedule 2, Part 1, Class A, Class B, Class C, Class D and Class E of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings, or alterations or extensions to the dwelling shall be erected unless expressly authorised.

Reason: In order to protect the character of the area/residential amenities of nearby

occupants and to accord with Policy HS4 of the Wirral Unitary Development Plan.

Further Notes for Committee:

Last Comments By: 18/09/2015 09:39:34
Expiry Date: 07/10/2015