

**Planning Committee**

26 November 2015

**Reference:**  
**APP/15/00979**

**Area Team:**  
**South Team**

**Case Officer:**  
**Miss A McDougall**

**Ward:**  
**Heswall**

**Location:** Land North West to 1 THE KNAP, GAYTON, CH60 0EX  
**Proposal:** Proposed new 2 bed dormer property on land at 1 The Knap  
**Applicant:** Mr & Mrs Stoker  
**Agent :** Architects-Direct.com

**Site Plan:**



**Development Plan allocation and policies:**

Primarily Residential Area  
Density and Design Guidelines Area

**Planning History:**

- Location: 1 THE KNAP, GAYTON, CH60 0EX  
Application Type: Full Planning Permission  
Proposal: Two storey side & single storey rear extension  
Application No: APP/13/01267  
Decision Date: 09/12/2013  
Decision Type: Approve
- Location: 48 Dawstone Road, Gayton, Wirral, CH60 0BS  
Application Type: Full Planning Permission  
Proposal: Erection of single storey side extension with formation of balcony to existing bedrooms  
Application No: APP/07/07478  
Decision Date: 14/04/2008  
Decision Type: Approve
- Location: 'The Knap', Dawstone Road, Gayton, L60 0BS  
Application Type: Full Planning Permission  
Proposal: Erection of 2 dwelling units.  
Application No: APP/79/14398  
Decision Date: 26/06/1980  
Decision Type: Refuse
- Location: The Knap ,Dawstone Road ,Gayton,Wirral,L60 0BS  
Application Type: Full Planning Permission  
Proposal: Erection of four detached houses with garages.  
Application No: APP/80/16426  
Decision Date: 28/10/1980  
Decision Type: Conditional Approval
- Location: The Knap ,Dawstone Road ,Gayton ,L60 0BS  
Application Type: Full Planning Permission  
Proposal: Layout of land for 4 detached dwellings and construction of access road and sewers.  
Application No: APP/83/23184  
Decision Date: 25/08/1983  
Decision Type: Conditional Approval
- Location: The Knap, Dawstone Road, Gayton, Wirral, L60 0BS  
Application Type: Full Planning Permission  
Proposal: Erection of four detached houses with double garages.  
Application No: APP/83/23350  
Decision Date: 11/10/1983  
Decision Type: Conditional Approval
- Location: LAND AT 1 THE KNAP, GAYTON, CH60 0EX  
Application Type: Planning Pre-Application Enquiry  
Proposal: New build residential dormer property  
Application No: PRE/15/00061/ENQ  
Decision Date: 16/03/2015  
Decision Type: Pre-Application Reply

**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 11 objections have been received and a qualifying petition of objection containing 66 separate signatures, listing the following grounds:

1. visual impact
2. scale
3. access
4. out of character
5. removal of protected trees - the Councils Tree Preservation Officer is aware of the trees that have been removed
6. loss of open entrance
7. proximity to Dawstone Road
8. loss of privacy
9. restrictive covenant

### CONSULTATIONS:

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

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

### **Director's Comments:**

Consideration of this application was deferred at Planning Committee on 21 October 2015 to allow for a Member's Site Visit to take place.

### **REASON FOR REFERRAL TO PLANNING COMMITTEE**

Councillor Hodson has requested that the application be taken out of delegation. A qualifying petition of objection has been received in that the dwelling would be out of character with the surrounding area, the property is too large for the plot and vehicle safety issues.

### **INTRODUCTION**

The proposal is for the erection of a dwelling. The plot that is to be developed is owned by the current residents of 1 The Knap, following the submission the proposed dwelling has been reduced in scale.

### **PRINCIPLE OF DEVELOPMENT**

The site is located within a Primarily Residential Area, the principle of building a dwelling is acceptable.

### **SITE AND SURROUNDINGS**

The proposed dwelling is to be sited on a piece of land that is allocated as garden space in relation to 1 The Knap, however the land is not utilised due to the land being detached from the residential plot and across the road (The Knap). The property is located on The Knap which is accessed off Dawstone Road.

The character of the area is not uniform, there is a wide range of dwelling houses with a mix of siting, plot size, scale and design styles. There is a myriad of house designs ranging from older cottage properties to more modern three storey buildings, The land levels vary greatly along Dawstone Road which bounds The Knap due to this the properties to the north are set at a much more elevated level, there has clearly been various subdivisions of plots within the immediate area and there is no uniformity to the plot shapes or sizes.

### **POLICY CONTEXT**

The proposal is for a new dwelling within the Primarily Residential Area and will be assessed in accordance with Wirral's UDP Policy HS4.

Policy HS4 Criteria for New Housing Development Policy states;

Proposals for new housing development on allocated sites and within the Primarily Residential Areas shown on the Proposals Map will be permitted subject to the proposal fulfilling all the following criteria:

- (i) the proposal being of a scale which relates well to surrounding property, in particular with regard to existing densities and form of development;
- (ii) the proposal not resulting in a detrimental change in the character of the area;
- (iii) access and services being capable of satisfactory provision, particularly for off-street car parking areas and garages, and adequate vehicular access;
- (iv) the provision of appropriate landscaping and boundary treatment which relates the proposed development to its surroundings, paying particular attention to the maintenance of existing natural features and vegetation in accordance with Policy GR5;
- (v) the appropriate provision of design features which contribute to a secure environment and reduce the likelihood of crime;
- (vi) incorporating provision for accessible public open space and children's play areas in accordance with Policy GR6; and
- (vii) the provision of adequate individual private or communal garden space to each dwelling.

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 plot is also within the Density and Design Guidelines Area Gayton Zone 2, Policy HS5 will be taken into account when determining the application. Policy HS5 states;

#### Gayton

Zone 2: Density should be at a maximum of 7.5 dwellings per hectare, with plot frontages and setbacks comparable to those of plots in close proximity. Open plan frontages will not be permitted.

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.

### **APPEARANCE AND AMENITY ISSUES**

The proposed dwelling has been amended following local consultation and further discussion with the agent. The revised scheme as received by the Council on 7th September 2015 has reduced the first floor element of the proposed dwelling in order to create a property that is visually subordinate to the main frontage house no.1 The Knap when viewed from Dawstone Road.

The development plot is accessed via The Knap, the main frontage of the dwelling will face onto The Knap, the site partially bounds Dawstone Road however there is a formal vehicular access into 48 Dawstone Road and a sandstone wall that buffers the site from the frontage of Dawstone Road. The property will have a minimal impact onto Dawstone Road due to the position of the house and the layout of the existing street scene, the side elevation of the proposed dwelling does not come any further forward than 46 or 48 Dawstone Road.

The design of the dwelling gives the character and appearance of a gate house style dwelling, the scale of the building is minimal with the majority of the living space located at ground floor. The design of the building takes on a cottage style appearance that will relate to the style of no.48 with modern elements that take the design of the houses on the Knap into consideration. The majority of living accommodation is at ground floor, there is to be one bedroom with en-suite at first floor, the building has a height of 6.5m.

The siting, scale and appearance of the dwelling when read in relation to no.48 Dawstone Road and 1 The Knap is well balanced and would not be out of character.

The plot is set out with a front/side garden, the plot currently includes a sandstone wall with mature vegetation to the north boundary, and the proposal is to continue the sandstone wall around the plot

with an opening to the side of the house for off street parking. The sandstone wall and the orientation of the house and the plot itself will allow for a private garden to the east of the house.

Concerns have been raised with regards to the scale, appearance and access. The plot is relatively modest in scale however the reduced scale of the dwelling sits more comfortably within the plot and is sited in a way which does not dominate existing neighbouring properties, it is also considered that due to the variation of house types within the immediate area the design will not be detrimental to the character of the area, the scale of the building is also modest and provides off street parking, the siting of the dwelling does not alter the existing access into The Knap.

Concerns have been raised over the removal of protected trees. The trees were removed before the application was submitted and is currently being investigated. A condition is recommended to ensure that the site is appropriately landscaped.

It is considered that the scale of the house is modest and will not dominate the street scene or the neighbouring houses, the varied character of the area allows for a property of this scale without being out of character, the plot is visually set back from the Dawstone Road frontage and will have a minimal visual impact onto the character of the area.

### **SEPARATION DISTANCES**

The predominant habitable room windows are located to the ground floor and face east and are set approximately 26m from the garage of no.1 The Knap. The sole bedroom window at first floor also faces east and will have visibility toward the garage and driveway of 1 The Knap, this elevation is also approximately 26m from the garage of 1 The Knap.

The rear elevation of the house that faces west is set over 14m from the windows to the east elevation of no.48 Dawstone Road.

The siting of the house in relation to existing dwelling houses meets the Council's separation distances of 21m window to window and 14m window to blank elevation.

### **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**

It is considered that the scale, appearance and siting of the dwelling as amended is appropriate to the established character of the area taking into account Wirral's UDP Policies HS4 and HS5.

### **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:-

It is considered that the scale, appearance and siting of the dwelling as amended is appropriate to the established character of the area taking into account Wirral's UDP Policies HS4 and HS5.

**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 7 September 2015 and listed as follows: PL11A, PL14A & PL12A.

**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 HS5 of the Wirral Unitary Development Plan.

4. Detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved.

(Note: The gradients of any new road or turning area should not exceed 1:25 and those of parking or loading bays should not exceed 1:40).

**Reason:** To ensure that the development is satisfactorily sited and designed in relation to adjacent development and the highway and that satisfactory gradients are achieved.

5. The remainder of the undeveloped land 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.

6. Details of all fencing, walls, gateways and means of enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is completed and the work shall be carried out prior to occupation, in accordance with the details so approved, and subsequently maintained to the satisfaction of the Local Planning Authority.

**Reason(s):** To ensure a proper standard of separation from, and standard of amenity with respect to the character of the area.

7. 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.

8. 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

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to a 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.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision re-enacting or revoking the provisions of that Order), no window or dormer window shall be added to the property unless expressly authorised.

**Reason:** In order to protect the residential amenities of nearby occupants and to accord with Policy HS4 of the Wirral Unitary Development Plan.

11. No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

**Reason:** To prevent overloading of the public sewerage system.

**Last Comments By:** 17/08/2015 14:13:06

**Expiry Date:** 07/09/2015