

**Planning Committee**

18 February 2016

**Reference:**  
**APP/15/01481**

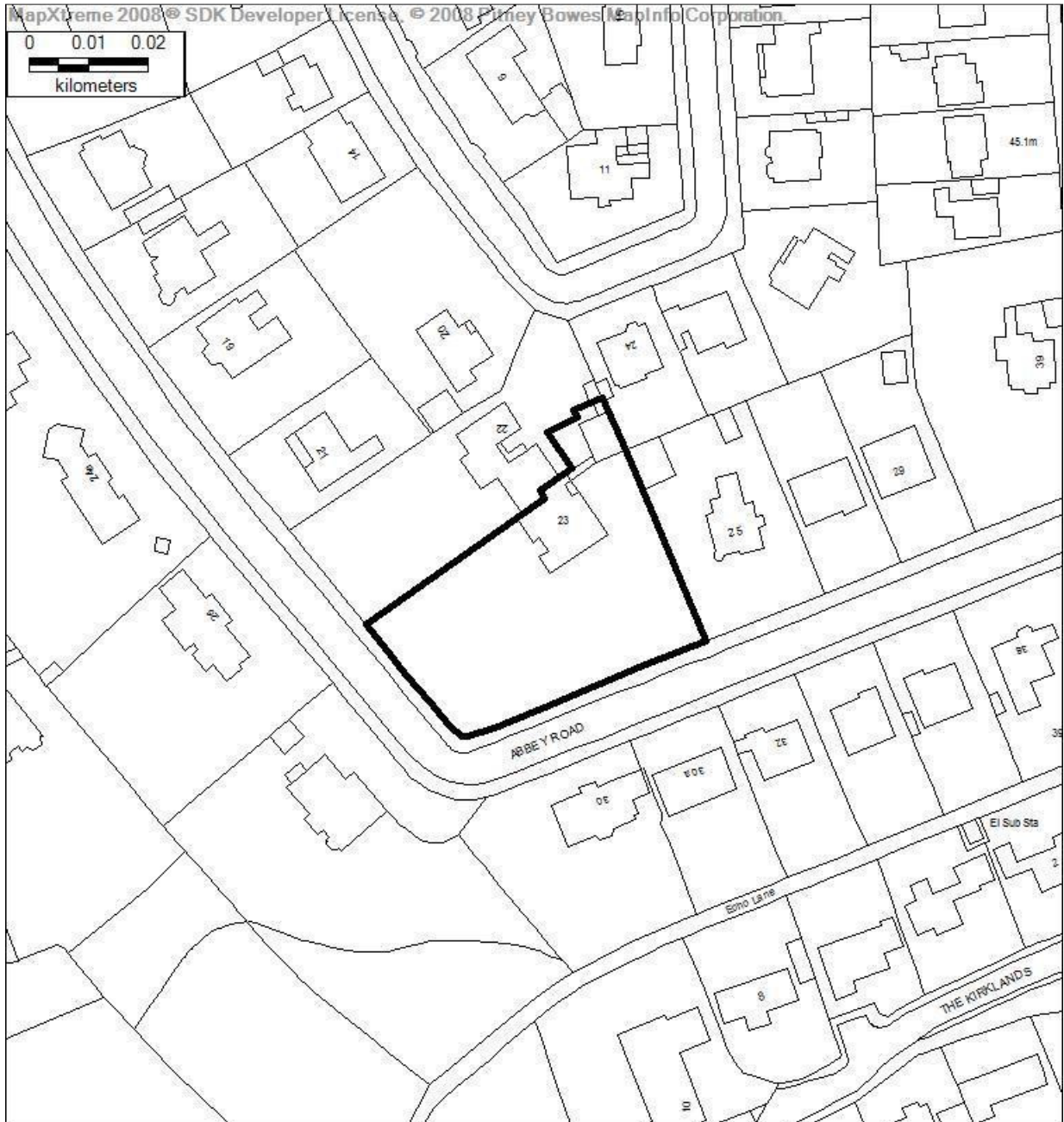
**Area Team:**  
**North Team**

**Case Officer:**  
**Mr N Williams**

**Ward:**  
**West Kirby and  
Thurstaston**

**Location:** Abbeystead, 23 ABBEY ROAD, WEST KIRBY, CH48 7EN  
**Proposal:** Proposed new dwelling in garden of 23 Abbey Road  
**Applicant:** Mr & Mrs M Davies  
**Agent :** Bromilow Architects Ltd

**Site Plan:**



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**Development Plan designation:**

Primarily Residential Area

**Planning History:**

There is no planning history for this site.

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

Having regard to the Council's Guidance for Publicity on Planning Applications, 12 notifications were sent to adjoining properties and a site notice was displayed near the site. At the time of writing, there had been a petition of objection containing 47 signatures and 12 individual objections received. The objections can be summarised as follows:

1. highway safety concerns of a new access close to the bend;
2. loss of privacy and overlooking;
3. loss of light;
4. excessive scale and out of character;
5. breaks the building line;
6. loss of view;
7. detracts from original dwelling.

CONSULTATIONS

**Head of Environment & Regulation (Environmental Health Division)** - No objection

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

**Director's Comments:****REASON FOR REFERRAL TO PLANNING COMMITTEE**

A qualifying petition of objection containing 47 signatures was received.

**INTRODUCTION**

The application is for the erection of a two-storey dwelling within the garden area of 23 Abbey Road.

**PRINCIPLE OF DEVELOPMENT**

The principle of a new dwelling within a Primarily Residential Area is acceptable, subject to UDP Policy HS4.

**SITE AND SURROUNDINGS**

The application site at present contains a large semi-detached property which is set on a large corner plot. The site is designated within Wirral's Unitary Development Plan as being a Primarily Residential Area.

Given the large garden area surrounding the existing dwelling, this plot is much larger than the majority of other dwellings within Abbey Road - even though the dwelling itself is of a scale in keeping with other properties.

**POLICY CONTEXT**

The proposal is subject to Wirral Unitary Development Plan Policy HS4: Criteria for New Housing Development, and the National Planning Policy Framework.

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, which can be secured through planning conditions.

**APPEARANCE AND AMENITY ISSUES**

Abbey Road has a sharp 90-degree turn in the road, and it is near the inside of this corner where the

proposed dwelling will be located, with the sharp corner resulting in two distinct building lines being relevant to the application site and the proposed dwelling.

The proposed dwelling will be most visible to the south. It will be set back from the pavement to the south by over 8 metres, which is considered to be more than sufficient to ensure that it is not overly imposing on the street scene. Whilst this will be marginally forward of the building line created by 25 - 29 Abbey Road, it is consistent with properties directly opposite the site, which are set between 6-8 metres from the pavement. Whilst these properties are set slightly lower than the application site, it is not a substantial difference, and the proposal will therefore be in keeping with the general pattern of development within the immediate area.

There is a slight variance in land levels within the application site, and this will result in the proposed dwelling being set lower than the existing property of 23 Abbey Road. Whilst the proposed dwelling will largely screen the existing property from the south, this variance in levels will result in the existing property being taller than the proposed dwelling, and thus ensuring that the proposed dwelling does not appear as overly large and dominant.

When approaching on Abbey Road from the north, the site is well screened by a large wall and hedge screening and this, together with the dwelling being set approximately 30 metres back from this boundary, will minimise the visual impact of the proposal from this part of Abbey Road. The proposed dwelling is also generally in line with 21 and 23 Abbey Road, and significantly set back from the other properties on this part of Abbey Road - meaning the proposal will appear in keeping with its immediate neighbours, and will not be overly dominant or visible on this part of the street scene.

The street scene of Abbey Road is extremely varied, with few unifying features in the appearance of the dwellings. Most properties are large, detached two-storey dwellings and the proposal will therefore be in keeping with that. The design of the proposed dwelling is considered to be acceptable, and contains sufficient detail and character to ensure it does not harm the appearance of the street scene.

### **SEPARATION DISTANCES**

The adjacent dwelling to the east, 25 Abbey Road, has two first floor habitable windows on the side elevation which faces the application site, together with a bathroom window and a ground-floor conservatory. The rear most habitable window is for a bedroom which contains another window on the opposite elevation. In any case, the windows on the proposed dwelling will be more than 21 metres away from this window, thus complying with the required separation distance. The other first floor habitable window, however, would be within 21 metres of the proposed dwelling and therefore, to ensure that the required separation distances are met, the first-floor bedroom window within the proposed dwelling has been designed so that the window facing the neighbouring property will be obscurely glazed, whilst the side parts will be clear glazing - this will therefore ensure that there is no loss of privacy to neighbouring property whilst allowing some outlook for future occupiers of this bedroom.

There is also a ground-floor habitable window on 25 Abbey Road which faces the application site, although this is not the sole window for the kitchen/diner area, whilst the impact on the conservatory is not considered to be to such an extent that it would warrant refusal of the application.

The properties opposite the proposed dwelling to the south are approximately 30 metres away whilst those to the west are almost 50 metres away, all of which comply with required separation distances and will ensure that the proposed dwelling does not have an unacceptable adverse impact upon the amenities of these neighbouring properties.

The existing property of 23 Abbey Road has a number of large windows on the side elevation, and these windows will face the proposed dwelling. It appears that these windows are either non-habitable windows or for rooms which have additional windows on other elevations, and as the applicant is the owner of the main dwelling, this is considered to be acceptable and will not overly impact on the amenities of future occupiers of 23 Abbey Road.

### **HIGHWAY/TRAFFIC IMPLICATIONS**

The proposal will provide off-street parking and will include an additional vehicular access onto Abbey Road. Although the access is closer to the corner than the existing access of 23 Abbey Road, it is still

over 30 metres away and given the proposal is only for one additional dwelling, there is insufficient reason to warrant refusal of the application on highway grounds.

#### **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**

In conclusion, it is considered that the proposed dwelling will not harm the amenities of neighbouring properties or the character and appearance of the street scene and it therefore complies with Wirral Unitary Development Plan Policy HS4 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:-

It is considered that the proposed dwelling will not harm the amenities of neighbouring properties or the character and appearance of the street scene and it therefore complies with Wirral Unitary Development Plan Policy HS4 and the National Planning Policy Framework.

**Recommended Decision:**                      **Approve**

#### **Recommended Conditions and Reasons:**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

**Reason:** To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. 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 HS4 of the Wirral Unitary Development Plan.

3. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 13th November 2015 and listed as follows: 1523-SD-003, and the amended plans received on 2nd February 2016 and listed as follows: 1523-SD-002 Revision B; 1523-SD-004 Revision B; 1523-SD-005 Revision B; 1523-SD-006 Revision B;

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

4. The windows for Bedroom 3 on the east-facing elevation, and the main part of the window of Bedroom 4 (facing east) shall be non-opening and obscurely glazed up to a height of 1.7 metres above finished floor level and shall be retained as such thereafter

**Reason:** In the interest of residential amenity

5. 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 policy WM8 of the Waste Local Plan.

6. Prior to first occupation or use of the development, 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 and agreed in writing by the Local Planning Authority, and shall be retained as such thereafter..

**Reason:** To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to Waste Local Plan Policy WM9.

**Further Notes for Committee:**

1. 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 developer's expense, including the relocation/replacement and/or removal of street furniture and vegetation as necessary. Submission of a S50 Highway Opening Notice is required prior to commencement of any works on the adopted highway. The proposed vehicle crossing shall be built in accordance with LPA concrete commercial crossing specifications. Please contact the Council's Highway Management team, area manager via [www.wirral.gov.uk](http://www.wirral.gov.uk) prior to the commencement of development for further information.

**Last Comments By:** 21/12/2015 10:55:03

**Expiry Date:** 08/01/2016