

Planning Committee

02 June 2016

Reference:
APP/16/00301

Area Team:
South Team

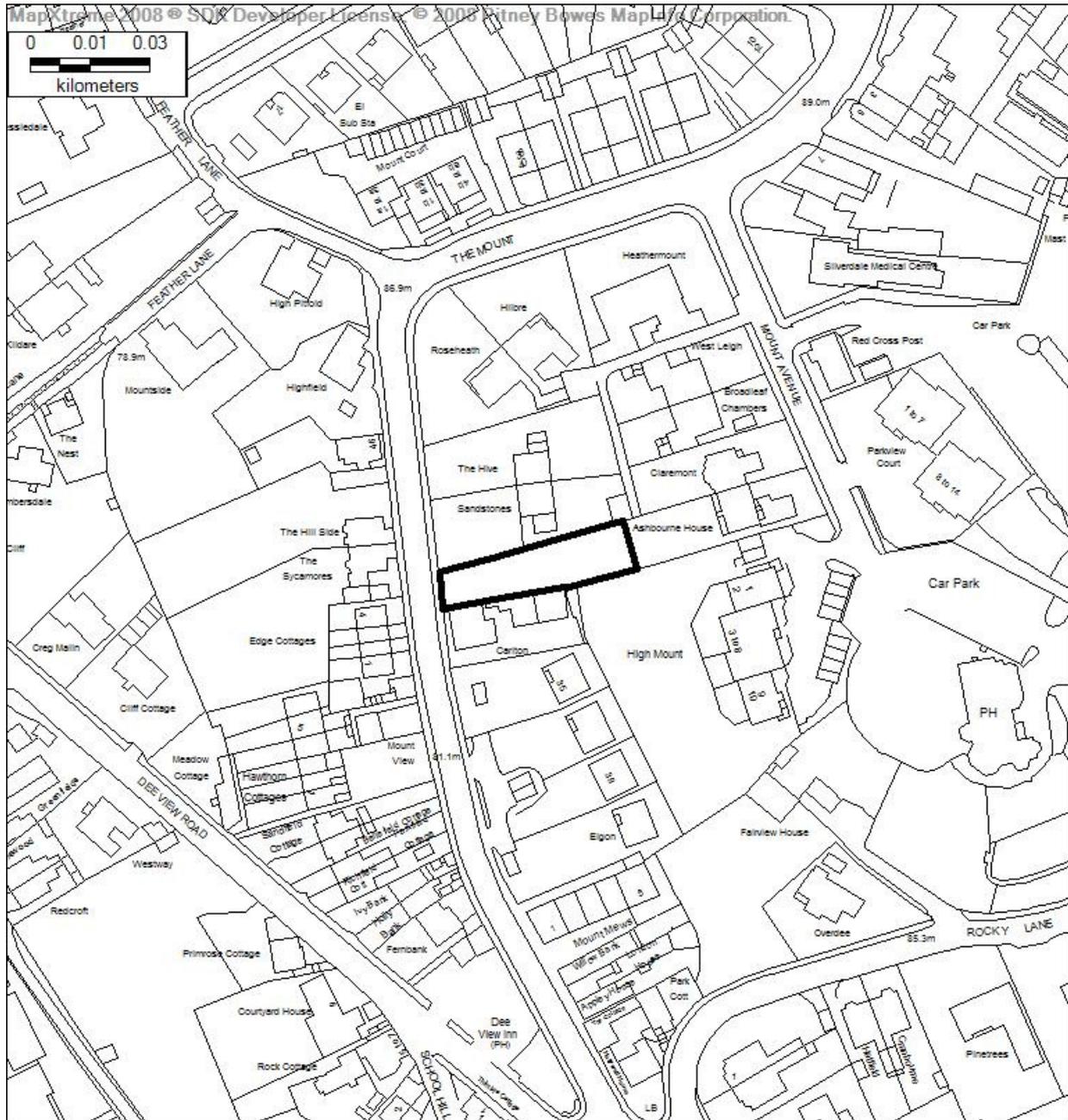
Case Officer:
Mrs S Day

Ward:
Heswall

Location: Ashbourne House, MOUNT AVENUE, HESWALL, CH60 4RH
Proposal: Division of an existing plot of land into 2 plots and the creation of a new dwelling accessed from the Mount.

Applicant: Mrs J Roe
Agent : SHACK Architecture Ltd

Site Plan:



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Development Plan allocation and policies:

Primarily Residential Area

Planning History:

Location: Ashbourne House, Mount Avenue, Heswall, L60 4RH
Application Type: Full Planning Permission
Proposal: Erection of conservatory at rear.
Application No: APP/88/07151
Decision Date: 10/01/1989
Decision Type: Approve

Location: Ashbourne House, The Mount, Heswall, CH60 4RG
Application Type: Full Planning Permission
Proposal: Erection of a double garage.
Application No: APP/78/11016
Decision Date: 24/11/1978
Decision Type: Conditional Approval

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

Having regards to the Council's Guidance for Publicity of Planning Applications, 16 neighbour notifications were sent to neighbouring properties and a Site Notice displayed at the site. 15 individual objections have been received together with a 68 signature petition. The objections can be summarised as follows:

1. Proposed access and increased vehicle movements would create a hazard for children and other pedestrians;
2. Construction vehicles could not easily access the site and would cause traffic problems;
3. The proposed design is out of character with the surrounding area;
4. Additional dwelling will exacerbate parking and access problems;
5. Capacity of drainage system queried;
6. Child protection issues, the site has views of the adjacent nursery;
7. Loss of green space and increase in surface water run off;
8. Loss of light to adjacent property;
9. Smoke from log burner;
10. Stability of land following excavation; and
11. Work may not be completed resulting in an abandoned site.

An objection has been received from Councillor Andrew Hodson relating to the detrimental impact of the proposal on the surrounding area. He has requested that the application be taken out of delegation.

CONSULTATIONS:

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

Heswall Society - Do not object to the principle of development but consider the loss of boundary walls and vegetation would be detrimental to the adjacent Conservation area. Concern about the visibility splays and safety of an additional access.

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

The application has received a qualifying petition of objection and 15 individual objections. In addition Councillor Andrew Hodson has requested the application be taken out of delegation on the basis of its detrimental impact on the surrounding area. In accordance with the adopted scheme of delegation, the application must now be determined by Planning Committee.

INTRODUCTION

The proposed development is for the erection of a detached house in the rear garden of Ashbourne

House. The new dwelling would have its own frontage and take access from The Mount.

PRINCIPLE OF DEVELOPMENT

The application site is within a primarily residential area and as such new dwellings are acceptable in principle subject to the relevant policies.

SITE AND SURROUNDING

Ashbourne House is a semi-detached two storey dwelling fronting Mount Avenue. The property has a long rear garden which is terraced down towards The Mount to the rear of the site. The Mount is significantly lower than Mount Avenue. Vehicular access is taken currently from Mount Avenue, though there is a pedestrian gate onto The Mount.

The boundary to the Lower Heswall Conservation area runs along the western side of the Mount, opposite to the site.

The property to the north of the site is a dwelling whilst the property to the south has been extended along the boundary with the application site and is a day nursery.

POLICY CONTEXT

Policy HS4 of the Unitary Development Plan UDP requires new housing developments be of a scale and form which relates well to surrounding properties and does not result in a detrimental change in the character of the area, to make satisfactory provision for off street parking and access and to provide appropriate boundary treatment and landscaping.

Policy CH2 requires new development adjacent to Conservation areas to not have a detrimental impact on the character of the conservation area or views into and out of it.

UDP Policies GR5 aims to retain existing landscaped features that make a positive contribution to the area, whilst supporting and enhancing this with appropriate new landscaping.

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, and Policy WM9 also requires development to provide measures for waste collection and recycling.

The NPPF supports well designed sustainable development which promotes the choice of high quality homes and takes the opportunities to improve the quality and character of the area.

APPEARANCE AND AMENITY ISSUES

The application site falls steeply from Mount Avenue to the Mount, with a difference in levels of over 5 metres from top to bottom. The application site will have its entrance onto the eastern side of The Mount whilst the boundary to the Conservation area runs along the western side of The Mount. There is a variety of properties in the immediate area ranging from older two and three storey properties in the Conservation area to more recent properties including flat roofed apartments outside the Conservation area.

The proposed house is a contemporary flat roofed dwelling which is set into the site and will have its ground level onto The Mount. The site will be excavated by several meters and given the profile of the building it will be significantly lower than the property to the north. The new dwelling will have similar floor levels to the property Carlton, to the south although the new house will be set back behind Carlton with a lower roof level. Although the lack of a private view is not a planning consideration, nonetheless, the low profile of the proposed dwelling will ensure that views from the east of the site are relatively unchanged.

Although the design of the dwelling does not replicate the more traditional properties in the vicinity, the scale of the building and the use of appropriate materials such as render and brickwork, will help it harmonise with the surrounding properties and make a positive contribution to the adjacent conservation area.

The pedestrian and vehicular access to the site is to be from The Mount. This will involve removal of approximately two thirds of boundary wall to provide adequate visibility and sight lines. Whilst this will open up views into the site, an area of landscaping is proposed behind the northern section of the

remaining wall. As the wall is not in the Conservation area, its removal in isolation, would not require planning permission. There are no highway objections to the position of the proposed access

Due to its lower level, the position of the dwelling and its garden area will not impact on the privacy of adjacent properties. Although the new house is set behind Carlton, the windows in the front elevation do not directly face the rear windows of Carlton and are at an oblique angle. The front elevation of the proposed house will be over 30m from the houses on the western side of The Mount which exceeds the usual interface distance and retains privacy.

The surface water drainage from the site will be subject to a condition requiring details of a sustainable drainage system.

SEPARATION DISTANCES

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 proposed dwelling would make a positive contribution to the character of the area which accords with UDP policies HS4 , CH2 and GR5 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 would not result in a detrimental impact on the amenities of the area or neighbouring properties and would make a positive contribution to the character of the area which accords with UDP policies HS4 , CH2 and GR5 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. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on March 1st 2016 and May 13th 2016 and listed as follows: B100, B101, B102, B103, B104, B106, B107 and B108

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

3. Before any construction commences, samples of the samples of 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.

4. 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.

5. No development shall commence until full details of a scheme for a sustainable drainage system¹ to serve the site, and method of implementation including arrangements to secure funding and maintenance for the lifetime of the development through an appropriate legally binding agreement have been submitted to and approved in writing by the Local Planning Authority in consultation with Lead Local Flood Authority. The approved scheme shall be implemented in accordance with the approved details and timetable. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved scheme.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with Paragraphs 102 and 103 of the National Planning Policy Framework, and Policy CS35 in the Core Strategy Local Plan Proposed Submission Draft.

Further Notes for Committee:

1. Details of a scheme for a sustainable drainage system should include:
 - a) Information about the lifetime of the development and design of the sustainable drainage system design, including storm periods and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), methods employed to delay and control surface water discharged from the site, and appropriate measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses;
 - b) Demonstrate that the surface water run-off would not exceed the pre-development greenfield runoff rate for the existing greenfield site;
 - c) Include details of a site investigation and test results to confirm infiltrations rates;
 - d) Include details of how any flood water, including depths, will be safely managed in exceedance routes;
 - e) Secure arrangements for adoption by an appropriate public body or statutory undertaker or, management and maintenance by a Residents' Management Company through an appropriate legal agreement;
 - f) Secure arrangements, through an appropriate legal agreement for funding on-going maintenance of all elements of the sustainable drainage system including:
 - i. mechanical components;
 - ii. on-going inspections relating to performance and asset condition assessments and;

- iii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.
- g) Secure means of access for maintenance and easements, where applicable.
- h) Include a timetable for implementing the scheme

Last Comments By: 20/04/2016 09:47:23

Expiry Date: 26/04/2016

