

# Planning Committee

18 January 2017

**Reference:**  
**APP/16/01419**

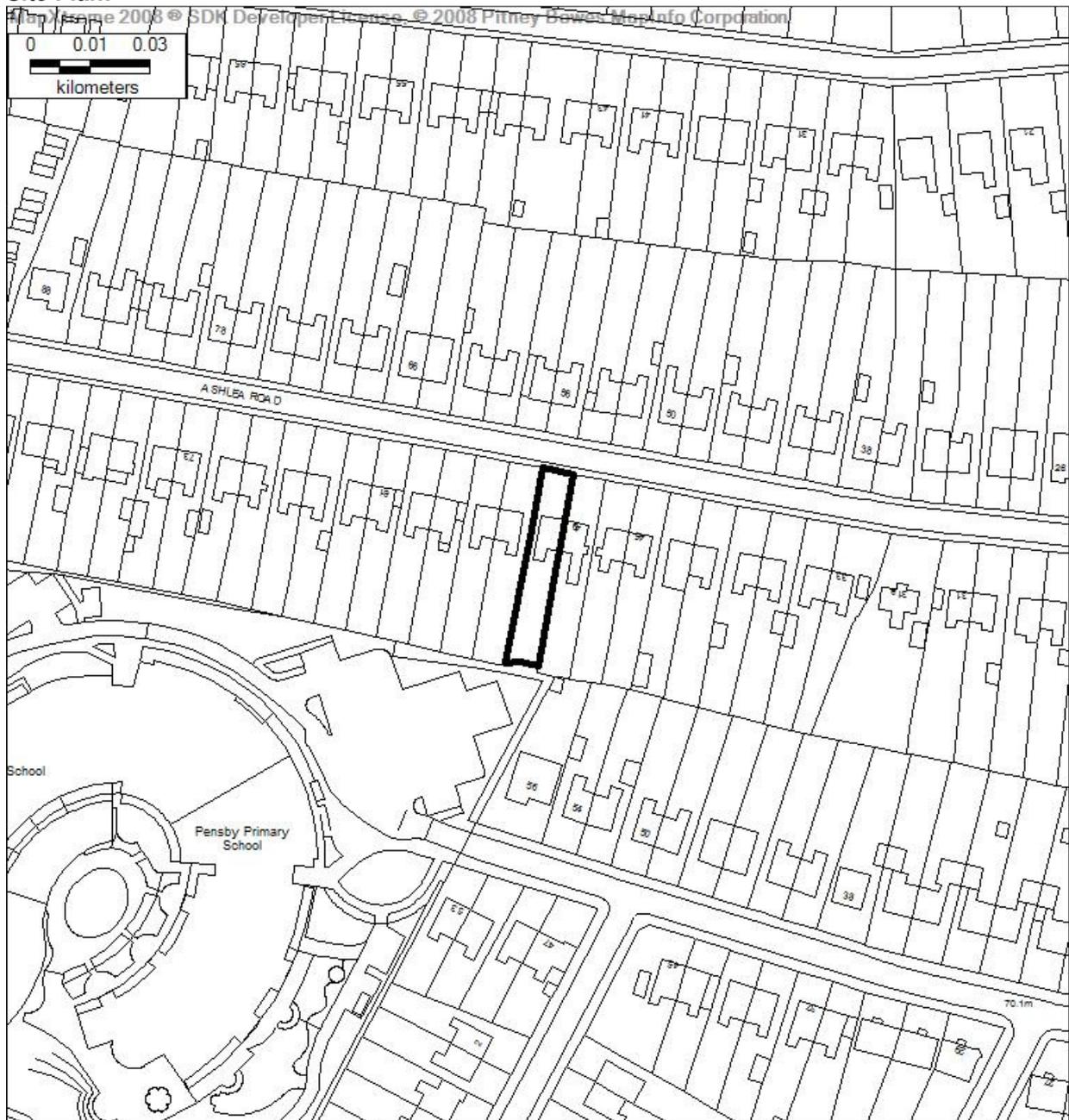
**Area Team:**  
**South Team**

**Case Officer:**  
**Mrs S Lacey**

**Ward:**  
**Pensby and  
Thingwall**

**Location:** 51 ASHLEA ROAD, PENSBY, CH61 5UQ  
**Proposal:** Single storey front and rear extensions, two storey side extension  
**Applicant:** Mr G Peter  
**Agent :** Collins Architecture

## Site Plan:



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**Development Plan allocation and policies:**

Primarily Residential Area

**Planning History:**

None

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

Having regard to the Council Guidance on Publicity for Applications, 6 letters of notification were sent to neighbouring properties and a site notice was displayed. 7 individual objections and a qualifying petition of 45 signatures have been received citing the following concerns:

1. The proposal on the boundary will result in loss of light into the kitchen and landing of no.53 Ashlea Road;
2. The proposal would reduce the view of semi-detached houses in the road should no.53 apply to build the same type of extension on the side of their house, resulting in a terracing effect when viewed from the road;
3. The second floor extension should be stepped back by at least 1/1.5 meters along the side of the house from the property boundary, in line with current planning guidelines;
4. The applicant could look to extend the rear of the property by two stories instead of one;
5. The plans are too vague, with no scale bar shown;
6. The scale of the extension is inappropriate to the size of the plot (dominant and overbearing in terms of host plot);
7. The proposal is unneighbourly due to its size and dominating effect over no.53;
8. Overlooking from window of bedroom 4;
9. Proposal will result in no.53 feeling enclosed and hemmed in due to proximity and height of the extension;
10. Access will be required not only for build but ongoing maintenance, which will not give due to the invasion of privacy and security and safety as it will prevent access to the rear of property during building;
11. The existing boundary wall will be lost;
12. The move of the SVP from existing gable to rear to be buried under ground floor potentially will cause future problems the manhole being at no.53;
13. Potential damage to rear gates and garden;
14. Increased fire risk due to proximity;
15. Rear extension contravenes HS11 as it is greater than 3m from the original build line.

Five letters of support were received citing the following comments:

1. Investment in the community is welcomed;
2. There are similar projects in the vicinity which have attracted positive comments;
3. The extension will improve the overall look of the property
4. The family requires more space.

Councillor Sullivan requested the application be removed from delegation on the grounds the extension would result in loss of daylight and sunlight to no.53 Ashlea Road, to the detriment of the occupier's quality of life, and the proposal is contrary to policy HS11.

**CONSULTATIONS:**

No statutory consultations required for this householder development

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

A qualifying petition of 45 signatures has been received and Councillor Sullivan requested the application be removed from delegation.

**INTRODUCTION**

The application proposes a two-storey side extension, and single-storey front and rear extensions.

Amended drawings were received 20th December 2016 removing the first floor window from the proposed side elevation.

### **PRINCIPLE OF DEVELOPMENT**

The proposal is acceptable in principle subject to policy HS11 and SPG11.

### **SITE AND SURROUNDINGS**

The site comprises a semi-detached rendered property, situated in a Primarily Residential Area of similar dwellings. No.53 has kitchen and landing windows in the side elevation facing the proposal. There is a 2m high wall to the boundary. No.49 has a front porch extension and single-storey extensions to the rear of the property.

### **POLICY CONTEXT**

The application shall be assessed against policy HS11 House Extensions of the adopted Wirral Unitary Development Plan and Supplementary Planning Guidance 11 House Extensions (SPG11).

Policy HS11 was adopted in February 2000 and sets out the first floor of a two storey side extension should be set back at least 1.5 metres from the common boundary or 1 metre from the front boundary and 1 metre from the common boundary, or 2 metres from the front elevation. Single-storey rear extensions should project a maximum of 3 metres from the main face of the existing house.

Following public consultation, SPG11 was subsequently adopted July 2004. It sets out to prevent terracing and ensure that two-storey side extensions remain subordinate to the original property a 1 metre setback from the front elevation and a lower ridge height must be incorporated into the design. It recommends a 1 metre setback from the boundary for maintenance. SPG11 echoes the advice of HS11 that rear extensions should not exceed 3 metres beyond the rear elevation.

### **APPEARANCE AND AMENITY ISSUES**

The proposed extension is considered acceptable in scale and design, and is not considered to result in overlooking or loss of light to neighbouring properties. The proposed two-storey side extension incorporates a set back and lower ridge height as required under SPG11. Whilst the extension does not provide the full 1 metre setback from the adjacent wall, it is considered in this instance the bay window forms the principle elevation and the extension is set back 1.1 metres, and it is deemed the extension remains subordinate and there is no risk of terracing. SPG11 recommends a 1m setback from the party boundary for maintenance, but the absence in this instance is not considered to warrant a refusal on visual harm to the street scene. No.53 has a landing window and a kitchen window in the side elevation facing the proposed gable. The landing is not considered a habitable room, and whilst the kitchen window holds more weight it is considered to have a limited outlook onto the existing 2 metre high wall within 2.5 metres and the existing gable wall of no.51. As the two-storey extension does not extend beyond the rear elevation it is not considered to result in a significant loss of light. No.53 benefits from a large rear garden, and it is not considered the passageway between the properties is an area the occupier would spend a considerable amount of time. There are no significant adverse impacts on the neighbouring properties or on the street scene. The proposal is not considered to prevent other neighbours from submitting a similar application, subject to providing the required 1 metre setback and lower ridge to prevent terracing.

The single-storey rear extension projects 5.4m from the rear of the property within 1m of the party boundary. SPG11 sets out rear extensions should not exceed 3m beyond the rear elevation. However in this instance, the adjoining property no.49 has existing rear extensions projecting approximately the same distance as the proposal, and as such there are no detrimental impacts to the outlook of no.49. The single storey extension is not considered harmful to the outlook of no.51, which will still enjoy a 45 degree outlook from the rear facing habitable window, and as discussed above, the kitchen window in the side elevation is already considered to have a limited outlook which the proposal will not significantly affect. There are no residential properties directly to the rear of the site. The single-storey rear extension is not considered harmful to the amenities of neighbouring properties. A sufficient amount of garden space remains.

The proposed front extension is considered acceptable in scale and design. It remains subordinate to the original property and is not considered to form an over dominant feature, or affect the character of

the area. Front porch extensions are a feature of the area, no.49 has a large porch extension, and as such is not an alien feature within the vicinity.

In response to other neighbour objections received, the Council must determine the scheme submitted by the applicant, and cannot consider alternative schemes suggested by neighbours. The submitted plans are to scale and are deemed adequate to assess the application. Denying access onto adjoining land, the loss of a boundary wall, the relocation of soil vent pipes, or damage to property are a civil matter between landowners and does not fall within planning remit. No evidence has been submitted to suggest the proposal is a fire risk.

The proposal complies with relevant Council policy HS11 of the adopted Wirral Unitary Development Plan, SPG11 and the NPPF, and is recommended for approval. It is not considered any conditions are required other than the standard 3 years to commence development in accordance with the submitted plans.

#### **SEPARATION DISTANCES**

SPG11 recommends a 21m separation distance between habitable windows to prevent overlooking. There is a 27m separation distance between the proposal and the properties opposite, and there is no direct overlooking to the rear. The proposal is not considered to result in overlooking or loss of privacy.

#### **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.

#### **HEALTH ISSUES**

There are no health implications relating to this application.

#### **CONCLUSION**

The proposal is considered acceptable due to the lack of significant impacts on the amenities of neighbours on every side. The proposal does not result in loss of privacy, daylight or sunlight to neighbouring properties. The proposal is acceptable in size and design, complies with Council policy HS11 House Extensions of the adopted Wirral Unitary Development Plan, Supplementary Planning Guidance Note 11 House Extensions, 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 acceptable due to the lack of significant impacts on the amenities of neighbours on every side. The proposal does not result in loss of privacy, daylight or sunlight to neighbouring properties. The proposal is acceptable in size and design, complies with Council policy HS11 House Extensions of the adopted Wirral Unitary Development Plan, Supplementary Planning Guidance Note 11 House Extensions, and the National Planning Policy Framework.

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

#### **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 amended

plan received by the local planning authority on 20 December 2016 and listed as follows:  
drawing numbers 1614 SK01 revision A (dated 20.12.16)

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

**Further Notes for Committee:**

**Last Comments By:** 01/12/2016  
**Expiry Date:** 19/12/2016