

Planning Committee

20 July 2017

Reference:
APP/17/00513

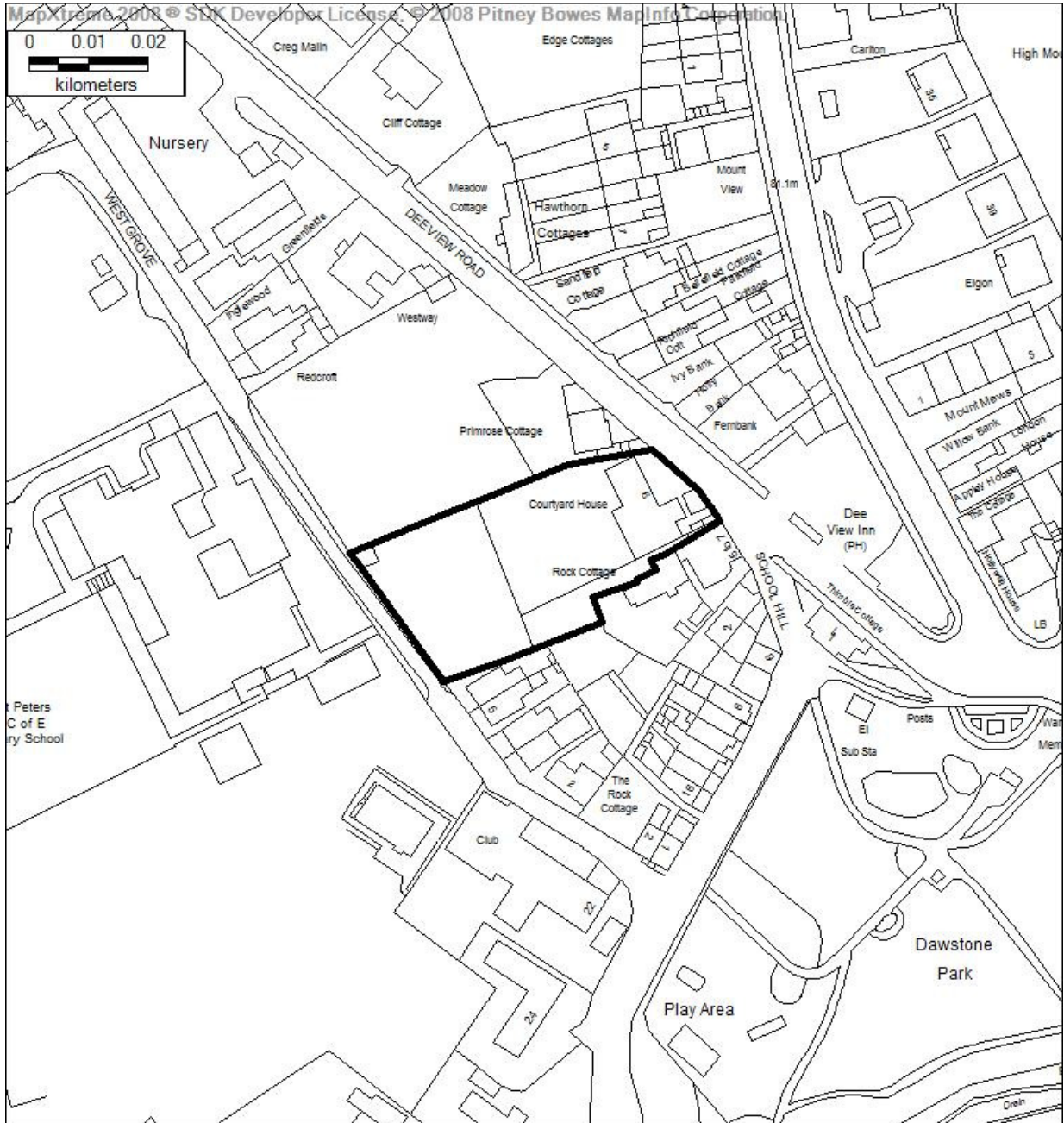
Area Team:
South Team

Case Officer:
Mr K Spilsbury

Ward:
Heswall

Location: Courtyard House, 9 DEE VIEW ROAD, HESWALL, CH60 0DJ
Proposal: Erection of a Single Storey Dwelling
Applicant: Mr Stapledon
Agent : KJP Architecture

Site Plan:



© Crown copyright and database rights 2017 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:

Conservation Area (for illustrative purposes)

Primarily Residential Area

Planning History:

There is no planning history relating to this site

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, 15 notifications were sent to adjoining properties and a site notice was also displayed. At the time of writing this report 25 individual objections have been received stating concern over:

1. Concerns over the safety of children attending St Peter's CE pre-school & their parents using west grove to enter and exit the school
2. Safety issues during the construction phase of the development due to interaction between construction traffic and pedestrians
3. noise pollution during construction phase not conducive to study
4. This is yet another development that will add to the areas problems of noise and disruption as well as safety concerns.
5. Parking is already chaotic on school hill without more vehicles adding to it.
6. Increase in traffic along West Grove will cause congestion and parking issues.
7. Current building work is killing the trees along West Grove and the lane damaged
8. The lane is an integral part of the conservation area.
9. The property should be built via Dee View Road.

The Heswall Society - no objection to bungalow, however would like sandstone wall retained to same height and provision of a soakaway to prevent surface water run off onto unmade road.

CONSULTATIONS:

Highways - No objections

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

15 individual objections have been received and under the provisions of the Scheme of Delegation for determining Planning Applications, this application is required to be considered and determined by the Planning Committee.

INTRODUCTION

The proposal is for the erection of a bungalow on the former garden of 9 Dee View Road.

PRINCIPLE OF DEVELOPMENT

The site is within a Primarily Residential Area where the principle of a residential development is acceptable. The site is also within Heswall Conservation Area where a residential development should make a positive contribution to the local character and distinctiveness quality of the area. The principle of developing the site for a dormer style dwelling is deemed acceptable subject to the policies outlined below.

SITE AND SURROUNDINGS

The application site currently forms the lower level of the garden of 9 Dee View Road and fronts onto West Grove. The site is bounded by a traditional sandstone wall running along West Grove and extending along the southern and northern boundary. There is an existing hedgerow running along the eastern boundary that currently segregated the garden into two distinct areas.

The area is predominantly residential in character where the properties within the immediate vicinity are a mix of detached and semi-detached dwellings that consist of a variety of materials and vary in age, design and size. There are also a number of bungalows in the vicinity that add to the overall mix of dwelling types in the area. St Peter's CE Primary school lies to the west of the site on the opposite side of the road. There is a rear access point into the site from West Grove.

The levels within the site fall from east to west towards West Grove. The difference in levels forms part of the character in this part of Heswall with Courtyard House (9 Dee View Road) at the top of the site enjoying an elevated position looking across to the River Dee.

POLICY CONTEXT

The site is located within Lower Heswall Conservation Area and the Primarily Residential Area.

The National Planning Policy Framework (NPPF) states that new development in conservation areas should make a positive contribution to the local area in terms of character and distinctiveness. In terms of the setting within the Conservation Area, the NPPF states that applicants should describe the significance of any heritage assets affected. This should be included within a Heritage Statement to be submitted with the planning application. When determining a planning application, the Local Planning Authority will take account of:

- The desirability of sustaining or enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness

The NPPF supports sustainable housing development which encompasses good design and widens the choice of high quality homes. Development should make a positive contribution to an area and use opportunities to improve the character and quality of an area. Local Planning Authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community and identify the size, type, tenure and range of housing that is required in particular locations to reflect local demand.

UDP Policy HS4 - New Housing Development states that proposals should be an appropriate scale that relates well to surrounding property, in particular with regard to existing densities and form of development. The development should not result in a detrimental change in the character of the area; should provide appropriate landscaping and boundary treatment that contributes to a secure environment; access and services capable of satisfactory provision with the provision of adequate vehicular access.

UDP Policy CH2 - Development Affecting Conservation Areas states that development located within, adjacent to, or otherwise affecting the setting or special character of a Conservation Area, will be permitted where the visual and operational impact of the proposals can be demonstrated to preserve or enhance the distinctive characteristics of the Area, including important views into and out of the designated area; the general design and layout of the Area, including the relationship between its buildings, structures, trees and characteristic open spaces and the character and setting of period buildings and other elements which make a positive contribution to the appearance and special character of the Area.

Policy CH14 in relation to Heswall Lower Village Conservation Area states that the principal planning objectives for the area will be to:

- (i) preserve the character of the old village core, including the setting and character of its former farm buildings and cottage scale dwellings;
- (ii) preserve the character and setting of the surrounding area characterised by substantial property in large, well-landscaped grounds and by the denser more modest scale development to the north of Dawstone Park;
- (iii) retain unifying features such as stone walls, the character of narrow lanes such as School Hill, Brow Lane, West Grove and Feather Lane and areas of mature landscaping. Notwithstanding designation as Urban Greenspace under Proposal GR2, special attention will be given to retaining the historic character of Dawstone Park.

The reasoned justification for the criteria set out in Policy CH14 states that Heswall Lower Village

Conservation Area was designated in April 1979. Its boundaries are drawn to encompass the original nucleus of the small fishing village which pre-dated the suburban expansion of Heswall after the arrival of the railway in the late nineteenth century, as well as some of the earliest and best of the later suburban development.

A Character Appraisal has been approved for the conservation area. This sets out a description of the area in terms of plot sizes, topography and scale and design of older, and original traditional dwellings as well as the more recent developments in the area.

The heart of the original settlement, based around Village Road, Raby Close and The Lydiate, can still be discerned and retains much of the character of a typical English Village, including its church and rectory, public house, village hall, shops and groups of cottage scale dwellings, and former farm buildings such as Lydiate Farm and The Old Smithy. One objective of Policy CH14 is, therefore, to ensure that the distinctive character of the old village continues to be preserved.

Policy CH14 also seeks to preserve the setting and appearance of the surrounding area. This area can be split into two distinct segments: the area characterised by substantial houses set in large grounds, situated towards and along Dawstone Road; and the more clustered modest scale development, based around Dee View Road, The Mount and the upper part of School Hill. In accordance with Policy CH14, new proposals will be required to reflect the specific character of the sub-area in which it is located.

The special character of Dawstone Park, and the significance of its location at the junction of these three distinct areas in the historic development of the Village, also merits special protection. Policy CH14, therefore, provides for the historic character of this open space to be preserved.

APPEARANCE AND AMENITY ISSUES

As set out in the Policy Section above, any development on this site needs to contribute positively to the character of the conservation area. The need to make a positive contribution to the conservation area does not preclude the principle of development rather that such development should respect its surroundings in terms of layout, design and use of materials.

The Highways Department has assessed the scheme with regards to the impact of additional traffic along West Grove and the surrounding streets and has raised no objection to the scheme. As most of the concerns relate to construction traffic and its impact upon surrounding properties, existing traffic movements and pedestrian and vehicle safety a condition for a construction management plan will be imposed to ensure that this is managed should members be minded to approve the scheme. The construction management plan will need to include details of the parking of vehicles of site operatives and visitors; loading and unloading of plant and materials; storage of plant and materials used in constructing the development; the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; wheel washing facilities; measures to control the emission of noise, dust and dirt during construction and a scheme for recycling/disposing of waste resulting from demolition and construction works.

Concerns raised relating to surrounding developments killing trees and damaging the lane cannot be dealt with by this application. In addition the Highways Department has not deemed it necessary to impose a condition limiting the construction vehicles to Dee View Road.

The proposed dwelling is a single storey bungalow that has been designed to sit low within the site in order to limit the impact upon the surrounding properties. The applicant plans to construct the dwelling out of 'handmade brick' with powder coated aluminium windows and a welsh slate roof in order to ensure the building fits in well with the character of the area. A condition for materials will be attached should members be minded to approve the scheme. These materials are considered appropriate on this site, as they reflect the character of the area as a whole.

The majority of the existing sandstone wall will be retained along West Grove. The section that is to be removed in order to provide access into the site will be removed and re built with any further sandstone required to be sourced locally at an early stage of construction and mixed in with the existing harvested sandstone.

In addition as the land falls from east to west, the drive way will be constructed of permeable concrete

block paving to prevent surface water run off onto the public highway. If members are minded to approve the scheme, suitably worded conditions will be applied.

It is considered that the development of a bungalow on this site will preserve the character of the Conservation Area and as such raises no issues over scale and design. The fact that the site is within a Conservation Area is not a reason to restrict development, rather than to ensure that the land is used in a sustainable way, taking account of its setting within a Conservation Area. The bungalow proposed is to be built using appropriate materials that will tie into the character of the conservation area. The properties in the area all vary in type, scale, age and design with a varied mix of materials. As such, the design principles adopted for the proposed development aim to pick up distinct features within the Conservation Area and have influenced the choice of materials.

The relationship between the rear access of the adjacent school and the proposed vehicular access of the new dwelling has not been raised as a highway safety issue by the Highways Department and as such the development is deemed acceptable in terms of highway safety.

It is considered that the scale, layout and design of the proposed dwelling is appropriate within the site. The proposal has regard to the character of the conservation area and is designed to preserve both the character of the older village core as well as more recent developments and the setting of the surrounding area.

SEPARATION DISTANCES

Habitable room windows directly facing each other should be at least 21 metres apart. Main habitable room windows should be at least 14 metres from any blank gable. The proposal complies with the current guidance on separation distances. All windows are at ground floor level and as such no overlooking will occur.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no highway objections to the proposal. The Highways department has raised no concerns regarding highway safety, parking or congestion.

ENVIRONMENTAL/SUSTAIN ABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The layout, scale and design of the proposed dwelling represents an appropriate development within the Conservation Area. The proposal is considered to make a positive contribution to the local area in terms of character and distinctiveness. The proposal is a sustainable housing development which encompasses good design and widens the choice of high quality homes. The proposed development will not result in any harm to the amenities of the occupiers of adjacent houses and is in keeping with the pattern of development and character of the Conservation Area. The proposal therefore accords with the National Planning Policy Framework and UDP Policies CH2, CH14 and HS4.

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 layout, scale and design of the proposed dwelling represents an appropriate development within the Conservation Area. The proposal is considered to make a positive contribution to the local area in terms of character and distinctiveness. The proposal is a sustainable housing development which encompasses good design and widens the choice of high quality homes. The proposed development will not result in any harm to the amenities of the occupiers of adjacent houses and is in keeping with the pattern of development and character of the Conservation Area. The proposal therefore accords with the National Planning Policy Framework and UDP Policies CH2, CH14 and HS4.

Recommended **Approve**
Decision:

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 as amended on the 2nd May 2017 and listed as follows: Drawing number 003, 004 & 005 (Dated 18.04.2017)

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

2. Prior to first occupation of the development details of a scheme for all boundary treatment shall be submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be implemented in full prior to first occupation and retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of amenity having regards to policy CH2 of the Wirral UDP

3. 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.

4. 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 and CH2 of the Wirral Unitary Development Plan.

5. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period.

The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. measures to control the emission of noise, dust and dirt during construction;
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of the amenities of adjoining residents and having regard to Policy HS4 of the Wirral Unitary Development Plan.

6. Prior to first occupation of the dwellings full details of soft and hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall detail the locations, species and heights of all existing and proposed trees, shrubs and hedge planting and all existing and proposed grassed and hard surfaced areas and any other natural or proposed features. The approved scheme shall be implemented in full in the first planting season following first occupation of the dwellings hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality in accordance with Policy HS4 of the UDP.

7. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years from the completion of the scheme shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality in accordance with Policy GR5 of the UDP.

8. The access to the site shall be in accordance with the details shown on the submitted plan, drawing number 001 Revision C dated 22.03.17 with the hedgerow maintained at a height of 1 metre or below and retained as such at all times.

Reason: In the interests of highway safety and to accord with Policy HS4 of the in the Wirral Unitary Development Plan.

9. 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).

10. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.
The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

11. Before any construction commences, samples of the facing, roofing & window 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 & CH2 of the Wirral Unitary Development Plan.

Last Comments By: 14/06/2017

Expiry Date: 27/06/2017