

# Planning Committee

16 November 2017

**Reference:**  
**APP/17/01125**

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

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

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

**Location:** 11 LANG LANE, WEST KIRBY, CH48 5BW  
**Proposal:** Demolition of existing semi-detached property and development of nine apartments, including landscaping of site  
**Applicant:** Mr P Grundy  
**Agent :** SDA 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 designation and policies:**

Primarily Residential Area

**Planning History:**

No related planning history

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

Having regard to the Council Guidance on Publicity for Applications, 77 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report a Qualifying petition of objection and 68 objections have been received, listing the following grounds:

1. overdevelopment
2. increase in traffic
3. highway safety
4. loss of garden and habitat for wildlife
5. overlooking
6. out of character
7. should renovate the existing dwelling not demolish
8. urban greenspace should be protected
9. appearance of the building
10. loss of light
11. loss of sandstone wall
12. out of scale
13. density of the development

**CONSULTATIONS:**

Highways - No Objections

Wirral Wildlife - Conditions, request bat survey (bat survey came back with additional recommended conditions which have also been imposed)

**DIRECTORS COMMENTS:****REASON FOR REFERRAL**

A Qualifying petition of objection has been received containing 138 signatures and 68 objection letters.

**INTRODUCTION**

The proposal is for the demolition of an existing semi-detached house and the erection of a residential development containing 9 flats.

**PRINCIPLE OF DEVELOPMENT**

The proposal is for a residential development within the Primarily Residential Area, the principle of development is considered acceptable.

**SITE AND SURROUNDINGS**

The application site currently consists of a three-storey semi-detached dwelling located on the corner of Lang Lane and Birkett Road, the plot has a large garden to the south that mirrors the plot of 2 Lang Lane. The character of the area is however varied in terms of property types, there is a mix of detached, terraced, bungalows and three storey houses, the age of buildings also varies within the area along Lang Lane and the side roads.

**POLICY CONTEXT**HS4 Criteria for New Housing Development Policy

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.

SPD2 states:

High density development should be located in areas where residents have the choice of walking to a range of local services such as shops, schools, employment areas, health, leisure and entertainment facilities. This could be achieved by choosing sites that are close to Key Town Centres and Traditional Suburban Centres or above ground floor level in suitable commercial premises within existing centres as listed in UDP Policies SH1 and SH2

A successful project should, therefore, be expected to:

- relate well to the geography and history of the place and the lie of the land;
- sit happily in the pattern of existing development and routes through and around it;
- respect important views (from public vantage points);
- respect the scale of neighbouring buildings;
- use materials and building methods, which are as high or of higher quality as those used in existing buildings; and
- create new views and juxtapositions, which add to the variety and texture of the setting.

Unless it can be demonstrated that privacy would not be unduly affected, 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. If there are differences in land levels or where development adjoins that of different ridge height, such as three storey development adjacent to two storey property, a greater separation should be provided. For every metre difference in ridge height (or part thereof) the above distances should be increased by 2 metres.

**APPEARANCE AND AMENITY ISSUES**

The proposal is for the demolition of the existing three-storey semi-detached house, the dwelling is currently vacant and would benefit from redevelopment in its current form, the proposal is for a three storey development containing 9 self contained flats.

The design of the building is a mix of types, the replacement building attached to 3 Birkett Road follows the design and scale of no.3 and has the appearance of a dwelling with the entrance to the ground floor flat to the front elevation, the third floor is located within the roof space of the building and has outlook to the front from the existing gable and dormer windows to the rear. This element of the building has a more traditional feel which continues the style of no.3.

The building then extends out into the existing garden, the design of the building slowly adapts from the more traditional style adjacent to no.3 to a building that incorporates more contemporary styling, however this is considered to be done sympathetically with the inclusion of gable fronts, box bays and defined windows sections. The corner section of the building projects forward of the existing building line which creates definition between the two styles whilst retaining a relationship throughout the block

itself.

The proposal is for 9 flats, three on each floor, with the exception of Flat 7 the flats are two bed (flat 7 is one bed) the third floor is location with the roof space of the building which reflects the character of the three storey buildings within the surrounding area.

Whilst there is a mix of building types, the development is a continuation of the scale and general appearance of 3 Birkett Road and 2 Birkett Road, the land levels rise to the south, the properties on the south side of Lang lane are higher than those on Birkett Road.

Given the land level differences and the type of neighbouring development, the layout of the building follows the established pattern of development in terms of building line and bulk/massing, the outlook and orientation of the building has been designed so that the outlook is to main frontage elevations.

The site layout includes off road parking to both Birkett Road and Lang Lane of which there are 9 spaces, with amenity space to the west elevation and landscaping to the south east corner. The development albeit a new build proposal will occupy the corner of Lang Lane and Birkett Road in a similar style to Marine Park which occupies the corner of Lang Lane and Marine Park.

Concerns have been raised with regards to the appearance of the flats, overdevelopment and parking concerns. The appearance of the flats largely reflects the original design of the 11 Lang Lane with the inclusion of gable roof design and dormer windows, the more contemporary corner section of the building incorporates window styles of the original building and has a Mansard roof style that, whilst not a characteristic of the area, given the variety of styles is not considered to be detrimental to the character of the area and would be an interesting addition to the building. The materials used in the final finish of the building will be important in terms of providing a relationship between the existing and proposed so that the building complements the character of the area.

The character of the existing site, although overgrown, is open and contains trees and shrubbery, however the site is within the residential area and will follow the pattern of established development in terms of building line and scale.

In terms of parking, the proposal provides 9 off road parking spaces which equates to one per flat, there are no parking restrictions along Birkett Road or Lang Lane and the site is location approximately 430m from West Kirby Commercial area and 540m from West Kirby Key Town Centre.

### **SEPARATION DISTANCES**

The main additional bulk of the development faces south towards no.14 Lang Lane which is a dormer bungalow, the distance between the two properties is just over 25m, given the land level changes and the ridge height difference, the proposed ridge height is approximately 2m above the ridge of the dormer bungalow therefore the distance of 25m meets the Council interface distance set out in SPD2.

The replacement section of building faces 2 Birkett Road, the replacement section of the building follows the existing/established building line however the original interface distance between the properties on Birkett Road is 17m, whilst this does not meet the Councils advised interface distance of 21m the original pattern of development is retained and is not considered that the replacement building has any greater impact on outlook than the existing building in terms of interface distances.

To the rear of the proposed building are the flats on Marine Park, which are three storey, the distances between the two rear elevations is 25m to 30m which comfortably meets the interface distances, the west garden area of the application site also has a depth of 10m which is recommended to allow for a break in development between sites.

### **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**

The replacement building and development is acceptable in terms of scale, siting, appearance and impact to neighbouring amenity. The development is considered to reflect the scale of existing buildings and the pattern of established development having regard to Wirrals UDP Policy HS4 and SPD2.

**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 replacement building and development is acceptable in terms of scale, siting, appearance and impact to neighbouring amenity. The development is considered to reflect the scale of existing buildings and the pattern of established development having regard to Wirrals UDP Policy HS4 and SPD2.

**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 29 September 2017 and listed as follows: 09\_2017\_03 Rev B, 09\_2017\_04 Rev B, 09\_2017\_05 Rev B, 09\_2017\_06 Rev B & 09\_2017\_07 Rev B.

**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 HS4 of the Wirral Unitary Development Plan.

4. The area(s) so designated 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.

5. 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.

**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.

6. No development shall take place until a plan indicating the positions, design, heights, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed as agreed prior to first occupation. Development shall be carried out in accordance with the approved details.

**Reason:** To safeguard the visual amenities of the locality and the privacy/amenities of the adjoining properties and to accord with Policy HS4 of the Wirral Unitary Development Plan.

7. In order to protect habitats of special local importance for nature conservation:

- 1) Construction work shall only take place between 8am and 6pm.
- 2) Any holes or trenches left open overnight must have a means of escape provided.
- 3) All construction materials, especially those containing lime, must be stored so that badgers cannot access them, and to the front of the house, not the rear.
- 4) When fencing to the garden is installed, access shall be left for the badgers to move around between gardens.

**Reason:** To protect the presence of Badgers on the site having regards to policy NC5 of Wirral's UDP

8. Any works to remove ivy vines, tall vegetation or the east facing soffit box of the existing building should be carried out, outside of the breeding bird season (March to August inclusive).

**Reason:** To protect breeding birds

9. Prior to first occupation two sparrow nesting boxes below the eaves of the building and an integral bat box such as Habitat model 003 or 005 shall be installed and maintained as such thereafter.

**Reason:** Having regard to protected species and habitats

10. Prior to commencement of development, details of any lighting proposed including levels of illumination, light spill and location shall be submitted to and approved in writing by the Local Planning Authority, any lighting shall be installed as agreed and maintained as such thereafter.

**Reason:** Having regard to impact on protected species

11. 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.

**Last Comments By:** 27/10/2017 15:16:14  
**Expiry Date:** 24/11/2017