

Planning Committee

14 December 2017

Reference:
APP/17/01098

Area Team:
North Team

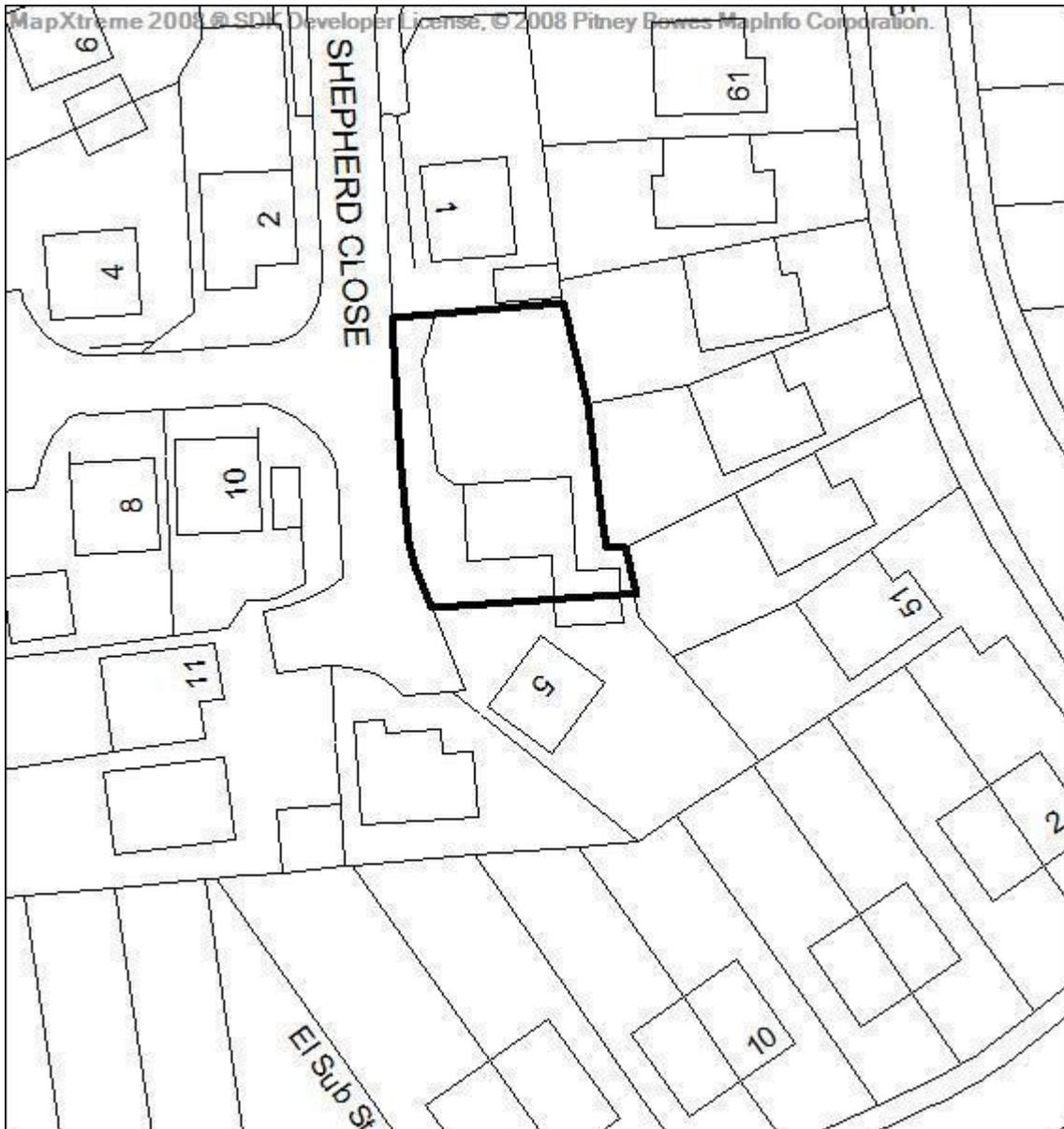
Case Officer:
Mr C Smith

Ward:
**Greasby Frankby
and Irby**

Location: 3 SHEPHERD CLOSE, GREASBY, CH49 2RB
Proposal: Two storey side and single storey rear extensions(amended).

Applicant: Mr & Mrs Waites
Agent : Paul Keegan Associates

Site Plan:



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Development Plan designation

Primarily Residential Area

Planning History:

Location: 3 SHEPHERD CLOSE, GREASBY, CH49 2RB
Application Type: Full Planning Permission
Proposal: Two storey side and single storey rear extensions(amended).
Application No: APP/17/01098
Decision Date:
Decision Type:

Location: 3 SHEPHERD CLOSE, GREASBY, CH49 2RB
Application Type: Planning Pre-Application Enquiry
Proposal: To erect a double storey extension
Application No: PRE/17/00085/ENQ
Decision Date: 07/04/2017
Decision Type: Pre-Application Reply

Appeal Details

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications 7 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report one comment and four objections have been made.

Brief summary of objections and comments:

1. The scale and the proximity of the development would reduce natural light to neighbouring rear gardens and habitable windows. Given the orientation of the neighbouring dwellings this will be especially prominent in winter.
2. The development would have a significant impact on neighbouring dwellings privacy.
3. The development would be oppressive to surrounding properties in its density and reduce open space around it.
4. The development would be visually dominating and out of keeping with surrounding properties.
5. Would the development leave sufficient amenity space for occupiers?
6. The bedroom window is unacceptable.
7. The dwellings are already very close together and this would result in claustrophobia.
8. Shepherd Close has no pavements and the extension would result in parking difficulties for local residents.
9. The windows labelled "obscurely glazed" may be changed in the future.
10. "The 'Planning Portal' Government websites states that "overlooking of gardens may be unacceptable where it would result in an intrusive, direct and uninterrupted view from a main room to the most private area of the garden, which is often the main sitting out area adjacent to the property of your neighbours house. As a general rule of thumb this area is the first 3-4 metres of a rear garden closet to the residential property".
11. Bolton's planning guidance states "main room windows are by simple definition the window to each principal room which provide the main aspect from that room are the largest. They will generally be the windows facing the front/rear of the dwelling' in designing an extension it is wise to avoid placing main room windows in a side elevation as they will have a significant impact on the privacy of adjoining residents unless they can be screened" and guidance should be standard across the Country.
12. The development increases the size of the house by over 50% which is excessively large for this area, as the neighbouring dwellings are crammed in.
13. The extension would significantly impact the value and ability to sell neighbouring dwellings.
14. The occupiers of No. 57 Hambledon Drive bought their house because they are not

- overlooked and had a sunny private rear garden, which was reflected in the price they paid. The development will be at the loss of No. 57 and the gain of the proposal site.
15. The neighbouring residents of No. 57 Hambledon Drive will look out to a blank wall at first storey.
 16. The extension may harm mature trees close to the site and if the tree is harmed or dies it would create overlooking.
 17. Excess noise may be generated if the roof tiles are cut on site.
 18. Numerous plans submitted for consideration.

Councillor Wendy Clements requested the application be taken out of delegation because of the concerns raised by local residents about the effect on their amenity and overdevelopment.

CONSULTATIONS:

None Required.

DIRECTORS COMMENTS:

This application was deferred on 16/11/17 for a site visit by the Planning Committee members.

REASON FOR REFERRAL

Councillor Wendy Clements requested the application be taken out of delegation because of concerns raised by local residents about the effect on their amenity and overdevelopment.

INTRODUCTION

The proposal is seeking planning permission for a two storey side and single storey rear extension.

The developer sought pre-application advice from the Local Authority prior to submitting an application. The pre-application advice request provided no supporting documents or sketches of any proposals, and as such it was difficult for the Local Authority to give detailed advice to the developer. The developer was informed that the principal of a two storey side extension and small rear extension was acceptable, however the sensitive design of any proposal in relation to the constraints of the site would be key to the success of any subsequent application.

PRINCIPLE OF DEVELOPMENT

The principle of the development is acceptable subject to Policy HS11 of Wirral's Unitary Development Plan, SPG11 and the provisions of the National Planning Policy Framework.

SITE AND SURROUNDINGS

The proposal site has a two storey detached dwelling set within a Primarily Residential Area. The proposal site plot is quite unusual in the fact that the plot has its garden to the side of the dwelling. The proposal site has a reasonably large plot compared to most of the neighbouring dwellings along Shepherd Close. The proposal site plot has a garage to the South side of the existing dwelling which is adjoined to the neighbouring dwellings garage of No. 5 Shepherd Close. The proposal site has a small open plan front garden with grass lawn and a tarmac strip leading down the South side of the dwelling to the attached garage. The proposal site garden to the side of the dwelling is surrounded by a 1.8 metre high timber fence on all sides. The existing dwelling has a small side conservatory which will be demolished to allow the proposed extension.

The neighbouring dwellings along Shepherd Close are of similar scale and design. The majority of neighbouring dwellings have front drive parking and garages. The neighbouring dwellings to the East of the proposal site have a small number of mature and immature trees along the boundary with the proposal site.

POLICY CONTEXT

The application shall be assessed under policy HS11 House Extensions of the Wirral Unitary Development Plan, SPG11 House Extensions and the National Planning Policy Framework.

HS11 states that the scale of any proposed development should be appropriate to the size of the plot and not dominate the existing building, and not be so extensive as to be unneighbourly. Particular regard should be had to the effect on light to and the outlook from neighbours habitable rooms and development should not result in significant overlooking of neighbouring residential property. The

design features and materials used should complement the existing building.

SPG11 states that it is always important to consider the specific character of the building being extended and to take account of the context of the property. Extensions built close to the boundary with a neighbouring property may have an adverse impact on the enjoyment of that property. Extensions should not be so large as to create an effect of over-dominance or cause significant visual intrusion or significantly impact existing light levels (daylight and sunlight).

SPG11 states that rear extensions should not dominate nor significantly alter the existing levels of sunlight, privacy and daylight to adjoining properties. SPG11 states that two storey side extensions are not in the interest of maintaining the character of the street, in creating a terraced appearance. Two storey extensions should be set back from the front of the dwelling by 1 metre and should have a lower ridge height while maintaining a 1 metre distance from the side boundary.

SPG11 states that where two habitable rooms to principal elevations face one another such that direct overlooking is likely to occur, the windows shall be a minimum of 21 metres apart. Where a sole window to a main habitable room faces a blank wall they must be a minimum of 14 metres apart.

SPG11 states that garages and carports should have a driveway at least 5 metres clear of the highway, if the garden is not deep enough to provide a 5 metre driveway the garage must be set back from the main front wall to provide this minimum driveway length.

National Planning Policy Framework (NPPF) supports sustainable development which encompasses good design. Development should make a positive contribution to an area and use opportunities to improve the character and quality of an area.

APPEARANCE AND AMENITY ISSUES

The proposed development will demolish the existing side elevation conservatory and construct a two storey side extension and single storey rear extension. The existing dwelling currently has 4 bedrooms and the proposed plans indicate this will not change. The proposed single storey rear extension will convert the garage into habitable space providing a small store and gym.

The proposed single storey rear extension will in-fill the area between the existing garage and dwelling and wrap around the side of the existing dwelling. The existing garage has a small pitched roof that attached to the existing dwelling and this will be retained and joined by the proposed single storey section roof. The single storey rear extension will project 2.5 metres from the rear wall of the original dwelling and have a span of 4.8 metres, at which it will join the existing garage building. The single storey rear extension will have eaves at approximately 2.5 metres which will match the existing garage, and a mono pitched roof with a maximum height of 3.6 metres which is just slightly lower than the existing garage pitched roof. The single storey rear extension will be set at least 0.1 metres off the party boundary fence. As part of the garage redevelopment the existing roof of the garage will not be altered however a new garage door will replace the old. This single storey rear and side development will create one new UPVC door which will be on the South (side) elevation of the extension.

The proposed two storey rear extension will project 4.0 metres from the South (side) elevation of the existing dwelling at both storeys. From the West (front) elevation both storeys of the proposed side extension will be set back approximately 0.3 metres. From the East (rear) elevation the ground floor of the extension will be flush with the existing rear elevation, giving the ground floor section of the side extension a depth of 7.7 metres total. The first floor of the proposed side extension will be set back from the East (rear) elevation of the existing dwelling by 1.0 metres. This set back will result in a small mono pitched roof over the ground floor section, which will have eaves at approximately 2.3 metres and a maximum height of approximately 3.0 metres. The two storey side extensions eaves will match the original dwelling at approximately 5.0 metres and the roof will have a gable end on the South (side) elevation and will have a maximum height that is approximately 0.3 metres lower than the existing dwelling ridge. The side extension will be set at least 2.0 metres from the nearest party boundary which are residential rear gardens to the East of the site.

The West (front) elevation of the side extension will have a new UPVC window at ground floor and first floor, which will serve a kitchen and bedroom. The proposed South (side) elevation will have UPVC French style doors and a UPVC window at ground floor and no first floor windows. The proposed East (rear) elevation will have one new UPVC window which will be obscurely glazed and serve a dress

room.

The proposal plans indicated that the extension and existing building will be externally finished with facing brickwork and half rendered on the first floor level. The proposed roof tiles will be interlocking concrete to match the existing and UPVC windows and doors will be used again to match the original dwelling. The proposed external materials are considered to be suitable to the existing dwelling and the half rendering of the first floor will have a positive impact on the character of the host dwelling and accord with HS11 and SPG11.

The proposed single storey section of the development which connects the existing dwelling to the garage is single storey in scale and therefore results in no overlooking or privacy issues to neighbouring dwelling. Taking into account that the rear extension is single storey and the orientation of the existing dwelling and party boundary fence, the proposed rear part of the development does not have any impact on existing light to neighbouring windows or property.

The proposed garage conversion will result in the loss of off-street parking. SPG11 states that driveways should be at least 5 metres clear of the highway to allow for off-street parking. In this instance the proposal site has an approximately 11.0 metre driveway, which provides the occupants of the proposal site a more than reasonable provision for off-street parking. The loss of the garage for off-street parking is therefore considered acceptable in this instance.

The proposed side extension introduces one new window on the East (rear) elevation which will serve a dress room. In the interest of maintaining neighbouring amenities in regard to privacy this window will be conditioned to be obscurely glazed and non-opening. SPG11 states that main habitable windows should be 21 metres to any main habitable window and at least 14 metres to any blank gable. In this instance the existing dwellings rear windows does not meet SPG11 guidance, as the dwellings rear windows are approximately 12.0 metres from the rear habitable windows of the neighbouring dwelling No. 55 Hambledon Drive. Due to the orientation of the proposal site dwelling and neighbouring dwelling (No. 55 Hambledon Drive), any new development in line with the existing rear elevation of the dwelling would make the separation distances between the properties worse. The developer subsequently set back the first floor of the proposed side extension by 1.0 metres, to maintain the existing separation distance between the proposed dwelling and closest neighbouring habitable windows. Given that the developer has set back in the first floor and that the separation distances originally are not met between the site and the neighbouring dwelling, it is considered the development is acceptable and will not result in any overlooking.

The proposed side extension will introduce no side facing windows at first floor on the South (side) elevation and the proposal is approximately 15.0 metres from the front habitable windows of the neighbouring dwelling No. 1 Shepherd Close. The proposed West (front) elevation will add a new window at first floor and ground floor which will be approximately 17.0 metres from the side elevation of No. 10 Shepherd Close. When taking into account SPG11 guidance in regard to separation distances, the proposed development complies.

The proposed development is considered to be an appropriate scale to the size of the plot as the proposal site plot will retain approximately 11.0 metres of depth to their garden space. The developer has further taken into account SPG11 guidance in regard to two storey extension which requires a set back from the front elevation and a lower ridge height. While the side extension is not set back very significantly from the front elevation, the design will give the side extension the appearance of being subservient to the original dwelling and will therefore not dominate the existing building. The design features and materials proposed are in keeping with the wider area and the half render external finish will have a positive impact on the character of the host dwelling, which is currently completely facing brick.

The two storey section of the development follows the building line of the existing dwelling, and is set back at the front and rear elevations, and has a lower ridge height than the existing dwelling. The first floor section of the side extension will be at least 12.0 metres from any neighbouring habitable window and therefore will not directly impact neighbouring amenity in this regard.

The existing dwelling is approximately 2.0 metres from the party boundary with the neighbouring dwelling to the East of the site (No. 55 Hambledon Drive). The rear extension following the building line of the existing dwelling at ground floor, and is set in 1.0 metres on the rear elevation at first floor,

and has a lower ridge height than the existing dwelling. This set in and reduced ridge height significantly reduces any overshadowing of the neighbouring rear gardens to the East of the site. When taking into consideration the orientation of the proposal site extension, it is likely that there will be minimal overshadowing of No. 55 Hambledon Drive's rear garden boundary in the very early morning. Given that the rear elevation of the nearest neighbouring dwelling No. 55 Hambledon Drive is 12 metres from the proposed first storey of the side extension, the development is not considered to result in any significantly adverse overshadowing of their rear garden.

When further taking into account guidance (SPG11) on two storey rear extensions on pairs of semi-detached dwellings, the Local Authority would expect any proposal to be at least 2.5 metres away from any party boundary. In this instance the first floor of the development is 3.0 metres from the party boundary, and is set considerably away from the rear elevations of the neighbouring dwellings. The proposed two storey side extension is therefore not anticipated to have any adverse impact on amenities neighbouring dwellings can reasonably expect to enjoy in regard to existing light and overshadowing.

Overall the extension sits well in the plot and doesn't detract at all from any of the neighbouring properties or the amenities neighbouring properties can reasonably expect to enjoy. The increase in floor space will not have any adverse impact on the street scene. The application is considered to comply with HS11, SPG11, NPPF, and is therefore acceptable.

Other matters

A number of objection stated that the development would reduce natural light into neighbouring rear gardens and habitable windows especially in winter months. When taking into account the design of the extensions, orientation of the proposal site dwelling and neighbouring dwellings and distances between dwellings and boundaries, the development is not thought to cause any detrimental impact on neighbouring amenities in regard to existing light and overshadowing.

A number of objections stated the development would result in privacy issues, however for the reasons previously stated the development is thought to comply with separation distances and the proposed rear facing window added on the two storey element will be conditioned to be obscurely glazed and non-opening to retain neighbouring amenity in regard to privacy and overlooking.

A number of objections stated that the development would be oppressive, visually dominating and out of keeping with surrounding properties. For reasons previously stated, the proposal site plot is somewhat larger than most neighbouring plots and thereby has more potential for development. While it is agreed the plots along Shepherd Close are somewhat cramped, the development is designed to be sufficiently subservient to the host dwelling and will therefore not have any adverse impact on the street scene along Shepherd Close. In regard to the percentage of the extension, the Local Authority does not have any specific percentage guidance for household extensions in Primarily Residential Areas. For reasons previously stated, the proposal is not considered to be excessive in scale or unneighbourly.

In regard to garden space, the development leaves approximately 11 metres of garden space for the occupiers of the proposal site which is acceptable.

In regard to the objection received for the proposed bedroom window on the West (front) elevation, the window complies with SPG11 separation distances and will not result in any overlooking.

A number of objections that the development would result in parking issues in the immediate and wider area. As previously stated, the proposal site has sufficient driveway length to allow off-street parking in accordance with SPG11, and therefore the loss of the garage parking space is not considered unacceptable in this instance.

In regard to obscurely glazed windows being changed, the Local Authority will condition any windows to be obscurely glazed to remain as such thereafter the development is completed.

Two objections quoted guidance on planning from the 'Planning Portal' and 'Bolton'. These extracts are not adopted by the Local Authority and therefore have no significant weight.

A number of objections stated the development would impact their property value, which is not a

material planning concern.

No. 57 Hambledon Drive objected on grounds that they would be looking out at a blank wall, however given the orientation of the proposal and the dwelling of No. 57 Hambledon Drive, the development is thought to have no adverse impact on outlook of the neighbouring dwelling No. 57 Hambledon Drive as it is a reasonable distance from their rear windows and will be off set to these rear windows.

In regard to the concerns raised by No. 55 Hambledon Drive around the existing tree(s) in their site that may be damaged by the extension. The site or neighbouring sites have no Tree Protection Order and are not in a designated Conservation Area and therefore the Local Authority has no powers to stop any works to any parts of the tree that are in neighbouring plots.

In regard to excessive noise that may be generated by the cutting of roof tiles, the Local Authority would be able to handle statutory noise complaints through Environmental Health legislation. The Local Authority very rarely deems it necessary to impose conditions in regard to how a development would be constructed in regard to single household applications.

One objection stated that numerous plans were submitted. The developer submitted various proposals for the Local Authorities consideration, many of which were deemed unacceptable when taking into account the relevant policies and guidance. Once plans were submitted that the Local Authority felt it could support the neighbours and consultees were duly re-notified and allowed a further period to submit their comments in regard to the proposal. All plans remain online so neighbours have a timeline of submitted proposals.

SEPARATION DISTANCES

SPG11 states that 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 is not considered to result in direct overlooking and complies with SPG11 separation distances.

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 proposal is not considered to have an adverse impact on the amenities which the occupiers of the neighbouring properties can reasonably expect to enjoy in terms of loss of light, privacy or outlook. The proposed development is not considered detrimental to the character of the host dwelling and the wider street scene. The proposal is acceptable in terms of scale and design, complies with the provisions of Policy HS11 of the adopted Wirral Unitary Development Plan, SPG11 and the provisions of 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 not considered to have a harmful visual impact on its surroundings or an adverse impact to the amenities that the occupiers of neighbouring properties expect to enjoy. The proposal complies with NPPF - Requiring Good Design, HS11 - House Extensions, SPG11 - House Extensions, and is therefore considered acceptable.

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 approved plans received by the local planning authority on 06/10/17 and listed as follows: Drawing No. A/552/01, A/552/04E.

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

3. The window(s) hereby permitted at first floor on the East elevation shall be fitted with obscured glazing and any part of the window(s) that is less than 1.7m above the internal floor level of the room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter.

Reason: To ensure the protection of privacy for neighbouring occupiers, and in the interests of residential amenity, in accordance with policy HS11 of the Wirral Unitary Development Plan and SPG11.

Further Notes for Committee:

Last Comments By: 27/10/2017 09:33:18

Expiry Date: 19/10/2017

