

## Planning Committee

21 June 2018

**Reference:**  
**APP/17/01358**

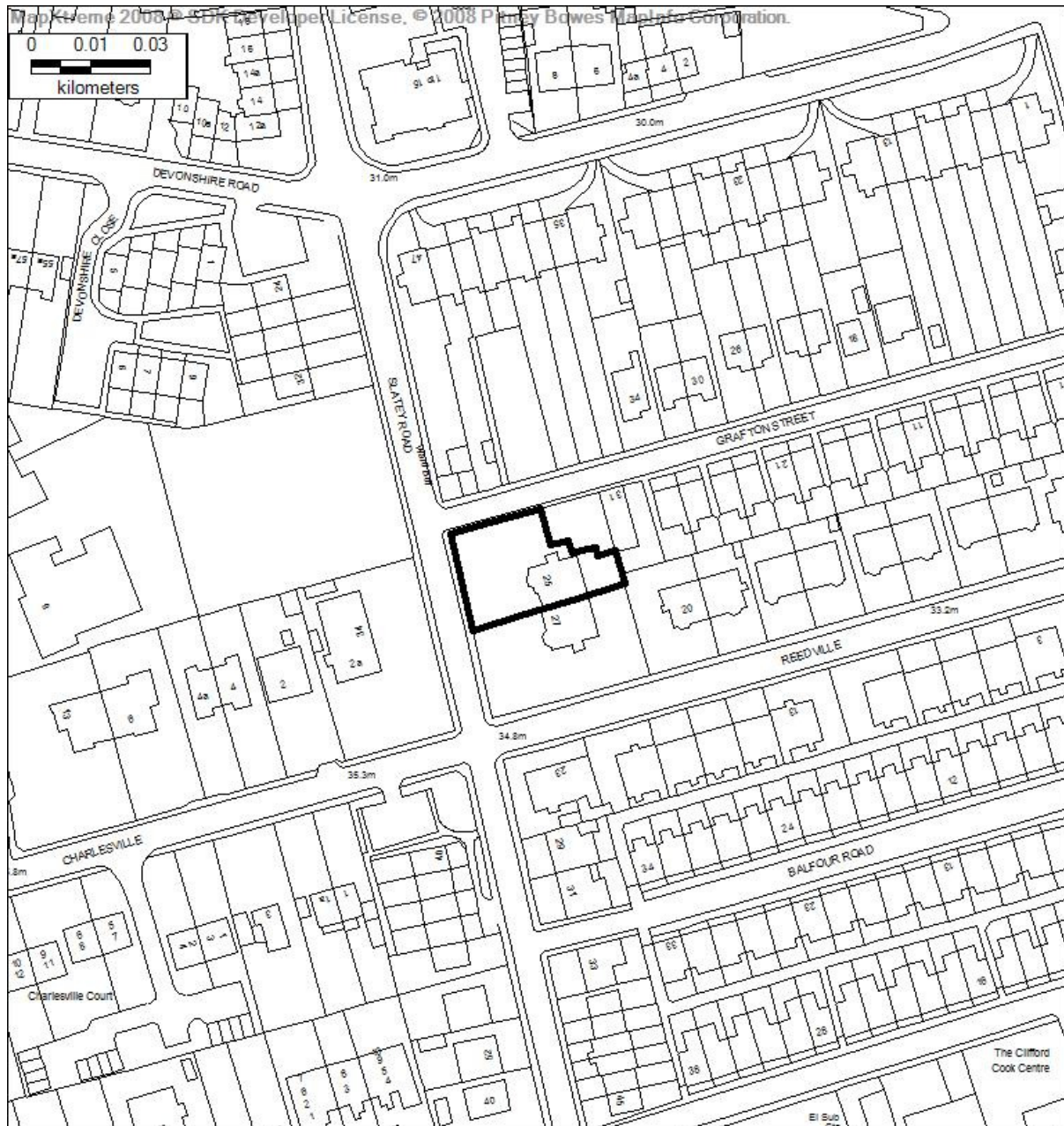
**Area Team:**  
**North Team**

**Case Officer:**  
**Mr N Williams**

**Ward:**  
**Oxton**

**Location:** 25 SLATEY ROAD, OXTON, WIRRAL, CH43 4UE  
**Proposal:** Proposed two-storey side extension to provide 2 No. one-bedroom apartments and car park area to front, to an existing dwelling previously converted into apartments  
**Applicant:** Mr Frost  
**Agent :** The Bunting Partnership Limited

### Site Plan:



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**Development Plan designation:**

Primarily Residential Area

**Planning History:**

Location: 25 SLATEY ROAD, OXTON, CH43 4UE  
Application Type: Outline Planning Permission  
Proposal: Erection of 2no 2 bedroom flats on existing car park and a new car park created on existing front garden

Application No: OUT/13/01418  
Decision Date: 14/01/2014  
Decision Type: Refuse

Location: 25 SLATEY ROAD, OXTON, CH43 4UE  
Application Type: Full Planning Permission  
Proposal: Proposed two-storey side extension to provide 2 No. one-bedroom apartments and car park area to front, to an existing dwelling previously converted into apartments

Application No: APP/17/00856  
Decision Date: 16/10/2017  
Decision Type: Withdrawn

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

Having regard to the Council's Guidance for Publicity on Planning Applications, 40 notifications were sent to adjoining properties and a site notice was displayed near the site. At the time of writing, there had been a petition of objection containing 27 signatures and 23 individual objections received, objecting on the grounds of:

- Road safety
- Insufficient parking
- Out of character
- Loss of privacy
- Loss of light
- Overdevelopment
- Loss of trees
- Increase in noise and nuisance
- Impact on air quality

**CONSULTATIONS**

**Highways** – No objection

**Environmental Health** – No objection

**Director's Comments:****REASON FOR REFERRAL**

A qualifying petition of objection has been received. The application was deferred from Planning Committee on 31<sup>st</sup> May 2018 to allow for a Members Site Visit.

**INTRODUCTION**

The application is for a two-storey side extension to an existing property containing three apartments, to provide an additional two apartments, and a car park area to the front.

The application follows a recently withdrawn application for a similar scheme, albeit of a different

design. This scheme has also been amended from the original proposal, resulting in the width of the extension being reduced and the design being altered further to reflect the character and design of the existing property.

### **SITE AND SURROUNDINGS**

The application site contains a large 2/3-storey, semi-detached Victorian dwelling fronting onto Slatey Road, between Grafton Street and Reedville. The building, and the adjoining property, has substantial character but is neither listed or in a conservation area. It has previously been converted into 3 apartments.

The site is designated in the Wirral Unitary Development Plan as a Primarily Residential Area and the immediate area is predominantly residential, with various other residential units of differing scale, design and character.

### **POLICY CONTEXT**

The proposal is subject to Wirral Unitary Development Plan Policy HS13: Self Contained Flat Conversions, Supplementary Planning Document 2: Self Contained Flat Development and Conversions and the National Planning Policy Framework.

### **APPEARANCE AND AMENITY ISSUES**

As noted, the application property is one of a pair of semi-detached properties located between Grafton Street and Reedville. The properties make a positive contribution to the street scene. The width of these two plots are between 22-24 metres each, which is considerably larger than most other plots in the immediate area. For comparison, the properties on Grafton Street are approximately 7 metres in width, and those on Reedville approximately 12 metres in width. The area to either side of each building is approximately 13 metres in width. This is a substantial width and given the much smaller width of many other properties within the immediate area, it is considered that some form of development of the area to the side of 25 Slatey Road is acceptable in principle in order to make best use of the site. In this instance, it is considered that an extension to the property would be more suitable than a standalone dwelling.

Although the two semi-detached properties are clearly similar in design and scale, there are differences between the two - notably that the adjacent property has been rendered whilst the application property remains brick. The application property has a front dormer whilst the adjacent property has a small single-storey element projecting slightly further forward than the main elevations of the properties. Overall, it is considered that there are sufficient differences between the two properties to ensure that a sensitive extension to No. 25 will not unduly unbalance the pair.

The design of the proposed extension has been amended from the original submission, which was a flat-roof, contemporary version of the original dwelling. The amended design now reflects the design of the original property, with a stone plinth, stone window detailing, a bay feature and a pitched roof. A new entrance feature will also be created utilising stone. Overall the extension will appear as a smaller version of the original building.

The previously proposed extension, under reference APP/17/00856, would have projected forward of the original building and was therefore considered to be unacceptable. This current proposal has been set back so that it will be in line with the main elevation of the existing property, with the bay feature of the existing property projecting further forward of both. Given the presence of a property to the rear, it would not be possible to set the extension back any further without compromising separation distances, but the proposed siting is considered sufficient to ensure that the proposed extension does not appear insubordinate to the original building.

The proposed extension will extend closer to Grafton Street than the original building, but this has been reduced from the original submission. The extension was originally proposed to be set back from Grafton Street by approximately 2 metres, but a reduction in the width of the extension (from approximately 11 metres to a maximum of 8 metres) results in the extension being set back from Grafton Street by approximately 5 metres. Most of the properties on this side of Grafton Street are set back from the pavement by around 3 metres, whilst the coach house dwelling (to the rear) actually adjoins the back of the pavement and this will ensure that the proposed extension does not appear unduly prominent or obtrusive on the street scene, nor will it break an established building line. The

proposed extension has been designed so that it addresses Grafton Street, with the side elevation containing similar design and detail as the main front elevation, and this will result in the proposal contributing positively to the street scene of Grafton Street.

The proposal will also include a new car park to the front of the site, together with a new access onto Slaty Road. This will require the removal of a lime tree which does contribute to the character of the area and has been covered by a precautionary Tree Preservation Order. However, the applicant has provided evidence to show that this lime tree is causing structural damage to the boundary wall and has to be removed. Another tree close to Grafton Street was to be taken down but will now be retained following the reduction in the width of the proposed extension. The site will therefore retain a good degree of tree cover, whilst a condition has also been attached for a landscaping scheme to be submitted.

#### Residential Amenity

There is a dwelling to the rear of the site which is similar to a coach house (31 Grafton Street). The proposed extension has been sited so that its rear elevation is almost 14 metres from windows in the coach house building. The rear elevation of the proposed extension will only have one obscurely glazed window serving the entrance lobby, and this will therefore ensure that it does not have an unacceptable adverse impact upon the occupiers of the coach house. The rear of the proposed extension will be approximately 1 metre from what appears to be the garden area of the coach house, but as there are to be no habitable windows on this elevation, no overlooking or loss of privacy will occur.

There will be a distance of approximately 12 metres from the windows in the side elevation of the proposed extension to the rear boundary of 33-47 Devonshire Road, which are located on the opposite side of Grafton Street. This distance, together with the extremely long gardens of these properties, will ensure that there is no unacceptable levels of overlooking created by the development.

#### **SEPARATION DISTANCES**

The blank rear elevation of proposed extension will be almost 14 metres from windows in the coach house to the rear, which is a distance similar to that of habitable windows facing each other to the rear of the site (between properties on Grafton Street and Reedville). Proposed habitable windows in the front and side elevation of the extension will be more than 30 metres from the neighbouring dwellings they face and will therefore have no impact upon the amenities of occupiers of those properties. All separation distances are therefore considered to be acceptable.

#### **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**

In conclusion, the proposed development is considered to make best use of this site and will not have an unacceptable adverse impact upon the appearance and setting of the original building, the character of the street scene or the amenities of neighbouring properties. The proposal is therefore considered to comply with Wirral Unitary Development Plan Policy HS13: Self Contained Flat Conversions, Supplementary Planning Document 2: Self Contained Flat Development and Conversions 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 proposed development is considered to make best use of this site and will not have an unacceptable adverse impact upon the appearance and setting of the original building, the character of

the street scene or the amenities of neighbouring properties. The proposal is therefore considered to comply with Wirral Unitary Development Plan Policy HS13: Self Contained Flat Conversions, Supplementary Planning Document 2: Self Contained Flat Development and Conversions 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 3rd April 2018 and listed as follows: 2050-015; 2050-023; 2050-024; 2050-025; 2050-026;

and the associated Arboricultural Method Statement

**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 HS13 of the Wirral Unitary Development Plan.

4. NO DEVELOPMENT SHALL TAKE PLACE until details of secure covered cycle parking and/or storage facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first use of the development hereby permitted and shall be retained for use at all times thereafter.

**Reason:** To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car, having regard to Policy TR12 of the Wirral Unitary Development Plan.

5. Prior to commencement of development, a full scheme of works for the reinstatement to standard footway levels of any vehicle accesses from the highway that are rendered obsolete by the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved works have been completed in accordance with the approved scheme.

**Reason:** For the avoidance of doubt

6. All windows on the rear (east) elevation of the proposed extension hereby permitted shall be obscurely glazed and non-opening up to a minimum height of 1.7 metres above finished floor level

**Reason:** For the avoidance of doubt and to protect the amenities of the neighbouring property

7. No works or development shall take place until a scheme for the protection of the retained trees - The Tree protection plan (section 5.5, BS 5837:2012, Trees in relation to design,

demolition and construction - Recommendations) has been agreed in writing with the Local Planning Authority. This scheme shall include:

A; the details of each retained tree as required at section. 4.4 of BS5837 in a separate schedule.

B; a plan or relevant drawings, including proposed site layout plans, to a scale and level of accuracy appropriate to the proposal that shows constraints posed by existing trees (section 5.2 BS 5837), the position, crown spread and Root Protection Area (section 4.6 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.

C; a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 2010, Tree work-Recommendations.

D; written proof of the credentials of the arboricultural contractor authorised to carry out the scheduled tree works.

In addition, an arboricultural method statement (section 6 BS 5837) shall be submitted, containing;

A; the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 6.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.

B; the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.5.6 of BS5837) of any retained tree, including those on neighbouring or nearby ground.

C; the details of any special engineering required to accommodate the protection of retained trees (section 7 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)

D; the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees (section 7 BS 5837).

E; the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction (section 7.4 BS 5837)

F; the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity.

G; the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 6.2.2.3 of BS5837).

H; the details of tree protection measures for site works, landscaping operations and management (section 8 of BS5837).

The development shall then be carried out strictly in accordance with the approved Arboricultural Method Statement.

**Reason:** To ensure the appropriate retention and protection of suitable trees for applications which involve complex tree issues in accordance with policies GR7 of the adopted UDP.

8. Prior to the commencement of site clearance, demolition, storage of plant (non-tree related), materials, machinery, including site huts and WCs, Tree Protection Barriers shall be installed immediately following tree works and Barriers shall conform to the specification within the method statement. The Tree Protection Barriers and Ground Protection shall not be removed, breached or altered without prior written authorisation from the local planning authority or client arboriculturist, but shall remain in a functional condition throughout the entire development, until all development related machinery and materials have been

removed from site. If such protection measures are damaged beyond effective functioning then works that may compromise the protection of trees shall cease until the protection can be repaired or replaced with a specification that shall provide a similar degree of protection.

The tree protection measures shall not be dismantled until all construction related machinery and materials have been removed from site and not without written authorisation from the local planning authority or client arboriculturist. Once authorisation has been given the protection measures can be removed by hand and transported off site. During which time, no machinery or vehicles shall enter the area previously protected. No excavations, storage of materials, soil stripping, the raising or lowering of levels or the laying of hard surfacing without prior approval of the arboricultural consultant and / or the local planning authority. Any issues regarding tree protection should be agreed and implemented prior to commencement of development.

**Reason:** To ensure the appropriate retention and protection of suitable trees for applications which involve complex tree issues in accordance with policies GR7 of the adopted UDP

9. The following activities must not be carried out under any circumstances:
- a, No fires to be lit within 20 metres of existing trees and shrubs to be retained.
  - b, Storage of removed topsoil should be located outside of the Root Protection Areas of retained trees and away from those parts of the site allocated for soft landscaping.
  - c, No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree.
  - d, No builders debris or other materials to be stored within the Root Protection Areas.
  - e, No mixing of cement, associate additives, chemicals, fuels, tar and other oil based liquids and powders shall occur within 10 metres of any tree Root Protection Area. A dedicated washout area shall be used and located not within 10 metres of any Root Protection
  - f, No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the LPA.
  - g, No excavations, trenches, stripping, cultivation with a rotavator or changes in surface level to occur within the Root Protection Area, unless authorised.

**Reason:** To ensure the appropriate retention and protection of suitable trees for applications which involve complex tree issues in accordance with policies GR7 of the adopted UDP.

10. All excavations within 4m of existing trees stems shall be undertaken manually by hand with the use of hand tools and only upon the prior written approval of the Local Planning Authority shall the use of a mechanical digger be permitted within 4m of trees stems. Severance of tree roots is to be avoided and roots of a diameter 25mm or greater shall only be removed with the prior written approval of the Local Planning Authority.

**Reason:** To ensure that existing trees are not damaged through the loss of roots, which will maintain the visual and environmental quality of the site and surrounding area

11. No works or development shall take place until full details of a landscaping scheme to include details of all proposed tree planting, and the proposed times of planting, have been approved in writing by the Local Planning Authority, and all tree planting shall be carried out in accordance with those details and at those times. Any trees or plants (including those retained as part of the development) which within a period of 5 years from the completion of the development die, are removed, or, in the opinion of the District Planning Authority, become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation. The landscape works shall be carried out prior to the occupation of

the development.

**Reason:** To safeguard the appearance of the locality

**Further Notes for Committee:**

1. Consent under the Highways Act is required for the construction of a new or the amendment/removal of an existing vehicular access. Such works shall be undertaken at the developer's expense, including the relocation/replacement and/or removal of street furniture and vegetation as necessary. The submission of a Section 50 Highway Opening Notice is required prior to the commencement of any works on the adopted highway. You should contact the Council's Highway Management Team via [www.wirral.gov.uk](http://www.wirral.gov.uk) prior to the commencement of development for further information.

**Last Comments By:** 06/12/2017

**Expiry Date:** 20/12/2017