

Planning Committee

15 November 2018

Reference: APP/18/01078 **Area Team:** Development Management **Case Officer:** Mr N Williams **Ward:** New Brighton

Location: Stonehill, Lower Garden at 3 Portland Street and Pilots Way, New Brighton, Wirral, CH45 2PA

Proposal: Proposed split level detached dwelling house with basement accommodation within the lower garden of 3 Portland Street

Applicant: Mr R Magee

Agent : Andrew Smith Architects Ltd

Site Plan:



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Development Plan designation:

Conservation Area (for illustrative purposes)
Primarily Residential Area

Planning History:

Location: Rear 46 Wellington Rd New Brighton
Application Type: Full Planning Permission
Proposal: Detached Bungalow and garage
Application No: APP/74/00287
Decision Date: 25/07/1974
Decision Type: Withdrawn

Location: Land North of 46 Wellington Road ,New Brighton ,L45 2NG
Application Type: Full Planning Permission
Proposal: Change of use from residential to winter storage of yachts and dinghies.
Application No: APP/83/23211
Decision Date: 27/10/1983
Decision Type: Refuse

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

Having regard to the Council's Guidance for Publicity on Planning Applications, 8 notifications were sent to adjoining properties and a site notice was displayed near the site. At the time of writing, there had been 33 objections received, which can be summarised as:

1. Out of character and harmful to the conservation area and listed building, contrary to local and national policy;
2. Potential precedent being set;
3. Loss of privacy;
4. Potential flooding;

Additionally, 20 comments were received in support of the application, including from the Wellington Road Conservation Area Committee.

CONSULTATIONS:

Environmental Health - No objection

Highways - No objection

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

More than 15 individual objections have been received and therefore, in line with the Council's Scheme of Delegation, the application must be referred to Planning Committee.

INTRODUCTION

The application proposes the erection of a split-level detached dwelling with basement accommodation within the lower garden of 3 Portland Street, accessed from and fronting onto Pilots Way.

SITE AND SURROUNDINGS

The property was constructed around 1835. It is a pebble dash and stucco house with a hipped slate roof. The house is one story to the front and due to the levels of land sloping away there is also a lower ground level which faces Pilots Way. The house is divided into two flats; with one flat entrance to the front facing Wellington Road (46 Wellington Road) and the second accessed to the side facing Portland Street (addressed as Stonehill, 3 Portland Street). The site is also designated within the Wirral Unitary Development Plan as a Primarily Residential Area.

POLICY CONTEXT

The proposal is subject to Wirral Unitary Development Plan Policy HS4: Criteria for New Housing Development, Policy CH1: Development Affecting Listed Buildings and Structures, Policy CH2: Development Affecting Conservation Areas and Policy CH18: Wellington Road (New Brighton) Conservation Area. The National Planning Policy Framework (Revised July 2018) is also relevant.

APPEARANCE AND AMENITY ISSUES

3 Portland Street has a long, wide garden to the rear with an existing vehicle access onto Pilots Way. Properties on Wellington Road enjoy an elevated marine view as the land is significantly higher at Wellington Road and therefore the garden slopes down towards Pilots Way. Some properties within the road have cut into the landscape to create sections of flat garden space. There are a number of existing detached outbuildings close to the Pilots Way end of these gardens, with a number of other vehicle accesses onto Pilots Way. Planning permission has previously been granted for the erection of two new bungalows off Pilots Way, to the rear of Redcliffe (34 Wellington Road), under reference APP/16/01051. Whilst this does not set a precedent for the current scheme, it is nonetheless worth noting. The principle of a high-quality, small-scale new dwelling in this location is therefore considered to be acceptable.

Given the significant difference in land levels, the view of the row of properties on Wellington Road will not be interrupted and this view will remain the main aspect when viewed from the north. From vantage points such as the promenade, the view of the Wellington Road properties will remain as the main focal point, with the proposed dwelling being either not visible, or a minor footnote to this view. The siting of the building close to the Portland Street side of the site will help to screen it from the wider views of the Wellington Road properties, this protecting this important view. Even at close proximity, the height and grandeur of the existing row of properties will ensure that the proposed dwelling has minimal impact upon the view and the overall setting of the Wellington Road properties and the positive contribution they make to the character of the area. Therefore, the impact on the character of the listed building and the key views of the Conservation Area are considered to be preserved.

The proposed dwelling will be set back 10 metres from the front (Pilots Way) boundary and 15 metres from the footpath of Pilots Way. With a maximum front elevation height of approximately 5 metres, it will only appear as a single-storey structure. The proposed dwelling is only 11.4 metres wide and will take up just over half the width of the plot, further emphasising its minimal impact upon the Wellington Road properties. This will also allow for some hedge screening to the side of the dwelling, softening its appearance. The proposed dwelling will utilise an existing access off Pilots Way and there is therefore no concern about any loss of any original boundary wall. This front boundary wall is of an irregular shape and includes some railings, with a sandstone folly located in the front corner and this makes a positive contribution to the immediate surrounding area. Ensuring that it is not altered is therefore important and a condition has been attached to prevent the erection of any other boundary treatment forward of the proposed dwelling.

To the side/west of the site, the boundary treatment along Portland Street consists of a low sandstone wall with seasonal mature vegetation which will help to partly screen the proposed dwelling. With this screening being seasonal there may be some scope to plant some additional evergreen hedging to fill the gap in the winter season. However, the proposed dwelling will be sunken into the landscape and due to this, together with the change in land levels, it is only at the lowest point of Portland Street that the front section of the house will be visible. It is not considered that this would result in a detrimental impact upon the conservation area. Overall, the building will read as a single-storey structure from Pilots Way, with the basement level being incorporated predominantly to the rear, where the land rises - this basement level will not be readily visible from outside the site.

The design of the proposed dwelling is traditional but with some contemporary features, with rendered masonry and stone details for the walls with a welded metal roof and metal windows. It has a simple form and design in order to ensure that the focus remains on the main dwelling, but has sufficient interest on its own to contribute positively to the character of the conservation area.

The proposed dwelling will make good use of this site and will add some residential activity and frontage at the pedestrian level of Pilots Way. Rather than Pilots Way being treated as the rear entrance/access to properties on Wellington Road and being served only by vehicular access, large walls and garages, this property will add some vibrancy to the road. It is not considered that this in itself would set a precedent for other plots to be developed - the width of this plot is substantially wider than those gardens immediately to the east of the site, and this site is therefore considered of a suitable size to

accommodate a new dwelling. This width allows for a dwelling which does not appear as an overdevelopment of the plot and is also large enough to have its own distinct character, but without harming the overall character of the Wellington Road properties and the wider conservation area.

Given the location of the proposed dwelling, it will not have a direct adverse impact upon the amenities of neighbouring properties. The proposal will have a good-sized private amenity space to the side/rear, and will have sufficient outlook for future occupiers.

Overall, given the sensitive design approach, the proposed dwelling would not detract from its important setting and should make a positive contribution to the character of the conservation area. The proposed dwelling is considered to be of a scale which is not excessive and will therefore appear subordinate to the main building at 46 Wellington Road/3 Portland Street. The proposal will therefore not harm the integrity of the listed building or the character of the conservation area and therefore complies with Wirral Unitary Development Plan Policies CH1, CH2, CH18 and HS4, and the National Planning Policy Framework.

SEPARATION DISTANCES

All required separation distances are met.

HIGHWAY/TRAFFIC IMPLICATIONS

Off-street parking is provided within the site, via an existing vehicular access off Pilots Way.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

Comments were received relating to potential flooding of the site. However, the site is within Flood Zone 1 and there is therefore no requirement for a Flood Risk Assessment to be submitted.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

Given the sensitive design approach, the proposed dwelling would not detract from its important setting and should make a positive contribution to the character of the conservation area. The proposed dwelling is considered to be of a scale which is not excessive and will therefore appear subordinate to the main building at 46 Wellington Road/3 Portland Street. The proposal will therefore not harm the integrity of the listed building or the character of the conservation area and therefore complies with Wirral Unitary Development Plan Policies CH1, CH2, CH18 and HS4, 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:-

Given the sensitive design approach, the proposed dwelling would not detract from its important setting and should make a positive contribution to the character of the conservation area. The proposed dwelling is considered to be of a scale which is not excessive and will therefore appear subordinate to the main building at 46 Wellington Road/3 Portland Street. The proposal will therefore not harm the integrity of the listed building or the character of the conservation area and therefore complies with Wirral Unitary Development Plan Policies CH1, CH2, CH18 and HS4, 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 16th August 2018 and listed as follows: 853/05

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

3. Before any construction above ground level, samples and details of the roofing, facing materials and rain water goods 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 details shall then be used in the construction of the development and retained as such thereafter

Reason: To protect the setting of the Grade II listed building and Wellington Road Conservation Area in accordance with Policies CH1, CH2 and CH18 of Wirral's Unitary Development Plan

4. Before any construction above ground level, details of the windows and doors (elevations at a scale 1:20 and vertical and horizontal cross sections at a scale 1:5 or 1:2) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be used in the construction of the development

Reason: To protect the setting of the Grade II listed building and Wellington Road Conservation Area in accordance with Policies CH1, CH2 and CH18 of Wirral's Unitary Development Plan

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to the dwelling shall be erected unless expressly authorised.

Reason: In order to protect the character of the area and to accord with Policy CH2 of the Wirral Unitary Development Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no walls, fences or other means of enclosure shall be erected on any part of the land lying between any main wall of the building fronting a highway and the highway boundary.

Reason: To preserve the visual amenities of the area and to accord with Policy CH2 of the Wirral Unitary Development Plan.

7. Prior to first occupation of the development, a full landscaping scheme (including all boundary treatment) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation and any plants or shrubs which die within the first 5 years of the development shall be replaced.

Reason: In the interest of visual amenity

8. 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.

Further Notes for Committee:

Last Comments By: 03/10/2018

Expiry Date: 11/10/2018