

**Planning Committee**

**20 June 2019**

**Reference:  
APP/19/00401**

**Area Team:  
Development  
Management Team**

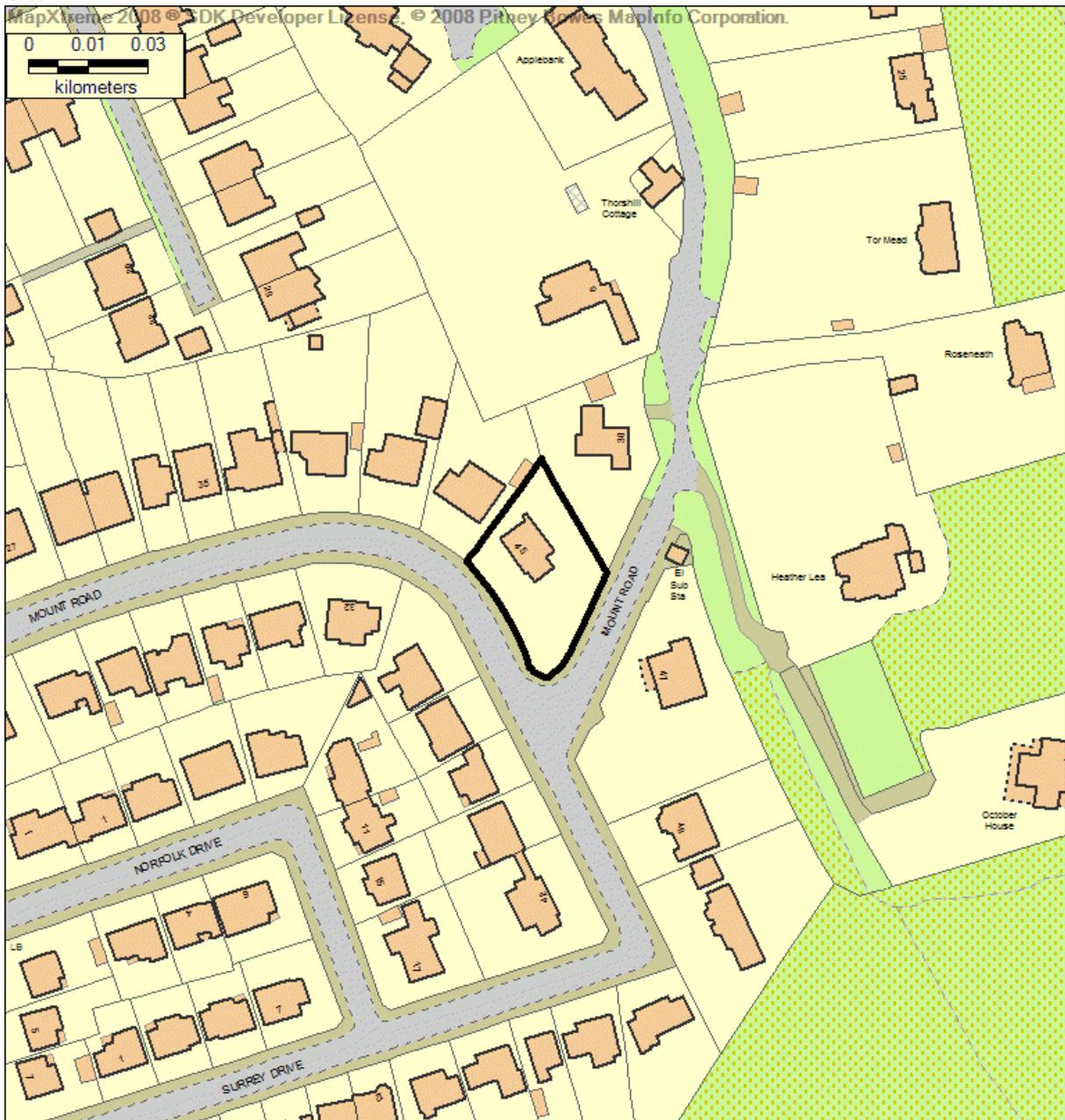
**Case Officer:  
Mr B Pratley**

**Ward:  
West Kirby and  
Thurstaston**

**Location:** 45 MOUNT ROAD, WEST KIRBY, CH48 2HH  
**Proposal:** Proposed new dwelling to land adjacent to 45 Mount Road, West Kirby  
**Applicant:** Ann Allister  
**Agent :** Bromilow Architects Ltd

**Qualifying Petition:** Yes, Number of Signatures: 27

**Site Plan:**



© Crown copyright and database rights 2018 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:**

Primarily Residential Area

**Planning History:**

Location: 45 Mount Road, West Kirby, Wirral, CH48 2HH  
Application Type: Full Planning Permission  
Proposal: Erection of front and rear dormer extensions  
Application No: APP/07/07279  
Decision Date: 03/01/2008  
Decision Type: Refuse

Location: 45 MOUNT ROAD, WEST KIRBY, CH48 2HH  
Application Type: Outline Planning Permission  
Proposal: Outline application ( with some matters reserved ) for a single new detached dwelling. Access and Layout are included and not reserved matters.  
Application No: OUT/17/00984  
Decision Date:  
Decision Type: Refuse

Location: 45 MOUNT ROAD, WEST KIRBY, CH48 2HH  
Application Type: Outline Planning Permission  
Proposal: Outline application (with some matters reserved) for a single new detached dwelling.  
Application No: OUT/16/01097  
Decision Date: 26/01/2017  
Decision Type: Refuse

**Summary Of Representations and Consultations Received:****1.0 WARD MEMBER COMMENTS**

1.1 No comments received.

**2.0 SUMMARY OF REPRESENTATIONS****2.1 REPRESENTATIONS**

Having regard to the Council Guidance on Publicity for Applications 17 notifications were sent to adjoining properties. At the time of writing this report 20 objections have been received, listing the following grounds:

- The proposal is out of keeping with the character of the area.
- The proposed dormer windows are too large.
- Insufficient parking.
- Loss of privacy in neighbouring properties.

**CONSULTATIONS**

2.2 **Highways** - No objection

**Merseyside Environmental Advisory Service (MEAS)** - No objection received

**Merseyside Fire and Rescue** - No objection

**United Utilities** - No objection

**3.1 Reason for referral to Planning Committee**

3.1.1 This application is referred to Planning Committee following the receipt of 19 objection letters.

### **3.2 Site and Surroundings**

3.2.1 The application site comprises the side garden of a detached dormer bungalow (45 Mount Road) located within a Primarily Residential Area of similar properties. The site forms a corner plot where the land rises to the north east and south east. The existing side garden is screened by a low wall and trees and bushes.

### **3.3 Proposed Development**

3.3.1 This application is for the erection of a detached dormer bungalow within the side garden of number 45.

### **3.4 Development Plan**

#### **3.4.1 Policy GR7 – Trees and New Development**

In assessing the protection to be given to trees on development sites the Local Planning Authority will consider the general health, structure, size and life expectancy of trees, their visual value in the locality and their value for nature conservation.

#### **3.4.2 Policy HS4 - Criteria for New Housing Development**

This policy requires that the proposal in general terms must relate well to adjacent properties and not result in a detrimental change in the area or to the amenity of neighbouring properties.

#### **3.4.3 Policy TR9 – Requirements for Off Street Parking**

This policy requires the assessment of off-street parking provision to be guided by a number of considerations, including the availability of alternative modes of transport, road safety and traffic management issues.

### **3.5 Other Material Planning Considerations**

3.5.1 The National Planning Policy Framework (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. Planning policies and decisions should optimise the potential of sites to accommodate development as long as the resulting scheme would provide acceptable living standards.

#### **3.5.2 Supplementary Planning Document 4 (SPD4) – Parking Standards**

This document sets out maximum limits for vehicle parking spaces.

### **3.6 Assessment**

3.6.1 The main issues pertinent in the assessment of the proposal are;

- Principle of development;
- Design;
- Highways; and
- Amenity

#### **3.7 Principle of Development:**

3.7.1 The principle of a dwelling house in a Primarily Residential Area is considered to be acceptable.

#### **3.8 Design:**

3.8.1 The most recent application, 17/00984, was refused for the following reason:

*It is considered that the development proposed would result in a detrimental change to the character and appearance of the area and will not relate to surrounding form of development, by introducing a cramped form of development in relation to the open character of the area, which would appear incongruous when set against the prevailing pattern of frontage development, with private, rear gardens. Therefore, it is considered that the development does not comply with Policies HS4 and GR7 of the Wirral Unitary Development Plan, or the principles of the National Planning Policy Framework.*

- 3.8.2 In order to overcome the reason for refusal above the plans submitted as part of this application indicate that the garage currently attached to number 45 will be demolished, with the boundary between the existing and new dwellings moved further to the north west. The proposed dwelling has also been reduced in scale, from a full two storey house to a dormer bungalow.
- 3.8.3 The proposed dwelling and the plot it occupies would be of a similar size to others in the area, in particular those on the far side of the road. In principle it is considered that a dwelling house in this location would accord with the general pattern of development in the area.
- 3.8.4 To the front, the property will have the appearance of a dormer bungalow, with low eaves matching those at number 45, with the first floor served by two dormer windows. Whilst the proposed dormers are larger than those at number 45, there are a variety of dormer types in the area, including a much larger box dormer at 40 Mount Road. It is therefore considered that the proportions of the dormers are appropriate to the area.
- 3.8.5 With regard to the rear elevation, the proposal is for a square extension stepping backward from the main dwelling. This would be constructed from timber and will lend a relatively contemporary appearance to the property. A similar approach was approved by the Local Planning Authority at 5 Birch Close, Oxton (11/01437). This development has been completed and in practice this approach is considered to be successful, resulting in an attractive element of the dwelling. It is considered that this design approach is appropriate at the application site, subject to the use of good quality materials. It is recommended details of materials secured by condition.
- 3.8.6 During the assessment of application OUT/17/00984 officers were concerned that the only usable garden space would be in the 'front' garden, south-west of the property and adjacent to Mount Road, with the rear of the site utilised as car parking. It was considered likely any future occupants' would wish to erect a 2 metre high solid fence (or similar) along the south-west and south-east boundaries of Mount Road and Whetstone Lane to afford the occupiers' privacy from the public realm. This would remove the open aspect provided by the existing front garden of no.45 Mount Road which would be detrimental to the character of the area.
- 3.8.7 The proposed layout will place the proposed parking to the front of the site, removing the need to provide parking at the rear. The provision of an area of amenity space to the rear of the property is considered to overcome the concern identified previously. Furthermore, given the position of this boundary adjacent to a highway, planning permission would be required to raise the boundary treatment to a height of two metres.
- 3.9 Highways:
- 3.9.1 Parking for both the existing and proposed dwellings will be located to the front, on Mount Road. Access for the existing dwelling has been increased to 3.2 metres, in line with a request by Highways. The proposed access and parking arrangements are considered to be acceptable.
- 3.10 Ecology:
- 3.10.1 There are no Environmental/Sustainability issues relating to these proposals.
- 3.11 Amenity:
- 3.11.1 30 Wetstone Lane is located to the rear of the site. The application site is at a significantly lower elevation than 30 Wetstone Lane, and cross sections submitted by the applicant demonstrate that the rear facing first floor windows will not be significantly higher, in relation to this neighbouring property, than standard ground floor windows. These windows will be 7 metres from the garden of number 30, and 27 metres from the house, at an angle. The relationship between these dwellings is considered to be acceptable.
- 3.11.2 The proposed dwelling will be 17.5 metres from the garden of 47 Mount Road and 23 metres from the house itself. The dwelling will be 30 metres from the properties on the far side of

Mount Road. Even taking into account the lower elevation of the properties opposite these measurements meet the Council's separation distances.

- 3.11.3 Two side facing windows in 45 Mount Road serve rooms that are served by alternative front/rear facing windows. The erection of the proposed dwelling is not considered to have a detrimental impact on the amenity of this property. It is recommended that the proposed bathroom window facing toward number 45 is obscure glazed and a condition is attached preventing any further windows in this elevation.

**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 considered to be of a scale and design that is acceptable to the character of the residential area. There are no significant impacts on the amenities of neighbours on every side. The proposal is not considered to result in loss of outlook, privacy, daylight or sunlight to neighbouring properties. As such the proposal complies with Policies HS4 and TR9 of the adopted Wirral Unitary Development Plan, SPD4, 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 18 March 2019 and listed as follows: 1738 SD 012, 1738 SD 011, 1738 SD 013 and in accordance with the approved plans received by the local planning authority on 20 May 2019 and listed as follows: 1738 SD 010 Rev A.  
  
**Reason:** For the avoidance of doubt and to define the permission.
  
3. Before any construction commences, details 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 north facing bathroom window shall not be glazed otherwise than with obscured glass and fixed shut and thereafter be permanently retained as such.  
  
**Reason:** To safeguard the amenities of occupiers of adjoining properties and to comply with Policy HS4 of the Wirral 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 re-enacting or revoking the provisions of that Order), no window, other than that hereby approved, shall be added to the side (north facing) elevation of the property unless expressly authorised.

**Reason:** In order to protect the residential amenities of nearby occupants and to accord with Policy HS4 of the Wirral Unitary Development Plan.

**Further Notes for Committee:**

**Last Comments By:** 24/04/2019  
**Expiry Date:** 27/06/2019