

Planning Committee

17th October 2019

Reference:
APP/19/01182

Area Team:
Development
Management Team

Case Officer:
Mr P Howson

Ward:
Heswall

Location: Little Mundens, 43 FARR HALL DRIVE, HESWALL, CH60 4SE
Proposal: Removal of existing property for one new build property.
Applicant: Mr Moores
Agent : Garry Usherwood Associates Limited

Qualifying Petition: Yes, Number of Signatures: 124

Site Plan:



© Crown copyright and database rights 2019 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: Little Mundens, 43 FARR HALL DRIVE, HESWALL, CH60 4SE
Application Type: Full Planning Permission
Proposal: Two storey extension to existing property and new build property and associated garage within same plot.
Application No: APP/18/01234
Decision Date: 18/04/2019
Decision Type: Refuse

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

1.1 No comments received

2.0 SUMMARY OF REPRESENTATIONSREPRESENTATIONS

Having regard to the Council's Guidance for Publicity on Planning Applications 7 notifications were sent to neighbouring properties and a site notice was displayed. At the time of writing thirty nine letters of representation have been received objecting to the proposal and a qualifying petition has been received. Summary of objections;

- a) Impact upon privacy and amenity of occupiers of Linnets Way
- b) Overlooking
- c) Out of character
- d) Overdeveloped
- e) Loss of soft landscaping
- f) Increase of traffic on an unmade bridleway
- g) Impact upon drains
- h) Ecological survey is out of date

CONSULTATIONS

Highways - No objection

Environmental Health - No objection

Wirral Wildlife - No objection

Tree Officer - No comments

3.1 Site and Surroundings

3.1.1 The application property is a detached dwelling set within a spacious plot. The dwelling is orientated to maximise on the views out towards the Dee Estuary. The property features a catslide roof with the property's asymmetric end gable being read from Farr Hall Drive.

3.1.2 Farr Hall Drive is an unmade right of way which runs down from Farr Hall Road in the north into Rectory Lane and Wittering Lane in the south. There is no uniform architectural style within Farr Hall Drive. Properties are generally large and set within spacious plots, it is the vegetation which defines plot frontages which aids in joining up the diverse architectural environment and gives the area its character.

3.2 Proposed Development

3.2.1 The application proposes to demolish the existing dwelling and erect a replacement dwelling.

3.3 Development Plan

3.3.1 The Wirral Unitary Development Plan 2000

- HS4 Criteria for New Housing Development
- GR5 Landscaping and New Development
- GR7 Trees and New Development

3.4 Other Material Planning Considerations

3.4.1 The National Planning Policy Framework (2018)

- Achieving sustainable development
- Delivering a sufficient supply of homes
- Achieving well-designed places

3.5 Assessment

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

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

3.6 Principle of Development:

3.6.1 UDP Policy HS4 permits new residential development within Primarily Residential Areas subject to proposals fulfilling all of its criteria. The proposal is therefore acceptable in principle subject to all other material planning considerations.

3.7 Design:

3.7.1 The standards for new residential development are set out under Policy HS4 of the Wirral Unitary Development Plan 2000. Proposals should be of a scale with regard to existing densities and form of development and not result in detrimental change in the character of the area. Appropriate landscaping and boundary treatment which relates the proposed development to its surroundings should be incorporated into development proposals.

3.7.1 Paragraph 127 of the revised National Planning Policy Framework (NPPF) states that planning decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

3.7.1 The proposed building would have a traditional architectural composition with twin bays, central entranceway and hierarchy within the fenestration. The proposed dwelling would benefit from an attached garage which (due to the difference in levels) would slightly unbalance the façade, however as there is no prescribed architectural style within Farr Hall Drive (and the fact that most dwellings present irregular facades out towards the street) this is considered acceptable. It is the soft landscaping within Farr Hall Drive which performs an important aesthetic role in joining up the diverse architectural environment and the Local Planning Authority is satisfied that this can be secured via a suitably worded condition.

3.8 Highways:

3.8.1 The requirements for off-street vehicle and cycle parking are set out as maximums under Policies TR9 and TR12 of the UDP and the accompanying Supplementary Planning Document on Parking Standards.

- 3.8.2 Paragraph 109 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. Development should give priority first to pedestrian and cycle movement, address the needs of people with disabilities and reduced mobility, create safe, secure and attractive places whilst minimising the scope for conflict between different users and allowing for the efficient delivery of goods and emergency access.
- 3.8.3 The Highways Engineer has raised no objection to the proposal.
- 3.9 Ecology:
- 3.9.1 Adopted Policy NC7 of the UDP states that development which would have an adverse effect on wildlife species protected by law will not be permitted unless the Local Planning Authority is satisfied that the protection of species can be secured through the use of planning conditions and/or planning obligations.
- 3.9.2 Wirral Wildlife have raised no objection to the proposal subject to a condition which protects and enhances the biodiversity value of the site. Concerns have been raised over the date of the ecological survey, however the Local Planning Authority have consulted with Wirral Wildlife who have advised that the bat survey is just within the period and is acceptable.
- 3.10 Amenity:
- 3.10.1 Policy HS4 requires new residential developments to provide adequate interfaces between separate dwellings. Adequate private garden space should be provided for each dwelling. Paragraph 127 of the revised National Planning Policy Framework states that planning decisions should create places that provide a high standard of amenity for existing and future users.
- 3.10.2 The Local Planning Authority normally expects habitable room windows to be a minimum of 21 metres apart whilst habitable room windows facing blank walls must be 14 metres apart. This needs to be considered in context with the character of the area under UDP Policy HS4 (ii).
- 3.10.3 The proposed dwelling would be 18 metres from the rear boundary and at least 35 metres from the rear elevation of No. 10 Linnets Way. Therefore there would be no adverse impact upon the occupiers of this property. The main side elevation of the proposed dwelling would be at least 9.5 metres from the boundary shared with No. 45 Farr Hall Drive and approximately 18 metres from the side elevation of No. 45 (which also sits at a slightly elevated position relative to the proposed development site). There are a series of dormer windows on this neighbouring elevation, but the main dwelling is considered a sufficient distance away to comply with the abovementioned interface distances. Whilst No. 45 features two dormer windows (secondary to the main window within first floor rear elevation) within the roof space orientated towards the development site their view (arguably at the expense of the privacy of the prospective occupiers) would be unobstructed. Therefore, there would be no loss of privacy to the occupiers of this dwelling.
- 3.10.4 The proposed dwelling would provide adequate garden space, both to the front and rear, and the scale of the dwelling is considered a suitable size within this plot.
- 3.11 Other:
- 3.11.1 The proposed development site is ample with adequate areas of side and front space retained and the proposal would not read as overdeveloped. The trees and shrubs within the site are ornamental and the Local Planning Authority is satisfied that replacement soft landscaping can be secured via condition.
- 3.11.2 The current right of way serves a number of dwellings and the existing dwelling could be occupied at any time, the Highways Engineer has raised no objection to the proposal on highway safety grounds.

- 3.11.3 At the time of writing Welsh Water have provided no comment on the proposal. It should be noted that no objection was raised to a previous proposal on the site which sought to increase the residential density from one dwelling to two.

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 has been considered with regards to the design, siting and amenity and is considered suitable for the site and is not considered detrimental to the character of the area. The proposal is not considered to have an adverse impact on the amenities which the occupiers of neighbouring properties can reasonably expect to enjoy. The proposed dwelling would have adequate levels of amenity space and off-street parking. The proposal complies with Policy HS4, GR5 & GR7 of the Wirral UDP and the provisions of the NPPF and is recommended for approval.

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 01 August 2019 and listed as follows: P001, P002 and Site Location Plan

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

3. Prior to commencement of any development above ground floor level, approval of the following details shall be obtained from the local planning authority. The stated details shall be approved in writing and such approved details shall be implemented in the development hereby approved in full:

- I. Samples or specifications of the facing materials
- II. Samples or specifications of all doors and windows

Reason: These details are not included in the application and the Council wishes to ensure that they are satisfactory in the interests of visual, residential and environmental amenity.

4. Notwithstanding the details provided, full details of all fencing, walls, gateways and means of enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is completed and the work shall be carried out prior to occupation, in accordance with the details so approved, and subsequently maintained to the satisfaction of the Local Planning Authority.

Reason: In the interests of residential amenity and to ensure a satisfactory appearance to the development, having regard to UDP Policy HS4.

5. A scheme of landscape proposals including a timetable of works shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the proposed development. The scheme shall include (where practical) features such as bat and bird

boxes, log piles, bug boxes, solitary bee houses and hedgehog homes to encourage net gains in biodiversity and full plans and specifications for all hard and soft landscape works and indications of all existing trees and hedgerows on the land, including those to be retained.

All planting, seeding and/or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner, and any trees, shrubs, hedges or plants which within a period of five years from the completion of development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of species protection and visual amenity and the character of the area and to ensure a satisfactory environment having regard to Policy GR5 of the Wirral UDP

6. 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, a gap measuring at least 0.46 metres (high) x 2 metres (long) shall be provided below the boundary treatment in strategic locations of the site in accordance with details to be submitted to and agreed in writing by the Local Planning Authority before development commences. The gap shall be maintained in accordance with the approved details thereafter to enable important wildlife species to move around between gardens.

Reason: To protect important wildlife species having regards to NC7 in Wirral Unitary Development Plan.

7. Prior to occupation, a "lighting design strategy for biodiversity" for the developed area shall be submitted to and approved in writing by the local planning authority. The strategy shall:
(a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging;

And

(b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: In order to protect and enhance biodiversity on the site in accordance with the aim of local planning policy.

8. NO DEVELOPMENT SHALL TAKE PLACE, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period.

The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays, where appropriate;
- v. wheel washing facilities;
- vi. measures to control the emission of dust and dirt during construction;
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.
- viii. size and weight of vehicles accessing the site via Farr Hall Drive

Reason: In the interests of the amenities of adjoining residents and having regard to Policy HS4 of the Wirral Unitary Development Plan.

9. No development shall take place, including any works of demolition, until a construction management plan has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for: routes for construction traffic hours of operation and arrangements for turning vehicles

Reason: In the interests of safe operation of the highway

10. No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

Further Notes for Committee:

1. The applicant is reminded that any tree to be felled or scrub clearance, hedgerow removal, vegetation management which is to take place during the period 1 March to 31 August inclusive should be checked first by an appropriately experienced ecologist to ensure no breeding birds are present

Last Comments By: 04/09/2019
Expiry Date: 26/09/2019