

Planning Committee

22 September 2020

**Reference:
APP/19/01340**

**Area Team:
Development
Management Team**

**Case Officer:
Ms J Storey**

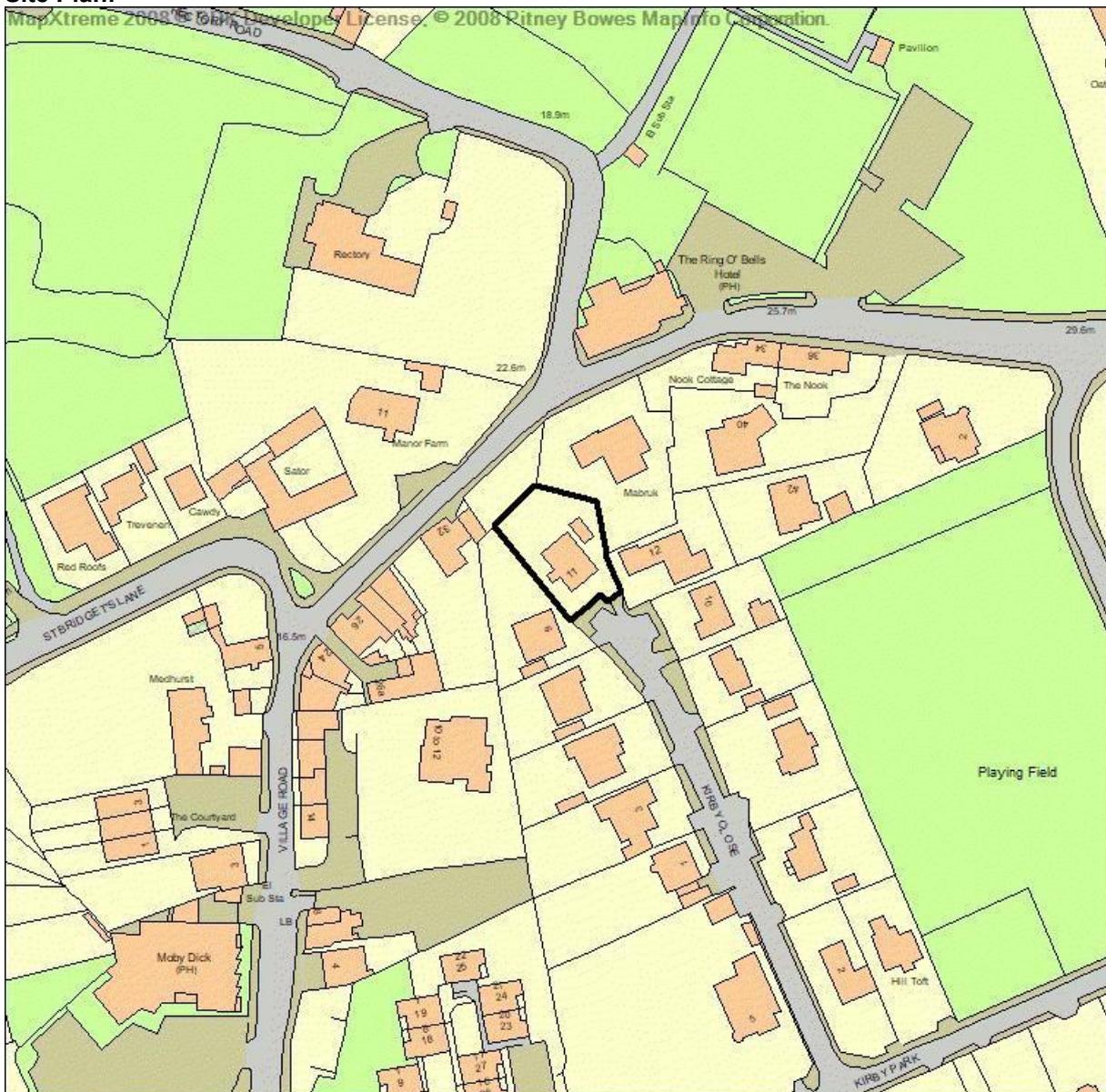
**Ward:
West Kirby and
Thurstaston**

Location: SEA POINT, 11 KIRBY CLOSE, WEST KIRBY, CH48 2HB
Proposal: Retrospective Application for alterations and extensions to the front, sides and rear of the bungalow.

Applicant: Mr & Mrs Allsop
Agent: N/A

Qualifying Petition: No

Site Plan:



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Development Plan designation:

Conservation Area (for illustrative purposes)
Primarily Residential Area

Planning History:

Location: 11, Kirby Close, West Kirby. L48 2HB
Application Type: Full Planning Permission
Proposal: Erection of single storey extension at rear of bungalow and detached garage at side.
Application No: APP/91/07325
Decision Date: 31/01/1992
Decision Type: Approve

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

- 1.1 Councillor Watt requested referral of this application to Planning Committee following representations made from the occupiers of a neighbouring properties and concerns about the impact of the development on that property.

2.0 SUMMARY OF REPRESENTATIONS

Objections have been received from the occupier of Mabruk. These can be summarised as: -

2.1 REPRESENTATIONS

1. **Access to new decking:** The extent and height of the decking combined with full height glazing affords her neighbours a clear and unobstructed view into her private amenity space and principle rooms. The addition of a recent side screen provides no significant improvement to the loss of privacy.
2. **Internal layout:** The new open plan layout of the applicants' property significantly aggravates the loss of privacy caused by the new full height glazing.
3. **Removal of original screening:** The original arrangement of walls and doors maintained privacy. When these were removed the applicants showed no regard for maintaining the privacy of their neighbour in their design proposals.

3.1 Site and Surroundings

- 3.1.1 The application site comprises of a detached bungalow at the head of a small cul-de-sac of different house types and designs. The rear garden is bounded by a stone wall and shrubbery.

- 3.1.2 'Marbruk' to the north east of the site is a part-single part 2-storey dwelling that is L-shaped with large windows that look across the rear garden of the application site.

- 3.1.3 No.9 Kirby Close to the south-west of the application site is a detached bungalow and is situated at right angles to the application site.

3.2 Proposed Development**3.2.1 Background**

This application has been submitted following an enforcement investigation. The Councils records show that the applicants submitted an initial pre-application enquiry to determine if planning permission was required for their proposed extensions.

In the absence of any elevational detail a response was issued which set out the criteria for Permitted Development in connection for house extensions.

Following a site visit by a Planning Enforcement Officer it was discovered that the eaves of the extension exceeded the height of the eaves of the original dwelling and planning permission was therefore required for this development.

The original eaves height was 2.6m and this has been increased to 2.85m

- 3.2.2 The first element of the development replaced the front entrance, bathroom and former garage to the east of the bungalow with a new entrance, utility room and kitchen. The extension projects out bringing it flush with the side boundary with No.12 Kirby Close and 'Mabruk' at the rear. The height of the extension is 3.4m.
- 3.2.3 The second element of the scheme extended the existing bedroom out at the western side of the property. Extending out by 2.9m, the structure lies flush to both original front and side elevations.
- 3.2.4 In addition, the previous split-level flat roof has been replaced, and raised to a uniform level.

3.3 Development Plan

- 3.3.1 The application property is located within land designated as Primarily Residential Area in Wirral's Unitary Development Plan, and the property falls under the use class C3 as it is a dwelling house. UDP Policy HS11 – House Extensions and Supplementary Planning Guidance SPG11 – House Extensions are directly relevant in this instance.
- 3.3.2 With regards to HS11, extensions should be designed in such a way as to have no significant adverse effect on the appearance of the original property, the amenities of neighbouring properties, in particular through overlooking, or an adverse effect on the area in general. SPG11: House Extensions acts as a supporting document in relation to HS11.

3.4 Other Material Planning Considerations

- 3.4.1 NPPF - Requiring Good Design - The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

3.5 Assessment

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

- Principle of development (appropriateness of residential development in rural location);
- Design;
- Highways and PROW;
- Ecology; and
- Amenity

3.6 Principle of Development:

- 3.6.1 The site is located within an area designated as primarily residential where the erection of extensions to dwellings is acceptable subject to relevant policies.

3.7 Design:

- 3.7.1 Policy HS11 - House Extensions advises that domestic extensions are acceptable subject to proposals being of an appropriate scale in relation to the size of the plot and not unduly dominant; with regard had to the effect on light to and the outlook from neighbours habitable rooms and to not result in significant overlooking. Policy HS11 also seeks proposals to replicate the design features of the existing dwelling and to be finished in matching materials.
- 3.7.2 This application seeks to erect two extensions. One to the side to create an extension to

the existing bedroom and the second to replace an existing garage to the opposite side elevation.

- 3.7.3 Neither extensions extend beyond the front wall of the dwelling, which is set back from Kirby Close. The original garage was of no architectural merit thus its removal is welcomed in principle. The selection of materials to match the existing helps to integrate the proposal as a sympathetic addition to the existing property. The width of both extensions are proportionate to the existing elevation. Such design cues meet the overarching advice and aims of policy HS11 and are not considered to have a detrimental impact on the visual quality of the street scene.

3.8 Highways:

- 3.8.1 There are no Highway Implications relating to this proposal.

3.9 Ecology:

- 3.9.1 There are no Environmental/Sustainability issues relating to these proposals.

3.10 Amenity:

- 3.10.1 The objector has raised 3 main concerns

Access to new decking: The extent and height of the decking combined with full height glazing affords her neighbours a clear and unobstructed view into her private amenity space and principle rooms. The addition of a recent side screen provides no significant improvement to the loss of privacy.

The applicant maintains that the height of the decking has not changed. *"the original terrace off the kitchen area is the same height and size we simply replaced the wood the only change was to the steps which were concrete and stove we have replaced with wood".*

The applicants have installed a small screen to cover the area of the steps. This is to prevent any overlooking to the objector's property from this area as the applicants go in and out of the kitchen. It is not therefore considered that any changes to the decking area are significant and likely increase overlooking or loss of privacy to the objector's property.

- 3.10.2 *Internal layout: The new open plan layout of the applicants' property significantly aggravates the loss of privacy caused by the new full height glazing.*

This is not considered to be a planning matter. You not required to apply for planning permission for internal alterations including building or removing an internal wall.

- 3.10.3 *Removal of original screening: The original arrangement of walls and doors-maintained privacy. When these were removed the applicants showed no regard for maintaining the privacy of their neighbour in their design proposals.*

The main outlook of windows from the application site is north facing. The objector's property is at right angles to the application site with the main windows facing westwards over the garden of the host property.

- 3.10.4 None of the windows within in the application property have a direct view into windows of Mabruk. The decking area has not increased in height and is less than 1m above ground level. There is existing hedging along the side boundary between these two properties, plus the additional short screen.

- 3.10.5 It is considered that the extensions are appropriate scale in relation to the size of the plot and not unduly dominant. With regard had to the effect on light to and the outlook from neighbours' habitable rooms the proposal is not considered to result in significant overlooking to the neighbouring property. The proposal is therefore compliant with UDP Policy HS11 – House Extensions and SPG11 – House Extensions.

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: -

It is considered that the extensions are appropriate scale in relation to the size of the plot and not unduly dominant. With regard had to the effect on light to and the outlook from neighbours' habitable rooms the proposal is not considered to result in significant overlooking to the neighbouring property. The proposal is therefore compliant with UDP Policy HS11 – House Extensions and SPG11 – House Extensions.

Recommended Approve
Decision:

Further Notes for Committee:

Last Comments By: 07/07/2020
Expiry Date: 26/12/2019