

**Planning Committee**

**15 July 2021**

**Reference:**  
**APP/21/00544**

**Area Team:**  
**Development**  
**Management Team**

**Case Officer:**  
**Ms C Robinson**

**Ward:**  
**West Kirby and**  
**Thurstaston**

**Location:** 3 HEATH CLOSE, WEST KIRBY, CH48 3JL  
**Proposal:** Single storey rear and front extensions with rear dormer at roof level

**Applicant:** Mrs Dale-Jones  
**Agent :**

**Qualifying Petition:** No

**Site Plan:**



**Development Plan designation:**

Primarily Residential Area

**Planning History:**

No relevant planning history

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

1.1 No comments received.

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

2.1.1 The residents of two neighbouring properties were individually notified by way of advertisement of this application. Notice was also erected at the site. At the time of writing this report, nineteen representations had been received objecting to the application. The main concerns are summarised as follows -

- Dormer windows are not in keeping with the surrounding area;
- Rear dormers shall invade privacy, by overlooking the rear gardens of York Avenue
- Application is not in keeping with houses in close proximities to the Wirral Way, nor houses in West Kirby
- The Zinc metal roof is out of character and an eyesore to those people living in or visiting the area, particularly since the house backs onto the Wirral Way
- Concern regarding the selected materials, particularly the fire safety of the proposed Larch Cladding.
- Precedent for future development for the neighbouring houses
- Overdevelopment and out of keeping with the local area
- Loss of property value for neighbours
- Patio doors to the front of the house are out of keeping with the area
- The removal of the front porch and replacement with a flat roof steel canopy is out of character
- The side extension is excessive in scale and overdevelopment
- Maintenance concerns when building right up to the shared boundary
- The design will give an industrial character, which is out of keeping with the area
- Noise and privacy issues

2.1.2 Following the submission of amended designs, further reconsultation with the neighbours was undertaken. A further two representations of objection were received, highlighting concerns as follows -

- Overbearing nature of the side extensions
- Wooden cladding and zinc are materials out of character with the local area
- Loss of privacy
- Dormer windows to the rear are out of character

**2.2 CONSULTATIONS**

2.2.1 Highways - No objection

**3.1 Reason for referral to Planning Committee**

3.1.1 The application is being recommended for approval and has attracted over 15 individual letters of objection.

**3.2 Site and Surroundings**

3.2.1 The host dwelling is a detached property located to the head of a cul-de-sac. Constructed during the mid-1950's, the property sits in a Primarily Residential Area to the southern peripheries of West Kirby. The property is bound to its sides by residential neighbours, and backs onto the Wirral Way public right of way.

**3.3 Proposed Development**

3.3.1 This application seeks permission for single storey rear and front extensions, plus the

installation of a rear dormer window. The proposal has been amended from the original submission, with the removal of front dormers being the main revision.

3.3.2 The single storey extension protrudes forward 1.5m from the principal elevation, and extends 3.295m towards the (South) side boundary. The built form wraps around the side of the property, infilling the gap between the side of the property and the (angled) curtilage boundary with 5 Heath Close. Though not directly affixed to it, this extension protrudes approximately 1.8m beyond the rear wall.

3.3.3 The dormer window is located on the rear roofslope. It's located centrally within the roof, is set in from each side elevation and is slightly lower than the existing ridge line. It measures 11.1m in width and 2.6m in height.

### **3.4 Development Plan**

3.4.1 The proposal is subject to Wirral Unitary Development Plan Policy HS11: Housing Extensions. Policy HS11 considers that 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. Supplementary Planning Guidance 11: House Extensions acts as a supporting document in relation to HS11.

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

3.5.1 The National Planning Policy Framework is also relevant. It states that 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.

### **3.6 Assessment**

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

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

#### 3.7 Principle of Development:

3.7.1 The principle of the proposal is deemed acceptable subject to its impact on visual and residential amenity and to the local highway network, plus compliance with the criteria of the relevant house extension policies.

#### 3.8 Design and visual amenity:

3.8.1 This proposal involves a range of alterations and additions in order to transform and modernize the property as a whole. A single storey extension is proposed, infilling the gap between the property and its southern boundary; an existing detached garage shall be demolished to make way for the proposed works. A portion of this extension shall come forward of the principal build line, by 1.5m. Though front extensions are generally resisted, the scale of built form protruding forward is modest - not dissimilar to a porch in its height and scale. Timber cladding shall also be installed to some portions of the existing ground floor, by way of tying in the new additions. A timber fin entrance screen is also proposed; this is not considered to notably add to the bulk of the front elevation, given that this structure will allow views through it, and will be read against the timber cladding behind it. With these factors in mind, there is not considered to be an adverse impact on the streetscene.

3.8.2 The angled nature of the plot means that the bulk of the extension will not be prominently viewed from the front of the property, particularly when considering that the extension shall be read against the context of the neighbouring garage. The overall scale and siting of this extension is viewed appropriately; high levels of glazing help to keep the structure lightweight, whilst the overall height has been kept to a low and neighbourly level.

- 3.8.3 In terms of its character, the modern design approach is not fundamentally opposed; though not widely used in the locality, timber cladding is an acceptable domestic construction material. The Zinc roofing as originally proposed has been substituted for slate, in order to soften the overall appearance of the property plus alleviate the concerns expressed in representations submitted.
- 3.8.4 The proposal is not considered to represent overdevelopment of this site. The individual components of the proposal are not viewed as excessive in scale. Rear dormers could be constructed under permitted development and are common features on houses throughout the country. Therefore, although objections have been received labelling the feature out of character, this is not considered to be the case. The dormer window hereby proposed is designed in accordance with the Council's SPG House Extensions in that it is set in from either side elevation, set back from the rear wall and is lower than the ridge line, and is therefore viewed acceptably.
- 3.8.5 Permitted development rights allow for replacing windows on properties; the criteria note that the fenestration should be of 'similar appearance' as opposed to identical. There would therefore be scope to update - to an extent - the style and shape of the window frames. In its own right therefore, replacement of the windows is not detrimental. Anodised aluminium, though less common, is an acceptable domestic construction material and the window size is not considered inappropriate within the property. Though square frames are less conventional, they are not considered inappropriate. The replacement fenestration is therefore not viewed detrimentally.
- 3.8.6 The proposal involves a relatively dramatic overhaul to the character of the property, where its traditional suburban design shall be replaced by a modern home. Though located to the terminus of a cul-de-sac, the property backs onto the Wirral Way; particularly where the properties sit at a notably higher land level, the rear of this dwelling is viewed by a notable public vantage point which must be carefully considered. As detailed above, the replacement fenestration and rear dormer window are viewed acceptably. Despite the visual extent of changes to the property, the proposal does not give rise to demonstrable harm.
- 3.9 Highways:
- 3.9.1 The proposed development would result in a net increase of one bedroom, from three to four. The Council's adopted parking standards (2007) states that a maximum of two parking spaces should be provided for houses with 3 or more bedrooms. The property currently benefits from a front driveway providing off-road parking for at least two vehicles, and garage accommodation. Though the garage accommodation shall be lost as part of the proposed works it's noted that the specified parking standards are a maximum as opposed to minimum requirement. The net bedroom increase in this instance is one, and the locality does provide opportunity for on-street parking. With this in mind, the proposal is not considered to pose sufficient harm to highways as to warrant the refusal of this application.
- 3.10 Neighbouring Amenity:
- 3.10.1 Amenity concerns have been raised regarding the use of floor to ceiling glass on the south-east elevation, which borders neighbouring no.5, particularly given that the proposed single storey extension shall be built up to this curtilage boundary. The glass in question shall extend from ground floor level to a height of 2.3m; the proposed site plan however also confirms that the existing boundary wall - made up of the existing garage structure, which measures 2.8m in height - shall be retained. On this basis, the new fenestration will not give rise to any overlooking of the neighbouring property. In any case, the outlook from these new windows will be orientated into the garden area of the application property, and would therefore not afford direct views into the neighbours garden.
- 3.10.2 An existing first-floor window to the side (south) elevation serving a bedroom will be slightly enlarged by the cill level being set lower. This results in the in the window being approximately 0.4m larger. Given that this is an existing window and only a slight increase, it is not considered to result in any unacceptable increased levels of overlooking.
- 3.10.3 Supplementary Guidance Note 11 makes reference that where habitable rooms overlook

each other such that direct overlooking is likely to occur they must be a minimum of 21m apart. Concern has been raised in regards to overlooking in relation to the proposed dormer window to the rear.

3.10.4 There will be a distance of 35m which separates the proposed dormer from 36 York Avenue to the rear, which is more than sufficient to comply with the required separation distances, even taking into consideration that the new windows will be at roof level. There will be a distance of approximately 10 metres to the rear boundary (with the Wirray Way), and approximately 30 metres to the boundary of properties on York Avenue, which is sufficient to ensure that the dormer does not result in any unacceptable levels of overlooking.

3.11 Other Matters:

3.11.1 Loss of property value has been cited by objectors, however this does not constitute a material consideration for the purposes of planning. Where the property is to remain a sole residential unit, concerns regarding noise and privacy are generally unfounded. The proposals are noted a somewhat radical overhaul of the property character; however paragraph 127 of the NPPF dictates that appropriate innovation should not be prevented nor discouraged. Unless the proposal represents demonstrable harm, architectural styles or tastes should not be stifled by the Local Planning Authority. The applicant has worked with the Authority to produce revised designs to overcome concerns surrounding the application.

**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 not considered to have a harmful visual impact on its surroundings or an adverse impact to the amenities that the occupiers of neighbouring properties expect to enjoy. The proposal complies with NPPF - Requiring Good Design, HS11 - House Extensions and SPG11 and is therefore considered acceptable.

**Recommended                      Approve**  
**Decision:**

**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 May 13th 2021 and listed as follows: HCL ADJ XX SL DR A 03 REV A dated 18.03.21

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

**Further Notes for Committee:**

**Last Comments By: 03/06/2021 15:49:22**

**Expiry Date: 13/05/2021**