

Planning Committee

21 October 2010

Reference:
APP/10/00893

Area Team:
North Team

Case Officer:
Miss K Elliot

Ward:
Bidston and St James

Location: Land adjacent to 290 UPTON ROAD, NOCTORUM, CH43 9RN
Proposal: Erection of a new dwelling
Applicant: Trophy Homes
Agent : CTA Architects.

Site Plan:



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Development Plan allocation and policies:

Primarily Residential Area
Policy HS4 Criteria for New Housing Development
Supplementary Planning Document 4: Parking Standards
Interim Planning Policy for New Housing Development

Planning History:

2007/5907	Erection of a dwelling house	Approved	17/07/2007
2008/6274	Erection of a new dwelling	Approved	08/09/2008

Summary Of Representations and Consultations Received: REPRESENTATIONS

Seven letters of notification were sent to the occupiers of neighbouring properties and a site notice was displayed. At the time of writing this report one letter of objection had been received regarding access to the proposed dwelling, parking congestion, health and safety issues relating to construction traffic and lack of consultation.

CONSULTATIONS

Director of Technical Services, Traffic and Transportation Division have no objection to the proposal. Director of Law, HR & Asset Management, Environmental Protection Division have no objection to the proposal.

Director's Comments:

The application was deferred from Planning Committee on 28th September 2010 for a Site Visit.

REASON FOR REFERRAL

Councillor Smith requested that the application was taken out of delegation on behalf of local residents on the grounds that the proposal would result in overlooking due to its proximity to neighbouring properties and that there is a lack of access and egress serving the site.

INTRODUCTION

The proposal is for the erection of a new dwelling and represents an amendment to two previously approved applications for the same proposal.

PRINCIPLE OF DEVELOPMENT

The principle of the development is acceptable subject to Policy HS4, SPD4 and the Interim Planning Policy for New Housing Development.

SITE AND SURROUNDINGS

The site comprises a triangular shaped plot which is currently vacant. The application site is accessed via a slip road off Upton Road and adjoins First Avenue to the north. The plot is located at the head of a cul-de-sac which has a turning head at the top. The site is currently bounded by fencing, and vegetation in parts, to all boundaries. The properties along this section of Upton Road are staggered due the bend in the road.

POLICY CONTEXT

Policy HS4, SPD4 and the Interim Planning Policy for New Housing Development are directly relevant in this instance.

APPEARANCE AND AMENITY ISSUES

The principle of a new dwelling on the site has already been approved under the two previous application, of which the latter is still extant. The footprint of the proposed dwelling remains the same as the most recent approval except for the inclusion of an en suite to the master bedroom and additional fourth bedroom at first floor. The positioning of the window serving bedroom 2 is not considered to result in direct overlooking and meets the required separation distance. The windows serving the en suite and main bathroom can be obscurely glazed by condition. There is one proposed window serving the stairwell that faces No.292 which can also be obscurely glazed, although No.292 has no windows in its side elevation facing the proposal except for a landing window. There are two small secondary windows in the side elevation of No.290 at ground floor however they are not considered to result in a loss of light or privacy. The positioning of other windows and doors within the new dwelling have already been approved and are not considered to result in a loss of light or privacy to neighbouring properties.

The positioning of the dwelling within the plot remains the same as the previous approval and remains in line with No.292. The dwelling will be accessed via a strip of land that runs in front of No.290 and has sufficient off street parking in accordance with the maximum guidelines outlined in SPD4 of two spaces. The details of the access remain unchanged from the previous approvals and have been agreed with the Traffic Management Division subject to visibility splays. The objections raised by the occupants of No.292 relate largely to access in and out of the site by both future occupants and construction traffic. It is acknowledged that whilst a vehicle would have to reverse in or out of the site,

this is commonplace in most minor residential roads throughout the borough. Also taking in to consideration the relatively low vehicle and pedestrian movements in the cul-de-sac, it is not considered a sufficient reason to object on highway safety grounds. Similarly the additional traffic generated by one property, and associated construction vehicles, would be relatively low and the addition of one extra bedroom to the property is not considered to exacerbate this.

In relation to construction traffic accessing the site from Upton Road, no previous condition was imposed restricting this and therefore it is considered unreasonable to insist upon this as part of the current proposal. Any health and safety issues arising during construction would be dealt with under separate legislation and would not be possible to control this through planning conditions. The scale and design of the dwelling is acceptable and is considered in keeping with those in the surrounding area. The proposed dwelling will have sufficient outlook, amenity space and provision for off-street parking. The additional rooms at first floor are considered acceptable however permitted development rights will be removed to restrict any further extension or alteration to the property. The site located within the regeneration priority area and as such complies with the Interim Planning Policy for New Housing Development. It is considered that an adequate level of consultation was undertaken. It would not be expedient to refuse this proposal which does not vary significantly from the extant permission. Overall the proposal is considered acceptable in terms of Policy HS4, SPD4 and the Interim Planning Policy for New Housing Development and is recommended for approval.

SEPARATION DISTANCES

SPG11 recommends that habitable room windows directly facing each other should be at least 21 metres apart and that Main habitable room windows should be at least 14 metres from any blank gable. The proposed front and rear facing bedroom windows do not face directly on to neighbouring properties and their positioning has already been approved under the two previous applications. The introduction of a further bedroom window to the north elevation has a sufficient outlook and retains a separation distance from No.1 Airdale Close of approximately 24 metres. The proposal is therefore not considered to result in direct overlooking or loss of privacy to neighbouring residential properties.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal and the details of access and egress serving the site have already been approved under the previous two applications.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

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

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal is not considered to have an adverse impact on the character of the area or on the amenities that the occupiers of neighbouring properties can reasonably expect to enjoy. The proposal complies with Policy HS4 of Wirral's Unitary Development Plan, SPD4 and the Interim Planning Policy for New Housing Development.

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 and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposal is not considered to have an adverse impact on the character of the area or on the amenities that the occupiers of neighbouring properties can reasonably expect to enjoy. The proposal complies with Policy HS4 of Wirral's Unitary Development Plan.

Recommended Decision: Approve

Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. Before any construction commences, samples of the facing and roofing 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.

3. No development shall be commenced until full details of soft and hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall detail the locations, species, and heights of all existing and proposed trees, shrubs and hedge planting and all existing and proposed grassed and hard surfaced areas and any other natural or proposed features.

Reason: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and having regard to Policy GR5 of Wirral's Unitary Development Plan.

4. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years from the completion of the scheme shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and having regard to Policy GR5 of Wirral's Unitary Development Plan.

5. All hard and soft landscaping works shall be carried out in accordance with the approved details as set out in Condition 3. The works shall be carried out:

- In accordance with a programme to be agreed with the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and having regard to Policy GR5 of Wirral's Unitary Development Plan.

6. Visibility splays of 2.4 metres by 2.4 metres shall be provided at the junction of the proposed access with Upton Road before any part of the development is brought in to use. These splays shall be retained as such thereafter.

Reason: In the interest of highway safety.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting that Order) the enlargement of the dwelling or any addition to the roof or the erection or construction of a porch shall not be carried out.

Reason: To safeguard the amenities of the occupiers of adjoining property and the area generally and to accord with Policy HS4 of the Wirral Unitary Development Plan.

8. Prior to the occupation of the dwelling hereby approved, the south facing landing window and east facing bathroom window shall be obscurely glazed and non-opening above 1.7 metres in height and shall be retained as such thereafter.

Reason: To protect the privacy of nearby residents having regard to Policy HS11 of Wirral's Unitary Development Plan.

Further Notes for Committee:

Last Comments By: 31/08/2010 10:35:51
Expiry Date: 15/09/2010