

Planning Committee

21 March 2019

Reference:
APP/18/01422

Area Team:
**Development
Management Team**

Case Officer:
Mr A Siddall

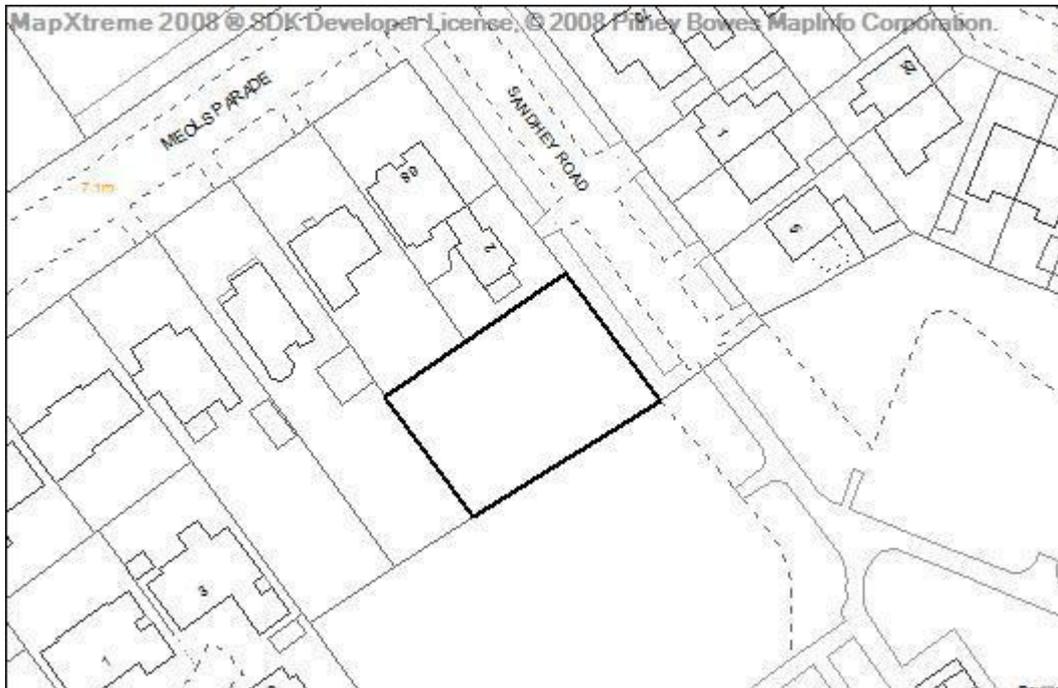
Ward:
Hoylake and Meols

Location: SANDHEY ROAD, MEOLS, CH47 5AX
Proposal: Erection of two 2-bedroom detached bungalows (amended plans received 12/02/2019)

Applicant: Mrs J Boulton
Agent : CCM Design & Build

Qualifying Petition: Yes
Petition Number: **Number of signatures:**
1 27
2 37

Site Plan:



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Development Plan designation:

Urban Greenspace
Primarily Residential Area

Planning History:

Location: Land to the rear of 2 Sandhey Road & 66 Meols Parade, Meols, Wirral,
CH47 5AX
Application Type: Full Planning Permission
Proposal: Erection of two detached dormer bungalows (Amended Plans)
Application No: APP/18/00198
Decision Date: 07/06/2018

Decision Type: Refuse (and Dismissed at Appeal)

Summary Of Representations and Consultations Received:

1.0 WARD MEMBER COMMENTS

1.1 No comments received

2.0 SUMMARY OF REPRESENTATIONS

2.1 Having regard to the Council's guidance on publicity for planning applications notifications were sent to eight neighbouring properties on 11 December 2018 and a site notice was posted on the corner of Sandhey Road with Meols Parade on 17 December 2018. The deadline for receipt of comments was 08 January 2018. Following receipt of amended plans a further period of neighbour consultation was carried out with 17 letters sent to those originally consulted and those not originally consulted but who made representations on 13 February 2019. The deadline for receipt of comments to this second period of consultation was 06 March 2019.

REPRESENTATIONS

To the original period of consultation between 11 December 2018 and 08 January 2019, 14 representations have been received in objection along with a qualifying petition of 27 signatures in opposition to the development. The planning matters raised are as follows:

- Overdevelopment of the plot;
- Overbearing to existing residents;
- Additional cars would exacerbate local parking problems;
- The scheme does not overcome the reasons for refusal of the previous scheme;
- The siting a design is out of character for the area;
- Larger back gardens are characteristic of the area and should not be developed.

One comment was received relating to a restrictive covenant preventing the development of more than one dwelling to the south of 2 Sandhey Road however this is a civil matter and not a material planning consideration.

Due to committee agenda deadlines this report is being prepared in advance of the closing date for receipt of comments to the second period of public consultation. At the time of writing no further comments have been received and members will be updated at the meeting should this situation change.

CONSULTATIONS

Local Highway Authority - No Objection

Environmental Health - No Objection

United Utilities - No objection. Set out their standing advice to applicants.

Merseyside Fire and Rescue - No objection. Set out their standing advice to applicants.

3.1 Reason for referral to Planning Committee

3.1.1 The application has received a qualifying petition

3.2 Site and Surroundings

3.2.1 The application site measures approximately 0.07Ha, is rectangular in shape and comprises former domestic gardens to the rear of 66 and 68 Meols Parade which have since been subdivided and separated from these dwellings to form a potential development site. Number 68 has itself been recently subdivided and is now split into two dwellings, with the rear of that property now known as 2 Sandhey Road. The application site sits to the south of these properties and their retained domestic gardens. As former domestic gardens, the land is enclosed by walling and fencing to Sandhey Road to the east, Queens Park area of urban greenspace to the south and the rear garden of 64 Meols Parade to the west. The land is generally flat and level, contains little in the way of vegetation and is visible from surrounding properties, the public highway and Queens Park to the south.

3.3 Proposed Development

3.3.1 Full planning permission is sought for the erection of two 2-bedroom detached bungalows with their principal elevations facing east and accessed via Sandhey Road. Both dwellings would be identical and measure ten metres deep by nine metres wide and reach 2.4 metres to the underside of the eaves and 4.9 metres to the ridge. The dwellings would be finished externally in render above a brick plinth with a hipped concrete tiled pitched roof. The properties would be set back significantly from Sandhey Road with private drives onto the public highway that could accommodate at least two cars. No garaging is proposed. To the west rear elevations would be small private enclosed gardens. Principal habitable room windows would be to the front and rear with a secondary kitchen window and obscure glazed bathroom windows to the side elevations.

3.3.2 The scheme has been amended since first submission to take into account neighbour consultation feedback and to address officer concerns relating to design and the effect on residential amenity. The changes to the scheme are as follows:

- A re-siting of both bungalows to the rear of the site to remove them from directly in front of the principal southern aspect of 2 Sandhey Road
- Alterations to the design of the dwellings to make them more reflective of the character of the area and re-ordering the internal accommodation to improve the outlook from habitable rooms.

3.4 Development Plan

3.4.1 New housing development within Primarily Residential Areas is governed by UDP policy HS4 (Criteria For New Housing Development) which states that new housing development will be permitted subject to the proposal fulfilling all the following criteria:

- i) The proposal being of a scale which relates well to surrounding property. In particular with regard to existing densities and form of development;
- ii) The proposal not resulting in a detrimental change in the character of the area;
- iii) Access and services being capable of satisfactory provision, particularly for off street car parking areas and garages and adequate vehicular access;
- iv) The provision of appropriate landscaping and boundary treatment which relates the proposed development to its surroundings, paying particular attention to the maintenance of existing natural features and vegetation in accordance with policy GR5 (Landscaping and New Development);
- v) The appropriate provision of design features which contribute to a secure environment and reduce the likelihood of crime;
- vi) Incorporating provision for accessible public open space and children's play areas in accordance with policy GR6 (Greenspace within new family housing development); and
- vii) The provision of adequate individual private or communal garden space to each dwelling.

3.4.2 For all proposals where main elevations are parallel or nearly so, an adequate distance should be kept between habitable rooms in separate dwellings. In addition, where the gable elevation of one property fronts onto the rear elevation of another, then an adequate separation distance should be achieved.

3.4.3 As this scheme is for less than 35 dwellings, criterion (vi) in relation to public open space and children's play areas does not apply.

3.4.4 Development Management Policies in the Joint Waste Local Plan for Merseyside and Halton are also applicable. Policy WM8 requires development to incorporate measures for achieving efficient use of resources, Policy WM9 also requires development to provide measures for waste collection and recycling, including home composting.

3.5 Other Material Planning Considerations

3.5.1 The National Planning Policy Framework (NPPF) paragraph 11 sets a presumption in favour of sustainable development and indicates that development proposals that accord with the development plan should be approved without delay.

3.5.2 Section 12 of the Framework makes it clear that good design is a key aspect of sustainable development and the creation of high quality buildings and places is fundamental to what the planning process should achieve. In particular, paragraph 127 advises that decisions should ensure that developments add to the overall quality of the area, are visually attractive as a result of good architecture, layout and landscaping, and are sympathetic to local character and history including the surrounding built environment and landscape setting (whilst not preventing or discouraging appropriate innovation or change). Importantly, paragraph 130 advises that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.'

3.5.4 The previous refusal of planning permission and dismissal at appeal also forms a material consideration. Members are advised that permission should only be granted if there has been a material change in circumstances of either the development, the site or planning policy since the earlier decision. The earlier planning application was refused on the basis that it represented a form of development that was out of keeping with, and harmful to the character and appearance of the area, and that it proposed inadequate interface distance to the south elevation of number 2 Sandhey Road, to the detriment of amenity at that property. In dismissing the appeal the Inspector noted that the proposed dwellings would be sited 'side-on' to Sandhey Road and would not accord with the principal elevations of dwellings in the area which address the road; and that the scheme would not provide adequate separation to the ground floor conservatory of 2 Sandhey Road, harming living conditions at that property by way of outlook. This is now addressed in the current application.

3.6 Assessment

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

- Residential development policy and the principle of development;
- Design and Visual Amenity;
- Residential Amenity;
- Access and Parking.

3.7 Residential Development Policy and the Principle of Development

3.7.1 This site is designated as part of the Primarily Residential Area in the Unitary Development Plan where the proposed development is acceptable in principle subject to compliance with all the criteria in UDP Policy HS4

3.8 Design and Visual Amenity:

3.8.1 Sandhey Road and this section of Meols Parade is characterised by mid-twentieth century two storey detached and semi-detached dwellings in render with predominantly hipped slate or clay tiled roofing. Bungalows are common in the wider area, particularly on Deneshey Road to the west and within Hume Court which is backland development, but visible in the context of the site from within Queens Park. Historically, the four properties fronting Meols Parade had large gardens, but the vast majority of nearby properties have much smaller rear amenity spaces, including those opposite the site on Sandhey Road, and to the backland development at Hume Court. Officers do not consider that large rear gardens are a defining characteristic of the area to the extent that their loss in this instance would represent significant planning harm

3.8.2 The proposed detached bungalows are set back within the site but now have their principal elevations addressing the street with individual driveways and front gardens. In design terms they reasonably reflect the character and appearance of surrounding dwellings with

rendered walls and hipped tiled roofs, a central recessed porch and double fronted bay windows. When viewed from the street or from within Queens Park, their siting and design would not be materially at odds with the prevailing character of the area. As such, Officers consider that the siting, design and external appearance of the development now addresses and overcomes the reason for refusal of the previous application and its dismissal at appeal.

3.9 Residential Amenity:

3.9.1 The principal reason for refusal of the earlier scheme and its dismissal at appeal was the adverse enclosing effect the scheme had on the outlook to the south of 2 Sandhey Road at ground floor level. The interface distance of 11.4 metres was materially below the recommended minimum interface distance in policy of 14 metres. As originally submitted this revised scheme did not overcome this concern. Whilst the scheme had been reduced to single storey, the building had been moved much closer to number 2 so that it sat only 1 metre from the southern boundary and extended across the full width of the southern boundary. This would still have had a harmful enclosing effect on the outlook from the neighbouring house. The amendments gained and now before members are considered to overcome the earlier harm by offsetting both proposed bungalows to the west, away from the southern aspect of the conservatory to number 2. Whilst the proposed dwellings will still be visible from number 2, their siting, size and external appearance ensures that no harmful overshadowing, or any overlooking or overbearing effect will occur. As such, members are advised that in the view of Officers, the earlier refusal reason has been overcome.

3.9.2 The revised position of the proposed dwellings now result in a greater effect on living conditions at 66 Meols Parade, however there remains an interface distance in excess of 14 metres to the rear of this dwelling whilst the single storey nature of the dwellings with their hipped roofs means that any overshadowing will not be significant whilst suitable boundary fencing can ensure that no overlooking is created. As such, officers conclude that no material planning harm would arise for living conditions at this dwelling. Similarly for 64 Meols Parade the dwelling would be offset to the side and not result in adverse enclosure, overshadowing or overlooking of that property. As a residential use, once occupied the proposed dwellings are not expected to cause undue noise and disturbance to existing residents, whilst any construction noise and disturbance can be mitigated through the use of conditions.

3.9.3 The proposed dwellings have main habitable room windows orientated to the front and rear providing acceptable outlook. The rear gardens are small, but are commensurate in size with others to Sandhey Road and in the wider area that serve larger properties. Officers are also mindful that the front gardens are deep and can be enclosed to increase privacy without undue harm to the character of the area (as the site is already enclosed by walling and fencing), whilst the close proximity of Queens Park and the coast allows for a sense of space around the dwellings and opportunities for outdoor leisure. As such, Officers are satisfied that the proposal results in an acceptable standard of amenity for potential future occupiers.

3.10 Access and Parking

3.10.1 The proposed dwellings include individual driveways accessed from Sandhey Road which are approximately 12 metres in length. These provide for the parking of two vehicles (three at a push) and allow for off-street car parking in excess of the requirements of the Council's SPD on Parking Standards (which require an average of 1.5 spaces per two bedroom dwelling). On this basis the development is expected to meet its own parking demand and not result in any increased pressure for on-street parking to Sandhey Road. Visibility at the site access points is sufficient to allow vehicular access at this location whilst the expected speed and flow of traffic is not so great to require on-site turning to allow vehicles to exit in a forward gear.

3.10.2 Officers note the objections from local residents in regard to parking on Sandhey Road, however the development only has to provide for its own parking demand, which it does. Traffic volumes and speeds on Sandhey Road are not so great that forming two private accesses would result in highway safety problems. In reaching this conclusion Officers are

mindful that the scheme meets the objectives of saved UDP policy TR9 in respect of off street parking, whilst the NPPF requires that development should only be refused on highways grounds if there would be 'an unacceptable impact on highway safety or the residual cumulative impacts on the road network are severe.' Neither of these scenarios apply here, and it is notable that the Local Highway Authority offer no objection to the scheme.

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 proposed development as amended is considered to overcome the reasons for refusal of the earlier application and its dismissal at appeal. The development does not now have a detrimental effect on the character and appearance of the area and does not have an adverse effect on neighbouring residential amenity in planning terms. The scheme has modest social and economic benefits in making a small contribution to the District's housing land supply which stands at less than five years and where there has been significant under delivery of housing over the past three years. No environmental harm has been identified that would significantly and demonstrably outweigh the economic and social benefits of increasing the supply of housing and therefore in accordance with the presumption in favour of sustainable development, planning permission should be granted.

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 12 February 2019 and listed as follows:

CROSS/18/01/003e (Plot 1 Plans and Elevations) dated January 2019
CROSS/18/01/005e (Site Plan) dated January 2019

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

3. No development above ground floor slab level shall take place until samples of the materials to be used in the external walling and roofing finishes of the development hereby approved have been made available on site and approved in writing by the Local Planning Authority. Thereafter development shall be carried out as approved.

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. No dwelling shall be occupied until a detailed scheme for landscaping has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall demonstrate the location and type of hard and soft surfacing materials and the location, design and height above ground level of any retained or proposed gates, walls, fences or other forms of enclosure to the site boundaries or within the site. Thereafter development shall be

carried out as approved.

Reason: In the interests of visual and residential amenity and to accord with the objectives of saved Unitary Development Plan policy HS4.

5. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved plan shall be adhered to throughout the construction period. The plan shall provide for the following:
 - i) Location(s) for the parking of vehicles of site operatives and visitors clear of the public highway;
 - ii) Location(s) for the loading and unloading of plant and materials;
 - iii) Location(s) for the storage of plant and materials used in construction of the development;
 - iv) Measures to control the emission of noise, vibration and dust during construction;
 - v) Construction phase delivery and working hours not to exceed 08:00 to 18:00 Monday to Friday, 08:00 to 13:00 on Saturday and not at all on Sunday or public holidays.

Reason: In the interests of highway safety and residential amenity.

6. With the exception of the windows to the south east side elevation of plot 2 overlooking Queens Park, no dwelling shall be occupied until:
 - i) all windows to the north west and south east side elevations have been fitted with glazing obscured to at least level 3 of the Pilkington scale of privacy; or
 - ii) fences have been erected to the north western and south eastern side boundaries of plot 1 of at least 1.8 metres in height above external ground level for the distance between the front elevation of plot 1 and the rear boundary of the application site.

Thereafter development shall be carried out as approved and retained as such.

Reason: In the interests of privacy and residential amenity and to accord with the objectives of saved Unitary Development Plan policy HS4.

7. The site shall be developed with separate systems of drainage for foul and surface water.

Reason: In the interests of satisfactory and sustainable drainage.

Further Notes for Committee:

1. Consent under the Highways Act is required for the construction of a new, or the amendment/removal of an existing, vehicular access. Such works are undertaken at the developer's expense, including the relocation/replacement and/or removal of street furniture and vegetation as necessary. Submission of a S50 Highway Opening Notice is required prior to commencement of any works on the adopted highway. Please contact the Council Highway Management team area manager via www.wirral.gov.uk prior to the commencement of the works for the approval of the proposed details.
2. A pre-site inspection of the public highway is required with Officers of the Local Highway Authority prior to the development works commencing. Any damage to the existing highway that occurs as a result of the development would require reinstatement, at the developers expense, to the specifications and written approval of the Local Highway Authority. For further details contact Highway Management, area manager via www.wirral.gov.uk.
3. The developer is advised that surface water should be drained in accordance with the

sustainable drainage hierarchy set out in National Planning Practice Guidance. In the event of surface water discharging to the public sewer the rate of discharge should be restricted to the lowest possible rate and agreed with the statutory undertaker prior to connection.

4. Merseyside Fire and Rescue Service advises the following:

- i) Access for fire appliances should comply with the requirements of Approved Document B5 of the Building Regulations; and
- ii) Water supplies for firefighting purposes should be risk assessed in accordance with the Service's Housing guidance in liaison with United Utilities as water undertaker.

Last Comments By: 06/03/2019 12:04:14

Expiry Date: 30/01/2019