

Committee: **PLANNING**

Date of Meeting: **09 February 2011**

Title of Report: **S/2010/1768**
24 Selworthy Road, Birkdale
(Dukes Ward)

Proposal: Erection of a first floor extension to the side at first floor level together with a single storey extension to the rear of the dwellinghouse

Applicant: Mr & Mrs Dalglish

Executive Summary

The main issues to consider are compliance with policy and the impact on neighbouring residential amenities. The impact of the first floor extension on the occupiers of the neighbouring property is the main matter for consideration.

Recommendation(s) Approval

Justification

The proposal has been considered on its own merits in the context of UDP policies and guidance and taking into account objections from nearby residents. It is considered to comply with the Council's policies and would have no significant adverse impact on neighbouring residential amenities or the street scene.

Conditions

1. T-1 Full Planning Permission Time Limit
2. X1 Compliance
3. M-1 Materials (matching)
4. The first floor front elevation windows shall not be glazed otherwise than with obscured glass and thereafter be permanently retained as such.

Reasons

1. RT-1
2. RX1
3. RM-1
4. RM-3

Drawing Numbers

location plan

existing plans - 2010-002-001,2 3 4,5,6,7

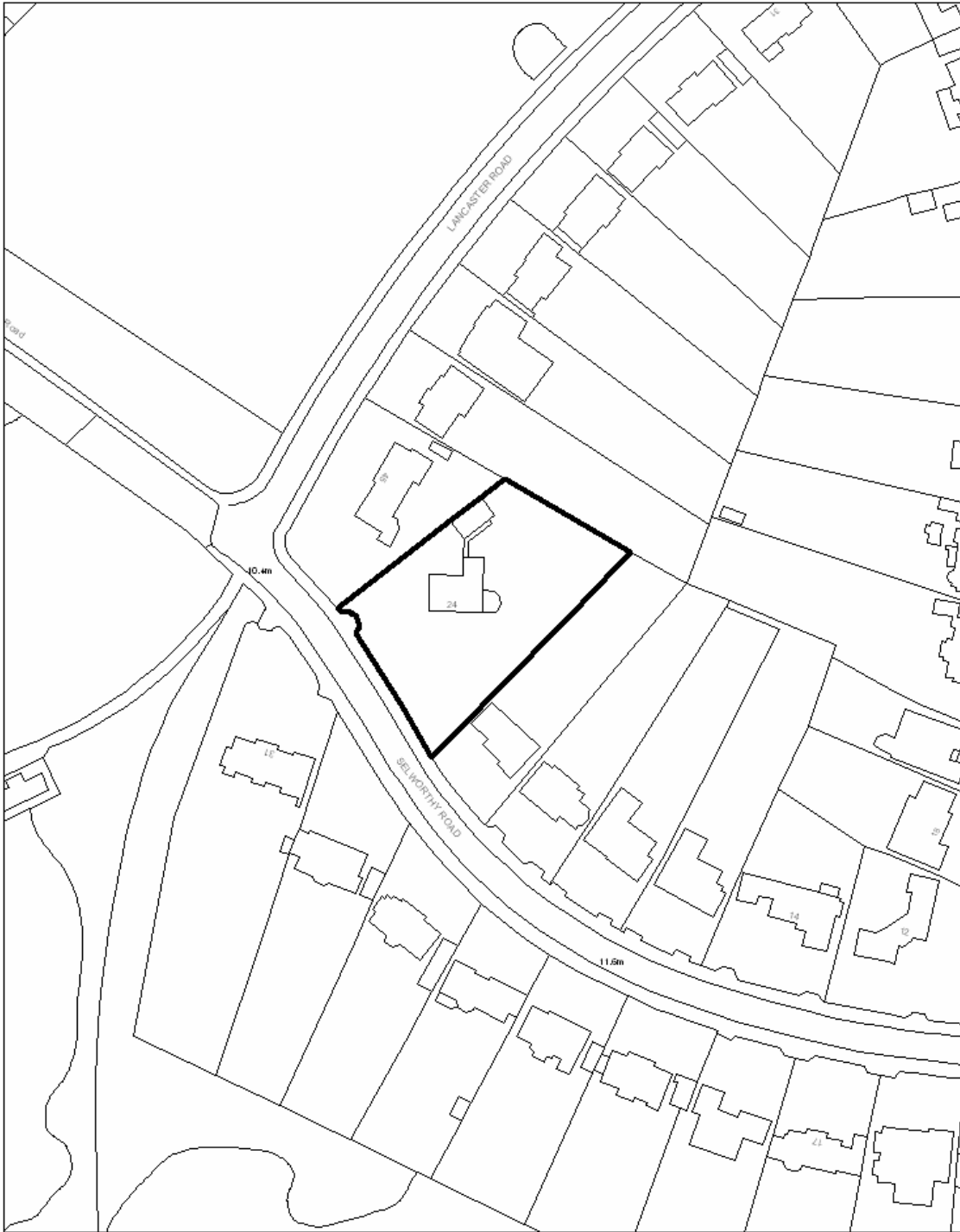
amended plans - 2010-002-009C, 010C. 012C, 014C and site plan C

Financial Implications

CAPITAL EXPENDITURE	2006/ 2007 £	2007/ 2008 £	2008/ 2009 £	2009/ 2010 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
REVENUE IMPLICATIONS				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

List of Background Papers relied upon in the preparation of this report

History referred to
Policy referred to



Sefton Council
Planning & Economic
Regeneration Department
 Andy Wallis - Director
 Planning & Economic Regeneration is part of the
 Regeneration & Environmental Services Directorate

S/2010/1768
 24 Selworthy Road
 Birkdale
 PR8 2NS
 OSGR: 331898, 416267 Sheets: 4/1D Area: 2440 sqm

Standard Site Plan
 Scale: 1:1250
 Date: 23/1/2011
 Drawn By: BEERTON

Ward(s): Dukes
 Postcode Sector(s): PR8 2
 Polling District(s): W6
 Parish(es): None Found

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Councillors L.T. Byrom and R. Watson have called in the application and requested a site visit by the Visting Panel.

S/2010/1768

The Site

A two storey detached dwellinghouse situated on the eastern side of Selworthy Road. The property adjoins the rear garden of No. 45 Lancaster Road and there is a significant difference in level between the application site and the gardens in Lancaster Road. A characteristic of the area is that the rear gardens of the properties in this part of Selworthy Road are significantly lower than at the front.

Proposal

Erection of a first floor extension to the side incorporating a roof terrace at first floor level together with a single storey extension to the rear of the dwellinghouse.

History

N/1991/0871 - Construction of a conservatory style building to enclose the existing swimming pool - granted 20/01/1992

Consultations

None

Neighbour Representations

Letter of objection with photographs from No. 43 Lancaster Road re: adverse effect on neighbours, considerable intrusion, causing harm to amenity, extension to existing structure is excessive in terms of height, scale, massing in direct view of the rear of two Lancaster Road properties, view from decking area would look into garden, rear of house, bedroom and living room windows, in direct contravention of planning policy and unacceptable, already over-looked by windows in utility room.

Letter of objection with photographs from No. 45 Lancaster Road re: proposal constitutes an overbearing, oppressive and unreasonable addition to a less than ideal current situation, rear gardens are significantly lower than street (results two storeys at the front with three, a lower ground floor, at the rear, as a corner plot this complicates matters. Rear party wall is 30m long and rises to 5.3m above level of garden and lower ground floor, highest part of wall is only 12.5m from ground floor kitchen window, whilst softening by trees the wall is an eyesore, proposal would add 3.4m to the height of the wall resulting in a vertical brick wall 8.7m high.

Safety concerns as existing wall is in a poor state of repair with first floor will constitute a safety hazard.

Over-shadowing – rear garden and lower ground floor are over-shadowed by party wall and garage and morning sunlight is severely restricted even in summer. This will be exacerbated by proposal.

Poor outlook – extension will have over-bearing and oppressive effect, faced by gable end of extension and a long, unrelieved flat roof extending a distance of 15m, oppressive view of 9m high solid brick wall 12.5m from main living accommodation.

Application site is substantial and assume there are other options for extending house that would not create unreasonable impact on neighbouring properties.

Request site visit.

A letter of objection has been submitted from solicitors on behalf of the occupiers of No. 45 Lancaster Road re:-

- contrary to policy CS3 especially with difference in levels to gardens, 12.5m from rear of dwelling to 5.3m high boundary wall, extension will add 3.4m result in 8.7m high wall, over-bearing and oppressive, cause overshadowing to house and garden, affect amenity.
- contrary to policy MD1, scale of extension is disproportionate to existing dwelling, design not in harmony, out of character with area, unbroken view of brick wall, major overshadowing, harm to amenities of neighbours, overbearing impact.
- contrary to SPG, scale is disproportionate not minor, no set back to avoid bonding of old and new brickwork, no pitched roof, detracts from character of the street, does not retain reasonable levels of privacy, refers to interface distances and overlooking, proximity of windows, obscure glazing will not overcome privacy concerns, overshadowing windows or gardens to an unreasonable degree, reduce daylight and sunlight to garden and habitable rooms, proximity would create overbearing and oppressive effect, side extensions should be pitched to match with lower ridge line and set back on front elevation.
- Contrary to policy DQ1 Design, does not respond positively, overshadowing detrimental to amenity, oppressive view does not make a positive contribution to surroundings.
- Contrary to SPG Design, over-development not of an appropriate size and proportion to the area, significantly overshadow both garden and lower ground floor rooms, oppressive and overbearing view of 8.7m high wall, intrusive.
- Conclusion – above failings of proposal to comply with the Council's policies and serious effect on residential amenity on occupiers of No. 45 Lancaster Road.

Policy

The application site is situated in an area allocated as residential on the Council's Adopted Unitary Development Plan.

MD1	House Extensions
CS3	Development Principles
DQ1	Design
SPG	House Extensions

Comments

The main issues to consider are compliance with policy on house extensions and in particular the impact on neighbouring residential amenities.

There are two elements to this proposal. The first, a single storey extension (with a lower ground level beneath) to the rear would project 3m. There are numerous trees within the garden and due to its siting and distance from the boundary with No. 22 Selworthy Road no adverse impact would be created to neighbouring residential amenities. There are no neighbour objections to this element of the proposals.

The first floor extension would be sited over the existing garage/utility and living room at the northern end of the dwelling. The roof terrace which was originally part of the proposal has now been deleted. The garage is sited along-side the boundary with No. 45 Lancaster Road. There is a variable distance between the two dwellinghouses, however the garden levels at the front of the application site are significantly higher than those at 45 Lancaster Road. There is a high retaining wall on the property boundary between these properties which means that the existing garage already appears as two storeys in height.

Policy CS3 seeks to ensure that development would not cause significant harm to amenity or to the character or appearance of the surrounding area. Policy DQ1 and the associated SPG seeks to ensure that developments respond positively to the character and form of their surroundings.

The existing boundary wall between the site and No. 45 Lancaster Road is 5.3m high measured from the garden level of No. 45. The garden and the outlook from the rear windows of No. 45 is defined by the wall which already causes over-shadowing to the garden and affects outlook. The extension measures 3.3m high with a total height from ground level of 8.5m. The plans as originally submitted placed the extension adjacent to the boundary which was not considered to be acceptable. An amended plan has now been submitted and the extension would be set back 5.5m from the boundary (with No. 45). This would reduce the impact on the occupiers of No. 45 in terms of over-shadowing and outlook.

Policy MD1 and the SPG refers to an interface distance of 21m between overlooking habitable room windows and 10.5m between overlooking first floor windows and neighbouring gardens. In addition blank walls of two storey extensions should be at

least 12m from the habitable room windows of nearby homes. The guidance adds that this is important for two storey side extensions on properties set at right angles to a neighbouring home to prevent overlooking and overshadowing. The guidance also refers to the protection of open views and that if an extension would have an overbearing or oppressive effect on nearby properties it may be refused.

The distance between the main habitable rooms windows to the rear elevation of No. 45 Lancaster Road and the boundary wall is 13.5m. To the proposed extension the distance would now be 18m. This distance more than satisfies the 12m criteria of the SPG and is considered acceptable here. No windows are proposed to the gable wall and the windows to the front elevation would be obscurely glazed to protect privacy. These windows would be secondary windows to the main windows sited on the rear elevation.

In terms of design the existing dwelling has a substantial element which has a flat roof and the proposed flat roof extension is therefore considered to be in keeping with the design of the existing dwellinghouse. In addition the extension would be 35m from the road and would not therefore have a significant impact on the street scene or character of the area. Whilst a set back has not been incorporated into the scheme given the distance from the public realm no adverse impact would be created.

The size of the extension in relation to the existing dwellinghouse is considered to be in keeping with the scale of the existing and given the size of the plot would not be disproportionate.

The issue regarding the structural state of the boundary wall would be assessed by the building inspector and/or a structural engineer.

Conclusion

The proposal has been considered on its own merits in the context of UDP policies and guidance and is considered to comply with the Council's policies and would have no significant adverse impact on neighbouring residential amenities or the street scene.

Contact Officer: **Mrs S Tyldesley Telephone 0151 934 3569**

Case Officer: **Miss L Poulton Telephone 0151 934 2204**