
Report to: Planning Committee **Date of Meeting:** 24 August 2011

Subject: **S/2011/0810**
 28 Timms Lane, Formby

Proposal: Erection of a detached two storey dwellinghouse after demolition of the existing bungalow

Applicant: Freshfield Design Limited **Agent:** Rod Ainsworth Architect

Report of: Head of Planning Service **Wards Affected:** (Harington Ward)

Is this a Key Decision? No **Is it included in the Forward Plan?** No

Exempt/Confidential No

Summary

The application is seeking consent for the erection of a two storey dwelling house after demolition of the existing bungalow.

The main issues for consideration are the principle of development, impact on residential amenity, design and impact on the street scene.

Recommendation(s)

Approval

Reasons for the Recommendation:

The proposed replacement dwelling is appropriate in style, height, scale and massing to the street scene of York Road and makes a positive contribution to the character of the surrounding area. The dwelling will not result in a significant loss of residential amenity of neighbouring properties by virtue of overlooking or overshadowing and complies with the Council's adopted UDP policies CS3, H10, DQ1 and DQ3.

Implementation Date for the Decision

Immediately following the Committee/Council/Working Group meeting

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

Case Officer: **Andrea Fortune** Telephone 0151 934 **2208 (Tues- Fri)**

Email: planning.department@sefton.gov.uk

Background Papers:

The following papers are available for inspection by contacting the above officer(s).

History and Policy referred to in the report

The Site

The site is situated on the southern side of Timms Lane, Formby and currently comprises a detached bungalow. To the west is a two storey dwelling at no. 26 and a bungalow lies to the north at no. 30.

Timms Lane has a varied street scene and character with a mix of detached bungalows, two storey dwellings and dormer bungalows in fairly spacious plots. A number of plots have already been redeveloped, and consent exists for no. 34 to be demolished and a two storey dwelling erected in its place. No. 32 is a vacant plot following demolition of the existing dwelling and has consent for the erection of 2 storey dwelling.

Proposal

Erection of a detached two storey dwellinghouse after demolition of the existing bungalow.

History

None

Consultations

Highways Development Control – There are no objections to the proposal in principle as there are no highway safety implications. However, the location of the proposed vehicular access as shown on the

Built Environment Director – Environment – No objection in principle to this proposal subject to the standard piling condition being attached.

Neighbour Representations

Last date for replies: 19th July 2011

Received: Letters of objection received from 26 Timms Lane and a neighbour opposite (no address given) raising the following concerns:

- Front balcony proposed will overlook neighbours opposite and affect their privacy.
- Proposed dwelling is much larger than the existing and will significantly reduce the side spacing between the dwellings, causing overshadowing and loss of outlook, be dominant and overbearing.
- Disproportionate to the size of plot.
- A dwelling of this scale could be detrimental to the appearance of the road.
- Does not respect general building lines to the front with the projecting element and 'stick out'.
- Side window to study is clear glazed and people would be able to look up into bedroom windows of adjacent property.

Letter of objection from the Formby Civic Society raising concerns over:

- Balcony to the front of the dwelling which diminishes the overall appearance of the front elevation and is inappropriate in the street scene.

- Strongly opposed to the new brick boundary wall to the front – although no details of it have been submitted. High brick boundary walls result in a depressing and alienating ambience to a neighbourhood and prevent passers by a view of the front grounds and elevations of properties.
- Refer to appeal decision at 5 Argarmeols Road, Formby.
- Request that gates and infill panels be wrought iron to allow visibility into the site.

Policy

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

AD2	Ensuring Choice of Travel
CS3	Development Principles
DQ1	Design
DQ3	Trees and Development
EP6	Noise and Vibration
SPG	New Housing Development

Comments

The main issues for consideration in the assessment of this application are the principle of development, impact on residential amenity and design and impact on the street scene.

Principle

The site lies within a Primarily Residential Area where the principle of replacement dwellings is acceptable subject to other policy constraints. A number of other properties along Timms Lane, including bungalows, have been demolished and replaced with two storey dwellings, or have obtained consent to do so but have not been implemented to date. The principle of the proposal is therefore acceptable.

Residential amenity

Residential amenity is assessed in terms of the level of amenity provided by the new dwelling for potential occupants and also the impact of the proposed dwelling on the residential amenity of existing residents.

The proposed two storey dwelling will be closer to the dwellings on each side of the plot as the footprint of the dwelling is greater than that of the existing bungalow. Concerns were raised by the neighbour at no. 26 in terms of this distance and potential impact on their amenity. However, amendments have now been made to the scheme which have resulted in the dwelling having an improved relationship to neighbouring dwellings than the original submission which the neighbours commented upon. In particular the space to the side boundary of the dwelling with no. 26 has been increased to 3 metres which although is still 2.6 metres closer than the existing bungalow is considered a sufficient distance to minimise any significant harm to amenity. Side windows on the side of no. 26 are secondary windows to main habitable rooms with the main outlook for these rooms being to the front and rear elevations. The direct impact on amenity in terms of effect on outlook is therefore limited.

The dwelling will be clearly visible from the garden of no.26 but is considered a sufficient distance away to retain reasonable levels of amenity for occupants.

In terms of the impact on no. 30 adjacent, the proposed dwelling will be 2.6 metres closer than the existing bungalow, although a detached garage is present on the boundary. Whilst the dwelling will be closer, the amended design of the dwelling is such that the eaves height is lower to this side and the potential impact on no. 30 is reduced compared to a full two storey height dwelling at this close proximity. The proposed dwelling will be 1.5 metres away from the boundary with no. 30 and this, in conjunction with the reduced eaves height to this side, is considered sufficient to prevent significant impact to residential amenity. No objections were raised by no. 30.

Side windows proposed in the new dwelling are all obscure at first floor level and do not serve habitable rooms. At ground floor a study is proposed with a clear glazed window to the western side. Given that there is a minimum of 2m high hedging to the boundary at this point, at a distance of 3 metres to the boundary, no overlooking issues are raised by this window.

The proposed dwelling projects 5 metres beyond the rear of adjacent dwellings which would normally be of concern. In this case, the existing bungalow projects to slightly beyond this point, albeit single storey and further away from the boundary. Having considered this issue carefully, the proposed projection to the rear is on balance considered to be acceptable given that the dwelling will be set well in from the side boundaries and is unlikely to cause significant harm to residential amenity given the orientation of the plots. It is, however, considered prudent to remove permitted development rights to prevent the dwelling being extended to the rear potentially by a further 4 metres without planning consent. This is a reasonable solution to this issue in this case.

Design and visual impact on the street scene

Policy DQ1 requires new development to make a positive contribution to its surroundings through the quality of their design in terms of scale, form, massing, style, detailing and use of materials.

Timms Lane is of mixed character with a variety of style and sizes of dwellings present. There is no prevailing architectural style and recent redevelopments of plots have resulted in a number of new dwellings being erected.

This proposal is for a two storey dwelling to replace an existing bungalow. No. 26 to the west is a two storey dwelling and no. 30 to the east is a true bungalow. In order to take account of the varying size of dwelling either side of this site, the proposed dwelling has been amended to improve the visual relationship between existing and proposed dwellings when viewed within the street scene. The eaves height to the eastern side of the dwelling has been lowered to 1.9 metres and is now almost single storey in height at this point. The adjacent bungalow has an eaves height of 1.7metres. This prevents the existing bungalow at no. 30 being visually dwarfed by the proposed dwelling and results in a positive relationship between existing and proposed. The western side of the dwelling is full two storey in height and the eaves height matches that of no. 26 adjacent which is also two storey. The overall ridge height respects the highest point of the roof of no. 26 and is therefore appropriate.

The front elevation has a gable feature, strong central vertical glazed section and bay window. The dwelling will be constructed using a mix of materials including render and brick with artstone detailing and traditional tiled roof.

As there is no prevailing style of dwelling in Timms Lane the proposal is considered appropriate in terms of scale, massing and overall design. The revised design is not replicated within Timms Lane and will therefore add to the existing variety of dwelling characteristic of this street scene. The dwelling will make a positive contribution to its surroundings and is in accordance with policy DQ1.

The front boundary treatment proposed is stated as being a brick wall although details and elevations are awaited from the agent and will be added as late representations.

Trees and Development

Policy DQ3 requires the provision of 3 new trees to be planted on site per new dwelling created. The site plan shows the position of three trees proposed to be planted and the application complies with policy DQ3 in this respect.

Conclusion

The principle of a replacement dwelling in this location is acceptable. The amended design of the dwelling is considered more appropriate in this location which is in between a two storey dwelling and a bungalow and addresses the street scene well. The dwelling has sufficient spacing either side to protect residential amenity of neighbours to a sufficient degree and no overlooking, overshadowing or outlook issues arise that would cause significant detrimental harm to residential amenity. The proposal therefore complies with policies H10, DQ1, DQ3 and CS3 and is recommended for approval.

Reasoned Justification

The proposed replacement dwelling is appropriate in style, height, scale and massing to the street scene of York Road and makes a positive contribution to the character of the surrounding area. The dwelling will not result in a significant loss of residential amenity of neighbouring properties by virtue of overlooking or overshadowing and complies with the Council's adopted UDP policies CS3, H10, DQ1 and DQ3.

Conditions

1. T-1 Full Planning Permission Time Limit
2. M-2 Materials (sample)
3. M-6 Piling
4. L11 Trees - maintenance
5. H-1 Remove existing vehicular/pedestrian access
6. H-2 New vehicular/pedestrian access
7. H-6 Vehicle parking and manoeuvring
8. R-3 PD removal windows
9. R-2 PD removal garages/ extensions/outbuildings
10. X1 Compliance

Reasons

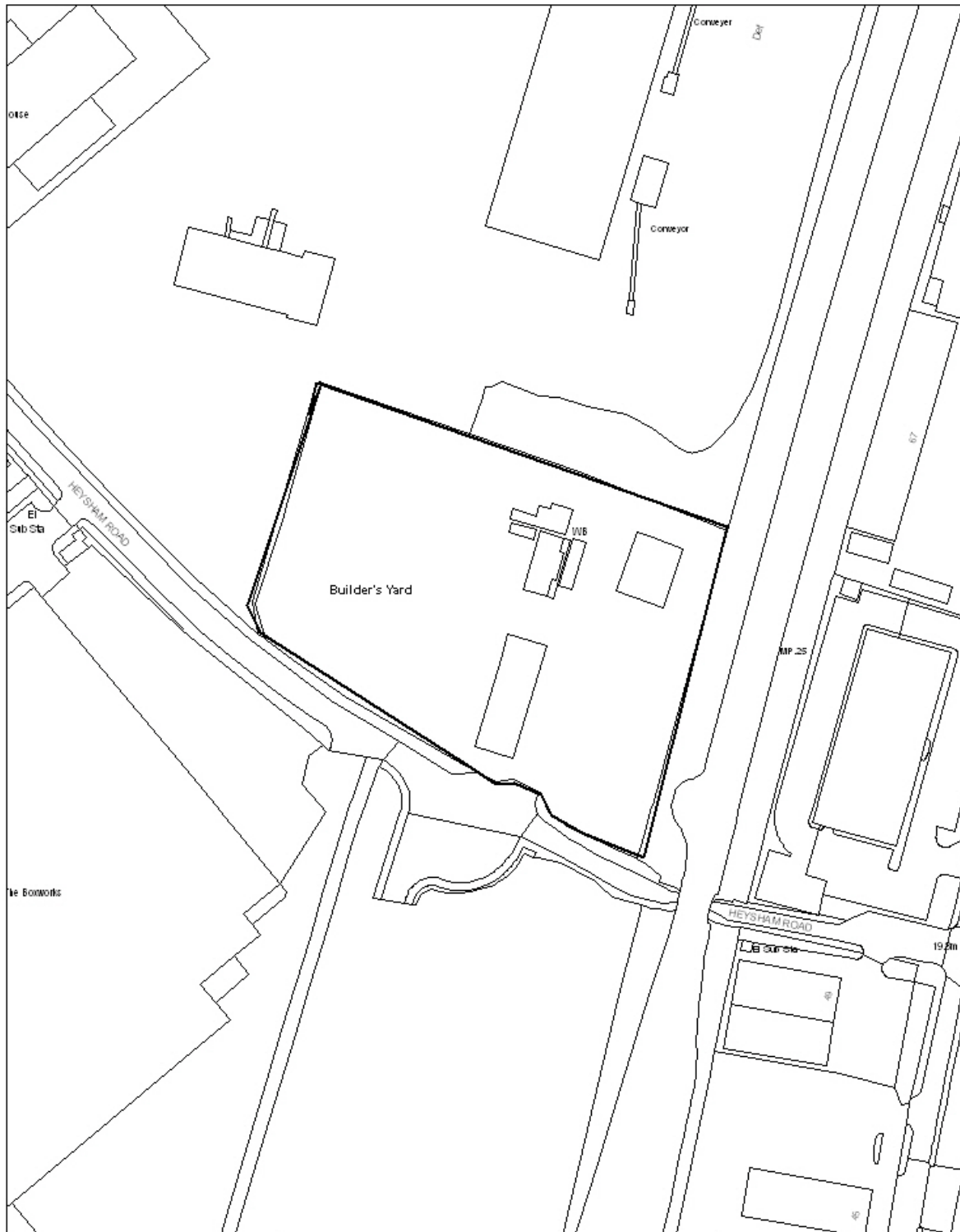
1. RT-1
2. RM-2
3. RM-6
4. RL1
5. RH-1
6. RH-2
7. RH-6
8. RR-3
9. RR-2
10. RX1

Notes

1. The applicant is advised that the proposal will require the formal allocation of addresses. Contact the Highways Development Control Team on Tel: 0151 934 4175 to apply for a new street name/property number.
2. There are significant bands of peat deposits in Sefton and this development is in an area where these deposits may be substantial. Peat produces naturally occurring methane and carbon dioxide and if sufficient amounts of these gases are allowed to collect under or within a newly erected or extended building, there is a potential risk to the development and occupants.
3. The applicant is advised that all works to the adopted highway must be carried out by a Council approved contractor at the applicant's expense. Please contact the Highways Section on 0151 934 4175 or development.control@technical.sefton.gov.uk for further information.

Drawing Numbers

Existing site plan



Sefton Council

**Department of the
Built Environment**
Jane Gowing
Head of Planning Services

S/2011/0810
28
Timms Lane
Formby L37 7DN
Erection of a detached two storey dwellinghouse after d
OSGR: 336669, 398547 Sheets: 112D, 112C Area: 8429 sqm

Standard Site Plan
Scale: 1:2250
Date: 10/8/2011
Drawn By: ROBD/on

Ward(s): *Molyneux, Netherton & Orrell*
Postcode Sector(s): *L30 6*
Folling District(s): *C5, D5*
Parish(es): *Aintree Village Cp*

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