
Report to: [Planning Committee](#) **Date of Meeting:** [8 February 2012](#)

Subject: [S/2011/1521](#)
[Garden to rear 54 Elson Road, Formby](#)

Proposal: [Erection of a detached two storey dwelling with accommodation in the roof and basement area](#)

Applicant: [Mr Colin Brady](#) **Agent:**

Report of: [Head of Planning Services](#) **Wards Affected:** [\(Harington Ward\)](#)

Is this a Key Decision? [No](#) **Is it included in the Forward Plan?** [No](#)

Exempt/Confidential [No](#)

Summary

The proposal seeks to erect a two-storey dwelling, with accommodation in the roofspace, to land to be severed from the curtilage of an existing dwelling on Elson Road with vehicle access to the new plot to be gained from Jubilee Road within a primarily residential area.

The key issues to consider in respect of this proposal are the impact on the character of the area, the impact on the appearance of the Jubilee Road streetscene and the impact on neighbouring residential amenity.

Recommendation(s)

Approval

Reasons for the Recommendation:

When assessed against the Unitary Development Plan and all other material considerations, particularly policies AD2, CS3, DQ1, DQ3, H10 and Supplementary Planning Guidance 'New Housing Development', the proposal is acceptable as the dwelling responds positively to the character of the area and does not cause significant detrimental harm to neighbouring residential amenity.

Implementation Date for the Decision

Immediately following the Committee Group meeting

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

Case Officer: **Neil Mackie** Telephone 0151 934 **3606**

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

Land to be severed from the residential curtilage of a large detached dwelling at number 54 Elson Road with vehicular access off Jubilee Road within a primarily residential area of Formby.

Proposal

Erection of a detached two storey dwelling with accommodation in the roof and basement area

History

S/20583 – Change of use of two ground floor and two first floor rooms at the front of the dwellinghouse to studios for musical tuition. Refused 22nd June 1983.

Consultations

Highways Development Control – There are no objections in principle to the proposal as there are no highway safety implications. Some minor works to the highway will be required in order to construct a new footway crossing to tie-in with the location of the proposal vehicular access onto Jubilee Road. Conditions relating to the creation of a vehicle access and the provision of an off-road area for vehicle parking & manoeuvring should be attached to any approval.

Environment Head of Service – No objections to the proposal subject to a condition being attached to approval in respect of piling/ground compaction.

Neighbour Representations

Last date for replies: 9th January 2011.

Representations received: Objections from Numbers 13 & 15 Jubilee Road and Number 42 Jubilee Road.

Points of objection focus upon the erosion of privacy of rear gardens arising from the erection of a two-storey dwelling, the harm to amenity arising through the potential for the proposed dwelling to overshadow habitable room windows and the impact of the proposal on highway safety given it's proximity to a primary school.

Non-material considerations have also been raised with regards to party wall issues between Number 54 Elson Road and Number 15 Jubilee Road in addition to matters surrounding the construction of any property.

Prior to objections being received Ward Councillor Cuthbertson requested that the application be determined by Planning Committee and that it is also visited. Subsequent to this, Councillor Cuthbertson has requested permission to address planning committee on behalf of her constituents.

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
H10	Development in Primarily Residential Areas

Comments

As the application site lies within a Primarily Residential Area then when considered against Unitary Development Plan policy H10 residential development is acceptable in principle subject to it conforming to all other aspects of the Plan.

The curtilage to the proposed dwelling will be formed by severing land forming the rear garden to Number 54 Elson Road, a large detached dwelling to the corner of Elson Road and Jubilee Road, with vehicular access to the new dwelling from Jubilee Road.

The key issues to consider in respect of this proposal are the impact on the amenity of the remaining dwelling at Number 54 Elson Road, the impact on the amenity of the neighbouring residential dwelling at Number 15 Jubilee Road and the impact of the proposal on the streetscene of Jubilee Road and to the wider character of the area.

Streetscene

When viewed from Jubilee Road the proposed dwelling shows consideration to the gradation and variety of properties along this frontage. To the left hand side are true two-storey semi-detached dwellings of a more uniform appearance and scale while to the right, heading south along Jubilee Road there are is variety to the scale and appearance of dwellings with properties of three stories common.

The proposed dwelling is positioned within the site to provide sufficient separation between the two-storey dwelling at Number 15 Jubilee Road and the detached dwelling to Number 54 Elson Road. This sense of separation follows that seen between numbers 7 & 9 Jubilee Road and Number 11 & 13 Jubilee Road. The separation of the main dwelling from the side boundary to Number 13 is to be one metre and this complies with SPG New Housing Development and while the attached garage is to be less than one metre from the boundary to Number 54 Elson Road, on balance, given the separation of the main dwelling, this is also acceptable.

The external appearance of the dwelling has been well considered with the fenestration to the front elevation echoing that to neighbouring dwellings while the projecting gable to the front echoes the gabled apex seen to Numbers 13 & 15 Jubilee Road. The use of facing brick to the external walls and slate to the roof is appropriate within this area and it is considered that the proposal will contribute positively to the street scene.

Impact on Amenity

Number 15 Jubilee Road

The application site was viewed from internal habitable rooms and external amenity areas to this neighbouring property on Thursday 19th January between 12.50pm and 1.55pm upon request of the occupier. It was noted that on site visit that the streetscene provided by the applicant was incorrect insofar as it identified there being an access doorway to the front of Number 15 where in fact the primary access to this dwelling is to the side elevation, facing their detached flat roof garage. This discrepancy is not in itself an issue given the site visit that was undertaken, as observed by Ward Councillor Doran, and this matter was raised and noted.

Upon site visit the occupier made reference to the light gained from this obscurely glazed door that opened into a habitable room. However, the SPG makes no explicit reference to the impact of new dwellings on doors, more so to obscurely glazed ones, and given that this room is served by a large east facing window to the rear of the dwelling the impact of the proposed dwelling is not considered to be significantly detrimental to the amenity of this habitable room.

Sited within the outrigger to this property is a ground floor habitable room that is served by two large clear glazed windows to the side elevation that are positioned facing the boundary to the proposal site. Based upon the information available to the Authority in respect of aerial photographs, and given that the proposed dwelling will not extend directly in front of these windows it is considered that the proposal will not cause harm to the outlook from this room. With regards to the issue of overshadowing, it is evident that a degree of overshadowing occurs in any event from the arrangement of Number 15 itself.

Given that the proposed dwelling will be positioned over 7 metres from these windows it is considered that it would not cause significant detrimental harm with regards to the overshadowing of these two ground floor windows. However, in order to lessen any potential for harm the application was requested to amend the proposal to provide a reduction in eaves and ridge height. Amended drawings CAB/01/B and CAB/02/B have been received and demonstrate a reduction in scale of the proposed dwelling so that it is of an equal ridge and eaves height as Numbers 13 & 15 Jubilee Road.

As demonstrated by the dimensions given on the submitted landscaping plan, the rear garden to the proposed dwelling will be no less than 10.5 metres in length thereby ensuring that the interface distance from first-floor habitable room windows to the rear elevation to the boundary to the rear garden at Number 52 Elson Road complies with the SPG. The occupants of Number 15 Jubilee Road have expressed concern as to the potential for overlooking but given that the SPG does not provide an oblique distance for overlooking and that there the rear elevations to Number 13 Jubilee Road and Numbers 52 & 50 Elson Road have views to this garden area it is considered that the proposal will cause no greater significant harm than is already present.

The neighbouring property has also raised comments with regards to the impact of any building works associated with the erection of the dwelling, particularly the creation of a basement, on the stability of their property. While their concern can be noted this is not a matter for the planning authority. However, as requested by the Environment Head of Service, a condition relating to ground compaction/piling will be attached to any approval

in order to protect amenity with regards to noise and vibration.

Number 54 Elson Road

To the rear of Number 54 is a single-storey extension housing a kitchen and a utility area with clear glazed windows and a door to the rear providing an outlook over the existing garden area, with a much smaller secondary window to the east elevation overlooking the driveway. By virtue of the separation of the plot, this outlook will be reduced to no more than 5 metres. This would ordinarily be an unacceptable situation if it was forced upon a third party, but given that this is the applicant's property, and that any future occupant would be fully aware of the situation, then on balance this is an acceptable situation.

The subdivision of the curtilage of Number 54 Elson will not detrimental impact upon the level of private amenity space to this property given the spacing to the side and front. The boundary treatments to the Elson and Jubilee Road frontages assist in providing private space to current and future occupiers.

It is therefore considered that there is no detrimental impact on the amenity of Number 54.

Other Matters

The level of amenity space to be provided within the proposed dwelling exceeds that required by the SPG and is commensurate with the levels seen within this area while three trees are to be provided to comply with Policy DQ3 as demonstrated on the submitted landscaping plan.

While the proposal site is opposite a two-form primary school, St Luke's CE, the Highways Authority commented that they have no objections to the proposal subject to conditions being attached to any approval with regards to the creation of a new vehicle access and off-street parking area being laid out before the dwelling is occupied.

Number 15 Jubilee Road raised concerns relating to the impact upon a shared boundary wall and a tree within their ownership. While their concerns are acknowledged, these are not matters that can be considered by the Planning Authority.

For the above reasons it is recommended that as the application complies with policy that it should be granted consent with conditions.

Conditions

1. T-1 Full Planning Permission Time Limit
2. M-6 Piling
3. H-2 New vehicular access
4. H-6 Vehicle parking and manoeuvring
5. L-4 Landscape Implementation
6. M-3 Obscure Glazing
7. R-3 PD removal dormer
8. X1 Compliance

Reasons

1. RT-1
2. RM-6
3. RH-2
4. RH-6
5. RL-4
6. RM-3
7. RR-3
8. RX1

Drawing Numbers

CAB/01/B, CAB/02/B, Landscaping Plan

Existing site plan



Sefton Council

Department of the Built Environment

Jane Gowling
Head of Planning Services

S/2011/1521
Garden to rear Elson Road
Formby

OSGR: 328783_40645

Sheet(s): 284D

Area: 353 sqm

Standard Site Plan

Scale: 1:1250

Date: 24/1/2012

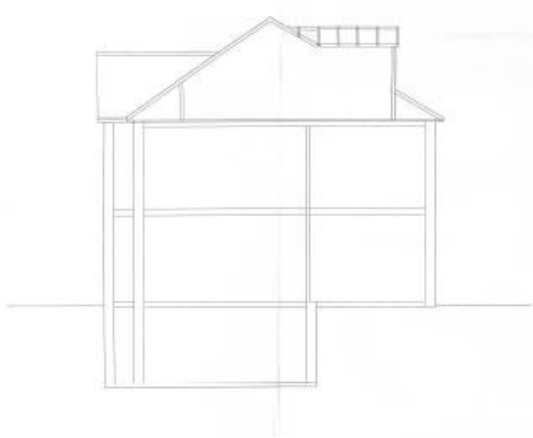
Drawn By: ROBID on

Ward(s): Havigton
Postcode Sector(s): L37 2
Polling District(s): Q5
Parish(es): Formby Cn

Proposed site plan



JURILEE ROAD STREET FRONT VIEW
Scale 1/8" = 1'-0"



SITE PLAN
Scale 1/8" = 1'-0"

Project
ERUCTION OF 2 STORY DETACHED DWELLING UNITS
WITH ACCOMPANYING NEW ON-LOT DRIVEWAY
BASEMENT
AT
JURILEE ROAD,
TOWNSHIP