

**Planning Committee**

27 March 2012

**Reference:**  
**APP/12/00114**

**Area Team:**  
**South Team**

**Case Officer:**  
**Mrs J McMahon**

**Ward:**  
**Bromborough**

**Location:** 26 CROFT LANE, BROMBOROUGH, CH62 2DD  
**Proposal:** Retrospective planning permission for extension to front of garage.

**Applicant:** Mr Michael Sheridan  
**Agent :** SDA

**Site Plan:**



### **Development Plan Designation:**

Primarily Residential Area

### **Planning History:**

No planning history

### **Summary Of Representations and Consultations Received:**

#### **REPRESENTATIONS**

Having regard to the Council's Guidance for Publicity on Planning Applications, 3 notifications were sent to adjoining properties and a site notice was displayed near the site. A letter has been received from the occupier of 24 Croft Lane, Bromborough stating the following concerns:

1. The extension is part of the building that was also built without planning permission, therefore request that prior to considering granting permission for the extension, retrospective planning permission should be sought for the entire garage.
2. The length of both the formerly built part of the garage and the extension to the garage have been built encroaching on approximately 1 foot of my land. Therefore there is no legal right for the garage, including the extension to occupy the land as this is trespass
3. In relation to point two, this requires express consent that I authorise this encroachment in accordance with any building regulations, which I do not.
4. If you grant planning permission without considering points one to three, I reserve the right to take any such further action, including the right to take judicial review proceedings against you.
5. The proposed extension is out of keeping with the visual appearance of the area this is an established residential area and there is no precedent for this kind of development.
6. The size of the extension is out of scale with the existing and immediately neighbouring properties in terms of overall size.
7. The extension further overshadows part of the garden of my property preventing the use and enjoyment of this amenity space.

#### **CONSULTATIONS**

No consultations necessary

### **Director's Comments:**

**The application was deferred from Planning Committee on the 6 March to allow consideration of an objection letter received. The report has been amended accordingly.**

### **REASON FOR REFERRAL TO PLANNING COMMITTEE**

The application is submitted by SDA Architects and Surveyors, a partner and architect of which is an elected Member of the Council.

### **INTRODUCTION**

The application is for the retention of a development that has been built without planning permission. The development comprises of a 1.3 metre deep extension added to the front of an existing garage to bring it forward, in line with the front porch. The porch roof has been extended across the front of the extended garage.

### **PRINCIPLE OF DEVELOPMENT**

The site lies within an area designated as primarily residential where the erection of extensions to dwellings will be considered acceptable subject to the limitations set out in Policy HS.11 and the Supplementary Planning Guidelines: House Extensions.

## **SITE AND SURROUNDINGS**

The site is located on the west side of Croft Lane, which is a residential street comprising of a mix of house and bungalow designs. The house is one half of a pair of semi-detached dwellings that has been previously extended with the addition of a single storey rear extension, front porch and a garage attached to the gable end.

## **POLICY CONTEXT**

UDP Policy HS.11 and Supplementary Planning Guidelines: House Extensions have been taken into consideration in the determination of this application. Policy suggests that extensions to dwellings in primarily residential areas will be acceptable where there would be no detrimental impact on neighbouring properties and no harm to the character of the original dwelling or the street scene.

## **APPEARANCE AND AMENITY ISSUES**

The extension links the porch and garage creating an L-shaped extension wrapping around the front and side elevations of the original dwelling. The new section of roof is a continuation of the porch roof and appears somewhat disjointed on the side elevation due to the eaves on the garage being higher. However, the overall appearance is acceptable and satisfies current policy criteria.

The adjacent occupier has raised a number of concerns, firstly that the part of the garage built prior to this extension needs retrospective planning permission. The element of the garage subject of this application projects forward from the original front elevation, which requires permission as set out on the General Permitted Development Order (GPDO). The part of the garage to the rear built previously is permitted development as set out in the GPDO and as such does not require permission. This application seeks to rectify the breach in planning for the part of the garage at the front.

Points 2 and 3 relate to issues outside the remit of Planning in that encroachment onto land is a civil matter and not a material planning consideration that can be taken into account as part of the planning application process. As such in relation to Point 4, comments raised in points 1, 2 and 3 are addressed within this report along with an explanation that a civil, private matter is outside the remit of planning.

As regards points 5 and 6, the retention of the extension to the garage at the front is assessed against the criteria set out in Policy HS11 where it states that extensions should not result in a detrimental impact on neighbouring properties with no harm to the original dwelling or street scene. The extension projects forward from the front elevation by 1.4 metres and is designed to complement the appearance of the original building. The minimal projection and the design is considered appropriate in scale not to have a harmful impact on the original building or the street scene. In addition, the extension is located at the front of the property, is single storey, small in scale and will not result in any overshadowing of the adjacent property.

## **SEPARATION DISTANCES**

Separation distances do not apply in this instance.

## **HIGHWAY/TRAFFIC IMPLICATIONS**

There are no highway implications relating to this proposal.

## **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 development has no impact on neighbouring properties and its appearance in the streetscape is considered acceptable. The development satisfies the criteria set out in Policy HS.11 of Wirral's Unitary Development Plan and the current Supplementary Planning Guidelines: House Extensions.

**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 development has no detrimental impact on neighbouring properties and no significant impact in the street scene. The extension satisfies the criteria set out in Policy HS.11 of Wirral's Unitary Development Plan and the current Supplementary Planning Guidelines: House Extensions.

**Recommended            Approve**  
**Decision:**

**Recommended Conditions and Reasons:**

**Last Comments By: 07/03/2012 11:56:09**  
**Expiry Date: 26/03/2012**