

WIRRAL COUNCIL
PLANNING COMMITTEE
26 JULY 2012

SUBJECT:	NO EXPEDIENCY FOR ENFORCEMENT ACTION AGAINST THE ERECTION OF TWO-STOREY SIDE EXTENSION AT 19 STANLEY AVENUE, HIGHER BEBINGTON NOT IN ACCORDANCE WITH APPROVED PLANNING APPLICATION APP/07/06709
WARD/S AFFECTED:	BEBINGTON
REPORT OF:	DIRECTOR OF REGENERATION, HOUSING & PLANNING
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR PAT HACKETT
KEY DECISION? <i>(Defined in paragraph 13.3 of Article 13 'Decision Making' in the Council's Constitution.)</i>	NO

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to advise members of the erection of two-storey side extension at 19 Stanley Avenue, Higher Bebington, which has not been built in accordance with the approved planning application reference APP/07/06709. It is recommended that there is no expediency to take enforcement action against the extension.
- 1.2 The extension as built is materially different to the approved plans. The differences include a single window has been inserted in the front elevation rather than the two windows shown on the plan, a single garage door rather than two smaller garage doors, an additional velux rooflight and coining details.

2.0 RECOMMENDATION

- 2.1 It is not expedient to take enforcement action.

3.0 REASON/S FOR RECOMMENDATION/S

- 3.1 The site comprises a dwellinghouse located within the Mountwood conservation area as set out in Wirral's Unitary Development Plan 2000.

- 3.2 The alteration to a single window, the single garage door and velux window are considered acceptable in scale and design and are not considered to harm the character of the original building or the character of the conservation area. Whilst previous planning applications for a single garage door were refused planning permission (APP/05/07618 and APP/06/05989) there are no Permitted Development restrictions on the property. It is considered these amendments could be done without requiring planning permission under the Town and Country Planning (Permitted Development) Order 2008.
- 3.3 The coining details to the front elevation of the extension require planning consent. Whilst the alterations do not represent an original feature to the character of the original property, the house is categorised as having a neutral impact on the conservation area. Therefore it is not considered the coining detail is harmful to the original building or to the character of the conservation area. It is the opinion of the Local Planning Authority that a refusal of the extension as constructed could not be upheld.
- 3.4 For these reasons it is considered that there is no expediency to take enforcement action against the development.

4.0 BACKGROUND AND KEY ISSUES

- 4.1 A complaint was received on 26th November 2009 regarding the erection of the development at 19 Stanley Avenue not in accordance with the approved planning application APP/07/06709.
- 4.2 A site visit was conducted and it was noted that the extension was materially different to the approved plans. The differences included a single window has been inserted rather than the two windows shown on the plan, a single garage door rather than two smaller doors, an additional velux rooflight and coining details.
- 4.3 The Council wrote to the owner of the property 30 November 2010 requesting a planning application to retain the extension. The Council also met with the owners and their agent to discuss the proposal. To date no planning application has been received.

5.0 RELEVANT RISKS

- 5.1 I am not aware of any direct risks

6.0 OTHER OPTIONS CONSIDERED

- 6.1 The Council wrote to the owner on 30 November 2012 inviting a planning application for the retention of the extension. To date no application has been received.

7.0 CONSULTATION

- 7.1 None required.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 There are no opportunities to involve voluntary, community and faith organisations.

9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

9.1 There are no direct financial , I.T., staffing or assets implications.

10.0 LEGAL IMPLICATIONS

10.1 There are no direct legal implications.

11.0 EQUALITIES IMPLICATIONS

11.1 None relevant.

11.2 Equality Impact Assessment (EIA)

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|---------------------------------------|-----|
| (a) Is an EIA required? | No |
| (b) If 'yes', has one been completed? | N/A |

12.0 CARBON REDUCTION IMPLICATIONS

12.1 There are no direct carbon usage implications or other relevant environmental issues.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 There are no direct community safety implications.

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APPENDICES

OS Plan Attached

REFERENCE MATERIAL

The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008
Policy HS11 House Extensions and CH2 Development Affecting Conservation Areas of the adopted Wirral Unitary Development Plan (2000)

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
None Applicable	