

WIRRAL COUNCIL
PLANNING COMMITTEE
26 JULY 2012

SUBJECT:	NO EXPEDIENCY FOR ENFORCEMENT ACTION AGAINST THE ERECTION OF A DETACHED OUTBUILDING AT 100 GARDEN HEY ROAD, SAUGHALL MASSIE
WARD/S AFFECTED:	MORETON WEST AND SAUGHALL MASSIE
REPORT OF:	DIRECTOR OF REGENERATION, HOUSING & PLANNING
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR PAT HACKETT
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to advise members of the erection of an outbuilding measuring 3.5 metres in height adjacent to the rear boundary. It is recommended that there is no expediency to take enforcement action against the outbuilding.

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 green belt as set out in Wirral's Unitary Development Plan 2000. The property has a long rear garden measuring 60 metres in length, and the proposed outbuilding is at the bottom of the garden on the footprint of a previous outbuilding. The immediate vicinity is characterised by residential properties with long rear gardens and there is a garden nursery to the west with associated outbuildings.

3.2 There are no permitted development restrictions and as such the property can erect detached outbuildings without requiring planning permission on the provision the footprint does not exceed 50% of the total area of the curtilage (excluding the original dwelling), does not come forward of the principle elevation of the original dwelling, is no higher than 4 metres in the case of a dual pitch roof or 2.5 metres within 2 metres of the boundary.

- 3.3 The outbuilding is incidental to the enjoyment of the dwellinghouse. It is no more than 50% of the total area of the curtilage. The outbuilding is to the rear of the property and will not harm the amenity of the streetscene. Whilst it is 3.5 metres in height adjacent to the curtilage boundary, it remains over 40 metres away from the nearest residential property.
- 3.4 The outbuilding by reason of its size and separation distances is not considered to result in an overdominant structure that would form a visually obtrusive feature, or result in overlooking or loss of privacy to neighbouring properties.
- 3.5 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 14th October 2010 regarding the erection of a detached building to the rear of 100 Garden Hey Road. A further complaint was lodged regarding the storage of waste materials on the site.
- 4.2 A site visit was conducted on 26th April 2012 and it was noted that the measures 3.5 metres in height. No evidence was found of storage of waste materials.

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 26 April 2012 inviting a planning application for the retention of the outbuilding. 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 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 of the adopted Wirral Unitary Development Plan (2000)

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
None Applicable	