

SUBJECT:	ERECTION OF A REAR DORMER ROOF EXTENSION AT 359 UPTON ROAD, NOCTORUM, WIRRAL, CH43 9RJ
WARD/S AFFECTED:	CLAUGHTON
REPORT OF:	CORPORATE DIRECTOR FOR ECONOMIC AND HOUSING GROWTH
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to advise members of the unauthorised erection of a rear dormer at 359 Upton Road, Noctorum, Wirral, CH43 9RJ.

2.0 RECOMMENDATION/S

2.1 It is not considered expedient issue an Enforcement Notice requiring the demolition of the dormer.

3.0 REASON/S FOR RECOMMENDATION/S

3.1 The erection of a roof extension at a dwellinghouse is permitted by The Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 1 Class B subject to a number of limitations and conditions. The dormer extension built at 359 Upton Road complies with all of those limitations and conditions, except for the following;

(a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

3.2 Government guidance suggests that in order to comply with the above condition, a roof extension such as a dormer should be clad in a hung tile of a similar colour to the roof tiles of the original roof in order to comply with the above condition.

3.3 The Dormer has been constructed using white UPVC cladding to its exterior, which is not similar in appearance to the existing roof tiles. The rear dormer extension therefore requires planning permission. The materials are not however incongruous in the area, as the property has white upvc in all existing windows, as do the majority of neighbouring properties. There are also a number of white UPVC conservatories in the immediate locality.

- 3.3 The scale of the dormer is considered appropriate to the existing building and not so extensive as to be unneighbourly, particular with regard to the effect on light to habitable rooms. The dormer windows are restricted to the rear of the dwelling and not projecting above the ridge, nor occupying the full width of the roof. The dormer does not introduce any additional overlooking
- 3.4 The development complies with Policy HS11 (House Extensions) of Wirral's adopted unitary development plan and the NPPF. Therefore it is not considered expedient to issue an enforcement notice requiring the removal of the dormer roof extension.

4.0 BACKGROUND AND KEY ISSUES

- 4.1 The Council received a complaint from a member of the public on the 26th June 2017. The complaint related to the erection of a dormer roof extension without consent at 359 Upton Road. Photographs were submitted with the complaint, which showed the dormer was clad in white UPVC, while the adjacent roof was tiled in red Marley tile.
- 4.2 On the 5th September 2017 a letter was sent to the occupier of 359 Upton Road, advising that consent was required for the dormer, due to the external cladding not matching the existing roof. The letter requested that steps be taken to remedy the breach of planning control by either re cladding the dormer with a hung tile, submitting a retrospective planning application seeking permission to retain the dormer as built, or permanently removing the entire dormer. The Council received no response to the letter.
- 4.3 On the 10th October 2017 a second letter was sent to the occupier of 359 Upton Road affording a further 7 days to take steps to remedy the breach of planning control. The Council received no response to the letter.
- 4.4 A site visit was carried out on the 31st May 2018 to assess the dormer, and in particular to assess the external materials. The dormer has a lower ridge height than the existing roof, is set back from the eaves and does not extend the full width of the roof. The windows in the dormer are sited on the rear elevation, and do not extend the full width of the dormer.
- 4.5 Letters were sent to 4 neighbouring properties on the 5th June 2018 explaining that the Council was in the process of considering whether it is expedient to issue an enforcement notice and offering the opportunity to provide any comments in relation to the dormer. One response was received and the respondent raised issues about the appearance of the Cladding and overlooking resulting from the windows in the dormer.

5.0 RELEVANT RISKS

- 5.1 None

6.0 OTHER OPTIONS CONSIDERED

- 6.1 It is open to the Council to issue an Enforcement Notice requiring the removal of the dormer roof extension. However, central government guidance sets out

that a Local Planning Authority should not take formal enforcement action solely to remedy the absence of a planning application and such action should only be directed at unacceptable forms of development. In this instance, the development is considered to comply with Policy HS11 (House Extensions) of Wirral's adopted unitary development plan, and is considered acceptable in planning terms.

7.0 CONSULTATION

7.1 N/A

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 None

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

9.1 None

10.0 LEGAL IMPLICATIONS

10.1 None

11.0 EQUALITIES IMPLICATIONS

11.1 None

11.2 Equality Impact Assessment (EIA)

(a) Is an EIA required? No

12.0 CARBON REDUCTION IMPLICATIONS

12.1 None

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 As detailed above

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APPENDICES

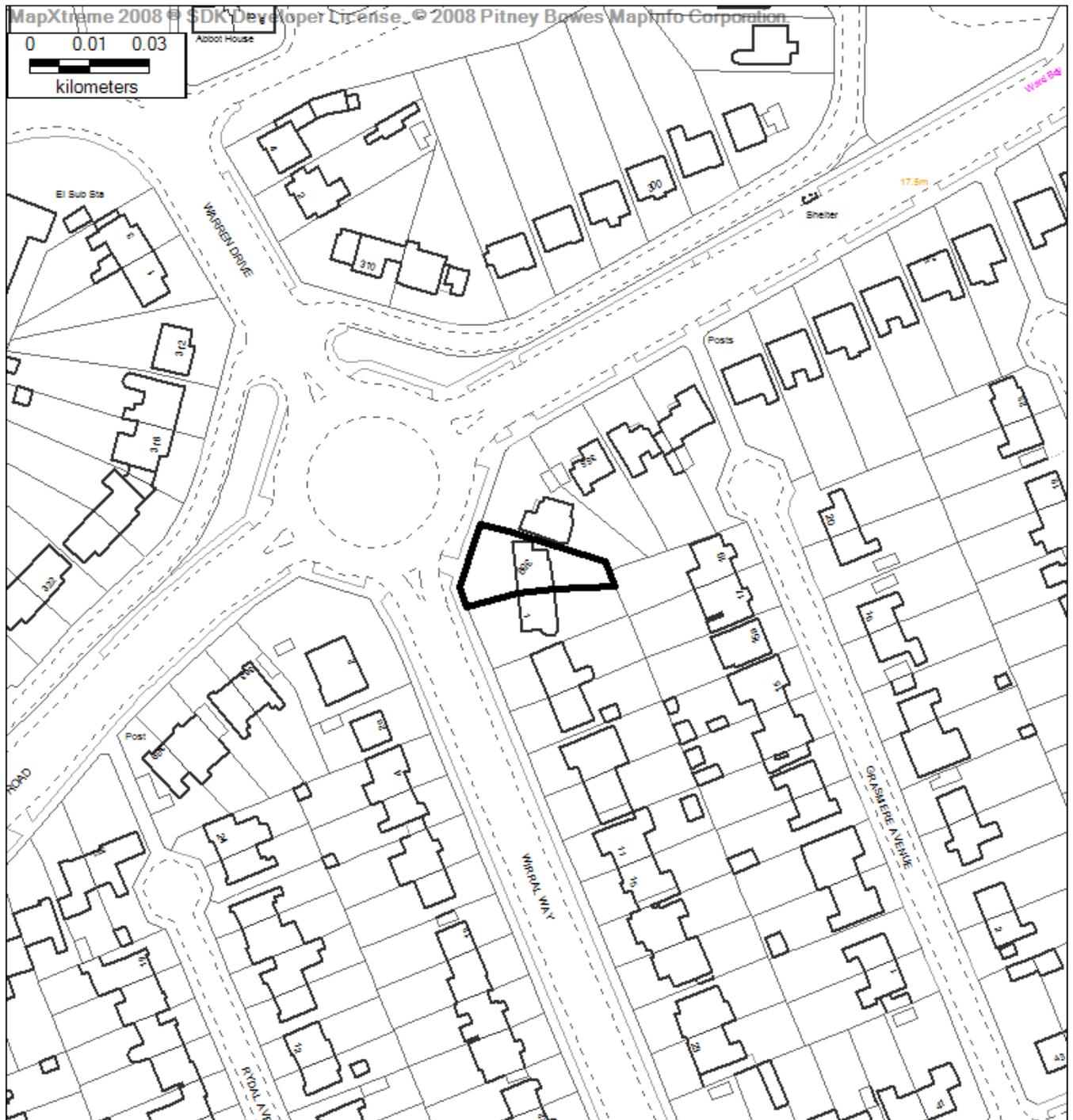
None

REFERENCE MATERIAL

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

SITE PLAN



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