

# WIRRAL COUNCIL

## Planning Committee

17 JANUARY 2019

<b>SUBJECT:</b>	<b>ERECTION OF A FRONT EXTENSION TO EXISTING WORKSHOP - SERVICE STATION AND GARAGE, 125 PASTURE ROAD, MORETON.</b>
<b>WARD/S AFFECTED:</b>	<b>MORETON WEST AND SAUGHALL MASSIE</b>
<b>REPORT OF:</b>	<b>CORPORATE DIRECTOR FOR ECONOMIC AND HOUSING GROWTH</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>COUNCILLOR GEORGE DAVIES</b>
<b>KEY DECISION?</b> <i>(Defined in paragraph 13.3 of Article 13 'Decision Making' in the Council's Constitution.)</i>	<b>NO</b>

### 1. EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to advise members of the unauthorised erection of a front extension to an existing vehicle repair workshop at 125 Pasture Road, Moreton.

### 2.0 RECOMMENDATION/S

- 2.1 It is not considered expedient to issue an Enforcement Notice requiring the removal of the extension.

### 3.0 REASON FOR RECOMMENDATION

- 3.1 The erection of an extension to an existing building, in an area defined by Wirral's adopted Unitary Development Plan as a Primarily Industrial Area, is assessed against the criteria set out in Policies EM6 (General Criteria for New Employment Development) and EM8 (Development within Primarily Industrial Areas). These policies state proposals are acceptable provided that:

#### Policy EM6

- i. The proposal does not lead to an unacceptable loss of amenity, have an adverse effect on the operations of neighbouring uses or compromise the future development of land in the vicinity for employment or other uses - visually intrusive activities, or those involving the handling of wind-blown materials, will be required to carry out all operations, including loading, within a building;
- ii. Satisfactory access to the development can be provided, before it comes into use, in a way which is not detrimental to the amenity of the area;
- iii. The proposal does not generate traffic in excess of that which can be accommodated by the existing or proposed highway network
- iv. The siting, scale, design, choice of materials, boundary treatment and landscaping is of a satisfactory standard and is in keeping with neighbouring uses.

#### Policy EM8

Within the Primarily Industrial Areas indicated on the Proposals Map, proposals for the following uses will be permitted, subject to Policy EM6 and Policy EM7:

- (i) uses falling within Classes B1, B2 or B8 of the Town and Country Planning (Use Classes) Order 1987; and
- (ii) proposals for the reconstruction, extension or expansion of existing businesses, including those involving the introduction of a notifiable hazardous substance above its controlled quantity subject to Policy PO8.

- 3.2 The front extension is modest in size, and is not visually incongruous in the locality, and does not unacceptably impact the amenity of neighbouring uses. There is satisfactory access to the development and it does not result in excess traffic to the locality. Therefore, the proposal is compliant with Policies EM6 and EM8 of the adopted Unitary Development Plan.

#### **4.0 BACKGROUND AND KEY ISSUES**

- 4.1 The Council received a complaint on the 11th April 2016 relating to the erection of a structure at 125 Pasture Road, Moreton. The site is a mixed use, with a petrol filling station and kiosk occupying part of the site. The rest of the site, consisting of a single storey workshop and fore court, used in connection with vehicle repairs.
- 4.2 A site visit was undertaken and it was found that the extension consists of a small workshop, clad in wood, which extends approximately 3 metres from the front of the existing workshop, and is approximately 3 meters in width. The building has a flat roof that is slightly lower than the eaves of the roof of the existing workshop. The extension is used for basic vehicle maintenance and repair. This type of extension requires planning permission, and a search of the Council records showed the extension does not benefit from consent.
- 4.3 Letters have been sent to the Manager and Owner of the premises requesting the submission of a planning application . No application has been received in response to these letters.

#### **5.0 RELEVANT RISKS**

- 5.1 N/A

#### **6.0 OTHER OPTIONS CONSIDERED**

- 6.1 It is open to the Council to issue an Enforcement Notice requiring the removal of the 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 Policies EM6 (General Criteria for New Employment Development) and EM8 (Development within Primarily Industrial Areas) of Wirral's adopted unitary development plan, and is considered acceptable in planning terms.

#### **7.0 CONSULTATION**

- 7.1 The Council's Environmental Health Team undertook a site visit and found that only basic vehicle repair and maintenance taking place in the extension. The Environmental Health Officer raised no objection to the retention of the extension.

## **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 N/A

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**

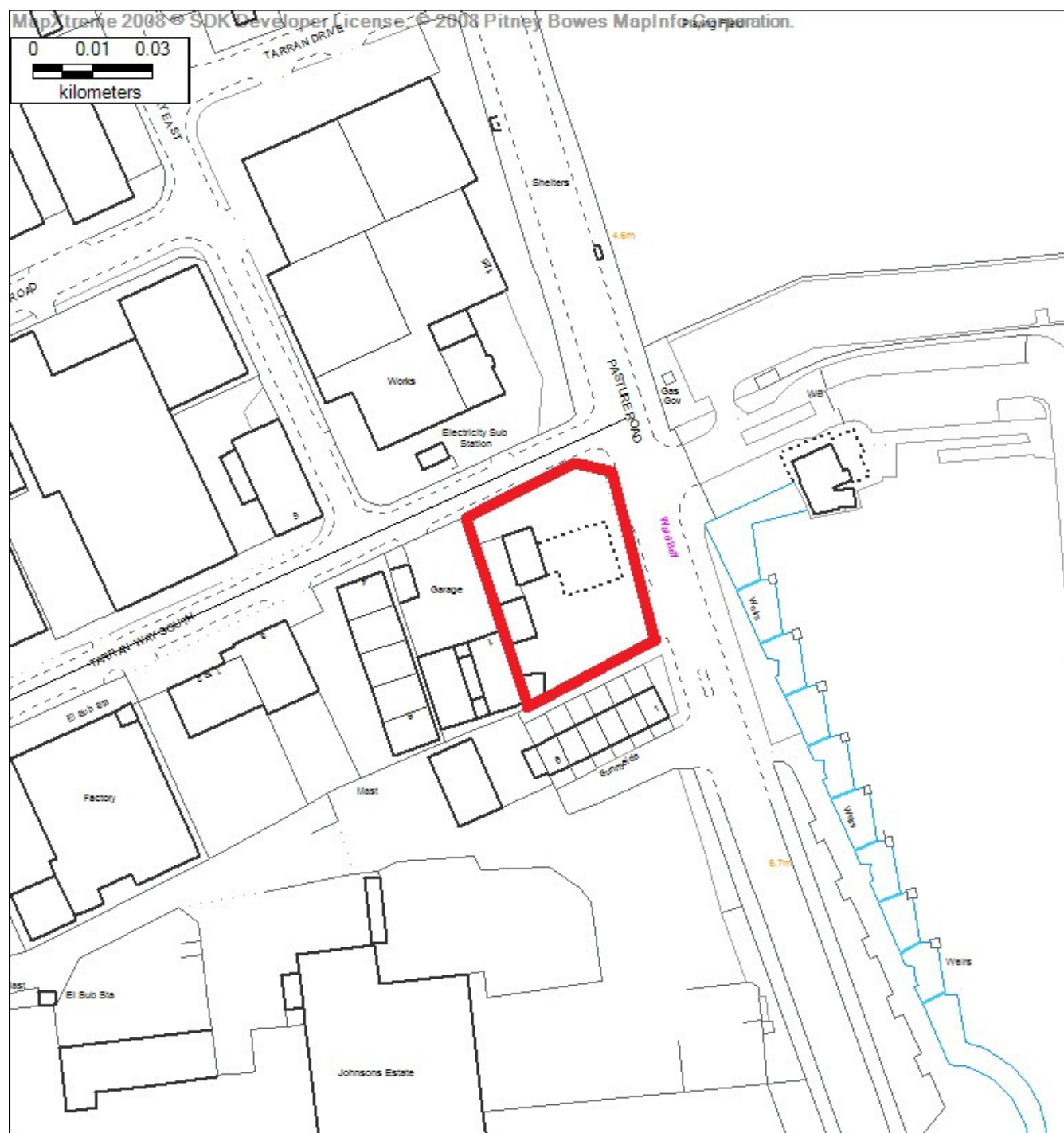
*None*

## **REFERENCE MATERIAL**

### **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>

## SITE PLAN:



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