

Committee: **PLANNING**

Date of Meeting: **15 September 2010**

Title of Report: **S/2010/0995**
80 Raven Meols Lane, Formby
(Ravenmeols Ward)

Proposal: Part retention of a porch at the front of the bungalow

Applicant: Mr David Shone

Executive Summary

The proposal is for a porch attached to the projecting gable to the front of the dwelling to replace the existing unlawful extension that was dismissed on appeal.

The key considerations are the impact of the proposal upon the host dwelling, its impact on the amenity of the adjoining dwelling and its contribution to the character of the area.

It is considered that by virtue of its scale and appearance that, subject to materials being agreed with the Council, that the proposal is acceptable.

Recommendation(s) Approval

Justification

It is considered that the proposal will result in a more harmonious appearance to the host dwelling that will have a positive impact upon the character of the area and will not cause significant harm to the amenity of the adjoining property and is therefore acceptable when assessed against Unitary Development Plan policies CS3, DQ1, MD1 & Supplementary Planning Guidance 'House Extensions'.

Conditions

1. T-1 Full Planning Permission Time Limit
2. M-1 Materials (matching)
3. X1 Compliance

Reasons

1. RT-1
2. To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with policies DQ1 & MD1 of the Sefton Unitary Development Plan.
3. RX1

Drawing Numbers

1144/03

Financial Implications

CAPITAL EXPENDITURE	2006/ 2007 £	2007/ 2008 £	2008/ 2009 £	2009/ 2010 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
REVENUE IMPLICATIONS				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

List of Background Papers relied upon in the preparation of this report

History referred to
Policy referred to



Sefton Council Planning & Economic Regeneration Department Andy Wallis - Director <small>Planning & Economic Regeneration is part of the Regeneration & Environmental Services Directorate</small>		S/2010/0995 80 Raven Meols Lane Formby L37 4DG OSGR: 329673, 406553		Standard Site Plan Scale: 1:1250 Date: 2/9/2010 Drawn By: EBERT on	
<small>This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Sefton Council Licence No. 1000181921</small>		Sheet(s): 269C		Area: 514 sqm Ward(s): Ravenmeols Postcode Sector(s): L37 6, L37 4 Polling District(s): PB Parish(es): Formby Cp	

The Site

A semi-detached dormer bungalow at the corner of Park Road and Raven Meols Lane, Formby.

Proposal

Part retention of a porch at the front of the bungalow

History

S/2008/0804 – Erection of a two-storey extension at the side, single-storey extension at the rear, installation of a porch at the front, two dormer windows to the front and a dormer to the rear of the dwellinghouse. Refused 7th November 2008 - Appeal part refused and part granted 9th October 2009.

N/2008/0530 – Erection of a two-storey at the side, dormer window and a porch at the front, single-storey extension at the rear and new boundary wall and fence at the front & side - Approved 20th August 2008.

Consultations

None.

Neighbour Representations

Last date for replies: 11th August 2010.

Representations received: Letter of objection from Number 78 Raven Meols Lane in addition to a petition against the application with 35 signatories and endorsed by Councillor McIvor.

Points of objection relate to the existing unlawful single-storey front extension and the increase in size of the proposed development over that approved by N/2008/0530.

Policy

The application site is situated in an area allocated as Primarily Residential on the Council's Adopted Unitary Development Plan.

CS3 Development Principles
DQ1 Design
MD1 House Extensions

Comments

This site has been the subject of two previous applications, one approved N/2008/0530 and one refused S/2008/0804 that resulted in an appeal decision that was part allowed and part dismissed.

The current situation for the site in respect of lawful permissions is that the full permission granted in N/2008/0530 can be implemented or that S/2008/0804 can be implemented with the exception of the porch to the projecting gable that was dismissed on appeal by the Planning Inspectorate.

This porch has already been constructed and was the subject of an Enforcement Notice that was upheld, but amended, by the Planning Inspectorate to extend the period of compliance to 6 (six) months rather than 3 (three) months. This Enforcement Notice came into effect on the 9 October 2009, the date of the decision by the Inspectorate and as such, the compliance period ran until the 9 April 2010.

The amended Enforcement Notice required the applicant to:

- A. Demolish the porch/hall extension at the front of the property.
- B. Reinststate the bay window as shown on the photographs NC1 & NC2 appended hereto
- C. Remove the concrete pantiles and reinststate the roof of the dwelling with matching rosemary clay tiles
- D. Remove all resultant materials to an authorised place of disposal

Or

- E. Construct the porch/hall extension in accordance with the approved plan drawing number 1144/02 of application N/2008/0530.

The applicant did not comply with the requirements of the notice in the compliance period but did instruct agents on their behalf to put forward further proposals as pre-application inquiries and as such, there were discussions between the Authority and the applicant prior to this application being submitted. This current application reflects those informal discussions.

The main consideration for this proposal is whether or not the current scheme sufficiently addresses the concerns raised in the refusing of consent for the retention of the unlawful porch extension to the front.

In relation to the unlawful porch extension to the front, the Inspector stated that:

“In my view the hall extension is significantly detrimental to the appearance of the building and to its surroundings. This is because of its size, projection, and design. It contrasts adversely with the approved porch, which would be a smaller subservient addition that would harmonise with the main structure. It has been designed as a full addition to the original structure, carrying forward the roof, and unbalances the appearance of the pair of dwellings. My assessment has been based on the proposed use of tiles to match the existing (and a render finish to the walls), as stated on the application plan. In practice,

as currently partly constructed, the adverse appearance has been increased by the use of red pantiles. Thus this part of the proposal would be contrary to the development plan and the appeal in this respect will be dismissed.”

The proposal subject to this application is of a more modest and minor size, with reduced overhangs, the removal of supporting pillars and a maximum projection of 1.55 metres from the existing projecting gable. Supplementary Planning Guidance ‘House Extensions’ states that we normally allow a porch or front extension that comes up to 1.5 m out from the main wall and in this respect, the proposal complies.

When assessed against the criteria of Unitary Development Plan policies DQ1, MD1 and Supplementary Planning Guidance ‘House Extensions’, the proposal is a minor addition that responds harmoniously to the scale and proportions of the existing dwelling and will not present an imbalanced appearance when viewed with the adjoining neighbouring property, Number 78.

The porch proposed as part of this application echoes that approved by N/2008/0530 and as such the statement by the Inspector that the approved porch “would be a smaller subservient addition that would harmonise with the main structure” can be applied to this application.

As was noted by the Inspector, the materials to be used for the external finishes of the proposed extension are a key consideration when assessing the impact of proposals on this dwelling. Though the submitted drawing states that all external finishes are to be agreed with the Council, section 10 of the application form states that interlocking concrete tiles will be used to match those of Number 78.

This is not an acceptable material, and the applicant presented samples of the materials to be used to the Authority, but these are the materials that are presently on the unlawful extension and were considered by the Inspector to be unacceptable. As such, while the extent of the porch is acceptable, the materials to be used in its external finish will be of key importance and therefore it is considered reasonable to attach a condition requiring the materials to be used to be agreed in writing by the Council within a reasonable period.

In the event of approval being granted to this application, the Authority will write to the applicant to advise that there is an outstanding Enforcement Notice and as such, they will be informed that they have 6 (six) months from the date of approval to either comply fully with the Enforcement Notice or to implement and complete the approved porch.

Contact Officer: **Mrs S Tyldesley** **Telephone 0151 934 3569**

Case Officer: **Neil Mackie** **Telephone 0151 934 3606**

Received by Sefton Council Planning & Economic
Regeneration Department - Bootle Office

Date
Scanned by: 25 AUG 2010

PETITION AGAINST PROPOSED PORCH AT

80 RAVENMEOLS LANE FORMBY

SPONSORED BY Cllr. DAVID MEIVOR *DM*

NAME	ADDRESS	AGAINST	SIGNATURE
MICHAEL FLEMING	72, RAVENMEOLS LANE FORMBY L37 4DG	✓	<i>M Fleming</i>
MARY FLEMING	11	✓	<i>M Fleming</i>
PAM MAWDSLEY	66 RAVEN MEOLS LA FORMBY L37 4DG	✓	<i>P. Mawdsley</i>
BARBARA THOMAS	67 RAVEN MEOLS LANE FORMBY L37 4DD	✓	<i>B. Thomas</i>
BRIAN THOMAS	67 RAVEN MEOLS LANE FORMBY L37 4DD	✓	<i>B. Thomas</i>
KAREN HICKEY	69 Ravenmeols Lane Formby L37 4DD	✓	<i>KH</i>
NIGEL HICKEY	69 Ravenmeols Lane Formby	✓	<i>NH</i>
AME WHITE	73 Ravenmeols Lane Formby	✓	<i>A. White</i>
GRAHAM WHITE	73 " "	✓	<i>G. White</i>
KATHLEEN WARD	74 " "	✓	<i>K. A. Ward</i>