

<u>APPLICATION NO:</u>	22/00533/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	Stockbridge	<u>PARISH:</u>	
<u>LOCATION:</u>	3 Woodside Road, Huyton, Knowsley, L34 4BA		
<u>PROPOSAL:</u>	ERECTION OF AN OUTBUILDING		

Site Description

The host property is located on new build housing estate within a Sustainable Urban Extension. The host dwelling is a 4-bedroom detached property which occupies a large plot within the wider housing estate.

The property is part brick facing and part rendered and is finished with grey tiles and white UPVC windows and a black door at its principal elevation.

Proposal

The application seeks permission for the erection of an outbuilding located at the side of the original dwelling house.

The outbuilding would measure 5.16m in width spanning a depth of 12.2m. It would be served by a gable roof which measures 2.17m at the eaves and 3.6m at its highest point. The outbuilding would provide additional storage space together with a study.

Consultations

Coal Authority – No objections raised.

Highways – Raises no objections to the proposed outbuilding but express concerns that its scale is sufficient to be utilised as a standalone dwelling or short-term/holiday type rental property and therefore requests that a planning condition is put in place to prevent this from happening or a parking condition placed on the application.

Representations

This application has been publicised by letters sent to 14 neighbours. No representations have been received.

Planning History

A number of applications have been submitted in respect of the wider housing estate. Of particular note to this application was application 18/00062/NMA1. This application sought permission for an amendment to the approved layout in relation to plots 34 to 62 due to the need to reposition a number of the approved dwellings on the basis of two former mineshafts which were discovered during the site preparation works. The host property in question was identified as plot 59 which previously shared space with two dwellings but due to the need to revise the approved lay out one property was

removed allowing for the host property to retain a larger plot size.

In addition, 1 application has been submitted for retrospective permission for the conversion of an outbuilding 22/00532/FUL). This application is currently pending consideration.

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

SUE2A – Sustainable Urban Extension – Knowsley Lane, Huyton

H8 - Extensions and Alterations to Residential Properties

In addition, the Householder Development SPD (2016) is a material consideration for the purposes of this planning application and provides additional guidance in relation to householder development within Knowsley Borough.

The site is identified as land located within a Sustainable Urban Extension identified in the adopted Local Plan Core Strategy. As such, the erection of a outbuilding to serve an the existing residential property is considered acceptable in principle, subject to compliance with local planning policy and guidance.

Regarding the adopted Development Plan policies, the proposed application has regard to policies CS2 and CS19 of the adopted Local Plan Core Strategy (2016) and saved policy H8 of the Unitary Development Plan (2006), together with the Householder Development SPD (2016).

These policies and guidance require that new development demonstrates a high standard of design, which does not adversely affect the character of the property or street scene; maintains a good standard of amenity for all existing and future occupants; avoiding overlooking and overshadowing, as well as an unacceptable overbearing impact; and that adequate parking and garden space would remain for use by residents of the extended property.

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

Principle of development

The applicant seeks to erect an outbuilding serving the host property. The need for development stems from the needs of the applicant to provide a home office together with additional storage space at the host property following the conversion of the integral garage which is subject to a separate retrospective application currently pending.

The outbuilding is considered large in the context of the host property and akin to the built form of a single storey bungalow. Given the oversized plot due to the changes relating to the planning layout of the wider housing estate it is considered on balance that an outbuilding of this size would be acceptable in principle in this specific location. It is considered that sufficient private amenity space would be retained for the existing and future occupiers of the host property.

However, the Local Planning Authority agree with the concerns raised by the Highway's Authority in that it is a sufficient size to accommodate an alternative use (i.e. a dwelling house) which may lead to issues in the street scene (e.g. increase car parking provision being required). Accordingly, a condition should be attached to this application to ensure that the outbuilding is incidental to the use of the host property in perpetuity.

Design

The Householder Development SPD is a material consideration for the purposes of determining this planning application. It recommends that garages, sheds and other detached buildings should normally be behind the building line or be well screened by hedging or similar landscape treatment.

As originally submitted the application sat in front of the building line. The Local Planning Authority has worked positively with the applicant to revise the proposals so that the roof sits lower and that the development is set back further to sit in line with the building line. Whilst the revised proposals are not in strict accordance with the Householder Development SPD it is considered that the proposed extension responds more positively to the local surroundings and built form of the host property and given its relation to neighbouring property located on the corner plot it would not have adverse effects on the street scene.

The proposed development would be rendered at its principal elevation and brick facing at its side and rear elevations. This is acceptable in terms of design as it would positively correspond to the design aesthetic of the host property.

It would be served by 1 window at its principal elevation, access door to the side and 1 sliding door to the rear elevation. The roof is a gable design and measures 2.17m at the eaves and 3.6m at its highest point. Due to the scale of the proposed outbuilding the roof pitch was reduced in order to reduce the overall height of the building whilst retaining a largely similar pitch to that of the host dwelling.

The proposed outbuilding would be faced in materials to match the existing host property and following the revisions to the original plans as submitted is considered to be in keeping with the host property and would not appear incongruous or inconsistent within the wider street scene particularly due to the planting arrangement proposed. The design of the proposal is therefore acceptable in character with the existing property and street scene in terms of its visual appearance and use of materials to match.

Residential Amenity

No. 1 Woodside Road

No. 1 occupies a corner plot and its rear garden backs on to the property boundary of the host property. The properties are separated by a 1.8m close boarded fence and together with a reduced roof height will help to screen the majority of the outbuilding from view.

Given the rear garden of no.1 which currently faces the gable wall of the host property it is not considered that the proposed development would result in adverse effects to the living conditions of existing and future occupiers.

No. 5 Woodside Road

No. 5 is the adjacent property. Due to the location of the outbuilding at the side of the dwelling house it would be largely obscured by the host property with the exception of 2m which project beyond the rear elevation of the host property.

It is not considered that the proposed development would have an adverse effect on the living conditions of existing and future occupiers in relation to this property.

Highways

No highways impact would occur as a result of the proposed development as an outbuilding.

Conclusion

The proposal would be acceptable in terms of design, residential amenity and highways (subject to condition attached). The proposal also complies with the relevant Core Strategy, Replacement UDP policies and guidance in the NPPF and is therefore recommended for approval subject to conditions.

Recommendation

That planning permission will be granted subject to the following condition(s):-

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2) The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

- 3) The materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture.

Reason: In the interests of visual amenity and to comply with Saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

- 4) The outbuilding shall not be converted for a separate independent use and should be used wholly in conjunction with, and incidental to, the use and enjoyment of no 3 Woodside Road.

Reason: In the interests of residential amenity and highways safety and to comply with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
21.10.2022	510-EX-050-OUT	REV D	SITE AND LOCATION PLAN
21.10.2022	510-PL-100-OUT	REC E	PROPOSED PLANS & ELEVATIONS

Signed Case Officer: **John Fleming**

Signed Authorising Officer: **Alan Kilroe**

Date: **16 November 2022**

Informative

COAL AUTHORITY

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

HIGHWAYS

 <i>Knowsley Council</i>	Highway Observations Memo Transportation and Traffic Services
---	--

Date:	8 th November 2022
To:	Planning Services
Planning App. No:	22/00533/FUL
Proposal:	ERECTION OF AN OUTBUILDING
Location:	3 Woodside Road, Huyton, Knowsley, L34 4BA,

☒ **No Highway Objection**

Highways have no objection to the proposed provision of an outbuilding as shown on the plans. The building would appear to be of a scale sufficient to be utilised as a standalone dwelling or short-term/holiday type rental property. Highways request that, if planning consider that alternative uses to that shown on the proposed plans could be legally achieved, then either measures to prevent this taking place be put in place, or that a scheme for parking be required by condition.

Appendix 1 – Site Photographs

