

<u>APPLICATION NO:</u>	23/00135/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Halewood North	<u>PARISH:</u>	Halewood Town Council
<u>LOCATION:</u>	9 Reigate Close, Halewood, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF A SINGLE STOREY REAR ORANGERY		

Site Description

The application site is located at 9 Reigate Close, Halewood and is allocated in an area that is allocated as a Primarily Residential Area in the Development Plan. The application property is a semi-detached dwelling and is brick facing on its front, side and rear elevations. It features grey UPVC openings and grey, flat, interlocking roof tiles.

Proposal

The application seeks permission for the erection of a single storey rear orangery. The proposed development would have a projection of 3.9m from the rear elevation and would have a width of 3.4m. The proposal would be served by a flat roof, which would have a height of 2.6m on the eaves. It would also feature a glass lantern that would cover a large proportion of the roof and would have a height of 3.5m at its highest point.

Consultations

Halewood Town Council - No Comments Received

Representations

This application has been publicised by letters sent to 16 neighbours. No representations have been received.

Planning History

APP. NO:	17/00425/FUL
PROPOSAL:	DEMOLITION OF FORMER SOCIAL CLUB, AND ERECTION OF 10 NO. DWELLINGS COMPRISING 9 NO. 3 BED TWO-STOREY DWELLINGS AND 1 NO. 2 BED BUNGALOW WITH ASSOCIATED ACCESS AND LANDSCAPING
DECISION:	GRANTED
DECISION DATE:	14 February 2018

It is important to note that Permitted Development rights for this property have been removed during the erection of the application property. Condition 17 attached to planning permission 17/00425/FUL for the erection of 2 dwellings states that the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 were prohibited, without formal, written consent from the Local Planning Authority.

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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.

KNOWSLEY LOCAL PLAN: CORE STRATEGY SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

H5 - Development within Primarily Residential Areas

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.

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

Saved Policy H8 in the Replacement Unitary Development Plan states that proposals for extensions to dwellings will be permitted provided that:

- a) The proposals would not (due to their scale and massing) result in a disproportionate addition to the original dwelling
- b) The design and materials used would reflect those used on the original dwelling

- c) The proposal would not adversely affect the amenity or privacy of occupiers of adjacent dwellings
- d) The proposal would not create potential hazards for highway users by obstructing visibility for pedestrians or drivers of motor vehicles; and
- e) Adequate parking and garden space would remain in use by the residents of the extended property

Design

The Householder Development SPD states that single storey rear extensions should be designed to avoid causing overshadowing, loss of outlook or loss of privacy to the neighbours or appear unduly dominant to neighbours.

The existing dwelling is brick facing, with grey UPVC openings and tiled roof. The proposed development would also be brick facing and include materials which are keeping in with those found at the application property and would have a flat roof. The flat roof, which would serve the proposed rear extension is a departure from the Householder Development SPD, but it is considered as an acceptable design, as the proposed development would be sited in an area that would not be readily visible from the highway and would be situated in the private rear garden. It would be sited in an appropriate location and therefore, the extension would have an acceptable design and would be in keeping with the requirements of Policy H8 and the Householder Development SPD.

Amenity

The Householder Development SPD states that extensions should not cause overshadowing, loss of outlook or loss of privacy to neighbours. It also states that a single storey rear extension located on or immediately adjacent to the party boundary with a neighbouring dwelling will normally be acceptable if it does not project more than 4m from the rear elevation of the existing dwelling. A single storey beyond 4m will only be permitted if it does not breach the 45-degree rule.

7 Reigate Close

No.7 Reigate Close is the paired, attached semi dwelling. The front and rear building lines sit in line with the application sites. The proposed development would not surpass the 4m parameter outlined in the Householder Development SPD. There is also sufficient party boundary treatment between No.7 and the application site in the form of timber fencing. Therefore, it is considered that the proposed development would not cause any detrimental harm to the amenities or privacy on the occupants of 7 Reigate Close.

11 Reigate Close

No.11 is the adjacent, detached dwelling to the west of the application site. The front and rear building lines sit in line with the application sites. The proposed development would not surpass the 4m parameter outlined in the Householder Development SPD. There is also sufficient party boundary treatment between no.11 and the application site in the form of timber fencing. Therefore, it is considered that the proposed development would not cause any detrimental harm to the amenities or privacy on the occupants of 11 Reigate Close.

Highways

The proposed development is to be sited at the rear and would not increase the number of bedrooms at the property or effect on existing parking provisions. Therefore, the proposed development would not have an impact on the parking utilised by the application property or would cause any adverse impact on highway safety.

Conclusion

The proposal would be acceptable in terms of design, residential amenity and highways. 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 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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
29/03/2023	9REI/002/03/23	-	EXISTING AND PROPOSED ELEVATIONS
29/03/2023	-	-	LOCATION PLAN
29/03/2023	9REI/001/03/23	-	EXISTING AND PROPOSED FLOOR PLANS

Signed Case Officer¹:

Reece Black

**Signed Authorising
Officer²:**

K Foster

Date:

4 May 2023

Appendix 1 – Site Photographs



¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

² I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

