

Regeneration and Economic Development Department

APPLICATION NO: 21/00663/FUL

APPLICANT: Dr Mukul Acharya

WARD AFFECTED: Prescott South

DEVELOPMENT: ERECTION OF TWO STOREY REAR EXTENSION AND INSTALLATION OF SUN TUNNEL TO EXISTING ROOF TO THE REAR

LOCATION OF SITE: 16 Myers Avenue, Whiston, L35 7NN

KNOWSLEY LOCAL PLAN ALLOCATION –

Primary Residential Development - Primary Residential Development

RELEVANT POLICIES

Knowsley Local Plan Core Strategy (2016):

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

Knowsley Replacement Unitary Development Plan (2006):

H5 - Development within Primarily Residential Areas

H8 - Extensions and Alterations to Residential Properties

TECHNICAL CONSULTATIONS:

Whiston Town Council - No Comments Received

NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 6 neighbours. There has been 1 letter of objection, 0 letters of support and 0 letters of comment. The representations are summarised as follows:-

- The proposal of a two story extension will have a detrimental impact on both the light and visual outlook from my property.
- When these houses were built and purchased 20 years ago it was with the fact that they were each off set from each other to enable maximum light. We bought our property as it has a...facing garden and would have light throughout the day at the rear. This extension will block that light by a further 3 metres and will mean that as I look to the... my view will be dramatically altered from seeing the sky line which is not hindered by buildings to looking at a large brick wall.
- The wall will cast a shadow across my...for a large portion of the morning. I am also greatly concerned that this change in light and outlook will have a detrimental effect on the financial value on my property should I wish to sell it in the future.

ARTICLE 35

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.

ISSUES AND ASSESSMENT:

PROPOSAL

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The application is for the erection of a two storey rear extension and installation of sun tunnel to existing roof to the rear of the detached property at 16 Myers Avenue in Whiston. The proposal would provide a new shower room and extended bedrooms.

The proposed two storey extension would project approximately 3.0m from the rear elevation of the existing property and would measure 8.3m in width to span the entire rear elevation of the property. The development would also have a pitched roof which would measure 5.0m in height to the eaves and 6.0m to the ridge.

RELEVANT PLANNING HISTORY

None.

POLICY CONSIDERATIONS

The site is identified as land for primarily residential development and a domestic extension would therefore be acceptable in principle, subject to compliance with local planning policy and guidance. The application complies with policies CS2 and CS19 of the Local Plan Core Strategy (2016) and saved policies H5 and H8 of the UDP (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.

DESIGN

The proposed extension would be faced in materials which match the existing property and would be in keeping with the scale and appearance of the property. The development would not be detrimental to the character of the street scene and is therefore acceptable with regards to design.

RESIDENTIAL AMENITY

The proposed extension would comply with the Householder Development SPD which generally supports two storey rear extensions up to 3.0m. Subsequently, the proposal would not significantly affect the outlook or levels of light to the adjacent neighbouring properties. Whilst there would be a minor change to the general outlook from several nearby properties, there is no requirement in planning law to protect such views and as explained above, the development would comply with the SPD and is not considered to appear unduly overbearing.

The New Residential Development SDP identifies interface distances that are required in order to protect amenity. The guidance states that there should be a distance of at least 12m retained between principal to gable elevations for two storey properties. Given the relationship between 16 Myers Avenue and 23 Foster Close, the proposed extension would face towards the gable wall of No. 23 and there would be a separation distance of approximately 11.5m between these elevations. Whilst the 12m interface would not be met by the proposal, due to the absence of windows on the gable wall of No. 23, the proposal would not have a significant impact on the visual amenity of the occupants of this property. Also, as the interface distance is only marginally substandard, it is not considered to be significantly detrimental to the amenity of occupiers of the extension.

It is considered that there are no other properties that would be affected by the proposal given their sufficient distance from development and on balance, the proposal is acceptable with regards to residential amenity.

HIGHWAYS

The proposal would not affect the existing level of parking at the property.

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OTHER ISSUES

Neighbour comments

The impact of the proposed extension on nearby properties has been addressed above under the separate 'Residential Amenity' section of this report.

With respect to comments which raise concerns regarding the impact of the proposal on the financial value of properties in the area, this is not a planning matter and does not constitute a material consideration in the assessment of this application.

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.

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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
17/08/2021	-	-	LOCATION PLAN
31/08/2021	21/021	-	PROPOSED FLOOR PLANS AND ELEVATIONS

Informatives

- 1 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);

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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

Chloe Roberts

24 September 2021

Alan Kilroe
24 September 2021

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