

<u>APPLICATION NO:</u>	24/00133/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Swanside	<u>PARISH:</u>	
<u>LOCATION:</u>	38 Evington Drive, Roby, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF SINGLE STOREY REAR EXTENSION		

Site Description

The application site is located at 38 Evington Drive, Roby and is situated within an area designated 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, together with white UPVC openings and flat, grey, interlocking roof tiles. The application property benefits from a detached garage adjacent the side and rear elevation.

The front elevation of the property is South-West / West facing and fronts the highway, before it develops into the head of the cul-de-sac. The property is bounded by other residential dwellings on the modern housing estate.

Proposal

The application seeks permission for the erection of a single storey rear extension. The proposed development would project 2.46m and would have a width of 3.56m. This would be served by a hipped roof, which would measure 2.1m at the eaves and 3.2m at the highest point.

The proposal would feature windows on the side and rear elevations and patio doors to the rear elevation, with rooflights on the rear slope.

Consultations

Environmental Health – No objections, subject to suggested Conditions applied.

Representations

This application has been publicised by letters sent to 5 neighbours. No representations have been received.

Planning History

No recorded planning history.

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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

The site is identified as a site allocated for housing development in the adopted Unitary Development Plan. As such, a domestic extension to 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 policies H5 and 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.

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

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

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.

Design

The existing dwelling is predominately brick facing, with white 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 pitched (hipped) roof.

The Householder Development SPD states (6.14) that the extension should leave adequate room around the dwelling to avoid a cramped appearance within the plot. It should also leave adequate garden areas for sitting out etc.

The existing rear garden area spans a depth of 9.5m and the proposal would have a projection of 2.5m and would leave approximately 7m. Given that a surplus of 50% of the rear garden area would remain usable it would be considered that the proposal would not result in a cramped appearance.

Therefore, the extension would have an acceptable design and would be in keeping with the requirements of Policy H8 and the Householder Development SPD.

Residential 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.

39 Evington Drive

No.39 is the paired, semi-detached dwelling to the application property. The front and rear elevations sit in line with one another. No.39 benefits from a detached garage situated just beyond its rear elevation.

The proposed development would be within the prescribed parameters of the Householder Development SPD.

The proposal does feature heavy glazing to all elevations. The proposed development's South-East facing side elevation could potentially result in direct overlooking into the private rear amenity area of No.37.

The Householder Development SPD states that (6.20) windows in extensions should not directly overlook adjacent property in close proximity and should not allow overlooking into neighbours' dwellings.

There is timber boundary fencing at an approximate height of 1.8m between the two rear gardens. However, there would still be a section that could facilitate overlooking. In order to prevent this and mitigate any harm, the South-East facing windows will be obscurely glazed. This will be secured by a Condition.

Overall, it is considered that the proposed development would not cause any detrimental harm to the amenities or privacy on the occupants of no.39.

37 Evington Drive

No.37 is a detached dwelling and is sited to the North/North-West from the application site at a distance of roughly 3.5m. The front elevations sit uniform with the application property and the rear elevation is set slightly further forward.

The proposed development would be within the prescribed parameters of the Householder Development SPD.

Given the existing detached garage situated in between which is brick facing on all elevations, it would not be considered that the proposal would result in any direct overlooking to the dwelling or rear private garden of No.37.

Overall, it is considered that the proposed development would not cause any detrimental harm to the amenities or privacy on the occupants of no.37.

Highways

The proposed development is to be sited at the rear and would be considered to 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.

Other issues

Environmental Health

Gas Protection Measures

The property is located on a former landfill which was investigated and monitored under planning approval 09/00056/OUT. As part of the planning permission, earthworks were undertaken, and remediation measures were put into place to ensure that the site is suitable for residential end use. Condition no.5 details the information required and permitted it is included on a Decision Notice, no objections have been received from Environmental Health.

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.

- 4) No part of the development hereby permitted shall be used or occupied until the proposed window on the South-East facing elevation, as indicated on drawing ED38/PD/03; has been glazed with obscure glass to level 3 or above and shall be retained as such with level 3 or above, obscure glazing at all times thereafter.

Reason: In order to safeguard the residential amenities enjoyed by the occupants of adjoining residential property and to ensure the development complies with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy and Saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, and the National Planning Policy Framework.

- 5) Prior to the commencement of development hereby permitted an implementation plan shall be submitted to and approved in writing by the Local Planning Authority, setting out details in respect to the following matters:

A) Gas/vapour protection membrane;

i. What specific gas/vapour membrane will be used? The membrane specification must be at least equal to that already installed under the property.

- ii. How will it be installed and specifically how will the new membrane be integrated with the existing gas protection measures.
- iii. The name of the competent persons / company installing the membrane?
- iv. How the installation of the membrane will be validated?

B) Cover system

- i. How material excavated for the foundations and other earthworks from beneath the existing garden/patio and/or beneath the high visibility membrane will be removed and disposed of offsite and will not impact the clean cover system in place at this property.

C) Water suppression shall be used, as required, to ensure there are no dust emissions from the excavated materials whilst being moved or being stored on site.

The agreed implementation plan must be carried out by competent person and the gas protection measures installed in accordance with the approved scheme.

Reason: In the interests of safety, to prevent pollution of the water environment and to comply with Saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
14/03/2024	-	-	LOCATION PLAN
14/03/2024	-	-	PROPOSED FLOOR PLANS AND ELEVATIONS

Signed Case Officer¹:

Reece Black

Signed Authorising Officer²:

K Foster

Date:

13 May 2024

Informatives

Not applicable.

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