

<u>APPLICATION NO:</u>	22/00577/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	St Gabriels	<u>PARISH:</u>	
<u>LOCATION:</u>	94 Cringles Drive, Huyton, Knowsley, L35 1RR		
<u>PROPOSAL:</u>	RETROSPECTIVE APPLICATION FOR THE ERECTION OF A FIRST FLOOR SIDE EXTENSION		

Site Description

The host property is located on a residential street within a Primarily Residential Area. The host dwelling is a semi-detached property and comprises part brick facing part clad to its principal elevation. The property benefits from white UPVC windows and doors.

The property is an end property within the street scene where a turning point is located beyond which is a grass verge which leads to Mellor Close. The property currently benefits from hard standing to provide parking for 1 vehicle together with a grass lawn.

Proposal

The application seeks permission retrospectively for the erection of a first floor side extension above the existing attached garage.

As originally submitted the proposal sought permission for a 4th bedroom and en-suite which would mirror the footprint of the existing ground floor extension. Due to concerns over impact to residential amenity the proposed development has now been reduced in scale together with the omission of the en-suite together with the window located at the rear elevation. It is on the basis of revised plans submitted that this application will be considered.

The proposed development would be located above the existing garage and would measure 3.7m in width, by 5.8m in depth and set back 1.9m from the existing rear elevation of the original dwelling house. One window would be located at its principal elevation.

The proposed development would be brick facing at its principal, side and rear elevation consistent with the host property. It would be served by a gable roof measuring 4.9m at the eaves and attaining a maximum height of 6.5m and would sit below the existing ridge by .4m. The existing garage roof would partially be retained due to the set back distance of 1.9m and would provide an overall height of 3.5m

Consultations

Highways – No objections to the proposed scheme subject to conditions.

Representations

This application has been publicised by letters sent to 5 neighbours. One representation has been received and it is neither a letter of objection or support but raises concerns relating to action needed to replace the removed downpipes to avoid

drainage issues and requests that the two previously removed downpipes are reinstated.

The Local Planning Authority notes these issues and advise that the extension is currently under construction. The proposed elevation plans indicate that the side extension would be served by two downpipes located at the front of the property and one to the rear of the garage which would allow rainwater to collect from the roof. A condition will be placed on this application which will ensure that the proposed building is built to the specification provided to the Local Planning Authority and once complete and new downpipes have been installed this should alleviate the drainage issues currently being experienced.

Planning History

A number of applications have been submitted with regard to the construction of the wider housing estate. Applications directly relevant to the individual dwelling house are as follows:

- 74/14497/HIST – Erection of two storey extension to side of dwelling providing garage and laundry room with bedroom and bathroom above. Granted 4th December 1992.
- 18/00409/FUL – Erection of single storey side extension and porch to front and demolition of detached garage. Granted 21st August 2018.

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

H5 – 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.

The site is identified as land located within a Primarily Residential Area. As such, the extension to a domestic 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

Design

The Householder Development SPD is a material consideration for the purposes of this planning application. It states that two storey side extensions (and provision of first floors over single storey side extensions) should be designed to avoid having an overbearing effect of causing unacceptable loss of light or privacy for neighbours. They should also avoid creating a terracing effect, either by themselves or in conjunction with similar neighbouring extensions.

Due to the location of the host property and the orientation of the boundary fencing it would largely provide at least 1m between the side elevation and the party boundary to the side. As such, a terracing effect would not occur in relation to the proposed development.

The proposed development would be faced in materials to match the existing property and are considered appropriate in terms of design and would not look out of keeping with regards to the wider street scene.

Residential Amenity

No. 33 Mellor Close

No. 33 is located at the rear of the host property. This property has been previously extended in the form of a clear glass conservatory which occupies the majority of the rear garden. The property also benefits from a larger garden located to the side of the property similar to the host property.

The Local Planning Authority expressed concerns with the proposed development which is partially constructed and runs the full depth of the host property. As currently standing, the partially constructed extension would be sited within close proximity to the boundary fence and was considered to have an overbearing effect in terms of residential amenity to the occupiers of no.33 located at the rear.

Whilst it was noted that the property previously benefits from the grant of planning permission for a similar sized two storey extension, local policy and guidance has significantly changed since with the adoption of the Local Plan Core Strategy and Householder Development SPD.

Accordingly, the Local Planning Authority has worked positively with the applicant and revised plans have been submitted which removes the window from the rear and side elevations together with setting in the rear elevation by 1.9m. The proposed amendments increase the level of openness between the properties. In addition, the host property is located to the north of no.33 and as such there would be no loss of sunlight as a result of the proposed development in relation to this property.

Accordingly, due to the changes made the level harm has been reduced to an acceptable degree and it is not considered that this property would be adversely affected in terms of residential amenity associated with the proposed development.

No. 92 Cringles Drive

No. 92 is the adjoining property. Due to the positioning of the proposed development which is located at the side of the host property, it is not considered that this property would be adversely effected in terms of residential amenity.

No. 96 Cringles Drive

No.96 is located opposite the host property. Due to the juxtaposition of the properties, the proposed extension would face the gable wall of no.96. No.96 benefits from a blank gable wall and as such it is not considered that the proposed development would impact the residential amenity of this property.

No other properties would be affected.

Highways

Highways have raised no objection to the proposed development subject to condition.

The Householder Development SPD recommends that 4 bedroom properties should have 3 parking spaces within the curtilage of the property boundary. Highways have advised that the proposed parking layout will technically provide 3 parking spaces (the existing space being substandard). To ensure adequate parking remains on site a condition should be placed on the application in interest of highway safety.

In addition, it is noted that an extension of the dropped footway crossover will be required to access one of the new spaces and an informative is attached to this decision in this regard.

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 development shall not be brought into use until the areas indicated on Drawing L35 1RR/94/03 Rev D, to be set aside for parking, have been surfaced in accordance with the details and specifications shown. These areas shall be retained as such thereafter.

Reason: In the interests of highway and pedestrian safety and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
03.11.2022	L35 1RR/94/01	REV C	LOCATION PLAN, EXISTING AND PROPOSED FLOOR PLANS AND ELEVATIONS
03.11.2022	L35 1RR/94/03	REV D	PARKING PLAN

Signed Case Officer: **John Fleming**

Signed Authorising Officer: **Alan Kilroe**

Date: **9 November 2022**

INFORMATIVE

It is an offence to carry out any works within the public highway without the permission of the Highway Authority. This permission requires the construction, improvement or alteration of an access to the public highway. Under Section 184 of the Highways Act 1980, the Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Prior to the commencement of any works, the applicant is advised to contact the Council's Maintenance Contractor Tarmac on 0800 023 2334 or Knowsley.highways@tarmac.com

Coal Informative
Low risk

Appendix 1 – Site Photographs



