

<u>APPLICATION NO:</u>	24/00049/FUL	<u>CASE OFFICER:</u>	Maxine Wishart
<u>WARD:</u>	Roby	<u>PARISH:</u>	
<u>LOCATION:</u>	59 Bowring Park Avenue, Roby, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF SINGLE STOREY EXTENSION TO REAR, TWO-STOREY REAR AND SIDE EXTENSION WITH PART SINGLE STOREY TO THE FRONT INCLUDING ENTRANCE PORCH AND ERECTION OF DETACHED SUMMER HOUSE IN REAR GARDEN		

KNOWSLEY LOCAL PLAN POLICIES MAP ALLOCATION:

Primarily Residential Area

Site Description

The application relates to a semi-detached dwelling and associated curtilage located on the eastern side of Bowring Park Avenue, Roby. The property is flanked by other residential dwellings to either side. Bowring Park Allotments are located to the rear.

The property benefits from a driveway and vehicular access off Bowring Park Avenue and a long rear garden.

Proposal

The application seeks consent for the erection of a part single storey extension and part two-storey extension to the rear, side and front of the dwelling. In addition, the application proposes the erection of a detached summerhouse at the end of the rear garden.

The ground floor element of the proposal would extend across the existing rear elevation of the host dwelling and beyond the gable elevation to form a side extension which would project forward of the front elevation. The proposed ground floor would create accommodation comprising of an open plan kitchen and living area; utility room; study and front porch. The extension would project 4.5 m from the rear of the existing dwelling and 2.25 m to the side. The front would project approximately 1.10 m from the front elevation.

The first-floor element would be set above the ground floor at rear and side and whilst again it would project 4.5 m from the rear, it would be set in 3.44 m from the common boundary with the adjoining neighbour No. 57. The first floor would provide a master bedroom with dressing room and en-suite.

Consultations

None Required.

Representations

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

Following receipt of amended plans consideration has been given to the necessity to re-consult. In this instance amendments relate to the reduction in mass of the rear roof of the extension (gable end to hip) and reduction in the size of a first-floor window and it is therefore considered that the proposed amendments do not constitute substantial differences or fundamental change to the originally submitted proposal.

The LPA has acted fairly and reasonably taking in to account the duty to fully consider representations from interested parties and considers that nobody has been deprived of the opportunity to make any representations that they may have wanted to make on the application as amended due to the nature of the change/s.

Planning History

None relevant.

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.

NATIONAL PLANNING POLICY FRAMEWORK

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS7 - Transport Networks

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

SUPPLEMENTARY PLANNING DOCUMENTS

Ensuring a Choice of Travel SPD (2010)

Householder Development SPD (2016)

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

The site is identified as within a Primarily Residential Area within the adopted Local Plan. As such, the extension to a domestic property is considered acceptable in principle, subject to compliance with local planning policy and guidance.

The proposed development should have regard to Saved policy H8 of the Replacement Unitary Development Plan and policies CS2 and CS19 of the Local Plan Core Strategy together with the Householder Development and Ensuring a Choice of Travel SPDs.

These policies and guidance require that new developments demonstrate 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 occupants; avoids overlooking and overshadowing, does not have unacceptable overbearing impacts; and that adequate parking; bin storage and amenity space would remain for use by residents of the extended property.

Layout

The proposed extension would be located to the rear, side and front of the host dwelling. The ground floor element would project out from the rear of the existing rear elevation by 4.5 m and out to the side by 2.75m, resulting in the extension being a total of 8.718 m wide across the rear/ side. The ground floor would project forward of the main front elevation by 1.10m and would be 5.38m wide.

The first floor would be set in 3.44 m off the common boundary with the adjoining neighbour No. 57 and extend 4.5 m from the rear, extending out to the side up to the common boundary with the adjacent property No. 61 Bowring Park Avenue.

The proposed outbuilding would be located at the far rear end of the rear garden approximately 17.5 m from the rear of the proposed extension. Between 1.52 – 2.00m would be maintained to the rear boundary; approximately 1 m between the boundary with No, 57 and 930mm – 1.00m would be maintained between the side of the outbuilding and the common boundary with No. 61.

Amenity Space

The Householder SPD advises that two storey rear extensions would not normally be allowed to come within 7 metres from the rear boundary and this would be more than adequately maintained following the development. The property benefits from a large private garden to the rear. The extension would be in excess of 24 m from the rear boundary which the application site shares with Bowring Park Allotments. There would be approximately 17.5 m between the extension at the rear and the proposed outbuilding. Adequate room would be maintained about the dwelling to avoid a cramped appearance within the plot and to maintain adequate private amenity space.

Parking Provision

The host property has a driveway fronting the dwelling and at the time of Officer's site visit the front garden area had been cleared and laid to a hardcore base. The driveway currently extends approx. 11 m in length, sufficient to accommodate two vehicles. The extension would reduce the length of the driveway such that it would only accommodate one vehicle. However, the hardstanding would accommodate additional parking which is discussed in detail in the Highway section further on in this report.



Waste Storage (Bins)

The Householder SPD advises that an extension should leave adequate room around the dwelling to avoid a cramped appearance within the plot and leave adequate space for the storing of refuse bins, etc. It goes on to advise that *“proposals should ensure that adequate provision is made / retained for refuse collection and recycling. Ideally a minimum distance of 1m should be retained between the side wall of any side extension and boundary to facilitate collection....Extensions which remove access to the rear of a dwelling will normally only be acceptable if a secure bin store or alternative arrangements can be provided to the front of the dwelling, which would not have a detrimental impact on the street scene. In such cases acceptable alternative arrangements for bin collection need to be indicated in the planning submission.”*

The proposed development would result in the loss of the existing access to the rear and would result in bins having to be stored to the front of the dwelling. Whilst this is not ideal, there are many other dwellings in this residential area that have extensions to the side that restrict bins from being stored to the rear. It would be difficult to argue that this would be a reasonable ground to refuse planning permission or to

require that a bin store is provided having regard to the prevailing situation in this instance.



Design

The proposed development would comprise a part single storey (to the rear) and part two storey extension to the rear and side with a single storey element to the front.

Single Storey Extension

The single storey element of the rear extension would be located adjacent to the common boundary with the adjoining neighbour, No.57. this part of the extension would have a flat roof incorporating a roof light and large glazed folding doors within the rear elevation. It would project 4.5 m to the rear with a maximum height of 3.09m.

Two-Storey rear and Side Extension

This element of the proposal would be set in 3.44 m off the boundary, measure between 5.27 m wide across the rear and side. It would have a maximum depth of 10.04 m. The roof would be a mix of a hipped roof with a gable end at the rear. It would be set lower than the main roof attaining a maximum height of 7.38m.

The Householder SPD requires that two storey extensions should normally have a pitched roof. The existing dwelling has a hipped roof and the extension proposes a hipped roof to the side and a gable end at the rear has been amended to now present a hipped end at the rear of the extension. The SPD further advises that the roofline should match that of the existing and should normally be at a lower level than the original. The ridge would be approx. 200 mm lower than the host dwelling. The

roof of the side extension would echo the design of the existing dwelling.

The SPD further advises that first floor side extensions should be designed to avoid the creation of a terracing effect. A minimum 1m space should be preserved between the party boundary to the side of the property, or the front wall of the first floor of the extension should be set back at least 1m from the immediately adjoining part of the main front wall of the original dwelling. In this instance, the extension would be built up to the side boundary and the proposal would have a 680 mm set back from the adjacent wall of the host dwelling.

This is less than noted in the SPD, however it would be set between approximately 1.6 – 1.7 m from the projecting 2-storey bay of the host dwelling and the single storey canopy proposed at the front of the dwelling. The host dwelling is at a slightly elevated position compared to the neighbouring property No.61 and this property has a similar extension (granted in 1993 Ref: K/APP/14893) which has a 1 m set back.

The adjacent semi-detached dwellings Nos. 53 (Ref: 17/00412/FUL) - 55 (Ref: 21/00266/FUL) both have two-storey side extensions, set back 1m and 520mm respectively and the Householder SPD (June 2016) was relevant in the determination of both of these decisions.

Having regard to the above circumstances, in this instance it is considered that the proposal would not result in a terracing effect to the detriment of the streetscene.

Front Extension and Porch

The Householder Development SPD requires that the style, materials and scale of front extensions needs to protect the character of the surrounding area; the building line should be taken into consideration, the size and projection will be dependent on the type of dwelling and set-back from the highway. They should not dominate the existing dwelling or disrupt uniformity of a group of similar designed dwellings; and should ensure that there is no loss of privacy; obstruction or impacts on outlook of neighbours.

This part of the proposed extension would project 1.10 m from front elevation on which it would be sited and extend 5.35 m wide. It would have a mono-pitched roof spanning the frontage which would be finished in roof tiles to match the dwelling. It would attain a maximum height of 3.57. Other similar extensions to the front are commonly seen in the street and surrounding area. The design of this part of the development is acceptable.

Window Details and Materials - Extension

The windows to be inserted into the front elevation would be of acceptable proportions. Large folding doors are proposed across the ground floor rear elevation together with French windows and Juliette balcony with glass balustrade serving a new bedroom in the two-storey extension at the rear. The first floor French windows to the rear elevation has been amended so that the width had been reduced in width and now presents less glazing. The neighbouring property, No. 61 has similar windows to the rear in a similar two-storey extension.

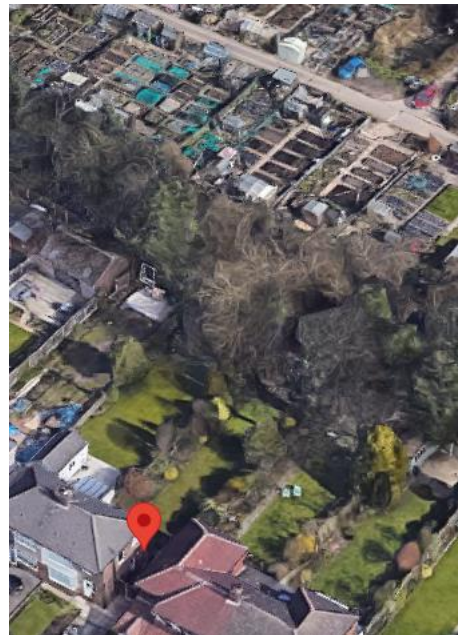
The host property and the prevailing character of surrounding properties in the street scene comprise, in the main, of facing brick with rendered or pebble-dash panels at first floor with brick work to the side and rear. However, there are a number of properties that have been rendered across all elevations. It is proposed to render the extension and the existing. Roof tiles would match the existing property. As such, the development would not appear out of place within the street scene. The proposed

materials and finishes are in keeping with the existing property and a condition should be attached to any planning permission if granted to ensure that the proposed materials and finishes match the host property to ensure the character of the property and the street scene is maintained.

On balance, having regard to the above, the extension is considered to be acceptable and would not have an unacceptable impact on the character and visual amenity of the streetscene.

Outbuilding (Summerhouse)

Consent is also sought for the erection of a summerhouse in the rear garden. The applicant's agent has indicated that the building would be to provide space for leisure use for a snooker table, TV etc. It would be sited at the far end of the garden approx. 17.5 m from the rear of the proposed extension. The building would measure 7 m wide by 5 m deep. The roof would have a gentle slope, lowering towards the rear and attaining height of between 2.41 -2.48 m. It would feature large glazed bi-folding doors across the front elevation. No openings are proposed to the sides and rear.



No detail is provided within the application in regard to proposed materials, although the submitted drawings appear to indicate that it would be brick built. The existing host dwelling is in the main brick built with a render panel to the front elevation although the submission indicates that the host dwelling and the proposed extension would be rendered. In this instance it is therefore considered that it would be appropriate to secure details of the materials via a suitable condition should planning permission be granted.

The openings would face back into the garden of the host property. Allotments are located immediately to the rear. The building would not be clearly visible from public viewpoints and would not therefore have a detrimental impact on the character and appearance of the street scene. The outbuilding is acceptable in terms of design.

A summerhouse would be an appropriate use being incidental to the enjoyment of applicant's dwelling. It should also be noted that under the terms of Schedule 2, Part 1, Class E *buildings etc incidental to the enjoyment of a dwellinghouse* of the Town

and Country Planning (General Permitted Development) (England) Order 2015 (as amended) there is considerable scope for householders to erect an outbuilding within the curtilage of a dwellinghouse without the need for planning permission. The proposed outbuilding does not exceed the limitations set out in Class E and could be built under permitted development rights.

The Court of Appeal confirmed in case law in *Mansell v Tonbridge and Malling BC & others* [2017] that there should be a 'real prospect' of a fallback development being implemented. Officers are satisfied that there would be a 'real prospect' of an outbuilding being erected under permitted development rights and the fallback position therefore carries substantial weight. Nevertheless, given the distance from the host dwelling and the flanking neighbours and having regard to the scale and use proposed, it is not considered that the proposed building would appear overly dominant or have a detrimental impact on the character of the dwelling or the surrounding area and is acceptable.

Residential Amenity

No. 57 Bowring Park Avenue

The Householder SPD 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. Extensions beyond 4m (or in a situation where the application property has a rear elevation which is set further back than the rear elevation of the neighbouring dwelling) will normally only be permitted if it does not breach the 45 degree rule.

The host property is attached to No. 57 and that property has a single storey extension to the rear, located adjacent to the common boundary and projecting approx. 3.85 m from the rear elevation.



The proposed single storey element of the extension would project 4.5 m from the rear elevation of the host dwelling but given the neighbours extension, it would not have detrimental impacts on this neighbour.

Turning to the 2 storey element, the Householder SPD advises that extensions beyond 3 metres will only be acceptable if they do not breach the 45 degree rule. In addition, where the properties are attached and the neighbouring dwelling has no extension adjacent to the boundary, any first floor element of an extension beyond 3 metres should be set in from the party boundary by a minimum of 1m. Whilst the 2-storey element would exceed this limitation it would be set in off the boundary by 3.44 m from the boundary and as such the 45 degree rule would not be breached. It

is considered therefore that the proposed development would not unduly harm the amenity of the neighbouring property.

The outbuilding would be sited at a sufficient distance and would be screened to ensure that it would not have detrimental impacts on the neighbouring property.

No. 61 Bowring Park Avenue

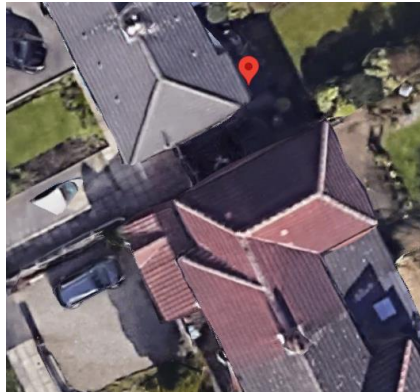
The adjacent dwelling is currently sited a driveway width off the common boundary with the host dwelling. The host dwelling is sited slightly forward of No. 61 and the set a little higher than the neighbour. No. 61 has a part single and part two-storey extension to the side, extending beyond the rear elevation and forward of the main front elevation.



There are no windows within the side elevation of the neighbour's extension facing onto the common boundary. No openings are proposed within the gable elevation facing the boundary with No. 61.

The proposed extension would project approximately 1 m beyond the rear of the neighbour's extension at the rear. The proposal exceeds the 3 metres that is normally acceptable. However, the application indicates that the proposed extension would not breach the 45 degree rule due to the juxtaposition of the neighbour's existing 2-storey extension.

The single storey element to the front would be set behind the neighbour's existing extension and would not have any detrimental impact.



The outbuilding would be sited at a sufficient distance and would be screened to ensure that it would not have detrimental impacts on the neighbouring property.

It is considered that the proposed development would not cause detrimental harm to the amenities of the occupants of No.61 and would be in accordance with the Householder Development SPD.

Highway Considerations

The host dwelling is a three-bedroom property and the proposal would see, along with the extension, the re-configuration of the first floor with an existing rear bedroom subsumed within the extension to accommodate a landing area and part of a proposed dressing room within the extension. Whilst the floor layout is annotated to show that no additional bedrooms are proposed, the area allocated as a dressing room could be utilised as a bedroom. This is having regard to it having a larger floor area than the existing bedroom that would be lost. It is officer's view that the proposed development should be considered on the basis that it would shift the bedrooms from 3 to 4.

The Householder Developments SPD states that in most cases the existing level of provision for car parking should be retained within the curtilage of a dwelling. Where the extension would result in the need for additional or replacement parking, the number of spaces should be in line with the Council's parking standards, in the case of a 4-bed property this is 3 spaces. Fewer spaces than set out in the parking standards will only be acceptable if the highway and environmental conditions in the locality allow, for example in areas with wider access roads and plots. Proposals that would result in an adverse impact on street parking conditions to the detriment of highway safety or the amenity of local residents would not be acceptable.

There is an existing driveway with direct access off Bowring Park Avenue, this is fronted by a deep grass verge and tarmac cross-over. Whilst the length of the driveway would be reduced to make way for the extension, as noted above, the site frontage has been laid out to hardcore. There is sufficient space within the site to accommodate three vehicles.



Subject to a condition requiring the site frontage to be appropriately surfaced and made available for parking there would be no conflict with Policies CS2 and CS19 of the Local Plan and saved Policies H5 and H8 of the UDP, the advice set out in the Knowsley Householder Development (SPD) and the NPPF.

Conclusion

The proposal would be acceptable in terms of design, residential amenity and highway safety. The proposal complies with the NPPF, relevant Core Strategy and Replacement UDP policies and guidance set out in the Householder Development and Ensuring a Choice of Travel SPDs and is therefore recommended for approval subject to conditions.

Recommendation

That planning permission be granted subject to the following conditions:

- 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 host dwelling in type, size, colour and texture.

Reason: In the interests of visual amenity and to comply with the National Planning Policy Framework, Saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006 and Policies CS2 and CS19 Policy CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 4) Prior to the commencement of the construction of the outbuilding hereby permitted precise scheme details and specifications of all external materials and finishes to be used on the building shall have first been submitted to and approved in writing by the local planning authority. The development shall be carried out only in accordance with the approved details.

Reason: In the interests of visual amenity and to comply with the National Planning Policy Framework, Saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006 and Policies CS2 and CS19 Policy CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 5) Before the development hereby permitted is first brought into use, the site frontage shall be made available for the parking of vehicles and shall be finished with a porous surface or provision shall be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house. The parking provision shall be retained as such thereafter.

Reason: To ensure that adequate off-street parking provision is provided in the interest of highway and pedestrian safety and to reduce surface water run-off and to ensure that the development complies with the National Planning Policy Framework, Saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted June 2006; Policies CS19 and CS24 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the Ensuring a Choice of Travel SPD (2010) and the Householder Development SPD (2016).

- 6) The outbuilding hereby approved shall be used solely for a use incidental to the dwellinghouse and shall not be used to provide primary living accommodation; as separate self-contained accommodation or for any business use.

Reason: In the interests of avoiding the creation of a separate residential or business use to protect the residential amenity of neighbouring residential properties and highway safety and to comply with the National Planning Policy Framework, Saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policy CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
01/02/2024	101	-	LOCATION PLAN
01/02/2024	102	-	SITE PLANS
01/02/2024	301	-	PROPOSED GROUND FLOOR PLAN
11/04/2024	302	-	PROPOSED FIRST FLOOR

23/02/2024	303	-	PROPOSED SUMMER HOUSE
01/02/2024	401	-	PROPOSED FRONT ELEVATION
11/04/2024	402	A	PROPOSED REAR ELEVATION
11/04/2024	403	A	PROPOSED EAST ELEVATION
11/04/2024	404	A	PROPOSED WEST ELEVATION

Signed Case Officer¹:

M Wishart

**Signed Authorising
Officer²:**

K Foster

Date:

15 April 2024

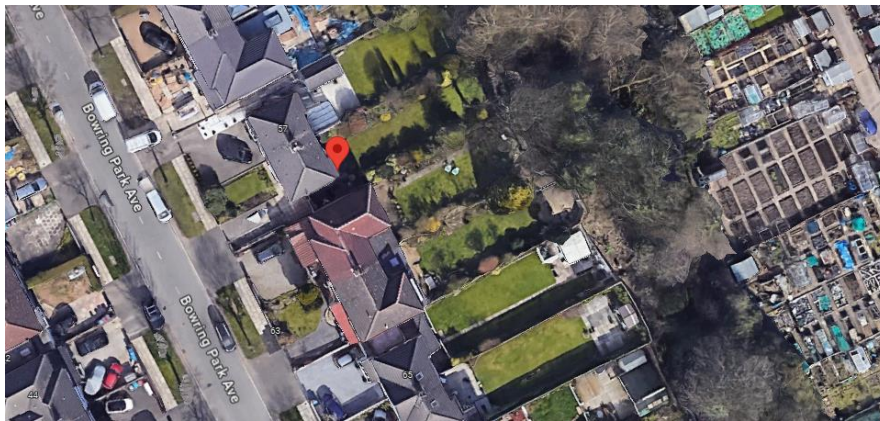
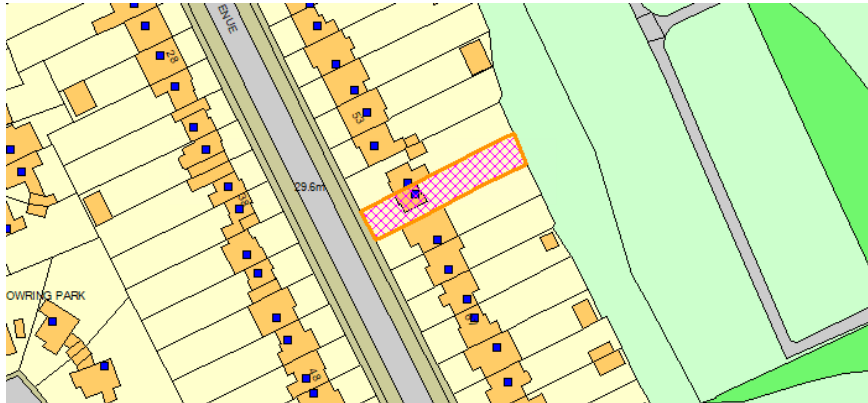
Informatives

N/A

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

Appendix 1 – Site Photographs



Google Image Capture



Google Image 2022

