

Regeneration and Economic Development Department

APPLICATION NO: 22/00274/FUL

APPLICANTS: Mr and Mrs Taylor

WARD AFFECTED: Prescott North

DEVELOPMENT: ERECTION OF A SINGLE STOREY REAR EXTENSION

LOCATION OF SITE: 16 Laurel Road, Prescott, Knowsley, L34 2SU

KNOWSLEY LOCAL PLAN ALLOCATION:

Primarily Residential Area

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:

None.

NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 3 neighbours. No representations have been received.

ARTICLE 35

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.

ISSUES AND ASSESSMENT:

PROPOSAL

The proposed development relates to the construction of a single storey rear extension together with internal alterations located at 16 Laurel Road, Prescott.

The proposals would provide an additional bedroom located at the ground floor for a disabled person. In addition, the existing utility room to the ground floor is to be converted to a bathroom/wetroom.

The proposals have been substantially altered during the course of this planning application. The rear element of the development proposal projects 2.1m – 5m from the rear elevation of the existing property.

As originally submitted, the application sought permission for a flat roof incorporating a roof lantern and velux window. Following discussions with the applicant, the proposed roof is now of hip design and

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measures 2.5m at the eaves and 3.2m at its highest point allowing for a 13.3 degree pitch and includes 2 Velux windows.

RELEVANT PLANNING HISTORY

- 12/00002/FUL – Demolition of existing single storey extension and detached garage and erection of two storey extension to side and rear of dwelling. Granted 22nd February 2012.

POLICY CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires development proposals to be determined in accordance with the Development Plan unless material considerations indicate otherwise. Policies relevant to the development proposal consist of the following policies and guidance:

Knowsley Core Strategy (2016)

- Policy CS2: Design principles; and
- Policy CS19: Design quality and accessibility in new development.

Knowsley Replacement Unitary Development Plan (2006)

- Policy H5: Development within Primarily Residential Areas; and
- Policy H8: Extensions and alterations to residential properties.

Other material considerations:

- National Planning Policy Framework (the “Framework”) (2021); and
- Planning Practice Guidance (PPG);
- Ensuring a Choice of Travel Supplementary Planning Document (SPD) (2010); and
- Householder Development Supplementary Planning Document (SPD) (2016).

The proposed development is identified as land located within a Primarily Residential Area in the adopted Development Plan and a domestic extension is therefore considered to be acceptable in principle, subject to compliance with local planning policy and guidance listed above.

Regarding the adopted Development Plan policies, the proposed application complies with policies CS2 and CS19 of the adopted Local Plan Core Strategy (2016) and saved policies H5 and H8 of the Unitary Development Plan (2006).

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.

However, the proposals conflict with the Householder Development SPD and this is set out below.

NEED FOR DEVELOPMENT

Occupational Health has submitted information which confirms that due to personal circumstances and the fact that the disabled person’s existing property is unsuitable for his health needs, that the best option for the disabled person would be relocation to the property at 16 Laurel Road to reduce the high risk of injury associated with living in his current premises.

The proposed development seeks to provide an additional bedroom at ground floor level for a disabled person. The diagnosis of the disabled person is neurodegenerative, with high potential for further progressive decline in the long term which will require mobility aids and which will require additional space to be operated by 2 carers. In addition, the disabled person will also require the use of a mobile hoist and the statement suggests that if the bedroom space is less than what is proposed then this will not be possible and further adaptations will be necessary. There is also the potential for the disabled person to become a permanent wheelchair user in the future.

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Although planning permission goes with the land and personal considerations can be given weight, this weight is normally limited.

Paragraph 8 of the Framework 2021 states that achieving sustainable development means that the planning system has three overarching objectives which are interdependent and need to be pursued in mutually supportive ways. These are an economic objective, a social objective and an environmental objective.

In terms of the social objective the application would result in improved living conditions for a disabled person which will improve their health and wellbeing together with ensuring their current and future needs are catered for. In terms of economic benefit, the development proposals would allow for assisted care within a family members property and would likely save the NHS a significant sum of money associated with care facilities within a residential care setting. There would be no environmental benefits associated with the development.

DESIGN

The property currently benefits from a two-storey side and part rear extension. The proposals would be located at the rear of the property and situated between the property boundary at no.14 Laurel Road and the existing two storey rear extension.

The proposed rear extension would be faced in materials to match the existing property and as such, the proposal is considered to be in keeping with the property and would not appear incongruous or inconsistent within the wider street scene given its location at the rear of the property. The design of the proposal is therefore acceptable and in character with the existing property in terms of its visual appearance and use of materials to match.

RESIDENTIAL AMENITY

The Householder Development SPD is a material consideration for the purposes of determining this planning application. It recommends that single storey rear extensions located on or immediately adjacent to the party boundary with a neighbouring dwelling will be acceptable if it does not project more than 4m from the rear elevation. The adjoining property at no. 14 Laurel Road currently benefits from a part single storey rear extension located on the far side of its rear elevation. Accordingly, the proposed development would extend 5m in depth beyond the rear elevation of the adjoining property and is therefore in conflict with the Householder Development SPD.

Given the properties current orientation at the end of a cul-de-sac there would be no adverse effects to residential amenity at no. 18 Laurel Road. There would be no adverse impact to residential amenity to the rear of the property given that this is currently used as open space associated with Prescott Primary School.

Due to the depth of the proposed development the Local Planning Authority expressed concerns regarding adverse impact to residential amenity to no. 14 Laurel Road. To reduce the harm, the applicant has put forward revised proposals which seek to alter the roof design from a flat roof including roof lantern to a hip roof incorporating 2 Velux windows. This amendment is considered necessary as it will significantly reduce the height at the eaves from 2.9m to 2.4m and reduce the overall height of the roof from 3.8m to 3.2m and will reduce the impact on residential amenity to no.14.

Although this is greater than what is normally allowed by the SPD, it is considered that the design amendments have reduced the impact of the extension as much as possible on the neighbouring property and given the need for the extension and the lack of objection from the neighbour. The development is considered acceptable in this instance.

HIGHWAYS

The application seeks to increase the number of bedrooms. The Ensuring a Choice of Travel SPD sets out the Council's guidance on parking standards and states that 4+ bedroom properties should provide 3 parking spaces within the curtilage of the existing property boundary.

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The property currently benefits from a driveway comprising of hardstanding with capacity to accommodate 2 cars within the property's curtilage. Whilst this is below the Council's standards it must be remembered that these are maximum standards. In addition, due to the nature of the neurodegenerative disorder the applicant has confirmed that the disabled person is unable to drive and as such will not require provision of a car. Accordingly, the proposed development would not have an adverse impact on highways.

OTHER ISSUES

None.

CONCLUSION

The proposals comply with the relevant Development Plan policies but conflict with the Householder Development SPD which is a material consideration for the purposes of this planning application. The Framework defines SPDs as documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on particular issues such as design. SPDs are capable of being a material consideration in planning decisions but are not part of the development plan. As such, the guidance set out in the SPD is not adopted policy in accordance with section 38(6) of the Planning and Compulsory Purchase Act (2004) but is a material consideration for the purposes of this planning application. Whilst the development would project 5m from the rear elevation of the neighbouring property this must be balanced against the needs for the development.

The proposed development has been designed to minimise the impact on neighbouring properties whilst meeting the needs of a disabled person and on balance is acceptable.

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
06.05.2022	22.004.001		LOCATION PLAN
07.09.2022	22.004.002_C	REV C	EXISTING AND PROPOSED GROUND FLOOR PLAN
07.09.2022	22.004.003_C	REV C	EXISTING AND PROPOSED ROOF PLAN
07.09.2022	22.004.005_C	REV C	EXISTING AND PROPOSED

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			REARELEVATION
07.09.2022	22.004.006_C	REV C	EXISTING AND PROPOSED GABLE END ELEVATION
07.09.2022	22.004.007_C	REV C	EXISTING AND PROPOSED SIDE ELEVATION 01

J Fleming
07.09.2022

Alan Kilroe
9 September 2022

INFORMATIVES

COAL AUTHORITY

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); 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

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