

<u>APPLICATION NO:</u>	22/00580/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Whiston & Cronton	<u>PARISH:</u>	Whiston Town Council
<u>LOCATION:</u>	3 Millwood Gardens, Whiston, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF A TWO STOREY SIDE EXTENSION		

Site Description

The applicant property is located at 3 Millwood Gardens, Whiston and the property is a detached dwelling and is situated in what is allocated as a Primarily Residential Area in the development plan. The property is red brick facing on the front, side and rear elevations, with the top third of the front elevation rendered. In addition, it is brown UPVC on the windows and doors along with a flat tiled interlocking roof.

The application property has a rear extension at the back in the form of a conservatory.

Proposal

The applicant seeks permission for the erection of a two-storey side extension from the west of the property, consisting of a pitched roof.

The side expansion would span a width of 2.4m and a length of 6.7m. It will be set back 2m from the front elevation and proceed until it meets and sits in line with the rear elevation of the dwelling house. The roof is dual pitched, with a lower ridge line than the original, but echoing the gradient of the slope. The eaves of the proposed development measure at a height of 5m and 6.7m at its highest point.

Consultations

Whiston Town Council - No Comments Received

Representations

This application has been publicised by letters sent to 6 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

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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

**KNOWSLEY LOCAL PLAN: CORE STRATEGY
SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN
(ADOPTED JUNE 2006)**

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

H5 - Development within Primarily Residential Areas

H8 - Extensions and Alterations to Residential Properties

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

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

Design

The Householder Development SPD states that two storey side extensions should be designed to avoid having an overbearing effect or causing unacceptable loss of light or privacy for neighbours.

The existing dwelling is brick facing (with the exception of the upper strip of rendering on the front elevation) with brown UPVC windows and tiled roofing. The proposed development would also be brick facing and include materials which are keeping with those found at the applicant property and has a pitched roof. The extension has an acceptable design and is complying with the requirements of Policy H8 and the Householder Development SPD.

Amenity

The Householder Development SPD states that two-storey side extensions should be designed to avoid having an overbearing effect or causing unacceptable loss of light or privacy for neighbours. It also states proposed developments should avoid creating a terracing effect, either by themselves or in conjunction with similar extensions which may exist or potentially be proposed for adjacent properties in the future.

The Householder Development SPD states that either a minimum space of 1m should be preserved between the extension and 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 building.

The proposed development is in accordance with the Householder Development SPD as there is a minimum space of 1m from the proposed extension and the party boundary to the side of the property and the front wall of the extension is set back 2m from the main front wall of the original dwelling.

1 Woodmill Gardens

No.1 is situated to the West of the front elevation and is a detached dwelling. The front and rear elevations sit in line with that of the applicant property. The property also benefits from a rear extension in the form of a conservatory. The proposed development would be erected on the west side of the original dwelling of the applicant property and would not protrude beyond the front or rear elevations of the property. Therefore, it would not be readily visible to the occupants of 1's household. The proposed development subsequently, accords with the Householder Development SPD and would not have an unacceptable impact on the amenity of no.1's occupants.

5 Woodmill Gardens

No.5 is the other property on the adjacent side, which is situated to the east of the applicant property and is also a detached dwelling. The front and rear elevations sit in line with that of the applicant property. No.5 also benefits from a conservatory erected at the rear of the property. The proposed side extension would be constructed so its set back 1m away from the party boundary, therefore this negates any potential for the neighbouring amenity to be negatively impacted through any potential terracing effect, now or in the future.

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In terms of the proposed side extension, there are no windows on the side elevation of the proposed development, on either storey. The side elevation of no.5 which would face the proposed side extension, has no principal windows to main habitable rooms on either storey of the property. There is one small window on the upstairs storey of no.5, but this is glazed with frosted glass and does not serve a main habitable room to the property and would face the side elevations gable of the proposed development. Therefore, the proposed development accords with the Householder Development SPD and would not have an unacceptable impact on the amenity of no.5's occupants.

Opposite the applicant property, are a row of detached dwellinghouses, these are separated from the applicant dwelling by a highway. The proposed development would not cause any issues to their amenity as they are already facing residential properties from their front elevations currently.

Highways

The property currently has a driveway, which has the allocated space set out in the Householder Development SPD for two off-street parking spaces. The proposed development would be set back 2m from the front elevation and therefore the proposal would result in the loss of an off-street parking space. Furthermore, the proposed development would mean the property would benefit from an additional bedroom.

Due to the increase in bedrooms from 3 to 4 bedrooms, the Householder Development SPD advocates the requirement for a maximum of 3 off-street parking provisions. Given the character the street, two parking spaces will be acceptable in this instance, and the front garden will be utilised to retain the second off-street parking space. The Householder Development SPD states that car spaces provided on front drives should have dimensions of at least 5m x 3m. It also states that where replacement parking will be necessary in front gardens, to soften/screen parked cars, proposals should ensure that at least 50% of the front garden remains porous. The front garden has the required area available for the sufficient dimensions outlined, as well as the space proposed for the second off-street parking space is constructed by porous materials and therefore accords with the Householder Development SPD.

To support the changes in parking, a condition has been applied (see below), outlining that the proposed development would only be permissible on the basis of the removal of the fence panel(s), gravel board(s) and extending the drop kerb out to allow the access of a vehicle outside the front of the house, on the impermeable surface in the front garden. There is also adequate parking at the end of the cul-de-sac to allow the parking of a third vehicle. Therefore, the proposed developments accords with the Householder Development SPD and would not cause any adverse impacts to the public highway.

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

- 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 first fence panel and the gravel board below, together with the fence post to the front of the house and adjacent the driveway of the dwelling shall be removed, and the dropped kerb extended to an extent to allow the parking of one car to the front of the house, prior to the first occupation of the extension permitted. The dropped kerb and car parking shall be fully implemented and made available prior to the first use of the development hereby permitted. The parking, together with the driveway retained shall remain for parking purposes at all times thereafter. The car parking shall be constructed from a permeable or porous material or surface water run off from the parking area shall be drained within the curtilage of the dwelling. For the avoidance of doubt, the fence panel, gravel board and post removed shall not be reinstalled at any time.

Reason: In the interests of highway safety and to comply with Policies CS2 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policies of H5 and H8 of the Knowsley replacement Unitary Development Plan adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
23/09/2022	003-22A	-	FLRELV - Floor Plans and Elevations
23/09/2022	003-22D	-	ELV - Elevations
23/09/2022	003-22C	-	FLOOR - Floor Plans
23/09/2022	003-22B	-	FLOOR - Floor Plans
04/01/2023	003-22E	-	OTH - Other
23/09/2022	003-22 1A	-	LOC - Location Plan

Informatives

1. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

2. 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
3. Water from your driveway must not discharge onto the highway. It is an offence under Section 163 of the Highways Act 1990 to allow surface water from your premises to flow onto the highway.

Signed Case Officer: Reece Black

Signed Authorising Officer: Mark Quinn

Date: 09.01.2023

Appendix 1 – Site Photographs



Front elevation



Rear elevation

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Front elevation, No 3 Millwood Gardens (Source: Google Maps)

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Front elevation (different angle) 3 Millwood Gardens (Source: Google Maps)