

<u>APPLICATION NO:</u>	22/00555/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	Whiston & Cronton	<u>PARISH:</u>	
<u>LOCATION:</u>	7 Pottery Close, Whiston, Knowsley, L35 3RN		
<u>PROPOSAL:</u>	ERECTION OF SINGLE STOREY FRONT AND SIDE INCLUDING FRONT PORCH TOGETHER WITH THE ERECTION OF TWO STOREY SIDE EXTENSION AND SINGLE STOREY SIDE AND REAR EXTENSION.		

Site Description

The host property is located on a residential street within a Primarily Residential Area. The property is a semi-detached dwelling finished in a white render to its principal elevation and brick facing to its side and rear elevations and has white UPVC windows and doors.

The application property is set back from the neighbouring dwelling by 4.6m and has an attached garage. It has been previously extended to the side in the form of a lean-to conservatory together with a single storey extension located at the rear.

The property benefits from hardstanding sufficient to accommodate at least two vehicles.

Proposal

Due to concerns over residential amenity to neighbouring properties the development proposals have been substantially altered since their initial submission. The revised plans submitted will form the basis for consideration of this application.

Following the demolition of the existing garage and lean-to extensions at the side, the application seeks permission for the erection of a porch and two storey side extension. The porch would project 1.5m in depth from the existing principal elevation and span 4.77m in width. The porch would consist of new UPVC window and garage door together with a hip roof measuring 2.4m at the eaves and 3.5m at its highest point.

The ground floor aspect would then span a depth of 12.35m and turn at a 45-degree angle for 2m and connect to the existing single storey rear extension spanning a width of 6m. The roof of the rear single storey extension would be hipped measuring 2.4m at the eaves and 3.7m at its highest point and include 3 Velux windows together with sliding doors located at its rear elevation.

To the first floor, the two-storey side extension will include 1 replacement bedroom including an en-suite together with internal alterations. The first floor would span a width of 2.8m and project a depth of 6.1m and would include 1 window to both the front and rear elevations. The existing hip roof will be extended and measure 5m at the eaves and 7.2m at its highest point.

The loft will be re-boarded and include 2 Velux windows to both the front and rear

elevations. It will provide storage space accessed from the existing loft hatch. As such, it will not provide habitable living space.

Consultations

Coal Authority – No objections to proposed development. Informative should be included to the decision notice.

Representations

This application has been publicised by letters sent to 7 neighbours. No representations have been received.

Planning History

No relevant planning history associated with the application property.

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 should be designed to avoid having an overbearing effect or causing unacceptable loss of light or privacy for neighbours. It recommends that two storey side extensions should avoid creating a terracing effect and advises that either a minimum 1m space should be retained from the side elevation of the proposed extension and the property boundary or 1m set back at first floor level. Due to the staggered arrangement of dwellings in the street scene the application property is set back 4.6m from the neighbouring dwelling the proposed development would not create an actual or potential terracing effect and as such no set back is required at first floor level. The SPD also advises that the roof line should mimic that of the original dwelling house. The proposed two storey side extension would extend the hip roof and is in compliance with the SPD. Accordingly the proposed two storey extension would not adversely affect the character of the area and is acceptable in terms of design.

The SPD further advises that front extensions and porches can be particularly prominent in the street scene and should be carefully designed to retain the character of the residential area. As originally submitted the applicant sought permission for a larger extension measuring 1.9m in depth. This has been reduced to 1.5m and given the existing set back from the public highway it is considered that the 1.5m front extension would be more appropriate in terms of the character of the property and would not dominate the existing dwelling. As such, the proposed front extension is acceptable in design terms.

The ground floor aspect of the part two storey part single storey side and rear extension would span 2.8m in width by 12.35m in depth and connect to the existing single storey extension located at the rear. Whilst not identified on the existing plans submitted, the property benefits from a single storey rear extension in the form of a lean-to conservatory which will be demolished as part of the development proposals. The single storey rear extension was originally submitted with a flat roof. The SPD

recommends that flat roofs should be avoided. The applicant has submitted revised plans including a hip roof and the proposals are therefore in compliance with the SPD.

The existing render would be removed and replaced with new render applied to all elevations. A number of properties are finished in a similar manner and the windows and doors together with roof tiles would match the existing materials found at the host property. As such, the design of the property would be in keeping with the street scene and would not appear to be incongruous additions to the host property.

Residential Amenity

No. 8 Pottery Close

No. 8 is the adjoining property. No. 8 has been previously extended in the form of a single storey rear extension which measures 4.5m in depth and connects to the existing rear extension of the host property. No additional built form would extend beyond what is already in situ. As such, there would be no adverse impacts to residential amenity in relation to this property.

No. 6 Pottery Close

No. 6 is the adjacent dwelling. The application property is set back by 4.6m and extends beyond the rear elevation of no. 6. No 6 has previously been extended in the form of a two-storey side extension and single storey rear extension. During the site visit it was noted that the property has one set of double doors to its rear elevation closest to the property boundary. However, this is a non-habitable room comprising of utility and storage area. The single storey rear extension has one door located on the side elevation facing the application property and two windows located at the rear. The openings located on the single storey rear extension together with the window located at first floor level closest to the property boundary are relevant to the consideration of this planning application in terms of the development proposals affects on residential amenity.

The Householder Development SPD states that single storey extensions are acceptable up to 4m and two storey extensions developments will generally be considered acceptable up to 3m. Extensions beyond these standards will only be acceptable if they do not breach the 45-degree rule.

As originally submitted both the two-storey side and single storey rear extension would breach the 45-degree rule. The Local Planning Authority has worked positively with the applicant and revised plans have been submitted for consideration. The two-storey side extension has been set in from the rear elevation as originally submitted so that its rear elevation only extends 3m beyond that of the rear elevation of no. 6. As such, the two-storey side extension complies with the SPD.

The single storey rear extension has been reduced by .6m closest to the property boundary and includes an angled wall which will span 2.1m before connecting to the existing single storey extension. Due to the angle of the wall closest to the property boundary, the proposed development would not breach the 45-degree rule in relation to the windows located at the rear of the single storey extension of no. 6.

Whilst the single storey extension at no. 6 has one clear glazed door facing the application property. The proposed development would have some effect on its outlook however it faces the existing lean-to extension and appears to serve the kitchen of no. 6. As such, the proposed extension would not materially change the outlook in relation

to this opening and there would still be sufficient outlook from the windows located at the rear of the extension.

The flat roof as originally proposed the application sought permission for the single storey extension to be served by a flat roof. However, it was considered that a flat roof would have a dominate effect on residential amenity due to the height of the eaves. The applicant has submitted revised plans and the flat roof has been replaced with a hip roof which has reduced the overall height at the eaves closest to the property boundary. As a result of the proposed changes it is not considered that the proposed development would have adverse effects on residential amenity in relation to this property.

No other properties would be affected.

Highways

The existing parking provision currently provides space for at least two vehicles within the curtilage of the property boundary.

The proposed development would not alter the number of bedrooms located at the property. As such, there would be sufficient parking provision located within the curtilage of the dwelling to accommodate the number of parking spaces in accordance with the Local Planning Authorities guidance set out in Ensuring a Choice for Travel SPD.

No adverse impacts to highways safety would occur as a result of the proposed development.

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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
07.09.2022	LOCPLAN		LOCATION PLAN
18.11.2022	002	REV A	PROPOSED FLOOR PLANS AND ELEVATIONS

Signed Case Officer: **John Fleming**

Signed Authorising Officer: **M Quinn**

Date: **8/12/22**

COAL INFORMATIVE

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

Appendix 1 – Site Photographs



