

Regeneration and Economic Development Department

APPLICATION NO: 21/00170/FUL

APPLICANT: Mr Brian Peers

WARD AFFECTED: Cherryfield

DEVELOPMENT: DEMOLITION OF CONSERVATORY AND ERECTION OF SINGLE STOREY SIDE AND REAR EXTENSION

LOCATION OF SITE: 48 Horseshoe Drive, Field Lane Estate, L10 4UF

KNOWSLEY LOCAL PLAN ALLOCATION –

Water Restricted Surface Area - North Area - Kirkby

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 Required.

NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 4 neighbours. There have been 2 letters of objection (from one person), 0 letters of support and 1 letter of comment. Several site photos have also been submitted to supplement one of the representations given. The representations are summarised as follows:-

Objections:

- I would simply like to object to the plans proposed for number 48...I believe the extension will decrease my right to sunlight...and value to my property...
- Currently...is a double storey extension...this extension totally destroyed light into...and caused disruption to my property. This extension was granted despite my total disagreement. Repairs and costs to my garden...were made by myself. Not only did...cause my property disruption but so did the extension of number...as they used to extract household waste and currently use my...as an alternative fire escape.
- The unnecessarily building on both properties...have caused total inconvenience to my property and my family and problems were also caused in the process of both extensions being built, I fear this will be the case if 48 are granted the permission to build.
- Another problem which I would like to bring to the foreground of your mind is the value of my property being decreased. If number 48 goes ahead, and in the future number...also decide to extend, this will result in my house and its value being destroyed.
- The first two pictures attached within this objection letter is the...of 48, as you can see within the pictures attached there is more than enough room to extend onto their driveway if expansion is a necessity.
- I have also attached a picture which is the view from our property to theirs. If extension to 48 is granted this would totally disrupt our right of light not only into our...but also to our...The picture from our...is a clear indication of how our sunlight would be affected.

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- I would also like to make it clear that us as a family have spent numerous hours researching into laws of right to light. As stated in Law Commission 356 Rights to Light HC 796 especially in points '1.1' and '1.5'.
- I have worked hard for my property, and I don't see why I should suffer, if people feel they need more room to live, maybe they should consider an alternative method.

Comments:

- After looking at the plans my only concern is that our boiler vent comes from the side...and I am not sure whether the window on the new extension will be too close to our vent. I would not want fumes coming from the vent entering an open window. I would not want to be in a position in the future that if we replaced our boiler that we were told it had to be moved due to being too close.

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 application is for the demolition of a conservatory and the erection of a single storey side and rear extension to the semi-detached property at 48 Horseshoe Drive in Knowsley. The proposal would provide an extended kitchen/dining area.

The proposed extension would be set back approximately 4.1m from the principal elevation of the existing property and would extend 2.8m at the side. The development would measure 3.7m in length along the side of the property and would wrap-around to the rear to extend 3.0m from the rear elevation of the existing property. The proposal would also have a pitched roof which would measure approximately 2.4m in height to the eaves, with a maximum height of 3.6m.

RELEVANT PLANNING HISTORY

None.

POLICY CONSIDERATIONS

The site is identified as land for primarily residential development and a domestic extension would therefore be acceptable in principle, subject to compliance with local planning policy and guidance. The application complies with policies CS2 and CS19 of the Local Plan Core Strategy (2016) and saved policies H5 and H8 of the UDP (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.

DESIGN

The proposed development would be faced in materials to match the existing property and would be in keeping with the scale and appearance of the property. The development would not be detrimental to the character of the street scene and is therefore acceptable with regards to design.

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RESIDENTIAL AMENITY

Impact on No. 46 Horseshoe Drive

The proposed extension would be set in approximately 0.95m from the shared boundary with No. 46 Horseshoe Drive and would sit adjacent to No. 46's two storey side extension. There are no windows present on the gable wall of the neighbour's extension which would be impacted by the development. The extension also complies with the Householder Development SPD which generally supports single storey rear extensions of up to 4m. Subsequently, the development would not appear unduly overbearing in relation to No. 46.

Impact on No. 50 Horseshoe Drive

The proposal would extend 3.0m at the rear, adjacent to the shared boundary with No. 50 Horseshoe Drive. As stated above, the extension complies with the Householder Development SPD and is not considered to significantly affect the visual amenity of No. 50, in terms of outlook, levels of light and privacy.

Impact on other properties

It is considered that there are no other properties that would be affected by the proposal given their sufficient distance from development.

HIGHWAYS

The proposal would not affect the existing level of parking at the property.

OTHER ISSUES

Neighbour comments

The impact of the proposal on amenity in regard to outlook, levels of light and privacy has been addressed above under the separate 'Residential Amenity' section of this report. Concerns have also been raised regarding the impact of the development on 'right to light', the valuation of properties, issues caused by other extensions in the area and the proximity of the proposed development to existing vents/flues.

'Right to light' is a civil matter between private parties and it is not a material consideration in the assessment of this application. Similarly, the impact of the proposal on the value of properties in the area is also not a planning consideration. Comments have also highlighted issues caused by other extensions to properties in the area. Any issues that may have occurred or currently occur as a result of other development in the area are existing issues which is not a material consideration for the current application. Additionally, any potential issues associated with the construction of the proposed development is not a planning consideration.

With respect to building regulations legislation, there is considered to be sufficient distance between the openings on the proposed extension and existing vents so as not to give rise to any issues.

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.

RECOMMENDATION:

That planning permission will be granted subject to the following condition(s):-

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- 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
22/03/2021	-	-	Location Plan
22/03/2021	2A	-	Proposed Plans

Informatives

Chloe Roberts

13 May 2021

Alan Kilroe
13 May 2021

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