

<u>APPLICATION NO:</u>	24/00433/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	St Gabriels	<u>PARISH:</u>	
<u>LOCATION:</u>	5 Hardie Road, Huyton, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF A SINGLE STOREY REAR EXTENSION TOGETHER WITH A LOFT CONVERSION AND THE ADDITION OF A REAR DORMER, ROOF AMENDED FROM HIP ROOF TO GABLE.		

Site Description

The application property is located at 5 Hardie Road, Huyton and is situated within an area which is designated as a Primarily Residential Area in the Development Plan. The application property is a semi-detached dwellinghouse and is brick facing on its front, side and rear elevations together with white UPVC openings and flat, grey, interlocking roof tiles.

The front garden area is a combination of grass and hardstanding and is enclosed by timber boundary fence. The rear garden spans a depth of circa 14.5m. The front property is orientated south-east facing toward the highway.

The site is located within a street scene which comprises of uniform, paired semi-detached dwellings, with hipped roofs appearing as a characteristic.

The Local Planning Authority does not hold any record that the application property does not retain its Permitted Development Rights.

Proposal

The application seeks permission for the erection of a single storey rear extension together with a hip to gable loft conversion and erection of rear dormer extension.

The proposed rear extension would have a depth of 3m and a width of 4.4m. This would be served by a mono-pitched roof, which would measure 2.4m at the eaves and 3.5m at the tallest point.

The proposed rear dormer extension would have a depth from the ridge of the original roof of 3.3m. This would have a height of 2.18m and a width of 6.82m. The dormer would be set in from the edge of the paired semi-detached property by 0.4m, the edge of the gable wall elevation of 0.45m and would be set in from the original rear elevation of the property by 0.5m.

The dormer would contain two windows to the rear elevation.

Consultations

None Required.

Representations

This application has been publicised by letters sent to 14 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 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.

The site is identified as a site allocated for housing development in the adopted Unitary Development Plan. As such, a domestic extension to the existing residential 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 policies H5 and 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.

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

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

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.

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission 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

The Householder Development SPD states that rear extensions should be designed to avoid causing overshadowing, loss of outlook or loss of privacy to the neighbours or appear unduly dominant to neighbours.

The Householder Development SPD states that for the consideration of roof alterations and dormer extensions, care should be exercised to ensure that their design is in keeping with the dwelling and they do not overlook neighbouring dwellings. Dormers should not be so large as to dominate the roof slope resulting in a dwelling which appears unbalanced.

It also states that attention needs to be given to design to ensure a sensitive and appropriate approach which conserves the character of the original building and roofscape.

The policy guidance also states that a dormer should normally be set back at least 1m from the main elevation it relates to, when measured on the horizontal line and 0.5m from the roof edge on either side (including the roof boundary line of terraced properties and semi-detached properties), to prevent it having an overbearing effect on the street scene and adjoining dwellings.

The Householder Development SPD also outlines (6.5 rooflines) that when considering the roof of an extension, the main building and similar nearby dwellings (if any) should be a guide. The design of the roof and the slope of the roof should echo that of the original dwelling. The overriding principle is the selection of design, angle of pitch, external materials, scale/proportion and colour which is sympathetic and appropriate to the host dwelling and the character of the surrounding area.

Weight shall also be awarded to Permitted Development for additions to the roof (Class B) and this will be a material planning consideration for the determination of the application.

Design

The existing dwelling is brick facing with white UPVC windows and tiled roofing. The proposed development would include materials that are in keeping with the existing dwelling, except for the dormer materials, which would be cladded. This would be considered minor and confined only to the dormer and as this would be sited to the rear of the property would have no significant impact on appearance or visual amenities. The proposed development would feature suitable materials and respond positively to the dwelling.

It is recognised that the proposed development does conflict with the policy guidance of the Householder Development SPD for the consideration of dormer extensions. However, during the determination of the application, consideration has been given to a 'fallback' position regarding the proposal. The requirements for this type of development to be considered Permitted Development is listed in Schedule 2 Part 1 (class b) of the General Permitted Development Order.

As the proposed development is set-back from the original rear elevation of the dwelling by 0.5m it would be eligible to be completed under Permitted Development. It is deemed that this should hold weight for the determination of the application, given that under Permitted Development, the dormer could be built closer to the rear elevation of the property. Although it is acknowledged that the proposal would conflict with the above guidance, it would still achieve a 0.3m set-back from what could otherwise be undertaken by Permitted Development.

It is considered that the set-back demonstrated on the submitted plans it would not have an overbearing impact. Furthermore, given it would be sited to the rear, it would not be readily visible from the street scene or have significant impacts on the locality.

Therefore, it is considered that on the Planning balance, the proposed development would be deemed acceptable. The fallback position has been awarded great weight as a justification for any departure from the Householder Development SPD. The proposed development would be deemed to comply with criterion a) and b) of Saved Policy H5.

For the reasons outlined above it is considered reasonable, on this occasion, to award the weight to Permitted Development considerations and would justify the relaxation of the guidance of the Householder Development SPD. It would not be considered, for the determination of this application and given the weight given to the fallback position, that the application would warrant a refusal from the departure from the Householder Development SPD.

For the consideration of the windows to the rear elevation of the dormer, the Householder Development SPD outlines that the openings on dormers should

generally be noticeably smaller than the windows of the openings below.

The submitted plans show that the rear elevation of the dormer contains 2 no. windows. One is narrower than the one below. The principal window of the dormer is comparable to the one below, although not in harmony from the layout. It would not be considered these details would have a significant impact. The windows would be deemed acceptable and not overbearing when observed with the other windows on the rear elevation of the property.

Overall, the extension would have an acceptable design and would be in keeping with the requirements of Saved Policy H8 and the Householder Development SPD.

Residential Amenity

3 Hardie Road

No.3 is the paired, semi-detached dwellinghouse. The front and rear elevations of these properties sit parallel to one another. No.3 benefits from an adjoined side garage extension.

The proposed rear extension would not exceed the projection parameters outlined in the Householder Development SPD.

The dormer extension would not be considered to have any overbearing or unduly dominant appearance. There are no side windows on the dormer and would therefore not be considered to cause any increased overlooking or loss of privacy.

The proposed development would not be considered to have any adverse impact on residential amenities and privacy to the occupants of No.3.

7 Hardie Road

No.7 is the adjacent, semi-detached dwellinghouse, which is oriented at an angle in contrast to the application site. The properties are separated by an interface distance of approximately 4.8m.

The gable wall of No.7 contains 4 no. windows, 3 to the ground floor and 1 on the first-floor. It is assumed that these mirror the internal layout and arrangement of the application property and is subsequently assumed to serve hallway and landing. These are not considered habitable rooms and therefore should not result in any unacceptable overshadowing. The window closet to the rear elevation of No.7 is understood to serve a kitchen. The proposed development would not be considered to result in any unacceptable overshadowing generally, however, for the consideration of this window, the rear elevation of the property contains additional windows which would serve the kitchen also. This would prevent any significant overshadowing or loss of light.

The proposed rear extension would not exceed the projection parameters outlined in the Householder Development SPD.

The dormer extension would be deemed to have an acceptable impact to residential amenity. It would not be considered overbearing or unduly dominant in its appearance. There are no side windows on the dormer and would therefore not be considered to cause any increased overlooking or loss of privacy.

The proposed development would not be considered to have any unacceptable impact on residential amenities and privacy on the occupants of No.7.

The proposal would not be considered to impact on any other properties in the locality.

Highways

The proposed development would introduce an additional bedroom in the dormer, however, the submitted floor plans indicate that one bedroom on the first-floor would be converted into an office. Consideration has also been given to future-proofing the development and the level of impact this could have.

Existing parking provisions at the application property comprise of block paving which would practically provide 2 in-curtilage spaces. Given the semi-detached character of the area on-street parking provides some parking.

The Householder Development SPD (6.16) states that dwellings which contain 4+ bedrooms, that they should make provision for 3.no parking spaces within the curtilage of the dwelling.

It is acknowledged that the parking standards are maximum provisions and would therefore be given limited weight. Given that two parking spaces would remain in-curtilage and no existing parking spaces would be lost, it would not be considered that the proposal would have any adverse impact on highways.

Therefore, it is considered that the existing parking provisions would be suitable, and the proposal would not be deemed to result in any unacceptable highway safety impacts.

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

That Planning Permission 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
14/08/2024	-	-	LOCATION PLAN
22/08/2024	HR-002	P1	EXISTING AND PROPOSED FLOOR PLANS
22/08/2024	HR-003	P1	EXISTING AND PROPOSED ELEVATIONS

Signed Case Officer¹: **Reece Black**

Signed Authorising Officer²: **K Foster**

Date: **17 October 2024**

Informatives

- 1 The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

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

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

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

Informative Note valid from 1st January 2023 until 31st December 2024

