

Regeneration and Economic Development Department

APPLICATION NO: 22/00265/FUL

APPLICANT: Mr & Mrs Taylor

WARD AFFECTED: Whiston

DEVELOPMENT: Erection of two storey side extension

LOCATION OF SITE: 42 Windy Arbor Road, Whiston, L35 3PB

KNOWSLEY LOCAL PLAN ALLOCATION –

Primary Residential Development - Primary Residential Development

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:

Not applicable.

NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 6 neighbours. No representations have been received.

ARTICLE 35

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.

ISSUES AND ASSESSMENT:

PROPOSAL

The application seeks permission for the erection of a two-storey side extension to the semi-detached property at 42 Windy Arbor Road, Whiston. The proposals would include the demolition of the existing ground floor side extension to provide a new kitchen diner to the ground floor together with an additional two bedrooms to be located at the first floor. Windows are proposed on both the rear and principal elevation to both the ground and first floors.

The proposed side extension would be set back from the principal elevation by .3m. It spans a width of 3.8m and would run a depth of 6.4m so that it sits level with the rear elevation of the existing dwelling house. The existing conservatory would be retained as part of the proposals and would sit in a central position along the rear elevation of the property.

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The proposed roof is of a hipped design and would sit .2m below the existing ridgeline of the dwelling house and would include two Velux windows to the rear elevation.

RELEVANT PLANNING HISTORY

A number of planning applications are associated with the property's history all of which have been granted but never implemented. These include:

- 21/00416/FUL: Demolition of conservatory and the erection of a single storey side and rear extension (Granted 06.07.2021).
- 08/00322/FUL: Erection of a two-storey extension to the side of the dwelling (Granted 13.8.08).
- 06/00441/FUL: Erection of part single storey extension to front of dwelling and first floor extension to side (Granted 06.07.2006).

POLICY CONSIDERATIONS

The site is identified as land falling within a Primarily Residential Area and a domestic extension would therefore be acceptable in principle in this location, subject to compliance with local planning policy and guidance. 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 and guidance relevant to the development proposal consist of the following:

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 Primary 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); and
- Ensuring a Choice for Travel Supplementary Planning Document (SPD) (2010); and
- Householder Development Supplementary Planning Document (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 which match the existing property and is considered to be in keeping with the scale and appearance of the property, character and amenity of the local area.

The extension would be served by a hipped roof like the existing dwelling which sits marginally below the existing ridgeline. The extension will be set back by .3m and allowing for the front elevation to avoid unsightly bonding of old and new brickwork.

Overall, the design of the scheme is considered acceptable in principle in accordance with the Council's Development Plan policies and guidance.

RESIDENTIAL AMENITY

The Householder Development SPD is a material consideration for the purposes of determining this planning application. It recommends that two storey side extensions should be designed to avoid having an overbearing effect or causing unacceptable loss of light or privacy for neighbours.

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The proposed two storey side extension would extend approximately 3.8 towards the boundary of no. 44 and would sit parallel with the rear elevation of the original dwelling house at no. 44. It provides a separation distance of 1.1m at the principal elevation and 1.3m at the rear elevation.

The Householder Development SPD requires 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 dwelling house. Whilst the proposed principal elevation is stepped back by .3m, the proposed extension allows for at least 1m space between the side elevation and the property boundary. In addition, ample space is provided at the side elevation of no. 44. Accordingly, the extension is in accordance with the guidance set out in the Householder Development SPD and would not result in a terracing effect which detracts from the street scene.

Due to the change in topography at ground floor levels and existing mature hedgerows found at the property boundary, the proposed development would be largely screened from the neighbouring property at no. 44. Accordingly, it is not considered that the proposed development would appear unduly overbearing in relation to this property, nor would it have adverse effects to residential amenity and would not significantly affect the outlook or levels of light to adjacent neighbouring properties.

As the proposed works relate to a side storey extension there would be no impact on the neighbouring property at no. 40 to residential amenity.

HIGHWAYS

The Householder Development SPD states if the proposed extension includes extra bedrooms, then additional parking spaces may be required in line with the Council's parking standards set out in Ensuring a Choice of Travel SPD. The proposals will increase the number of bedrooms from 2 to 4. As such, consideration on whether the proposals would result in adverse impact on street parking conditions to the detriment of highway safety or the amenity of neighbouring residents requires consideration.

The property currently benefits from a hard standing driveway and includes several bushes within the curtilage of the property. The proposed extension would reduce the size of the driveway, but the applicant has since confirmed their intentions to remove the existing bushes within the curtilage of the property to allow for increased parking provision. The Ensuring a Choice for Travel SPD recommends that the property should be served by 3 parking spaces. Due to the applicants' intentions to remove the existing vegetation found on site this would allow for 3 parking spaces in accordance with the Council's guidance. However, to ensure adequate parking remains within the curtilage of the property a condition should be imposed to ensure this.

Accordingly, the proposed development would not have an adverse impact on highways.

OTHER ISSUES

None.

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):-

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

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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) Notwithstanding the proposed car parking layout illustrated by Dwn No: HA2104-03 submitted, details shall be submitted to and agreed in writing with the local planning authority which show that 3 car parking spaces can be provided within the curtilage of the property. The spaces shall be at least 3m x 5m and shall be available for use before the first use of the development hereby approved. These areas shall be retained at all times thereafter.

Reason: To ensure that adequate off-street parking is available in accordance with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved policy H8 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
29.04.2022	HA2104 01	-	LOCATION PLAN
29.04.2022	HA2104 02	-	EXISTING FLOOR PLANS AND ELEVATIONS/SITE PLAN
29.04.2022	HA2104 03 Rev B	-	PROPOSED FLOOR PLANS AND ELEVATIONS/SITE PLAN

Informatives

- 1 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).

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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

John Fleming

24.06.2022

Alan Kilroe
29.06.2022

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