

<u>APPLICATION NO:</u>	22/00586/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	Roby	<u>PARISH:</u>	
<u>LOCATION:</u>	44 Gladstone Avenue, Roby, Knowsley, L16 2LQ		
<u>PROPOSAL:</u>	ERECTION OF TWO STOREY SIDE AND REAR EXTENSIONS AND SINGLE STOREY FRONT AND REAR EXTENSIONS AND HIP-TO-GABLE LOFT CONVERSION WITH REAR DORMER		

Site Description

The application property is located on a residential street within a Primarily Residential Area. The majority of residential properties located on the street comprise of semi-detached dwellings in rendered finish.

The application property is semi detached with part brick facing at its principal elevation and pebble dash render to its principal, side and rear elevations. It has white UPVC windows and doors together with a hip roof.

The front garden is contained by low brick-built boundary wall and metal railings with parking available for one vehicle.

Proposal

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

The porch would project 1.25m in depth from the front elevation and span a width of 4.85m. It would include 1 door with elongated glazed panels located either side and one window. It would include a pitch roof measuring 2.4m at the eaves and attaining a maximum height of 3.7m. The porch would connect to the side extension where it would span 11.6m in depth and wrap around the rear elevation of the dwelling house by 8.4m in width.

The proposed development would provide a porch, study, utility, w/c and open plan kitchen and lounge at the ground floor. To the first floor an extended bedroom and bathroom together with en-suite and walk-in wardrobe is proposed. The loft will provide an additional bedroom.

Consultations

Highways - Raise no objection to the proposed development subject to condition

Representations

This application has been publicised by letters sent to 7 neighbours. One letter of objection has been received. The neighbour considers that the application as submitted will have an overbearing and dominating effect. The dormer will overlook the gardens at the side and rear and privacy will be impacted. Concerns are also raised

that the alteration requires the elevation of the roofline to maximise the floor to ceiling height.

In addition, concerns are raised to loss of sunlight and request have been made for the proposed development to be assessed with reference to the 45-degree rule to ameliorate any impact on their property. Concerns are also raised with regards to the living room fireplace.

The Local Planning Authority has worked positively with the applicant to ensure neighbours are not adversely affected by the proposed development and will be set out below. Whilst the application seeks a hip-to-gable conversion this would not affect the overall height of the existing roofline.

With regard to loss of sunlight, the single storey rear would only extend 1.2m in depth from the rear elevation of the adjoining property and would be in accordance with the guidance set out in the Householder Development SPD. In addition, the neighbouring property at no. 46 has recently been extended in the form of a two-storey side and rear extension. The application property is situated between no. 42 and no. 46 and as such the levels of light experienced by no. 42 are already affected by the development at no. 46 and would therefore not materially change the levels of light currently experienced should the proposed application be approved.

In response to the fireplace at ground floor level this work would not require planning permission but would be subject to separate legislation procedures under building control and party wall notice.

Planning History

No relevant 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.

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 advises that two storey side and rear extensions should be designed to avoid having an overbearing effect or causing unacceptable loss of light to privacy and neighbours.

It advises that a 1m set back should be provided from the immediately adjoining part of the main wall to avoid the creation of a terracing effect in the street scene. The extension would be built within close proximity to the property boundary and as originally submitted only provided a .75m set back. This set back has been increased to 1m to comply with the SPD to ensure a terracing effect is not created within the wider street scene.

The SPD states that single storey rear extensions are acceptable up to 4m in depth. The single storey rear extension would project 4m and is therefore in compliance with the SPD. The two-storey rear extension would be located 3.5m from the property boundary with the adjoining neighbours and would project 4m in depth.

The proposal also seek a hip-to-gable conversion together with rear dormer and vaulted hip roof above the two-storey rear extension. The Householder Development SPD advises where the original dwelling has a hipped roof, the roof of the proposed extension should normally be hipped.

The Local Planning Authority raised concerns with the proposed development due to the scale of roof dormer and the vaulted hip roof which overlapped the proposed dormer and would have created a visual prominent alteration which would be out of keeping with the character of the application property and would have a negative impact with regards to neighbouring amenity.

The Local Planning Authority acted positively with the applicant and revised plans have been submitted. The dormer has substantially reduced in scale and is set in .5m from the party boundary of the adjoining neighbour and .8m from the end of the existing dwelling house. The dormer has been set back by 1m from the rear elevation it relates to and would be in accordance with the guidance set out in the Householder Development SPD. Furthermore, the overly large, vaulted roof has been reduced by 1.1m in height and its appearance is similar to the roofline of the adjoining property at no. 42.

Whilst the Local Planning Authority would have preferred to extend the existing hipped roof, this would have resulted in the rear dormer being visible from the public highway and would have resulted in increasing the height of the ridgeline due to the set back of the two-storey side extension to accommodate a hip roof. On balance, whilst the hip-to-gable conversion would alter the overall appearance of the property and is not a design feature found in the nearby vicinity, it is considered acceptable in terms of design.

The proposed development would be finished with render at its principal elevation and brick facing to the side and rear in materials to match the existing property and is considered appropriate in terms of design. The proposed development would not appear an incongruous feature in the street scene and would not adversely affect the character of the wider area.

Residential Amenity

No 42. Gladstone Avenue

No. 42 is the adjoining property. The Householder Development SPD states that development should not cause unacceptable loss of light or privacy to neighbours. The SPD advises that single storey rear extensions up to 4m and two storey rear extensions up to 3m are acceptable. Development beyond these figures will only be considered acceptable if the 45-degree rule is not breached.

The single storey rear extension projects 4m from the rear elevation of the existing property and is therefore compliant with the SPD. Notwithstanding this, the adjoining neighbour also has a single storey rear extension and the development would only project 1.2m beyond this limit as such there would be no impact associated with the single storey rear aspect.

The two-storey rear extension is located 3.5m from the common boundary shared with no. 42. The extension projects 4m from the existing rear elevation it adjoins. The applicant has provided revised plans which demonstrate that the 45-degree rule would not be breached from the first-floor window of the neighbouring property. As such, the two-storey rear extension is in compliance with the Householder Development SPD.

The loft conversion is sited .5m from the common boundary and set back 1m from the rear elevation in compliance with the standards set out in the SPD. Whilst concerns have been raised from the adjoining neighbour over new views over the rear garden, the Local Planning Authority has acted positively with the applicant to reduce the scale of the rear dormer than what was originally submitted.

Concerns have been raised in relation to loss of light due to the proposed extension given the property lies on an east to west orientation. However, the neighbouring property at no. 46 has been extended in the form of a two-storey side and rear extension and the rear elevation of the proposed development would largely be parallel to the rear elevation of no.46. As such, no. 42 will still benefit from right to light as the sun rises but is already affected by no. 46's extension as the sun sets in the west. As such, it is not considered that the proposed development would result in loss of light than what is already experienced.

No. 46 Gladstone Avenue

No. 46 is the neighbouring property. As highlighted above, it has been previously extended in the form of a two-storey side and rear extension. The proposed two storey side and rear extension would be sited within close proximity to the property boundary and its rear elevation would be similar to that of no. 46. As such, there would be no adverse impacts to residential amenity in relation to this property.

No other properties would be affected.

Highways

The proposed development would increase the number of bedrooms at the application property necessitating the need for 3 car parking spaces to be provided within the curtilage of the property. The front garden measures 8.8m by 5.1m and would be able to accommodate the required number of parking spaces.

The property currently benefits of parking space for one vehicle bounded by a brick wall. In order to ensure parking provision is accommodated on site it is necessary to place a condition on this application to ensure 3 vehicles can be accommodated.

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.

- 4) No development shall take place until a scheme identifying the area for car parking has been submitted to and approved in writing by the Council as Local Planning Authority. The development shall not be brought into use until the area identified has been hard surfaced and drained within the site in accordance with the details agreed. These areas shall be retained as such thereafter. For the avoidance of doubt, the applicant will be required to apply for a dropped kerb extension, at their own expense.

Reason: In the interests of highway and pedestrian safety and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
26.09.2022	01.09	REV A	LOCATION PLAN, EXISTING AND PROPOSED SITE PLAN
01.12.2022	01.04b	REV B	PROPOSED GROUND FLOOR PLAN
01.12.2022	01.05B	REV B	PROPOSED FIRST FLOOR PLAN
01.12.2022	01.06B	REV B	PROPOSED LOFT FLOOR PLAN
01.12.2022	01.08B	REV B	PROPOSED ELEVATIONS

Signed Case Officer: **John Fleming**

Signed Authorising Officer: **Mark Quinn**

Date: **15/12/2022**

INFORMATIVE

HIGHWAYS

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

Appendix 1 – Site Photographs



