

<u>APPLICATION NO:</u>	23/00508/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	Cherryfield	<u>PARISH:</u>	
<u>LOCATION:</u>	17 Tennyson Way, Southdene, Kirkby, Knowsley, L32 9SL		
<u>PROPOSAL:</u>	ERECTION OF A SINGLE STOREY REAR EXTENSION TOGETHER WITH THE DEMOLITION OF EXISTING CONSERVATORY		

Site Description

The application property is an end of terrace property which is brick facing and accommodates a gable roof arrangement together with white UPVC openings and a black UPVC door. It has previously been extended at the rear in the form of a conservatory.

The property is located on an open plan estate with parking fronting the property serving the row of properties. To the side of the property is a single timber door which provides access to the rear garden. The rear garden is contained by a brick built wall which is shared with the neighbouring property at the rear beyond which is the front garden which includes a set of mature conifers in a linear arrangement which have been planted adjacent to the adopted highway on Bewley Drive together with one mature tree located at the rear.

Proposal

As originally submitted, the application sought permission for the erection of a single storey side and rear extension following the demolition of the existing conservatory. The area adjacent to the residential property fronting Bewley Drive whilst forming part of the applicant's land holding this land is considered a landscape buffer associated with the construction of the wider housing estate and as such falls outside of what is considered to be the residential curtilage of the property. As such, the Local Planning Authority has worked positively with the applicant and revised proposals have been submitted for the erection of a single storey rear extension.

The proposed rear extension would measure 3m in depth and span a width of 4.41m. It would accommodate a pitch roof incorporating 2no. velux windows. The roof would measure 2.2m at the eaves and attain a maximum height of 3.2m. The rear elevation would include bi-folding windows and the materials will be used to match the existing host property.

The proposals would provide an extended living area.

Consultations

Tree Officer – No objection subject to conditions.

Representations

This application has been publicised by letters sent to 16 neighbours and displayed by site notice. No representations have been received.

Planning History

There are two previous applications associated with the construction of the wider housing estate. No planning applications for the individual dwelling house have been received.

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 – 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.

The site is located within a Primarily Residential Area. As such, an alteration 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.

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

As originally submitted, the wrap around extension would have appeared prominent within the street scene. Whilst it would have allowed for sufficient distance to be retained at the side of the application property in accordance with the guidance set out in the Householder Development SPD, this area of land falls outside the residential curtilage of the property given the landscape buffer fronting Bewley Drive. As such, revised proposals were submitted which seek to retain the existing brick wall and omit the side aspect of the proposed development.

The Householder Development SPD states rear extensions should be designed to avoid causing overshadowing, loss of outlook or privacy to neighbours. The proposed development is sympathetic in scale to the application property and would be constructed in materials to match the existing features found at the application property. It would accommodate a pitch roof in accordance with the SPD and would span a similar depth as the existing conservatory.

Overall, due to the revisions made the proposed development would not appear prominent from the public highway and is therefore acceptable in terms of design.

Residential Amenity

No. 18 Tennyson Way

No. 18 is the adjoining property. The Householder Development SPD states that single storey rear extensions up to 4m are considered acceptable. The proposed development only projects 3m from the rear elevation of the original dwelling house and is therefore within the threshold set by the SPD. Notwithstanding this, it would occupy a similar footprint as that of the existing conservatory. As such, it is not considered that the proposed development would result in adverse effect to residential amenity.

No other properties would be affected.

Highways

Not applicable.

Trees

One mature tree is located at rear property boundary fronting Bewley Drive and is located on the opposite side of the existing boundary wall. The proposed development would be located within close proximity of this mature tree and the applicant submitted a Tree Survey during the course of this application.

The Council's Tree Officer raises no objection to the proposed development subject to the Arboricultural Impact Assessment and Method Statement being made approved documents.

In addition, a condition relating to 5 days' notice for the erection of tree protective fencing is requested. However, given that the existing brick wall is being retained adjacent to this tree it will provide the necessary barrier and this condition is therefore not sought.

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 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
17.07.2023	LOCPLAN	REV A	LOCATION PLAN
24.05.2023	1012	REV B	PLANS/ELEVATIONS – PROPOSED & EXISTING

7.07.2023	LTM0852.AIA.01		ARBORICULTURAL IMPACT ASSESSMENT
7.07.2023	LTM0852.MS.01		METHOD STATEMENT

Signed Case Officer¹: **John Fleming**

**Signed Authorising
Officer²:** **K Foster**

Date: **18 July 2023**

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.

Appendix 1 – Site Photographs



