

<u>APPLICATION NO:</u>	22/00560/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	Whiston Cronton	and	<u>PARISH:</u>
<u>LOCATION:</u>	55 Pottery Lane, Whiston, Knowsley, L35 3RG		
<u>PROPOSAL:</u>	SINGLE STOREY SIDE AND REAR EXTENSION, LOFT CONVERSION, ROOF ALTERATIONS, FRONT AND REAR DORMER EXTENSIONS AND ASSOCIATED WORKS		

Site Description

The application property forms part of a group of isolated dwellings located within a Primarily Residential Area. Each of these properties have their own individual character and appearance.

The property is brick facing and has white UPVC windows and doors. At its front elevation is a gable roof which connects to a hip roof serving the main property. The property benefits from a large rear garden and beyond its rear boundary is a steep embankment associated with the railway line beyond which is Stadt Moers Park.

The front garden is contained by low brick-built boundary wall with gates constructed of metal railings which provides access for vehicle parking located at the side of the property.

Proposal

The application seeks permission for a single storey side and rear extension together with a hip-to-gable loft conversion and front and rear dormer extensions together with internal alterations and associated works.

The proposals would provide alteration of the existing layout, together with a new porch, open plan kitchen and living area, increasing the number of bedrooms and bathrooms within the property.

The single storey side extension is located at the front elevation and would provide new entrance and storage space. It measures 1.8m in width by 3.6m in depth and would sit parallel to the existing front gable elevation.

A hip-to-gable loft conversion is proposed which would alter the overall appearance of the property in terms of its existing front gable frontage which would be widened to accommodate the new porch and in turn would increase the mass of the existing gable. The eaves would measure 2.5 – 2.6m and it would attain a maximum height of 5.8m. The front elevation would include one velux window together with a small dormer and its roof would mimic the angle of the proposed gable roof. A dormer is also proposed at the rear elevation and measures 9m in width, 3.4m in depth and attaining a height of 2.5m sitting below the roof ridge and would include of 3 windows at the rear.

A single storey extension is proposed at the rear measuring 4m in depth (plus an additional .9m wall connected to the extension located at the side elevation) and a

width of 10.6m. It would be served by a flat roof incorporating a slight pitch with 3 velux windows and a glazed rear frontage. The roof would attain a maximum height of 3m.

Consultations

Network Rail – no comments.

Representations

This application has been publicised by letters sent to 2 neighbours. One letter of objection has been received raising concerns regarding loss of light to the windows parallel with the neighbouring property if the rear of the property/loft conversion is permitted.

The response also states that access to light is already affected by the tree line from Stadt Moers Park.

The dormer extension overlooks the property and impacts on privacy.

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.

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

Side extension and loft conversion.

The Householder Development SPD advises that front extensions and porches can be particularly prominent in the street scene and should be carefully designed to retain the character of residential area and that these should not dominate the existing dwelling or disrupt the uniformity of a group of similarly designed dwellings.

The proposed side extension would extend the frontage of the gable wall and would in turn increase the roof gable. The property will be rendered and would include large glazed panels from floor to ceiling.

The application property is similar in appearance to that of the neighbouring bungalow. However, each of the remaining properties within the street scene have their own individual design characteristics. Whilst the proposed development would fundamentally alter the character and appearance of the existing dwelling it would not disrupt the uniformity of dwellings or look out of place within the street scene.

The glazed frontage and hip-to-gable conversion together with roof dormer at the front would follow the angle of the new gable roof at the front elevation. It provides a modern aesthetic and is considered acceptable in terms of design.

Rear dormer

The rear dormer would be set in by 1m either side and with the addition of the proposed rear extension it would be set in by 4m. As such, the rear dormer is consistent with the guidance set out in the Householder Development SPD in terms of scale.

The rear dormer would be faced in grey tiles and zinc cladding. As originally submitted it included a glazed rear elevation spanning the full width of the dormer. The use of glazed panels at the rear would not have been compliant with the SPD which advises that openings should generally be noticeably smaller than the windows on storey's below. As such, revised plans have been submitted to include 3 windows serving each room separated by zinc cladding. This amendment is considered necessary to ensure compliance with the SPD and is considered acceptable in terms of design.

Single storey rear extension

The single storey rear extension would be rendered together with glazed panels to the rear. It includes an L shape clad structure acting as a roof overhang along the flat roof. Whilst the SPD typically advises against the use of flat roofs unless its use can be demonstrated in terms of good design. The aesthetic of the single storey rear extension has a contemporary design and would not be visible from the any public vantage point. As such, the flat roof would not look out of place in the context of the wider host property and would not alter the character of the street scene and is therefore acceptable in terms of design.

The proposed development is acceptable in terms of design and would not appear an incongruous feature in the street scene and would not adversely affect the character of the wider area.

Residential Amenity

No. 53 Pottery Lane

No. 53 is the neighbouring two storey detached property. It is slightly set back from the application property however the alterations to the front gable elevation would not breach the 45 degree rule. The Householder Development SPD advises that single storey rear extensions located on or immediately adjacent to a party boundary with a neighbouring dwelling will normally be acceptable if it does not project more than 4m from the rear elevation of the existing dwelling. Whilst the proposed rear extension only projects .9m from the existing rear elevation, the application property is set further back than the neighbouring dwelling and in this instance the 45 degree rule should be considered. The 45 degree rule is already breached in relation to the existing dwelling house. Further, consideration is given to the fact that the proposed development is already obscured by the adjacent lean to structure found at no. 53 at the property boundary. In addition, a large tree is located adjacent to the site boundary which will largely obscure the proposed development.

On balance, given that the 45 degree rule is already breached and that the extension would only project a further .9m together with existing structures which will act to obscure the proposed development it is not considered that this property would be adversely effected in terms of residential amenity.

No. 57 Pottery Lane

No. 57 is the adjacent neighbouring property. It is a bungalow which is set in from the application site.

Concerns have been raised in relation to residential amenity, privacy and loss of light. In regard to the loss of light both properties benefit from south facing gardens. Despite comments relating to loss of light experienced due to the treeline at the rear of the property, this officer observed that the sun was already above the treeline at 9am on a late Autumn Day. As such, it is not considered that the proposed development would adversely affect this property's access to light.

Following the demolition of the existing conservatory the single storey rear extension would occupy less built form than what is currently in situ at the property boundary. However, the clad wall feature would extend .3m beyond the existing rear elevation of the conservatory and would give the perception of a slightly larger extension than what is in situ.

No.57 benefits from glazed double doors nearest the common boundary, one window facing the property boundary and a large conservatory with clear glazed panels to its side and rear elevations. Similar to no. 53, the 45 degree rule is already breached in relation to the double doors located at the rear elevation of no. 57. Whilst the proposed development would breach the 45 degree rule it would occupy a largely similar footprint to what already exists. In addition, no. 53 has planted tall laurel hedging which would almost obscure the development in its entirety. Consideration of outlook to the conservatory was also given and is considered sufficient outlook would remain to the neighbour property particularly in relation to its rear elevation.

Notwithstanding the above, the Local Planning Authority expressed concerns regarding the residential amenity in relation to this property with regards to the potential for overbearing nature of the rear dormer as originally submitted. The applicant has revised the window treatment so that it includes 3 windows to the rear elevation as opposed to a glazed window spanning its entire length. Furthermore, the window located nearest the property boundary with no. 57 would serve a bathroom and as such is not considered that the neighbours would be adversely affected in terms of overlooking.

Despite representations received, it is not considered that the proposed development would result in adverse effects 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 hardstanding located at the side of the property measures 20m in length by 3.4m in width. Following the removal of the existing fence it is sufficient to accommodate the number of cars required within the curtilage of the property boundary.

No adverse effects would result to the public highway as a result of the proposed development.

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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
09.09.2022	DP-2225DWPL-01		LOCATION PLAN AND BLOCK PLAN
08.12.2022	DP-2225-PL-04	REV E	PROPOSED FLOOR PLANS
08.12.2022	DP-2225-PL-05	REV E	PROPOSED ELEVATIONS
08.12.2022	DP-2225-PL-06	REV E	3D IMAGES

Signed Case Officer: **John Fleming**

Signed Authorising Officer: **Mark Quinn**

Date: **16/12/22**

INFORMATIVES

COAL AUTHORITY

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).

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

Appendix 1 – Site Photographs





