

## **Regeneration and Economic Development Department**

**APPLICATION NO:** 22/00134/FUL

**APPLICANT:** Mrs Kerryanne Warburton

**WARD AFFECTED:** Prescott North

**DEVELOPMENT:** ERECTION OF SINGLE STOREY REAR / SIDE EXTENSION (DEMOLITION OF EXISTING REAR EXTENSION) AND VERANDA TO REAR

**LOCATION OF SITE:** 17 Knowsley Park Lane, Prescott, Knowsley, L34 3NA

### **KNOWSLEY LOCAL PLAN ALLOCATION –**

Primarily Residential Area

### **RELEVANT POLICIES**

National Planning Policy Framework

### **SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)**

DQ4 – Trees and Development

H5 - Development within Primarily Residential Areas

H8 - Extensions and Alterations to Residential Properties

### **KNOWSLEY LOCAL PLAN: CORE STRATEGY**

CS2 - Development Principles

CS8 – Green Infrastructure

CS19 - Design Quality and Accessibility in New Development

CS21 – Greenspaces and Trees

### **TECHNICAL CONSULTATIONS:**

Prescot Town Council - No Comments Received.

Arboricultural Officer - No objections providing the Arboricultural reports are approved documents.

### **NEIGHBOUR NOTIFICATION:**

This application has been publicised by letters sent to 7 neighbours. No representations have been received.

### **ARTICLE 35**

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.

### **ISSUES AND ASSESSMENT:**

### **SITE AND SURROUNDINGS**

The application relates to No. 17 Knowsley Park Lane, Prescott a detached dwelling on a large plot located on the western side of Knowsley Park Lane. The property has a long rear garden, circa 37 metres in length (from principal elevation) which abuts the former Whitakers Nursery site currently being developed for housing by Taylor Wimpey (Ref: 19/00684/FUL).

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The site slopes considerably resulting in a drop from the rear of the property into the garden area. The host dwelling currently has a veranda to the rear with steps down into the garden area.

## **PROPOSAL**

The application seeks permission for the erection of a single storey extension to the rear and side of the dwelling. An existing single storey extension would be demolished to make way for the development. The extension at the rear would extend across the whole of the existing rear elevation. The extension at the side would link in with the rear extension and would be located to the rear of an existing garage / store adjacent to the side boundary with No. 15 Knowsley Park Lane. The application also proposes the construction of a veranda to the rear with steps leading down into the garden.

## **POLICY CONSIDERATIONS**

The site is allocated as a Primarily Residential Area within the Local Plan Policies Map. Therefore, domestic extensions plus veranda would be acceptable in principle within this location subject to compliance with all other relevant local planning policies and guidance.

The key policies for the determination of this application are Local Plan Policies CS2 and CS19 and Saved UDP policies H5 and H8. The Householder Development SPD is also a material consideration.

## **DESIGN, ACCESS AND CRIME PREVENTION**

The rear extension would project 5.61 m from the rear elevation of the host dwelling spanning the whole of the rear elevation at 10.31 m wide. A new playroom /office extension would sit beside the rear extension accessed from the main dwelling and from an external door to the front having dimensions of 3.8 m wide by a maximum depth of 6.06 m. The playroom /office would be set back by 1.81 m from the rear extension with a canopy being formed over the set back.

The veranda would comprise a concrete filled raised platform to the rear which would be approximately 1.6 m high from the existing level where it would be located, it would be constructed in block and concrete and rendered, with steps leading onto the garden. It would extend between 2.18m and 3.95 m from the rear of the extension. It is also proposed to have railings of approx. 1 m high atop the veranda and down the steps. The application has been amended to include privacy screens to either side, the precise detail of which can be secured by condition.

It is proposed to construct a mono-pitched roof across the rear extension with a hipped roof at one end forming a canopy over the set back of the playroom / office. The roof would attain a maximum height, from ground floor level of the host dwelling, of 4.26 m. There would be 4 no. roof lights within the roof.

Fenestration to the rear elevations would include windows and French Doors leading onto the veranda with steps down from the rear extension with a door leading onto the veranda and window to the playroom/office extension. An entrance door is also proposed to the front of the playroom/office and this would be set behind the garage / store and not visible from the street.

The veranda would be set in off the gable of the host dwelling by 2.92 m where it faces the neighbouring property No. 19 and in line with the side elevation of the playroom /store.

The proposed extension would be faced in materials which match the existing property and is an acceptable scale and appearance. The veranda would, subject to a condition relating to privacy screens, be of an acceptable appearance.

The proposal would not be detrimental to the character of the street scene given its location to the rear of the property and is therefore considered acceptable with regards to design.

## **RESIDENTIAL AMENITY**

The host dwelling is a detached property with dwellings either side, No. 19 Knowsley Park Lane to the north and No. 15 to the south.

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The extension would project 5.62m from the rear elevation of the existing dwelling. The Council's Householder SPD states that a single storey extension located on or immediately adjacent to the party boundary with a neighbouring dwelling will normally be acceptable if it does not project more than 4 m from the rear elevation of the existing dwelling. An extension beyond 4m is generally only acceptable if it does not breach the 45 degree rule. The application submission does not indicate a 45 degree angle from that property officers have nonetheless taken this into account in assessing the proposal.

#### *Impacts on No. 19 Knowsley Park Lane*

The extension would be set in approximately 1.9 metres from the common boundary with No. 19. The nearest window to the boundary is to the rear of an attached garage. The mid-point of a kitchen window is set approximately 6.5 m from the extension and as such the extension would not cause any demonstrable harm from overshadowing or obstruction of outlook for this neighbouring property.

In regard to the veranda, this would be sited approximately 570mm from the common boundary at a depth of 4m from the proposed playroom / office extension. As the garden slopes considerably downwards, this would mean that the fence along the common boundary would essentially reduce in height in comparison to the floor level of the new veranda. There is therefore clear potential for overlooking of the neighbouring property and loss of privacy between both properties. There is currently a boundary fence along the side of the existing veranda which allows clear unobstructed views across the neighbouring site, the boundary fence slopes down at an angle to take account of land levels. In order to reduce impact of overlooking, a privacy screen is proposed along the side facing the common boundary, precise details of which will be secured by condition.

#### *Impacts on No. 19 Knowsley Park Lane*

The rear extension would project 5.62m from the rear elevation of the existing dwelling and be set in 1.9 metres from the common boundary with No. 19. The neighbouring property is set approximately 2.5 m off the common boundary with a marginal set back from the host dwelling of approx. 850 mm.

The nearest window serving a habitable room belonging to No. 19 belongs to a living room, the mid-point of which is approximately 2m in from the gable of that property. At the distance shown, the proposed extension would not result in unacceptable overshadowing or obstruction of outlook.

Turning to the impacts of the veranda, it would be set into the site further than the side of the proposed extension at approximately 4.82 m from the common boundary; with No. 19 being set off the boundary a further 2.5 m. However, despite the distance, again, there is evident potential for overlooking of the adjacent property and its garden. There is an existing brick wall and planting that screens the existing veranda but due to the sloping nature of the gardens and the height of the platform, it would require a significantly high fence along the common boundary to achieve adequate screening. In order to reduce impact of overlooking, a privacy screen is proposed along the side facing the common boundary which faces No. 19 and precise details will be secured by condition.

There is still potential for overlooking from the steps associated with the veranda, however, as not likely to be used for long periods of time like the veranda it is not considered that the impacts would be greater than currently exists.

Given that a distance in excess of 30 m would remain between the proposal and the rear boundary, the development would not result in any impacts on new dwellings being constructed on the adjoining site.

The proposal complies with the Householder Development SPD and relevant planning policies. Overall, subject to condition, the proposal will not cause harm to the amenity of neighbouring properties

## **HIGHWAY CONSIDERATIONS**

The proposal would not impact on existing parking provision on the site and the proposed development would not generate additional parking needs.

## **ARBORICULTURAL CONSIDERATIONS**

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There are a number of trees on the application site and the application is supported by an Arboricultural Impact Assessment and an Arboricultural Method Statement which identifies that no trees are proposed to be removed as a result of the development. It is proposed to install protective fencing during construction works.

The Council's Arboricultural Officer has no objection to the proposal subject to the reports being listed as approved documents should planning permission be granted.

Providing suitably conditioned to require the applicant to give the Council notice that the protective fencing is in place before work commences, the proposed development complies with Saved Policy DQ4 of the UDP which seeks to preserve natural features such as trees.

## **CONCLUSION**

The proposed development would be of an acceptable scale and design in the context of the host dwelling. Subject to a condition for fencing along the boundary, it would not harm the residential amenity of the neighbouring properties or have any significant effect on the visual amenity of the area. There would be no highway implications and trees on the site would be retained and protected.

As such the proposal complies with relevant criteria of Saved Policies DQ4, H5 and H8 of the Knowsley UDP Policies CS2, CS8, CS19 and CS21 of the core strategy and together with the Knowsley Householder Development Supplementary Planning Document.

## **RECOMMENDATION:**

That planning permission be granted subject to the following conditions:

- 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) Notwithstanding any description of materials in the application, the materials for the external surfaces of the extension hereby permitted shall match those of the existing dwelling in type, size, colour and texture and the foundation block of the veranda shall be rendered to the external elevations.

Reason: In the interests of visual amenity and to comply with the National Planning Policy Framework (2021), Saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 4) Notwithstanding the details on the approved plans, no part of the development hereby permitted shall be commenced until precise scheme details of privacy screens to be erected to the sides of the veranda, to a minimum of 2 metres in height from the floor level of the veranda, have been submitted to and agreed in writing by the Local Planning Authority.

The development shall be carried out only in accordance with the agreed details and the screening shall remain in place at all times that the development remains on site.

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Reason: To protect the privacy of the occupants of adjacent residential property and to comply with the National Planning Policy Framework (2021), Saved Policies H5, and H8 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 5) Notwithstanding any annotation on the approved drawings and the provisions of the Town and Country Planning (General Permitted Development Order (or any order revoking or re-enacting that Order with or without modification) no windows, doors or other openings shall be inserted into the side elevations of the extension hereby permitted.

Reason: To enable the Local Planning Authority to regulate and control the development having regard to protecting the residential amenity of adjacent neighbours and to comply with the National Planning Policy Framework (2021); Saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 6) Prior to the commencement of any part of the development hereby permitted, at least 5 working days written notice shall be given to the Local Planning Authority of the intention to commence development.

The protective fencing referred to in the Arboricultural Method Statement referenced LTM0480.MS.01 dated 1 April 2022 received 7 April 2022 shall be in place prior to the written notice of the start of development being given to the Local Planning Authority and shall be retained in place until the development is complete.

Reason: To ensure that the proper protection of trees has been carried out and to ensure that the tree protection fencing required pursuant to the approved Arboricultural Method Statement is in place prior to the works commencing in the interests of visual amenity and to comply with the National Planning Policy Framework (2021), Saved Policy DQ4 of the Knowsley replacement Unitary Development Plan, adopted June 2006 and Policies CS2, CS8, and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

## SCHEDULE 1

| Date Received | Ref. No                 | Version | Drawing/Document Title             |
|---------------|-------------------------|---------|------------------------------------|
| 16/06/2022    | A101                    | REV. 1  | Existing Floorplans and Elevations |
| 16/06/2022    | A102                    | REV. 1  | Proposals                          |
| 16/06/2022    | A103                    | REV. 1  | Ground Levels                      |
| 07/04/2022    | LTM0480.AIA.01          | -       | Arboricultural Impact Assessment   |
| 07/04/2022    | LTM0480.MS.01           | -       | Method Statement                   |
| 09/03/2022    | TQRQM2205211<br>5941045 | -       | Proposed Site Plan                 |
| 09/03/2022    | TQRQM2205211<br>5842905 | -       | Site Location Plan                 |

## Informatives

- 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);

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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](http://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](http://www.gov.uk/government/organisations/the-coal-authority)

Maxine Wishart

13 June 2022

Alan Kilroe  
24 June 2022

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