

<u>APPLICATION NO:</u>	23/00052/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Halewood North	<u>PARISH:</u>	Halewood Town Council
<u>LOCATION:</u>	33 Heron Court, Halewood, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF SINGLE STOREY REAR AND SIDE EXTENSION		

Site Description

The application site is located at 33 Heron Court, Halewood and is located in an area that is allocated as a Primarily Residential Area in the development plan. The application property is a detached dwelling and is red brick facing on its front, side and rear elevations. The property also features white UPVC on the windows and doors and a brown tiled roof.

Proposal

The application seeks permission for the erection of a single storey rear and side extension.

The proposed rear extension would project 4m from the rear elevation and would have a width of 8.95m (this includes the rear of the proposed side extension). It would be served by a mono pitched roof. The eaves of this roof would measure at a height of 2.67m and the highest part of the roof would measure at a height of 3.57m.

The proposed side extension would project 2.98m from the south-east side elevation of the application site. It would project 0.88m from the existing rear elevation and would be set back 7.36m from the front elevation of the dwelling. The proposed side extensions eaves would measure at a height of 2.67m and the highest part of the roof would measure at a height of 3.57m.

Previously submitted plans originally had the proposed side extension project past the existing rear elevation of the dwelling at approximately 1.6m. Following a discussion with the applicant the projection was reduced to the proposed 0.88m to consider residential amenities.

Consultations

Halewood Town Council - No Comments Received.
Cadent Gas Limited – No objections in principle

Representations

This application has been publicised by letters sent to 5 neighbours. No representations have been received.

Planning History

APP. NO: 23/00034/CLU
PROPOSAL: Construct a single storey Rear & Side extension to the existing detached house
DECISION: WITHDRAWN
DECISION DATE: 7 February 2023

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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.

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

KNOWSLEY LOCAL PLAN: CORE STRATEGY

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.

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

Saved Policy H8 in the Replacement Unitary Development Plan states that proposals for extensions to dwellings will be permitted provided that:

- a) The proposals would not (due to their scale and massing) result in a disproportionate addition to the original dwelling
- b) The design and materials used would reflect those used on the original dwelling
- c) The proposal would not adversely affect the amenity or privacy of occupiers of adjacent dwellings
- d) The proposal would not create potential hazards for highway users by obstructing visibility for pedestrians or drivers of motor vehicles; and
- e) Adequate parking and garden space would remain in use by the residents of the extended property

Design

The Householder Development SPD states that rear extensions should be designed to avoid causing overshadowing, loss of outlook or loss of privacy to the neighbours, or appear unduly dominant to neighbours.

The Householder Development SPD states that single storey side extensions should be designed so that they preserve the street scene, protect light and privacy of neighbours and ensure that they provide sufficient parking spaces.

The existing dwelling is brick facing on its front, side and rear elevations with white UPVC windows and doors, and tiled roofing. The proposed development would also be brick facing and include materials which are keeping with those found at the application property and would have a mono pitched roof. The proposed development would therefore be considered to have an acceptable design and would be in keeping with the requirements of Saved Policy H8 and the Householder Development SPD.

Amenity

The Householder Development SPD states that extensions should not cause overshadowing, loss of outlook or loss of privacy to neighbours. It also states that a single storey rear 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 4m from the rear elevation of the existing dwelling. The proposed development would not surpass the parameters set out in the Householder Development SPD and would not have a detrimental impact on the amenities of the local area.

31 Heron Court

No.31 is situated adjacent to the north/north-west of the application site. The front and rear elevations of no.31 and the application property sit in line with one another. The proposed development would project 4m from the rear elevation of the application site and would therefore be in accord with the Householder Development SPD and would not cause any severe impacts to the amenities. The proposed side extension would be erected to the side elevation on the south-east side of the application site and therefore would not be readily visible to the occupants of no.31. Therefore, it is considered that the proposed development would be in accord with the Householder Development SPD and would not cause a detrimental impact to the amenities or privacy of the occupants of no.31.

35 Heron Court

No.35 is the other neighbouring dwelling and is sited to the east/south-east of the application site. No.35 is orientated so that its front elevation is looking onto the application property's gable wall, front garden and the highway. No.35 benefits from a two-storey side extension as well as a conservatory. The two-storey side extension has the most prominent view of the gable wall of the application site. The proposed development at the rear would not be readily visible to the occupants of no.35 and would therefore not pose a significant risk to no.35's amenities or privacy. The proposed development to the side would project 3m from the side elevation and be adjoined to the rear extension. The proposed side elevation would be sited close in relation to the two-storey side extension of no.35. Following a discussion with the applicant, the plans were amended to agree for the side extension to be set-back further in and reduce the front projection, and subsequently reducing the prominence of the proposed development and protecting the amenities of no.35. The projection from the rear building line of the application site is now 0.88m. The aim was to reduce its prominence and visual impact on the occupants of no.35 and their amenities. This was necessary as the ground floor, front room (the closet habitable room to the application site) of the two-storey side extension is a habitable room for the occupants of no.35. The amended plans consider this and reduce any impact from overshadowing or obstruction of light and protect the amenities of no.35. The interface distance between the front elevation of no.35's two-storey side extension and the gable wall of the application property would not be sufficient to permit the original proposals as it would have resulted in a cramped appearance between the two dwellings and adversely harmed the visual amenities of no.35. But the amendments have ensured the proposed development would be acceptable.

The projection would breach the 45-degree rule, and this has been considered. However, due to the fact the nearest window is from an extension and given that no.35's front elevation faces the gable wall of the application property already, with the extension of no.35 being erected further to that side, I believe this must carry some weight in favour of the approval of this application. The applicant has also compromised and set back the projection of the proposed side extension to reduce any detrimental impact that would have been caused by the original proposed development and to ensure the amenities and privacy of no.35 were not significantly harmed. The amended projection would be considered acceptable, largely in accord with the Householder Development SPD and would not have an unacceptable impact on the amenities and privacy to the occupants of no.35.

Highways

The property currently has the space for up to 3 off-street parking spaces in the form of hardstanding that is to the side and front of the application property. The proposed development would not affect the current parking provisions at the application site and is primarily sited to the rear of the property. Subsequently, the proposals would not cause any obstructions. As such, the proposed development would not result in adverse impacts to the public highway and would be acceptable.

Cadent Gas Limited

Cadent Gas Limited were notified that a planning application had been submitted to the Local Planning Authority and responded by outlining the application site is situated in close proximity to medium and low-pressure assets. No objections were raised by

Cadent Gas Limited but an informative was submitted for the applicant's attention (see below).

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 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 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.

- 3) 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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
10/02/2023	33HC/04/10	-	EXISTING AND PROPOSED SIDE ELEVATION (WEST)
03/02/2023	33HC/04/07	-	EXISTING AND PROPOSED FRONT ELEVATION
03/02/2023	33HC/04/04	-	EXISTING AND PROPOSED REAR ELEVATIONS
03/02/2023	33HC/04/03	-	EXISTING AND PROPOSED DRAINAGE PLAN
03/02/2023	33HC/04/08	-	LOCATION PLAN
02/03/2023	33HC/04/02	A	PROPOSED FLOOR PLAN
02/03/2023	33HC/04/09	B	EXISTING AND PROPOSED SIDE ELEVATION (EAST)

Signed Case Officer¹: Reece Black

Signed Authorising Officer²: K Foster

Date: 13 March 2023

Informatives

1. Cadent Gas Ltd submitted an informative on 24.02.23 with direction to add the correspondence and attached PDF as an Informative Note into the Decision Notice.

¹ Reece Black

² Kevin Foster

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















