

APPLICATION NO: 23/02255/FUL **CASE OFFICER:** Maxine Wishart

WARD: St Gabriels **PARISH:**

LOCATION: 44 Oakfield Drive, Huyton, Knowsley

PROPOSAL: ERECTION OF TWO STOREY AND PART SINGLE
STOREY REAR EXTENSIONS TOGETHER WITH
INTERNAL ALTERATIONS (DEMOLITION OF outhouse)

KNOWSLEY LOCAL PLAN ALLOCATION –

Primarily Residential Area

Site Description

The host dwelling forms a two-storey end terrace located within a block of four dwellings. The property is located on the eastern side of Oakfield Drive within an established residential area of Huyton. The property is enclosed to the front boundary by a brick wall with a paved driveway leading from Oakfield Road.

To the north-east other residential properties are located on Oakfield Grove. The site is surrounded by other residential properties and backs onto dwelling on Meadow Drive.

Proposal

The application seeks planning permission for a part two-storey and part single storey extension to the rear. The applicant proposes to install an additional bedroom window in the gable elevation at first floor level. The proposal would see the demolition of an existing detached outbuilding to accommodate the development.

The proposal has been amended since the original submission. The revised proposals form the basis of the application under consideration.

The extension would comprise a ground floor extension which would span almost the whole rear of the host dwelling. It would be set in off the boundary with the adjoining property (No. 42 Oakfield Drive) by 250mm.

The two-storey element of the extension would be set above the ground floor extension extending 4 m out from the rear and set in off the common boundary with No. 42 by 1.9m.

The applicant has revised the proposal since it was originally submitted to reduce the depth from 4.5 m to 4m; reduced the width of the first floor from

4.1m to 4m and by bringing the ground floor element 250mm off the common boundary with No. 42 Oakfield Drive. The creation of a new driveway and access has been removed from the scheme.

The development also proposes the installation of a new window within the existing gable of the host dwelling to serve a bedroom and to replace a window that would be blocked by the proposed extension.

It should be noted that adding a window falls within the scope *Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)*. If new windows are in an upper-floor side elevation they must be obscure-glazed and either non-opening or more than 1.7 metres above the floor level in order to be permitted development. This is discussed in more detail in the body of this report.

Consultations

Highway Authority - No objection in principle. It is noted however, that the proposed vehicular access to the property is located to the left (as viewed from the road). This will result in a substantial new vehicular footway crossing to be constructed. The property already benefits from a dropped kerb and footway crossover, which could be modified slightly, at a much reduced cost to achieve access for a second vehicle. The applicant is invited to submit modified plans to this effect.

Representations

This application has been publicised by letters sent to 6 neighbours. It has also been advertised by Site Notice. No representations have been received.

Consideration has been given to the necessity to re-consult on the amended plans received. In this instance the extension has been reduced in size and it is therefore considered that the proposed amendments do not constitute substantial differences or fundamental change to the originally submitted proposal.

The LPA has acted fairly and reasonably taking in to account the duty to fully consider representations from interested parties and considers that nobody has been deprived of the opportunity to make any representations that they may have wanted to make on the application as amended due to the nature of the change/s.

Planning History

None.

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 and guidance are relevant to the determination of this application.

NATIONAL PLANNING POLICY FRAMEWORK

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

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

H5 - Development within Primarily Residential Areas

H8 - Extensions and Alterations to Residential Properties

SUPPLEMENTARY PLANNING DOCUMENTS

Householder Development SPD (2016)

Ensuring a Choice of Travel SPD (2010)

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

Layout and Design

The Council's Householder Development SPD forms a material consideration for the purposes of determining this planning application. It advises that the overall scale of development should not look out of place from the street or local environment. The design of the roof should echo that of the original dwelling; windows should follow the precedent shown in the host dwelling and materials should generally be the same or similar to the dwelling to which it relates. The extension should also leave adequate room around the dwelling to avoid a cramped appearance, space for sitting out and storage of bins and adequate parking.

Amenity Space

The property benefits from a private garden to the rear. The extension would leave adequate room about the dwelling to avoid a cramped appearance within the plot and to maintain adequate private amenity space.

The Householder SPS advised that two storey rear extensions would not normally be allowed to come within 7 metres from the rear boundary which would be more than adequately maintained following the development.

Parking Provision

The existing dwelling is a three-bedroom property and the proposal would see the re-configuration of the first floor, utilising an existing smaller bedroom at the front of the property as an enlarged landing which includes access by staircase to the loft. The proposed development would not therefore result in an increase in the number of bedrooms.

There is a driveway which can be accessed off Oakfield Drive. The driveway extends approx. 8.65 m in length, sufficient only to accommodate one vehicle. This is the only parking space provided in the curtilage.

Waste Storage (Bins)

The proposal would not affect the existing access to the rear of the site which enables bins to be stored out of sight from the road.

Design

The proposal would involve a part single and part two-storey extension to the rear. The proposed extension would not extend beyond of the existing gable end of the dwelling.

Windows are proposed to the side and rear of the ground floor serving an open plan dining area and kitchen. The side top hung window, serving the dining area would be located at ground floor on the side elevation facing the adjacent property, No. 14 Oakfield Grove. Patio doors and a window would be on the rear together with a first floor bedroom window above. An existing first floor bedroom window would be retained to the side and a new frosted glazed window within the existing gable elevation of the host dwelling, both serving bedroom accommodation.

The host-dwelling has a hipped ended roof. The proposed two-storey extension would have a hipped roof that would hip into the roof of the main dwelling. The ground floor element of the extension would have a flat roof. The SPD advises that the roofline should echo that of the existing and the development would be acceptable in that regard.

It is proposed to construct the development in matching materials.

Overall, the proposed materials and finishes are in keeping with the existing property and a condition should be attached to any planning permission if granted to ensure that the proposed materials and finishes match the existing features of the property to ensure the character of the property is maintained.

On balance, having regard to the above, the development is considered to be acceptable and would not have an unacceptable impact on the character and visual amenity of the streetscene.

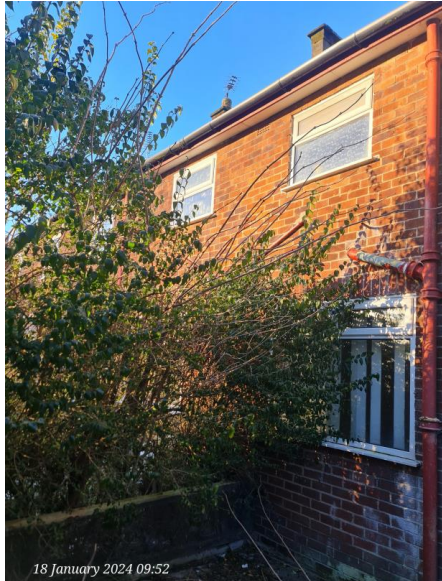
Residential Amenity

Saved Policies H5 and H8 of the UDP amongst other matters, seek to ensure that new development does not unacceptably impact on the amenity of neighbouring occupiers of adjacent dwellings. Policies CS2 and CS19 of the Local Plan seek to ensure that development promotes good quality design, respects its setting and avoids unacceptable impacts on existing residents. Further advice is set out in the Householder Development SPD.

No. 42 Oakfield Drive

No. 42 is the adjoining terraced property which has not been extended.

The Householder Development SPD advises that single storey rear extensions up to 4m are considered acceptable. The proposed single storey extension would be adjacent to the common boundary with No. 42 and there is currently an existing low-level fence with planting of considerable height along the boundary at this point at 4m deep and 250mm off the common boundary, the single storey aspect of the development does not exceed the tolerance of the SPD.



View from Host Property



View from No. 42 Oakfield Drive

Turning to the two-storey element of the extension, this would sit above the ground floor extension and would project 4m from the rear of the host dwelling and be set off the boundary with No. 42 by 1.9m.

The Householder SPD advises that two storey extensions of up to 3 metres will normally be acceptable. Extensions beyond 3 metres will only be acceptable if they do not breach the 45-degree rule. In addition, where the properties are attached and the neighbouring dwelling has no extension adjacent to the boundary, any first-floor element of an extension beyond 3 metres should be set in from the party boundary by a minimum of 1m.

The first-floor element would extend beyond 3 m but would be set in off the boundary by approximately 2.3m. The submitted plan identifies a 45-degree line from the nearest habitable window on the ground floor which shows that the first-floor part of the extension would not breach the 45 degree line taken from the neighbours ground floor window.

In regard to impacts on the first-floor windows of the neighbouring property, the plans as submitted are annotated to indicate a 45-degree line from the neighbour's nearest first floor. Officers do not agree that the line annotated on the submitted plan is accurately drawn, and the measurement is nearer to a 50-degree angle, the consequence of which is that the first-floor extension would marginally breach the 45-degree line. Nevertheless, when applying the 45-degree rule the SPD advises that the line relates to the neighbour's nearest habitable room. Officers have been provided with additional photographs from the rear of the neighbour's property and this clearly confirms that the nearest window at first floor serves a bathroom which is a non-habitable room. The neighbour's first floor bedroom window is located further away from the common boundary at the rear and as such the proposed extension would not breach a 45 degree line taken from the mid-point of that window.



No. 14 Oakfield Grove

No. 14 Oakfield Grove is the adjacent property located to the north of the application site. Whilst the submitted layout plan is annotated to identify the property as “14 Oakfield Close”, the Council’s records clearly indicate that the adjacent property is No. 14 Oakfield Grove. The host property is set approx. 1m further back than this neighbouring property.

The extension would project 4 m out from the rear elevation of the host dwelling and therefore approx. 5 m beyond the rear of the neighbour’s rear elevation. It would be sited at a distance of approx. 4m from the neighbour’s property. There is an existing fence along the common boundary which is approx. 1.8 m high.

The submitted drawings are annotated to show a 45-degree line supposedly from a ground door and first floor bathroom window on the rear of the neighbouring property showing that the extension would not breach the 45 degree line.

However, there does not appear to be a door at ground floor as this appears on Google Earth to have been bricked up. Nonetheless, whether the door remained or was bricked up, it is not a window serving a habitable room. A kitchen window to the rear of No. 14 is located further away from the common boundary and whilst the 45 degree from the nearest ground floor window is therefore not shown on the submitted plan, given that it is further away from the boundary it is apparent that the proposed extension would not breach a 45

degree line from the mid-point of any ground floor window serving a habitable room.



Turning to the first floor, as the adjacent property is a handed layout to the host dwelling, the nearest window at first floor would be a bedroom window and not a bathroom as annotated on the submitted plans. However, given the distance from the boundary, the proposed extension would not breach a 45 degree line from that bedroom window.



Officers are satisfied that despite a number of anomalies with the plans as submitted, having regard to the above, the proposed extension would not have harmful impacts on this neighbour due to loss of light, overshadowing or from appearing over dominant.

The extension proposes a dining area window within the side elevation at ground floor facing onto the common boundary with No. 14. Given the existing boundary fence and the distance from the boundary it is not considered that the development would have unacceptable impacts on privacy or overlooking.

The end terraces in the vicinity of the host property are characterised by a first floor bedroom window within the gable elevation. In this instance the host property and the neighbour at No. 14 Oakfield Grove are separated by approximately 4 m. The proposed floor layout plans indicate reconfiguration of the first floor layout which would include a new bedroom window inserted at first floor level towards the rear of the gable elevation. This window would not be within the proposed extension but within the original gable of the dwelling. The window is shown as top hung and with frosted glass.



Gable Elevation No. 14 Oakfield Grove



Gable Elevation No. 44 Oakfield Drive (Host Property)

As previously mentioned above, new windows in an upper-floor side elevation must be obscure-glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window would be installed to be permitted development. As shown, the window appears to be permitted development and would not have any detrimental impact insofar as overlooking and loss of privacy. However, it is understood that for the purposes of Building Regulations there would need to be an egress window for escape and therefore any opening would not be more than 1.7 m above floor level. Therefore, it is considered that it would be prudent to ensure that the window is obscure glazed and retained as such and that any changes to the details of the window to address fire escape are submitted and this can be secured by a suitable planning condition.

Turning to potential impacts of the proposed extension on the neighbour's side window, it is inevitable that there would be some loss of light given the orientation of the extension to the south of the neighbour. However, taking into account the existing juxtaposition of the dwellings, it is not considered that there would be unduly significant impact on this window due to the development proposals.

Properties to Rear - Meadow Drive

The proposed extension would be more than 33 m from the rear elevation of properties behind and the extension would be approx. 12.5 m off the rear boundary.

There would be not detrimental impacts on neighbours to the rear.

Highways Considerations

The application under consideration would not see an increase in bedrooms. The plans as submitted have been amended to remove a revised siting of

vehicular access into the site. The revised plans as submitted now appear to show a pedestrian access, however the applicant has verbally indicated that they wish the existing vehicle access to remain.

It is considered that it would be prudent to seek the retention of the existing on-site parking provision which could be secured by planning condition.

The proposed development would not result in an increased adverse impact on street parking conditions to the detriment of highway safety or the amenity of local residents and is acceptable.

Conclusion

The proposal would be acceptable in terms of design, impact on residential amenity and Highways. The proposal also complies with the relevant Core Strategy and Replacement UDP policies together with guidance in the NPPF and is therefore recommended for approval subject to conditions.

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) 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 the National Planning Policy Framework, Saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and the Householder Development SPD (2016).

- 4) Notwithstanding the detail of the proposed layout shown on Plan No. 1 – received 18 January 2024, the existing area of hard standing for parking within the curtilage of the property and the means of vehicle access thereto shall be retained.

The area shall be retained and made available for parking at all times that the proposed development is in use.

Reason: To ensure that adequate off-street parking is available in accordance with the National Planning Policy Framework (2023), Saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016; Ensuring a Choice of Travel SPD and Householder Development SPD.

- 5) Notwithstanding the details of the proposed window to be inserted within the gable elevation of the existing dwelling as indicated on the approved plans:

- a) Any alteration to the window other than as shown on the approved plans shall be submitted to and agreed in writing by the Local Planning Authority prior to it first being installed.
- b) The window as shown on the approved plans or subsequently agreed pursuant to this condition shall be glazed with level 4/5 obscure glazing and remain as such at all times.

The development shall be carried out only in accordance with the agreed details and shall remain as such at all times.

Reason: To ensure that provision is made for adequate fire escape as may be necessitated by Building Regulations; in the interests residential amenity and to comply with the National Planning Policy Framework, Saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and the Householder Development SPD (2016).

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
18/01/2024	PLAN NO. 2	-	EXISTING AND PROPOSED ELEVATIONS
18/01/2024	PLAN NO. 1	-	EXISTING AND PROPOSED FLOOR

			PLANS
09/08/2023	-	-	LOCATION PLAN (INSOFAR AS IT RELATES TO THE RED LINE BOUNDARY ONLY)

Signed Case Officer¹:

M Wishart

Signed Authorising Officer²:

K Foster

Date:

8 February 2024

Informatives

NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments;

- 1 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024.

Contd...

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



Image Capture Google June 2022



Google Maps Imagery @2024



No. 44 Oakfield Drive Frontage



Existing Common Boundary with No, 42 Oakfield Drive



N0. 14 Oakfield Grove Gable Elevation