

<u>APPLICATION NO:</u>	22/00480/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	Halewood South	<u>PARISH:</u>	
<u>LOCATION:</u>	43 Higher Road, Halewood, Knowsley, L25 0QG		
<u>PROPOSAL:</u>	ERECTION OF TWO STOREY AND PART SINGLE STOREY SIDE EXTENSION, SINGLE STOREY REAR EXTENSIONS AND DETACHED SUMMERHOUSE		

Site Description

The application property is a semi-detached dwelling situated on a residential street located within a primarily residential area. The properties within the street scene are relatively uniform in orientation with the exception of neighbouring properties at no. 43A & 43B. These properties are set back significantly from the application property.

The application property is rendered in white finish and benefits from white UPVC doors and windows. The application property accommodates a gable facing front elevation together with hip roof to the side. The property has been previously extended at the rear in the form of a single storey conservatory.

The property is contained by low lying brick wall facing the public highway and close boarded fence forming the common law boundaries with neighbouring properties. The driveway comprises of hardstanding sufficient to accommodate multiple vehicles.

To the rear of the application property is a railway line.

Proposal

The proposed development consists of a part single storey part two storey side extension, single storey rear extension together with an outbuilding located at the rear. The proposals have been substantially altered since its initial submission and forms the basis for consideration.

The part single storey extension would be located at the side of the application property and bring the building line forward to the existing front elevation. It would span a width of 7m at its widest point and depth of 2.8m. It would accommodate a pitched roof measuring 2.5m at the eaves and 3.3m at its highest point. The single storey aspect would provide a new front entrance together with new internal storage space.

The single storey front/side extension would then connect to the two-storey side extension. The two-storey side extension would be set back 2.8m, spanning a width of 4.1m - 5.2m and a depth of 10.4m.

Following the demolition of the existing lean to rear extension and existing outbuilding, the two-storey aspect would connect to a single storey rear extension measuring 4m – 5.3m in depth and 12.5m in width. It would accommodate a gable/flat roof arrangement with roof lantern. The gable element would measure 2.4m at the eaves and 3.9m at its highest point. The flat roof would measure the same at the eaves and attain a maximum height of 3.4m. The rear elevation would be faced in cedar cladding and

comprise a number of glazed units allowing natural light.

A summer house is proposed at the rear of the property boundary. The summer house measures 10.18m in width by 4.75m in depth and would include a flat pitched roof measuring 2.4m – 2.6m in height. It would include glazed panel doors facing the rear elevation of the property and finished in render.

The proposals would provide internal alterations comprising of new open plan kitchen and living area, integral garage, storage and gym at ground floor level. To the first floor, the proposals would include internal alterations to increase the existing bedroom sizes together with provision for 2no. dressing areas and 2no. en-suites.

Consultations

Tree Officer – No objection provided that the Arboricultural Report and associated plan are made approved documents and conditions are attached to the decision notice.

Network Rail – Network Rail considered the application and confirmed no objection to the proposed development during the site visit.

Representations

This application has been publicised by letters sent to 6 neighbours. No representations have been received.

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

The Householder Development Supplementary Planning Document is a material consideration for the purposes of this planning application. The following matters will be considered as part of the individual aspects of the development proposals.

Two storey side extension

The SPD advises that two storey side extensions should be designed to avoid having an overbearing effect or causing unacceptable loss of light or privacy to neighbours and should be designed to avoid the creation of a terracing effect. It advises that a minimum 1m space should be preserved between the party boundary to the side of the property or that the front wall of the first-floor extension should be set back at least 1m.

The proposed two storey extension would be built adjacent to the property boundary. However, the proposed garage would bring the built form forward at ground floor in line with the existing front elevation. The development would not break the established building line and would provide a set back of 2.8m. Furthermore, given the proposed access road leading to properties at the rear, it would not result in the creation of a terracing effect within the street scene.

The two storey extension would include 3 windows at the side elevation and would avoid the creation of a blank facing gable in accordance with the SPD.

As originally submitted, the proposed extension included a hip-to-gable conversion. This was considered out of character with the application property and those properties within the vicinity of the site. This aspect of the development has been revised in accordance with the SPD which allows for an extension of the existing hip roof and is considered appropriate in terms of design.

Single storey rear extension

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

The proposed rear aspect has been reduced significantly as it was considered to have an dominant affect to neighbouring occupiers as originally submitted. Impact to residential amenity is discussed further below.

As originally submitted, the application sought the extension of the single storey aspect of an additional 3m from the existing conservatory together with a 7m rear extension from the proposed side extension. The combination of the two-storey side and single storey rear would result in a disproportionate addition to the dwelling house with the 7m rear projection being visible from Higher Road. The Local Planning Authority has collaborated positively with the applicant to reduce the scale of the single storey aspect so that the rear extension does not project beyond the existing conservatory and the gym area has been reduce to approximately 4m from the existing rear elevation.

The proposed amendments are considered more appropriate in terms of reduced built form over what is currently in situ following the demolition of the existing outbuilding and would not have a negative affect in terms of character and appearance from the street scene.

Materials associated with dwelling house.

The proposed side extension would be faced in materials to match the existing features found at the application property in terms of render finish, UPVC windows and roof tiles. However, the rear aspect of the development would be clad in cedar and include large, glazed openings together with Apex window arrangement and roof lantern. Whilst this differs from the existing rendered finish, it would add a contemporary feature to the rear element and would be largely obscured by existing boundary fencing together with natural vegetation located on the adjacent parcel of land. The materials and design overall relating to the main dwelling house are considered acceptable in terms of design.

Summer House

The proposed summer house would be sited at the rear of the application property. Its positioning has been altered since its original submission due to its proximity to the railway line at the rear. It is simple in design and accommodates a lean-to roof. It would be faced in render and include large glazed bi-folding doors at its front elevation.

The outbuilding is acceptable in terms of design.

Residential Amenity

41 Higher Road

No. 41 is the adjoining semi-detached property. The application property benefits from a tall retaining wall serving the existing conservatory and also provides the common law boundary between these properties. The Householder Development SPD advises that rear extensions up to 4m in depth are generally considered acceptable. Development beyond 4m will only be acceptable if they do not breach the 45-degree rule.

The application as originally submitted sought to extend the existing rear elevation by 3m closest to the common law boundary with no. 41 and a 7m rear extension at the far side of the property. The development would therefore breach the 45-degree rule in both instances. The Local Planning Authority has worked positively with the applicant to reduce the scale of the development which now retains the existing footprint at the common law boundary and only extends 5m at the furthest point meaning that the 45-degree rule will not be breached. As such, it is not considered that the development would result in adverse living conditions to the existing and future occupiers of no. 41 with regards to residential amenity.

No. 43A Higher Road

No. 43A is the adjacent detached dwelling. It is set back significantly from the application property.

The proposed two storey aspect would bring the application property closer to the common law boundary. However, the perception of built form with regards to the two-storey aspect would be perceived the same as what is currently in situ. However, the application as originally submitted would have resulted in a 25.3m length in respect of the combination of the two storey and single storey extension at ground floor level.

Given the location of no. 43A it would have affected outwards views from the front elevation as originally submitted. The development has been reduced so that it extends 18.5m at ground floor level and is considered more acceptable to the outlook of no. 43A as it would occupy a reduced footprint than what currently exists with regards to the existing outbuilding located along the common law boundary. This would provide an interface distance of 19.3m and whilst the Householder Development SPD does not advise on acceptable interface distance, the Amended Residential Development SPD recommends an interface distance of 22m for rear elevations facing principal elevations. Whilst the development would fall short of the recommended interface distance the development is not directly to the front of 43a and is slightly offset. As such, it is considered that the development proposals allow for a sufficient interface distance between properties without adversely affecting the outlook of the occupiers at 43a or resulting in any significant loss of privacy.

The proposed summerhouse would be located at the rear of the application property and would measure a total height of 2.6m. It has been reduced in scale since its original submission owing to its proximity to the railway line located at the rear.

The outbuilding would be largely obscured by the existing common law boundary. Whilst it is large in size, the application plot is capable of accommodating the size of the building adequately. Due to its siting it would be positioned adjacent to the rear garden of no.43A. However, a development of a similar size could be built with a slight reduction in height to 2.5m under permitted development and represents a fall-back

position that the applicant could undertake for a slightly larger outbuilding in terms of footprint. Given that the development proposals have been reduced through the course of this application it is not considered that a further reduction of 10cm to comply with the height requirements under permitted development would be visually noticeable and would therefore not warrant refusal regarding this aspect of the development proposals. As such, it is not considered that the residents of no.43A would be adversely affected by the development proposals given the reduction in size to both the dwelling house and summer house collectively.

No other properties would be adversely affected.

Highways

The proposals would not adversely affect highway safety

Trees

The proposed development of the main dwelling house would be sited adjacent to trees located outside the applicants control. In addition, trees are located within the rear garden which the development proposals could have an affect.

The applicant has submitted a tree survey to support the application and has been reviewed by the Council's Tree Officer who has raised no objections to the proposed development subject to the Arboricultural Report and Method Statement being made approved documents. A condition is also required on this application to ensure protective fencing is erected to protect the existing trees.

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.

- 4) At least five days written notice has been given to the Local Planning Authority of the intention to commence development. The protective fencing referred to in TPP01 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.

No storage of plant or material (including soil), works (including movement of soil, changes in ground level, vehicular movements, siting of temporary buildings or other works), lighting of fires or tipping of liquids shall take place within the protective fencing thereby defined for the duration of the development works.

Reason: To protect existing trees within the site in the interests of visual amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE

Date Received	Ref. No	Version	Drawing/Document Title
17.03.2023	GBA-HIG-PL-DR-EL-02	REV B	PROPOSED FRONT ELEVATION
17.03.2023	GBA-HIG-PL-DR-EL-03	REV B	PROPOSED REAR ELEVATION
17.03.2023	GBA-HIG-PL-DR-EL-04	REV B	PROPOSED SIDE ELEVATIONS
17.03.2023	GBA-HIG-PL-DR-EL-05	REV A	PROPOSED SUMMERHOUSE ELEVATIONS
28.02.2023	GBA-HIG-PL-DR-FP-05	REV A	PROPOSED SUMMERHOUSE FLOOR PLAN
17.03.2023	GBA-HIG-PL-DR-FP-02	REV C	PROPOSED GROUND FLOOR PLAN
17.03.2023	GBA-HIG-PL-DR-FP-03	REV A	PROPOSED FIRST FLOOR PLAN
17.03.2023	GBA-HIG-PL-LP-01	REV B	LOCATION PLAN
17.03.2023	GBA-HIG-PL-DR-SP-01	REV B	PROPOSED SITE AND BLOCK PLAN
12.03.2023	BS5837:2012		TREE REPORT
14.03.2023			ARBORICULTURAL METHOD STATEMENT
14.03.2023	TPP01		ARBTECH TPP 01

Signed Case Officer¹: **John Fleming**

Signed Authorising
Officer²: **Mark Quinn**

23/03/2023

Date: _____

Appendix 1 – Site Photographs

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.





