

Regeneration and Economic Development Department

APPLICATION NO: 21/00416/FUL

APPLICANT: Mr & Mrs L Taylor

WARD AFFECTED: Whiston & Cronton

DEVELOPMENT: DEMOLITION OF CONSERVATORY AND THE ERECTION OF A SINGLE STOREY SIDE AND REAR EXTENSION

LOCATION OF SITE: 42 Windy Arbor Road, Whiston, L35 3PB

KNOWSLEY LOCAL PLAN ALLOCATION –

Coal Consultation Zone - Coal - High Risk Area

Strategic Road Network - Strategic Road Network

Primary Residential Development - Primary Residential Development

Water Restricted Surface Area - Prescot/Whiston Area

RELEVANT POLICIES

Knowsley Local Plan Core Strategy (2016):

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

Knowsley Replacement Unitary Development Plan (2006):

H5 - Development within Primarily Residential Areas

H8 - Extensions and Alterations to Residential Properties

TECHNICAL CONSULTATIONS:

Whiston Town Council - No Comments Received

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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

ISSUES AND ASSESSMENT:

PROPOSAL

The application is for the demolition of an existing conservatory and the erection of a single storey side and rear extension to the semi-detached property at 42 Windy Arbor Road in Whiston. The proposal would provide a third ensuite bedroom and extended kitchen/dining area.

The proposed development would be set back slightly from the principal elevation of the property and would extend approximately 3.8m at the side. It would measure 6.4m in length to wrap-around with the

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rear element of the extension, which would project 3.0m from the rear elevation of the property and would measure 6.4m in width. The development would also have a pitched roof and as the ground level drops away slightly towards the rear of the site, at its greatest height, the extension would measure 3.4m to the eaves and 3.9m to the ridge.

RELEVANT PLANNING HISTORY

None.

POLICY CONSIDERATIONS

The site is identified as land for primarily residential development and a domestic extension would therefore be acceptable in principle, subject to compliance with local planning policy and guidance. The application complies with policies CS2 and CS19 of the Local Plan Core Strategy (2016) and saved policies H5 and H8 of the UDP (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.

DESIGN

The proposed development would be faced in materials to match the existing property and would be in keeping with the scale and appearance of the property. It would not be detrimental to the character of the street scene and is therefore acceptable with regards to design.

RESIDENTIAL AMENITY

The proposal would extend adjacent to the shared boundary with No. 44 Windy Arbor Road and would project approximately 3.0m past the main rear elevation of No. 44. The proposal would comply with the Householder Development SPD which generally supports single storey rear extensions of up to 4m. No. 44 also has a single storey rear extension which would sit just behind the proposed development. As such, the proposal would not significantly affect the outlook or levels of light to this property.

The rear element of the extension would extend adjacent to the boundary with No. 40 Windy Arbor Road and given its compliance with the Householder Development SPD, it would not significantly affect the visual amenity of neighbouring occupiers. It is considered that there are no other properties that would be affected by the proposal given their sufficient distance from development.

HIGHWAYS

The proposal would increase the number of bedrooms at the property from two to three. The Council's parking standards are the same for two and three bed properties and therefore, the existing level of parking at the property is sufficient.

OTHER ISSUES

None.

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.

RECOMMENDATION:

That planning permission will be granted subject to the following condition(s):-

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- 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) The W.C. window on the side elevation of the extension shown on plan 'HA 2104-03 REV A' received 25 May 2021, shall be fitted with obscure glazing and shall be retained as such thereafter.

Reason: In the interests of privacy having regard to Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and policy H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
13/05/2021	HA 2104-01	-	LOCATION PLAN
25/05/2021	HA 2104-03	REV A	PROPOSED PLANS AND ELEVATIONS

Informatives

- 1 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

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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

Chloe Roberts

06 July 2021

Alan Kilroe
6 July 2021

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