

APPLICATION NO: 26/00082/FUL

CASE OFFICER: Kate Pickles

WARD: Whiston & Cronton

PARISH: Whiston Town Council

LOCATION: 68 Nelson Avenue, Whiston, Knowsley, L35 3PQ

PROPOSAL: ERECTION OF A FIRST FLOOR SIDE EXTENSION.

Site description

The application property is a two-storey, end-terrace dwellinghouse with an existing single storey side extension. The dwellinghouse is set within an asymmetrical plot fronting on to Nelson Avenue. The wider area is characterised by terraced and semi-detached housing and to the north and east of the site is Urban Greenspace.

Proposal

This application seeks permission for a first-floor side extension that would sit above the existing ground floor extension. The extension would be 5.5m wide; 4.3m deep; 4.8m high to the eaves and 6.3m high to the ridge. The extension would be set back from the original front wall of the dwelling by 2.5m and would not project beyond the existing rear wall of the dwelling. The ridge would be 0.7m lower than the ridge of the original dwelling.

The proposal would serve as an additional bedroom and en-suite bathroom.

Consultations

None required.

Representations

This application was publicised by way of site notice and through letters sent to 9 neighbours. One objection has been received as a result of the publicity given to the application which raises the following issues:

- The extension will impact natural light and cause overshadowing of the neighbouring property, affecting the enjoyment and usability of the garden;
- The scale, height and position of the extension is excessive and would be an overbearing and dominant feature;
- The proposal would conflict with policies CS14, CS19, DM2 and contrary to paragraph 135 of the NPPF;
- Draw attention to the Building Research Establishment (BRE) Guidance 'Site Layout Planning for Daylight and Sunlight'

Planning history

06/00739/COU:- Change of use from amenity use to create vehicular access.
Granted 26/10/2026.

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 – Development Principles

CS19 – Design Quality and Accessibility in New development

SAVED POLICIES – KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN

H5 – Development within Primarily Residential Areas

H8 – Extensions and Alterations to Residential Properties

SUPPLEMENTARY PLANNING DOCUMENTS

Householder Development SPD

Design Quality in New Development SPD

Article 35 statement

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 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.

Assessment

The Householder Development SPD 'Two Storey Side Extensions' advises that two storey extensions should be designed to avoid having an overbearing effect or causing unacceptable loss of light or privacy for neighbours. They should also avoid creating a terracing effect, either by themselves or in conjunction with similar extensions.

Design and scale

The proposed side extension would sit above the existing single storey side extension and would be the same width of 5.5m. The orientation of the development, set diagonally to the side of the dwelling, means that, in this instance, the width is acceptable as the extension would not overshadow the neighbouring property, No.2 Nelson Place. The proposal would be set back from the front elevation of the main dwelling by 2.4m and would be stepped down by 0.7m from the ridge. This alongside the orientation of the development helps to avoid a terracing effect and maintains a sense of openness within the street scene.

Residential amenity

No privacy concerns arise from the proposed rear windows, as the extension would face the side elevation of neighbouring properties, with no adjacent habitable windows. Additionally, the separation distance to the nearest rear neighbours exceeds 30 metres. The front windows are also considered acceptable as no properties sit directly opposite. While No. 2 has a side window facing the proposal, it is obscurely glazed and does not serve a habitable room. The proposal is therefore acceptable in terms of privacy and overlooking.

The Householder Development SPD also advises that extensions should be constructed in materials to match those of the existing dwelling and should leave adequate room around the dwelling to ensure the avoidance of a cramped appearance within the plot. The proposed extension complies with this guidance through the use of brickwork, roof tiles, UPVC and rainwater goods to match those of the existing property. The size of the garden would not be changed in any direction given the first-floor siting of the proposed extension. As such, the proposal is considered acceptable in terms of design and in the avoidance of a cramped appearance.

An objection has been raised on the basis that the proposed extension would appear overbearing, out of character, and harm neighbouring amenity. The extension is located on the opposite elevation to the shared boundary with No. 66, therefore there is no impact on the attached neighbouring property of 66. A 1m gap is also retained to the boundary with No. 2 Nelson Place, and a 2.4m setback from the front elevation further reduces any potential overbearing impact. The orientation of the

development being set diagonally to the side of the dwelling means there is no direct overshadowing of No.2 and avoids creating a terracing effect between the dwellings. The orientation, setback and stepped ridge design help maintain a sense of openness, while the use of matching materials ensures the proposal is in keeping with the character of the area. The proposal is therefore considered to have an acceptable impact on residential amenity and the street scene.

Highways

The proposed extension would create an additional bedroom, increasing the dwelling from three to four bedrooms. While a four-bedroom property would typically require three off-street parking spaces under the SPD, only two spaces are available, as established by permission 06/00739/COU. Although this falls below the standard, the surrounding area can accommodate limited on-street parking, and no highway safety issues have been identified. As such, the level of parking provision is considered sufficient in this instance, and the proposal is considered acceptable in terms of highway safety.

Other considerations

High Risk Coal Area – See informative.

Conclusion

The proposal is considered acceptable in terms of design, residential amenity and highway safety 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 no later than the expiration of three years beginning with the date of this permission.

Reason: 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 interest of visual amenity and to comply with Saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted June 2006,

Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2-16, and the National Planning Policy Framework.

Schedule 1

Date received	Drawing. No	Revision	Drawing/Document Title
27/02/2026	A501		Site Plans
27/02/2026	A502		Location Plan
27/02/2026	A202		Proposed Elevations
27/02/2026	A201-1		Proposed Floor Plans

Signed Case Officer: Kate Pickles

Signed Authorising Officer: Jo Sheridan

Date: 04/06/2026

Informative

The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

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 Mining Remediation 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 a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at: Building on or within the influencing distance of mine entries - GOV.UK

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation 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. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property. What is a permit and how to get one? - GOV.UK (www.gov.uk.)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here -

Knowsley Council
Regeneration and Economic Development Directorate.
Delegated Planning Report

<https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Informative Note valid from 1st January 2025 until 31st December 2026

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

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