

<u>APPLICATION NO:</u>	23/02612/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Prescot North	<u>PARISH:</u>	Knowsley Parish Council
<u>LOCATION:</u>	7 Middlehey Avenue, Knowsley, L34 0HY		
<u>PROPOSAL:</u>	ERECTION OF SINGLE STOREY REAR EXTENSION		

Site Description

The application site is located at 7 Middlehey Avenue, Knowsley and is located in an area allocated as a Primarily Residential Area in the Development Plan. The application property is a detached dwellinghouse, is brick facing on its front, side and rear elevations, along with white UPVC openings and grey, interlocking roof tiles.

The application property benefits from an adjoined garage to the side elevation of the property. The property features an open plan design to the front. The building line of the dwellings situated on Middlehey Avenue feature a repetitive stepped pattern where the dwellings are set-back from the highway by approximately 5m in contrast to the dwelling sited to the West. The property is encircled by other residential dwellings.

Proposal

The application seeks permission for the erection of a single storey rear extension. The proposed development would project 4m and have a width of 14.35m. This would be served by a hipped roof, which would measure 2.49m at the eaves and 4.94m.

The proposal would feature two sets of patio doors and windows on its rear elevations.

The proposed development has seen small amendments from the original submission, in the form of changing the roof of the proposal from a dual pitched roof to a hipped roof and the ridgeline of the proposal to be lowered in height. This was agreed to reduce any harm to residential amenities from overshadowing or loss of light. Also, in design terms to ensure that the proposed development would appear as a more sympathetic and subordinate addition to the original dwelling.

Consultations

Knowsley Parish Council - No Comments Received.

Representations

This application has been publicised by letters sent to 7 neighbours. No representations have been received.

Planning History

No recorded 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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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.

The site is identified as a site allocated for housing development in the adopted Unitary Development Plan. As such, a domestic extension to the existing residential 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 policies H5 and 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.

KNOWSLEY LOCAL PLAN: CORE STRATEGY SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

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

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.

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. A single storey extension beyond 4m (or in a situation where the application property has a rear elevation which is set further back than the rear elevation of the neighbouring dwelling) will normally only be permitted if it does not breach the 45-degree rule.

Design

The existing dwelling is brick facing, with white UPVC openings and a tiled roof. The proposed development would also be brick facing and include materials which are keeping in with those found at the application property and would have a pitched (hipped) roof.

Following the amendments secured to the design, it would appear more sympathetic and subordinate to the original dwelling and would not be considered to appear unduly dominant or disproportionate due to the scale and massing.

The proposed development would have an acceptable design and would largely be in keeping with the requirements of Policy H8 and the Householder Development SPD.

Residential Amenity

5 Middlehey Avenue

No.5 is a detached dwelling and is situated to the West of the application property.

The application property is sited approximately 4.5m set further back from the highway in contrast to no.5. The two gable walls of the properties face one another at a distance of roughly 2m. Located 6m from the side elevation, no.5 benefits from a small conservatory. The middle of the nearest habitable window on the rear elevation of no.5 is sited roughly 4m from the side elevation.

The proposed rear development would have a projection of 4m and would be in breach of the 45-degree rule when taken from the nearest habitable window of the rear elevation of no.5. Although, it is considered that the breach would not be a significant one as it is a small section of the corner of the proposed projection that would be in breach and so the impact would not be considered to be an unacceptable one.

Moreover, the proposed development would be deemed to be acceptable. This is because under the conditions set out in the General Permitted Development Order legislation, householders are able to build larger single storey rear extensions in certain circumstances. Given the location of the application site, which is not on Article 2(3) land or in a Site of Special Scientific Interest, this limit is permitted to up to 8m in the case of this dwellinghouse (detached property). Although, this is not a Prior Approval application for a 'larger home extension', it should hold some weight in that should the application had been submitted through a Prior Approval application, the property would have the potential to extend up to 8m.

In addition, given that the height of the eaves of the proposal would be 2.49m, it would not be considered that the proposal would result in any significant overshadowing or loss of light. As discussed, the proposed roof has been amended to a hipped roof to come away from the party boundary shared with the adjacent dwelling (no.5) and mitigate any harm to residential amenities.

The occupants of no.5 have not submitted any objections to the proposal.

There is also sufficient boundary treatment between the two properties in the form of 1.8m timber fencing.

Overall, it is considered that the proposed development would not result in any unacceptable harm to the amenities or privacy of the occupants of no.5. It is not considered that the proposal would result in any significant loss of outlook or overshadowing and would largely be in accord with Saved Policy H8 and the Householder Development SPD and would therefore be acceptable.

9 Middlehey Avenue

No.9 is a detached dwelling and is situated to the East of the application property. The application property is sited approximately 6.6m set further back from the rear elevation of no.7. The two gable walls of the properties face one another at a distance of roughly 1.8m. No.9 features one window on the middle of the gable wall, which as existing faces the side elevation of the garage at no.7.

The proposed development would not be considered to cause any significant impact on the amenities and privacy on no.9. The view from the window would not be materially affected by the proposal. The proposal would feature a small dual pitched roof on this section, which would measure 2.49m at the eaves and 3.26m at the highest point. This would not be considered to result in a material change from the existing view from this window and the proposal would not be considered to cause any adverse harm to the amenities and privacy of no.9.

There is also sufficient boundary treatment between the two properties in the form of 1.8m timber fencing.

Overall, it is considered that the proposed development would not result in any unacceptable harm to the amenities or privacy of the occupants of no.9 and would largely be in accord with Saved Policy H8 and the Householder Development SPD and would therefore be acceptable.

Highways

The proposed development would be sited at the rear and would not increase the number of bedrooms at the property or effect existing parking provisions. Therefore, the proposed development would not have an impact on the parking utilised and would not cause any adverse impact on highway safety.

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 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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
02/03/2024	097-23	REV B	EXISTING AND PROPOSED ELEVATIONS
30/08/2023	097-23	-	EXISTING AND PROPOSED FLOOR PLANS
30/08/2023	-	-	LOCATION PLAN

Signed Case Officer¹:

Reece Black

**Signed Authorising
Officer²:**

K Foster

Date:

11 March 2024

Informatives

Not applicable.

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