

<u>APPLICATION NO:</u>	24/00033/FUL	<u>CASE OFFICER:</u>	Maxine Wishart
<u>WARD:</u>	St Gabriels	<u>PARISH:</u>	Tarbock Parish Council
<u>LOCATION:</u>	12 Ribchester Way, Huyton, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF SINGLE STOREY REAR EXTENSION (DEMOLITION OF CONSERVATORY)		

KNOWSLEY LOCAL PLAN POLICIES MAP ALLOCATION:

Primarily Residential Area

Site Description

The application relates to a two-storey semi-detached dwelling, No, 12 Ribchester Way, Tarbock. The host dwelling occupies a corner plots at the junction of Ribchester Way and Mellor Close.

The property currently has a conservatory to the rear. There is an existing outbuilding to the rear together with amenity space to the side of the property. The site is bound to the side by timber fencing with a driveway located at the back of the property accessed from Mellor Close, a gate leads from the driveway at the rear. An additional parking space is located to the front of the host dwelling accessed off Ribchester Way. The site frontage is enclosed by timber fencing.

The host dwelling is located on an established residential estate and is surrounded by existing residential dwellings.

Proposal

The application proposes the erection of a single storey extension to the rear of the dwelling which would replace the existing conservatory. The proposed extension would provide an extended open-plan kitchen and living area.

Consultations

Tarbock Parish Council - No Comments Received.

Representations

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

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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

NATIONAL PLANNING POLICY FRAMEWORK

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS7 - Transport Networks

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

Ensuring a Choice of Travel SPD (2010)

Householder Development SPD (2016)

The site is identified as within a Primarily Residential Area within the adopted Development Plan. As such, the extension of a domestic property is considered acceptable in principle, subject to compliance with local planning policy and guidance.

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

The proposed development must have 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 and Ensuring a Choice of Travel SPD. 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; avoids overlooking, overshadowing and unacceptable overbearing impacts; and ensures that adequate parking and private amenity space would remain for use by residents of the extended property.

Layout

The application site is located at the junction of Ribchester Way and Mellor Close and as such occupies a corner plot.

The host dwelling currently has a conservatory located to the rear which would be removed to make way for the proposed extension. The existing conservatory projects 3.75 m beyond the rear elevation of the host dwelling, measuring 2.83 m wide and 3.19 m high (excluding decorative finials). It is sited approx. 270mm off the common boundary with the adjoining property (No. 10). This boundary is marked by a timber fence approx. 1.8 m high.



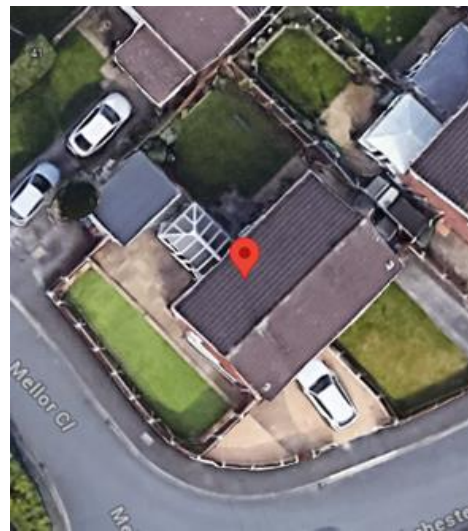
The proposed extension would project 4 m from the rear of the host dwelling, it would extend across the rear elevation measuring 5.50 m wide and attain a height of 2.8 metres (2.87 m including the rooflight). It would be sited approximately 150mm off the common boundary with the adjoining property.

The site benefits from an existing outbuilding, also sited along the common boundary with No. 10 and the common boundary with No. 43 Mellor Close to the rear.

There are no planning records relating to the outbuilding. Schedule 2, Part 1, Class E – *buildings etc incidental to the enjoyment of a dwellinghouse* of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GDPO) allows for some buildings to be erected in the curtilage of the dwelling, however, whether the building was built within the limitations of the GDPO is irrelevant in this case as aerial imagery (Google Earth) indicates that the outbuilding has been in-situ since at least September 2019 and regardless of

whether or not the building may or may not have required planning permission at the time of construction, development becomes immune from enforcement if no action is taken within 4 years of substantial completion for a breach of planning control consisting of operational development.

There would be a gap of approx. 1.6 m between the proposed extension and the rear of the proposed extension. The outbuilding has a footprint of approximately 5.75 m by 2.8 m with a gentle sloping flat roof incorporating a canopy to the front. This would effectively mean that the rear garden would almost entirely be given over to this existing building and the proposed extension; built along the common boundary with the adjoining neighbour. In terms of amenity space for the host dwelling, the house also has private amenity space to the side. The extension would leave adequate room about the dwelling to avoid a cramped appearance within the plot and to maintain adequate private amenity space.



Parking Provision

The proposed development would not impact on existing parking provision and would not result in the need for any parking as a consequence of the development.

Waste Storage (Bins)

The proposal would not impact on existing access to the rear of the site. There is adequate room within the curtilage of the dwelling to store bins out of sight without detriment to the streetscene.

Design

The proposed extension would have dimensions of 4 m x 5.5 m. It would have a flat roof incorporating a large roof light (1m x 1.95 m) which would attain a maximum height 2.8 metres (2.87 m including the rooflight). It is proposed to have folding doors within the side elevation facing onto the side garden towards Mellor Close and no other openings.

The host dwelling is a brick-built house with a tiled roof. The submitted plans indicate that it is proposed that the extension would be constructed of red brickwork plinth with smooth rendered elevations and a grey GRP flat roof finish and windows and doors would be white uPVC to match the dwelling. The householder SPD advises that extensions should be constructed in materials and style to match the original

dwelling and that extensions should normally have a pitched roof for aesthetic reasons. Wherever possible, the angle of the pitch of the new roof should match that of the original dwelling. However, flat or lower-pitched roofs may be preferable in those circumstances where a matching style of roof would cause loss of light for neighbours or can be justified in design terms.

The proposed flat roof would limit impacts on the adjoining neighbour and would be similar to a number of extensions approved around the Borough. In regard to the proposal to render the elevations, whilst it is noted that the existing outbuilding is rendered in a cream finish, this was not the subject of a planning application for which the materials could be controlled. Rendered elevations would clearly not echo that of the host dwelling. In this instance it is considered that the extension should be constructed in brick to match the host dwelling, and this can be secured by a suitable planning condition.

Suitably conditioned, the proposed development is to be of an acceptable scale and design.

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.

10 Ribchester Way

No. 10 Ribchester Way is the adjoining semi-detached dwelling. The proposed extension would be sited close to the common boundary. Taken together with the existing outbuilding the proposal would result in built development almost the entirety of the length of the neighbour's garden. Although there is currently a conservatory and fencing along the boundary, this comprises glazed elements above the fence which at 3.75 m deep projects marginally less than the proposed extension from the rear of the host property. In addition, it is set in off the boundary slightly more than the proposed extension would be. Regard must therefore be had as to whether the proposed development would result in unacceptable increased impact from overshadowing and whether the proposal would appear over dominant.

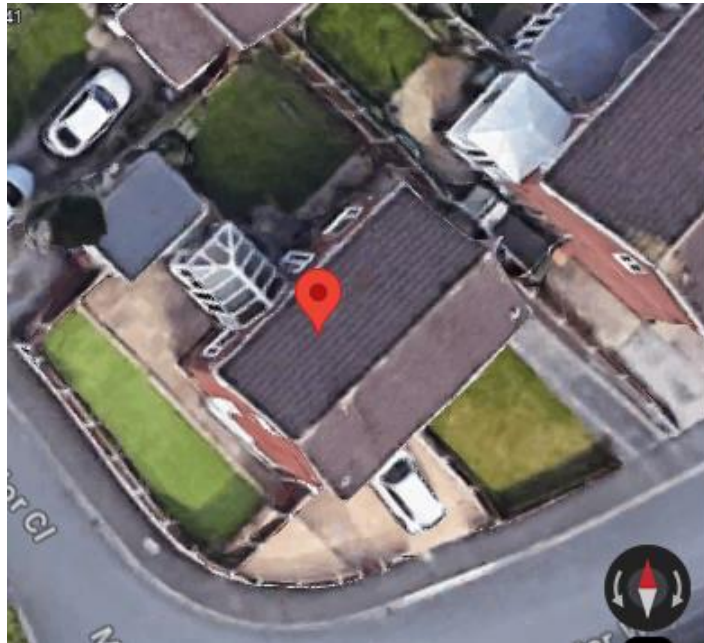
The proposed extension would have a flat roof attaining a maximum height of 2.8 metres (2.87 m including the rooflight), the existing conservatory attains a maximum height of 3.19 m, although it is glazed and the roof slopes away from the boundary.



The Householder Development SPD advises 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. However, it continues to guide that circumstances vary and there will be situations where the proposed extension does not breach the specific length guideline or the 45 degree rule but, in terms of its siting, scale and massing, would appear unduly obstructive from a neighbouring dwelling or adversely affect the use and enjoyment of its garden area, in these circumstances such extensions will not be acceptable.

As detailed above, the development would be deeper and replace the glazed nature of the conservatory with a solid extension, in addition, the neighbour's rear garden would be located to the north-east of the development; all of which is likely to have result in some loss of light to the neighbouring property and its garden. However, taking into account the existing situation and the design of the proposed extension, it is considered that any additional impacts that may ensue would not be so demonstrable to warrant refusal in this instance.





Imagery Google

14 Ribchester Way

No. 14 Ribchester Way is located on the opposite corner of Ribchester Way /Mellor Close. The proposed extension would have large windows within the side elevation facing the gable of No. 14, though it would not extend beyond the existing gable elevation of the host dwelling and would be sited approximately 16.5 m from the neighbour's two-storey side extension. It is not considered that there would be any detrimental impact or loss of privacy for either the neighbour or the occupiers of the host dwelling.

43 Mellor Close

No. 43 Mellor Close is located to the rear of the host dwelling. The side boundary of this property forms part of the rear boundary of the host dwelling. The existing outbuilding would be sited between the proposed extension and that property. Due to the arrangement of the neighbour's property and the application site, the development would not result in adverse impacts for the occupiers of No. 43.

Taking the above matters into account there would be no adverse impact on residential amenity of neighbours.

Highway Considerations

No adverse effect to parking provision or highway safety would occur as a result of the proposed development.

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 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) Notwithstanding the details of materials indicated on the approved plans, the proposed extension hereby permitted shall be constructed in facing brick to match the existing dwelling.

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
23/02/2024	RW/ADA/02/A	REV C	PROPOSED BUILDING ELEVATIONS, LAYOUT PLANS
05/02/2024	RW/ADA/01/A	REV B	EXISTING BUILDING ELEVATIONS, LAYOUT, SITE AND LOCATION PLANS

Signed Case Officer¹: **M Wishart**

Signed Authorising Officer²: **K Foster**

Date: **13 March 2024**

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

Informatives

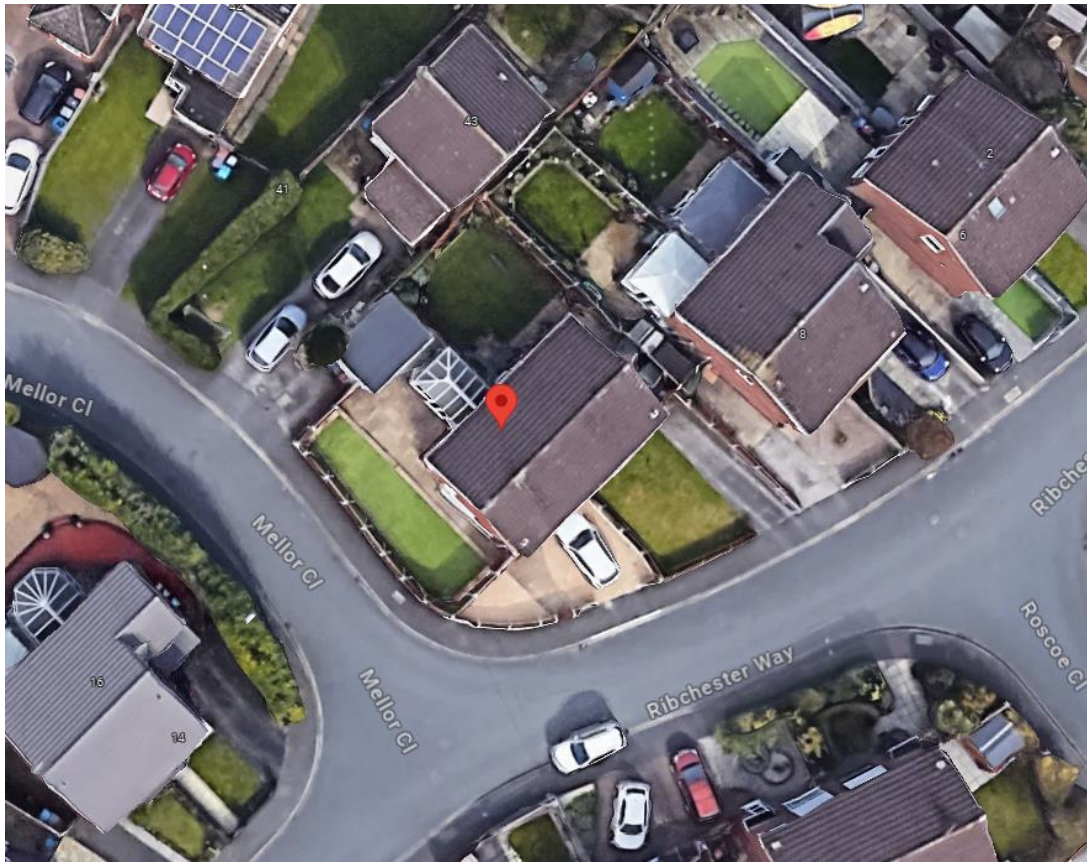
NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments:

- 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.

Appendix 1 – Site Photographs



Imagery Google





Imagery Google



Imagery Google





Facing gable – 14 Ribchester Way