

<u>APPLICATION NO:</u>	23/00139/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Whitefield	<u>PARISH:</u>	
<u>LOCATION:</u>	49 Malvern Close, Kirkby Park, Kirkby		
<u>PROPOSAL:</u>	ERECTION OF TWO STOREY SIDE EXTENSION TOGETHER WITH FRONT DORMER		

Site Description

The application property is located at 49 Malvern Close, Kirkby Park and is located in an area that is allocated as a Primarily Residential Area in the Development Plan. The property is a semi-detached dwelling and is brick facing on its front, side and rear elevations. It features brown UPVC openings, grey, interlocking roof tiles.

The property benefits from flat-roofed dormer windows on the front and rear elevations.

The application site is situated at the end of cul-de-sac with two turn heads, with the application being sited at one. Part of the application site is covered by a Tree Protection Order. There are no significant or mature trees on the site. The application site is adjacent to a large, wooded area to the East and a small amount of shrubbery behind the rear boundary of the application site.

Proposal

The application seeks permission for the erection of a two-storey side extension. It would project 2.26m and have a length of 6.99m. The proposed development would be served by a pitched roof, in which the eaves would measure at a height of 3.27m and the highest point of the roof would measure 7.6m.

The proposed development would also feature a front flat roofed dormer. This would extend the existing front dormers on the front elevation.

The proposed development would be set back from the front elevation of the dwelling by 0.71m on both storey's and would be set in from the party boundary by 0.20m.

Consultations

Sefton Metropolitan Borough Council – No objections.

Representations

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

Planning History

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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

**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 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.

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 two storey side extensions should be designed to avoid having an overbearing effect or causing unacceptable loss of light or privacy for neighbours.

The existing dwelling is brick facing, with brown UPVC openings and tiled roofing. The proposed development would also be brick facing and include materials which are keeping in with those found at the application property and would be served by a pitched roof. The roof of the proposed additional front dormer would be constructed with different materials to the existing. However, given that the flat roof surface of the dormer would not be readily visible to highway users or pedestrians, it is considered that this would not have a detrimentally harmful impact on the overall design or to the amenities of local residents. The extension has an acceptable design and is in keeping with the requirements of Policy H8 and the Householder Development SPD.

The Householder Development SPD also states proposed two-storey side extensions should avoid creating a terracing effect, either by themselves or in conjunction with similar extensions which may exist or potentially be proposed for adjacent properties in the future.

The Householder Development SPD stipulates that either a minimum space of 1m should be preserved between the extension and the party boundary to the side of the property, OR the front wall of the first floor of the extension should be set back at least 1m from the immediately adjoining part of the main front wall of the original dwelling.

Given the architectural style of the application dwelling and the local dwellings situated in the area, it is considered that a relaxation of the guidance can be permitted. The design of the proposed development would not appear incongruous or out of character with the area. In addition, both storey's of the proposed development would be set in from the front elevation of the existing dwelling by 0.71m. This would ensure that visually, the proposed development was a clearly identifiable, subordinate addition to the dwelling.

Furthermore, the adjacent dwelling, 48 Fairfield Crescent features a similar extension. The proposed development would reflect that and would also have a 0.20m set in from the party boundary. This would provide a design that was in uniformity to the adjacent dwelling and would subsequently compliment the street scene, display clearly that the proposal was a subservient addition to the dwelling by the aforementioned set-back/in and ensure that the design was not out of character. Therefore, a relaxation of the guidance outlined in the Householder Development SPD would be acceptable on this occasion, given that the proposal would be of good design and compliment the character of both the existing dwelling and the local area.

The proposed development would also see the extension of the existing front dormer feature carried over to serve the front elevation of the proposal. The Householder Development SPD states that front dormers should be avoided unless they are characteristic of the building or locality. It is considered on the basis of this application; this would be the case and that the proposed front dormer element would be acceptable and appropriate.

Overall, it is considered that the proposed development would have an acceptable design and would be in accord with the Householder Development SPD and Saved Policy H8.

Amenity

48 Malvern Close

No.48 is the adjacent dwelling and is sited to the west of the application property. The main front and rear elevations sit in line with the application sites. No.48 benefits from front flat roofed dormers on the first-floor, as well as a two-storey side extension. The proposed development, for the most part, reflect the existing extension of no.48. The proposed development would not project further than the existing front and rear building lines and subsequently, would not be readily visible to the occupants of no.48. The proposed front flat roofed dormer would not be considered to cause any overlooking between the two properties. Therefore, the proposed development would be in accord with the Householder Development SPD and would not cause any significant harm to the amenities or privacy of the occupants of no.48.

50 Malvern Close

No.50 is the paired, attached semi-dwelling and the front and rear building lines sit in line to the application sites. No.50 also benefit from front flat roofed dormers on the first-floor. The proposed development would be erected on the gable wall to the side of the application property and would not project beyond the front and rear building lines and subsequently, would not be readily visible to the occupants of no.50. The proposed front flat roofed dormer would not be considered to cause any overlooking between the two properties. Therefore, the proposed development would be in accord with the Householder Development SPD and would not cause any significant harm to the amenities or privacy of the occupants no.50.

51 Malvern Close

No.51 is a semi-detached dwelling and is sited to the South-East of the application site, with the gable wall of no.51 facing the front elevation of the dwelling. No.51 benefits from a single storey side extension as well as a garage just off the extension. The proposed development is not considered to cause any significant impact on the amenities or privacy to the occupants of no.51 as the proposal is set back further than the front elevation of the dwelling. There is also an interface distance of approximately 15.4m from the front elevation of the proposal and the gable wall of the single storey side extension of no.51. the proposed front flat roofed dormer would not be considered to cause any overlooking between the two properties. Therefore, the proposed development would be in accord with the Householder Development SPD and would not cause any significant harm to the amenities or privacy of the occupants of no.51.

No other dwellings are considered to suffer any significant harm to their amenity or privacy as a result of the proposed development.

Highways

The application site currently has parking provisions within the curtilage of the boundary in the form of hardstanding in front of the dwelling. This can accommodate up to two vehicles. The proposed development would not impact on available parking provisions. The proposal would be in accord with the Householder Development SPD and would not cause any detrimental impact to highway safety.

Tree Preservation Order

Part of the application site is within the curtilage of a Tree Preservation Order – 71/00002/TPO. Although there are no major, mature or significant trees on the site, it is assumed this is regarding the adjacent wooded area to the East of the application site. It is considered that the proposed development would not cause any detrimental impact on any trees covered within the curtilage of the TPO. Nevertheless, an informative has been included to highlight that there is an TPO and that should any development be considered to impact on any trees, separate consent is required and the Council's Arboricultural Officer should be contacted.

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
10/03/2023	23-NF-01-0	-	EXISTING AND PROPOSED FLOOR PLANS
10/03/2023	23-NF-02-0	-	EXISTING AND PROPOSED ELEVATIONS
30/03/2023	23/NF/03/REV B	-	LOCATION PLAN
30/03/2023	23/NF/04/ REV B	-	BLOCK PLAN

Signed Case Officer¹:

Reece Black

**Signed Authorising
Officer²:**

K Foster

Date:

15 May 2023

Informatives:

- 1 Part of the application site is included within a Tree Preservation Order. A separate consent is required from the Council for the cutting down, topping, lopping, uprooting or other works affecting these trees (other than work specifically included on the plans hereby approved). Please contact the Council's Arboricultural Officer (Tel: 0151 443 2278) for further advice.

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

Appendix 1 – Site Photographs













