

<u>APPLICATION NO:</u>	23/00068/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Halewood South	<u>PARISH:</u>	Halewood Town Council
<u>LOCATION:</u>	192 Leathers Lane, Halewood, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF A SINGLE STOREY SIDE AND REAR EXTENSION TOGETHER WITH INTERNAL GROUND FLOOR ALTERATIONS		

Site Description

The application site is located at 192 Leathers Lane, Halewood and is located in an area that is allocated as a Primarily Residential Area in the development plan. The application property is a semi-detached dwellinghouse and is rendered facing on its front elevation. It is pebble dashed on its side and rear elevations, but has also been painted over previously. It also features white UPVC and brown, interlocking rooftiles.

The property benefits from an existing single storey garage extension, which spans roughly half the length of the existing dwellinghouse. The property also benefits from a single storey rear extension, which spans roughly half the width of the rear elevation.

Proposal

The application seeks permission for the erection of a single storey side and rear extension.

The proposed side extension would project out by 2.44m and would have a length of 7.98m. The side extension would be served by a hipped roof, with the eaves of this roof measuring at a height of 2.55m and the highest point of the roof measuring at a height of 3.61m.

The proposed rear extension would project out by 3.24m and would span 8.63m in width. The proposed rear extension would be served by a hipped roof which would have the same measurements and sit level with the elevations of the roof of the proposed side extension.

The proposed side elevation would sit flush with the front elevation of the original dwelling. The overall proposed development would form a wraparound side and rear extension adjoined to the existing dwelling.

The front elevation of the side extension would feature a garage door. The side elevation of the proposed development would feature a door for access. The rear elevation would feature bi-folding patio doors and a large bay window. The roof of the proposed extensions would feature 3 skylights, 1 on the side extension and 2 on the rear extension.

The proposed development would see the demolition of the existing side and rear extensions and replacement by the proposed.

Consultations

Halewood Town Council - No Comments Received.

Representations

This application has been publicised by letters sent to 8 neighbours.

There have been 1 letter of objection, 0 letters of support and 0 letters of comment.

The objection can be summarised as concerns over 'loss of light':

- The representation states that an additional 3m are to be added in elevation from the existing elevations of the side extension.
- Concerns that the proposed development (particularly the side extension) would cause an unacceptable loss of light reaching the gable wall which serves the kitchen and dining rooms and obstruct all light to these rooms.
- Concerns that the obstruction of light would result in negative impact for two autistic grandchildren who regularly utilise the kitchen and dining room space.

After discussing the application further with the objector, they realised that they had been misinformed by other neighbours regarding the proposals. They were under the impression any additional elevation to the existing was to be 3m and to the main roof of the existing dwelling. This is inaccurate and from the submitted plans, the increase in elevation would be an additional (approximately) 0.55m in height overall but would be a single storey extension, not a two-storey. There will be a steeper pitch in the roof. The proposed extension on the side projection would also be stepped in by a distance of 0.1m from the party boundary shared between the two properties, going from 0.8m to 0.9m in distance.

Planning History

APP. NO: 74/11482/HIST
PROPOSAL: ERECTION OF KITCHEN EXTENSION TO SIDE AND REAR OF DWELLING
DECISION: PERMITTED DEVELOPMENT
DECISION DATE: HIST

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

Design

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.

The Householder Development SPD states that single storey side extensions should be designed so that they preserve the street scene, protect light and privacy of neighbours and ensure that they provide sufficient parking spaces.

The existing dwelling is rendered facing on its front elevation. It is pebble dashed rendered on its side and rear elevations. Along with white UPVC windows and doors, and tiled roofing. The proposed development would be rendered facing on its front elevation of the proposed side extension to tie in with the existing front elevation of the application property. The side and rear elevations of the proposed development would

be brick facing on the elevations. This would be a contrast to the existing dwellings side and rear elevation, but it is considered these elevations are sections not readily visible from the highway, in a private space or would be sufficiently screened from the neighbouring dwelling. Overall, the proposed development would generally feature matching materials in terms of white UPVC and the brown, tiled roofing to be in-keeping with the existing dwelling. As stated previously, the prominent (front) elevation of the proposed development would be render faced to be in keeping with the existing dwelling.

The proposed development would have a hipped roof. The hipped roof would be considered as keeping in with the design of the existing dwelling. In addition, this would also be the ideal roof design choice for the neighbours and residence of 190 and avoid the potential for an unacceptable loss of light.

The proposed development would feature a door on the side elevation of the proposed side extension. The door would have a glass window and would be obscured glazed to prevent any overlooking. There would also be sufficient boundary treatment to prevent any overlooking as a wooden fence at approximately 1.8m in height would be erected between the proposed side extension and the adjacent dwelling.

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

Amenity

The Householder Development SPD states that rear extensions should not cause overshadowing, loss of outlook or loss of privacy 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. The proposed rear extension would therefore be within the parameters of the Householder Development SPD and would be considered as not having an unacceptable impact on neighbouring amenities.

190 Leathers Lane

No.190 Leathers Lane is the detached dwellinghouse situated to the north-west of the application property. The front and rear elevations sit in line with the application site. No.190 benefits from two rear extensions, one being a small kitchen extension (this is sited closest to the party boundary between 190 and the application property.) The other is a conservatory which projects approximately 5.3m out from the rear elevation of 190. Between the existing side extension and the gable wall of no.190 there is an interface distance of approximately 1.3m and between the gable wall of the application property and the gable wall of 190 there is an interface distance of approximately 4m.

The gable wall of 190 that faces the application sites gable wall features 3 windows and a door on the ground floor. The window sited closest to the front elevation serves a hallway. The remaining two windows and door serve a kitchen and dining room. At present, the existing side extension is approximately half the length of the gable wall of the application site. The proposed development would measure the length of the whole gable wall of the application property. The increase in footprint would be more noticeable from the side windows of no.190, primarily affecting the windows which serve the kitchen and dining room and would potentially result in a reduction in light. However, it is considered that this would not cause an unacceptable harm to the amount of light and amenities of no.190 as the windows sited on the side elevation

already face the gable wall of the application property at the aforementioned interface distance. The proposed development is unlikely to cause an unacceptable impact to the amenities of no.190. It is also unlikely to result in an unacceptable loss of light due to the fact it would be a single storey and would be served by a hipped roof. Although the kitchen and dining room in no.190 are habitable rooms, the proposed development would not likely result in a complete obstruction of light for these rooms. In addition, the rooms would still receive light from the rear of the property as there is a window on the rear extension's rear elevation. The proposed rear extension of the application would be within the 4m parameter of the Householder Development SPD and would be acceptable. It is considered that the proposed development would not detrimentally overshadow or have an overbearing effect on the occupants of no.190 to an unacceptable degree. Therefore, the proposed development would be accord with the Householder Development SPD and would not have an unacceptable impact on the amenities or privacy of the occupants of 192.

194 Leathers Lane

No.194 is the paired, semi-dwelling of the application property. The main front and rear elevations sit in line with the application site. No.194 benefit from a two-storey side and rear wraparound extension. The proposed development would not be considered as causing a detrimentally negative impact on the amenities or privacy to the occupants of 194.

Highways

The application property currently benefits from one off-street parking space. The proposed development would not impact any existing parking provisions currently utilised by the occupants of the application property. Therefore, the proposed development would be acceptable and not cause any impact to the public highway or obstruct motorists.

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
16/02/2023	031-06	-	SITE PHOTOGRAPHS
16/02/2023	031-01	-	SITE LOCATION PLAN
16/02/2023	031-04	-	PROPOSED GENERAL ARRANGEMENT PLANS
16/02/2023	031-05	-	PROPOSED ELEVATIONS

Signed Case Officer¹: Reece Black

Signed Authorising Officer²: K Foster

Date: 30 March 2023

Informatives

- 1 The proposed development lies within an area that has been defined by the Coal 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 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:

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

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

Informative Note valid from 1st January 2023 until 31st December 2024

Appendix 1 – Site Photographs















