

<u>APPLICATION NO:</u>	23/00889/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Swanside	<u>PARISH:</u>	
<u>LOCATION:</u>	20 Evington Drive, Roby, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF SINGLE STOREY REAR EXTENSION		

Site Description

The application site is located at 20 Evington Drive, Roby 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 dwelling and is predominately brick facing on its front, side and rear elevations, along with white UPVC openings and brown, flat, interlocking roof tiles.

The property benefits from a detached garage sited adjacent the rear elevation of the dwelling.

Proposal

The application seeks permission for the erection of a single storey rear extension. The proposed rear extension would project out by 4m and would have a width of 5.16m. This would be served by a flat roof which would measure at a height of 2.85m. This would also feature a large glass skylight which would measure at a height of 3.35m.

Consultations

None Required.

Representations

This application has been publicised by letters sent to 3 neighbours. No representations have been received.

Planning History

APP. NO: 23/00438/PDE
PROPOSAL: ERECTION OF A SINGLE STOREY REAR EXTENSION
MAXIMUM DEPTH FROM ORIGINAL REAR WALL: 4.00 METRES
MAXIMUM HEIGHT: 3.35 METRES
HEIGHT OF EAVES: 2.85 METRES
DECISION: WITHDRAWN
DECISION DATE: 21 April 2023

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies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 single storey 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 existing dwelling is brick facing, with white UPVC openings and 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 flat roof.

Although, the application form and submitted plans do not specifically state that the proposed development's roof would be constructed with matching materials, the architect confirmed via email on the 01.07.2023 that the roof of the proposal would be in keeping with the materials of the existing dwelling.

The flat roof, which would serve the proposed rear extension is a departure from the Householder Development SPD, but it is considered as an acceptable design, as the proposed development would be sited in an area that would not be readily visible from the highway and would be situated in the private rear garden. Therefore, the extension would have an acceptable design and would be in keeping with the requirements of Policy H8 and the Householder Development SPD.

Residential Amenity

The Householder Development SPD states that 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.

16 Evington Drive

No.16 is the paired, semi-detached dwelling. The front and rear building lines sit it line with the application site. No.16 benefits from a detached garage to the rear of the property.

The proposed development would not surpass the 4m parameter outlined in the Householder Development SPD.

There is also sufficient party boundary treatment between the rear gardens of No.16 and the application site in the form of 1.8m timber fencing.

Overall, it is considered that the proposed development would not cause any detrimental harm to the amenities or privacy on the occupants of no.16.

21 Evington Drive

No.21 is the adjacent, semi-detached dwelling. No.21 is orientated to accommodate the turn in the road. The gable wall of the application property and the rear elevation of no.21 face each other. No.21 benefits from a detached garage adjacent the front and side elevations of the property.

The proposed development would not surpass the 4m parameter outlined in the Householder Development SPD.

There is also sufficient party boundary treatment between the back gardens of no.21 and the application property in the form of 1.8m timber fencing.

The detached garage of the application site would screen most of the proposal and would ensure there would be no significant overshadowing.

Overall, it is considered that the proposed development would not cause any detrimental harm to the amenities or privacy on the occupants of no.21.

Highways

The proposed development is to be sited at the rear and would be considered to effect on existing parking provisions. Therefore, the proposed development would not have an impact on the parking utilised by the application property or would cause any adverse impact on highway safety.

Gas Protection Measures

The property is located on a former landfill which was investigated and monitored under planning approval 09/00056/OUT. As part of the planning permission, earthworks were undertaken, and remediation measures were put into place to ensure that the site is suitable for residential end use. Condition no.4 details the information required.

At each property the following build phase remediation and validation was undertaken:

- Installation of a gas/vapour protection membrane (Visqueen GX). Following installation each plot was visually inspected for compliance with the specification including the subfloor void and airbricks, protection membrane type and installation validation. Independent integrity testing of the membrane was undertaken at 1 in 3 properties.
- Provision of a 600mm clean cover soil system underlain by a high visibility geotextile membrane in all areas of soft landscaping including gardens.

All ground based extensions to these properties would required a similar level of gas protection measures. Gas protection measures have been submitted as part of the application however the information submitted states the membrane conforms to BS8585:2007, however, this standard has been superseded with BS 8485:2015 +A1:2019 and confirmation will be needed that the measures they are installing conform to this. The required detail can be secured by planning condition.

If contaminated material is encountered the applicant/developer is required to contact Environmental Health immediately and dispose of the contaminated arisings appropriately. They should also be aware of their health and safety responsibilities to workers in respect of handling such materials. The developer should also ensure that no pathways are created by which any contamination may either migrate off-site or affect site users. A condition to control any dust during the excavation works is also required.

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.

- 4) Prior to the commencement of development hereby permitted an implementation plan shall be submitted to and approved in writing by the Local Planning Authority, setting out details in respect to the following matters:

- 1) Gas/vapour protection membrane;

- i. What specific gas/vapour membrane will be used? The membrane specification must be at least equal to that already installed under the property.
- ii. How will it be installed and specifically how will the new membrane be integrated with the existing gas protection measures.
- iii. The name of the competent persons / company installing the membrane?
- iv. How the installation of the membrane will be validated?

- 2) Cover system

- i. How material excavated for the foundations and other earthworks from beneath the existing garden/patio and/or beneath the high visibility membrane will be removed and disposed of offsite and will not impact the clean cover system in place at this property.

- 3) Water suppression shall be used, as required, to ensure there are no dust emissions from the excavated materials whilst being moved or being stored on site.
- 4) Upon completion of the works, a validation statement must be submitted to and approved in writing by the Local Planning Authority. The statement shall demonstrate that works have been carried out in accordance with the agreed methodology detailed in Parts 1 & 2 above.

The agreed implementation plan must be carried out by competent person and the gas protection measures installed in accordance with the approved scheme.

Reason: In the interests of safety, to prevent pollution of the water environment and to comply with Saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
27/05/2023	A101	-	EXISTING FLOOR PLANS AND ELEVATIONS
27/05/2023	A102	-	PROPOSED FLOOR PLANS AND ELEVATIONS
16/05/2023	A100	-	LOCATION PLAN AND EXISTING AND PROPOSED SITE PLAN

Signed Case Officer¹:

Reece Black

Signed Authorising Officer²:

K Foster

Date:

12 July 2023

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

1. In relation to the gas membrane BS8585:2007 has been superseded with BS 8485:2015 +A1:2019
2. Based on the information available to the Local Planning Authority and the previous remediation undertaken at this site, in relation to contaminated land, there is the potential that some contamination may exist below the hard standing of the patio area and beneath 600mm within the garden. The responsibility to properly address contaminated land issues lies with the owner/developer of the site, irrespective of any involvement by this Authority. The applicant/developer is requested to contact the Council's Environmental Protection Unit (Tel: 0151 443 4712) as soon as is practicable should contamination be encountered during the development of the site.

Appendix 1 – Site Photographs

