

<u>APPLICATION NO:</u>	25/00387/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Whiston & Cronton	<u>PARISH:</u>	Whiston Town Council
<u>LOCATION:</u>	44 Halsnead Avenue, Whiston, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF SINGLE STOREY SIDE EXTENSION		

Site Description

The application site is located at 44 Halsnead Avenue, Whiston, and is located within a Primarily Residential Area in the Development Plan. The application property is a two-storey, detached dwellinghouse and benefits from a single storey rear extension; and is linked to an existing detached garage which has been previously converted. The rear garden comprises of patio and grassed surfacing. The front garden area is fully block paved to provide hardstanding to accommodate at least 2 no. vehicles and is enclosed with a low-lying brick wall to the site frontage.

The building line that the application property is situated within is a row of uniform two-storey, semi-detached dwellinghouses with single storey dwellings located on the opposite side of the highway. There is a park and green space beyond the rear plot of the site, separated by a coverage of tree line.

Proposal

The proposal is for the erection of a single storey side extension.

The proposed development would have a width of 2.4m and a depth of 2.7m. This would be served by a flat roof which would measure 2.6m and would include a mono-pitched false canopy roof to the front section of the proposal, which would attain a maximum height of 3.3m at tallest point.

The proposed side extension would adjoin the existing converted garage. The proposal would be erected with a 3m set-back from the front elevation of the dwelling.

Consultations

Environmental Health: - No objection.

Whiston Town Council: - No comments received.

Representations

This application has been publicised by letters sent to 3 neighbours. It has also been advertised by way of site notice. No representations have been received.

Planning History

APP. NO: 18/00415/FUL
PROPOSAL: ERECTION OF FRONT PORCH AND SINGLE STOREY
EXTENSION TO REAR
DECISION: GRANTED
DECISION DATE: 28 August 2018

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

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

ENV6 - Landfill Gas

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

DESIGN AND RESIDENTIAL AMENITY

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* and furthermore, outlines that *the extension should leave adequate room around the dwelling to avoid a cramped appearance within the plot. It should also leave adequate garden areas for sitting out etc.*

The proposed development would present as modest with a small scale, form and massing, and would not adversely impact within the street scene; furthermore, given the 3m set-back it would have a discrete appearance. The adjacent property (No.43 Halshead Avenue) benefits from a single storey side extension with a similar set-back to its front elevation (the wider street scene also comprises numerous single storey side extensions) and therefore furthers that the proposal would protect the street scene. The proposal would provide a garage and store space which would house refuse bins and therefore no concerns are raised pertaining to waste arrangements.

The proposal would be erected 0.2m from the party boundary shared with No.43 and would have a limited impact on residential amenities given that it would sit parallel to the front elevation of No.43's side extension and therefore the windows contained on the front elevation of the side extension and the ground floor window to the gable wall of No.43 would not be severely injured by any undue dominance or overshadowing as a result of the proposal. The side elevation of the proposal would not contain any windows, and no visual intrusion or loss of privacy would occur.

The proposed side extension would project 1.7m beyond the rear elevation of No.43, which may cause a small degree of obstruction of light and overshadowing. The Householder Development SPD outlines that a single storey rear projection, *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 (consideration is given here to the fact that the application property has previously been extended to the side and rear and consequently the 1.7m projection is a modest projection past the original rear elevation of the property). This section of the proposal would comply with the guidance as it would be less than 4m and more crucially would only exacerbate overshadowing and loss of light by a very limited degree. This is because of the existing front roof slope above the garage and the existing side section of the rear extension coupled with the fact that the closest opening is a small window contained within an access door to the rear elevation of the side extension at No.34. The proposed development would have a very limited impact for the reasons outlined above on any overshadowing and given its small, modest projection beyond the rear elevation of No.34 and distance of main habitable windows from the proposal, the proposed extension would not present enlarged, overbearing or unduly dominant. It is for these reasons that the proposal would be deemed to result in very little harm on the amenities and privacy of the occupants of No.43.

The proposal would be served by a flat roof, however, would include a false canopy mono-pitched roof situated at the front of the proposed side extension. This would screen and conceal the majority of the flat roof and reduce its appearance; together with the set-back of the proposal, the roof design would not have any significant impact on visual amenities or adversely harm the street scene given that the proposed side extension would be discrete and would not be readily visible from public vantage points within the street scene.

The submitted plans do not contain any information on the external facing materials. The existing dwelling is brick facing, with white UPVC and brown, roof tiles. The standard condition will ensure that any external materials used for the proposal would match the existing dwelling and ensure that the design is coherent to the exterior of the original dwellinghouse and the proposed side extension.

HIGHWAYS

The proposed development is for a minor, small-scale extension, which would not increase the number of bedrooms at the property. The parking provision as existing (to the front of the dwelling) would still be able to accommodate 2 no. vehicles and therefore would be no change from the existing. Therefore, the proposal would not raise any highway safety concerns.

OTHER ISSUES:

ENVIRONMENTAL HEALTH

The application site is located next to a landfill situated in Stadt Moers Park (previously Halsnead Quarry). Environmental Health Officers' were consulted on the application and have raised no objections to the proposal. In their comments the Officer has noted that it is presumed that the developer would not have included gas protection measures in the properties as legislation in relation to contaminated land was not introduced until 2000 (Part 2A of the Environmental Protection Act).

The consultation response outlines that the responsibility to property address contaminated land issues lies with the owner / developer of the site, irrespective of any involvement by this Authority. If gas protection measures are identified at the dwelling then the equivalent measures will need to be installed within the proposed development also. The applicant / developer is requested to contact the Council's Environmental Protection Unit as soon as practicable should contamination be

encountered on site. This will be relayed to the applicant by way of informative. This informative will also outline instruction pertaining to the discovery of contaminated material.

It was also suggested that a condition to control dust during excavation works be included. Although, given the scale of the proposed development (a small-scale householder extension) it would not be considered necessary to include this as the proposed development would not be deemed unacceptable without this condition.

SITE CONSTRAINTS (COAL CONSULTATION ZONE)

The proposed development is sited within an area of previous coal mining activity. The Local Planning Authority's records identify the site as a high-risk area. Therefore, an informative will be included on the decision notice, should the application be approved, for the attention of the applicant.

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
22/07/2025	SLP 01	-	LOCATION PLAN
22/07/2025	PGFP 01	-	PROPOSED GROUND FLOOR PLAN

22/07/2025	PBSP 01	-	PROPOSED BLOCK SITE PLAN
22/07/2025	EP NE 01	-	EXISTING AND PROPOSED (RIGHT) NORTH EAST ELEVATIONS
09/09/2025	EP SW 01	REV 01	EXISTING AND PROPOSED (FRONT AND REAR) SOUTH EAST AND NORTH WEST ELEVATIONS
09/09/2025	EP SENW 01	REV 01	EXISTING AND PROPOSED (LEFT) SOUTH WEST ELEVATIONS

Signed Case Officer¹: Reece Black

Signed Authorising Officer²: Jo Sheridan

Date: 22/09/2025

Informatives

- 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 Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Standing Advice valid from 1st January 2025 until 31st December 2026.

- 2 The property is next to a landfill situated in Stadt Moers Park, previously Halsnead Quarry. It is presumed that the developer would not have included gas protection measures in the properties as legislation in relation to contaminated land was not introduced until 2000 (Part 2A of the Environmental Protection Act).

If during the extension works gas protection measures are identified, then the equivalent measures will need to be installed within the extension. The applicant / developer is required to contact the Council's Environmental Protection Unit (Tel: 0151 443 4712) as soon as is practicable.

The responsibility to properly address contaminated land issues lies with the owner/developer of the site, irrespective of any involvement by this Authority. The

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

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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.

If contaminated material is encountered the applicant/developer is required to 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. Therefore, we have also suggested a condition to control any dust during the excavation works.