

<u>APPLICATION NO:</u>	23/02532/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	Whiston & Cronton	<u>PARISH:</u>	Whiston Town Council
<u>LOCATION:</u>	25 Foxshaw Close, Whiston, Knowsley, L35 3SP		
<u>PROPOSAL:</u>	ERECTION OF FIRST FLOOR INFILL EXTENSION, FIRST FLOOR FRONT EXTENSION TOGETHER WITH REAR DORMER EXTENSION		

Site Description

The application property is a detached bungalow finished in render.

The application property sits in an unusual position set back from the main building line of properties found on Foxshaw Close and is situated in an elevated position within the street scene. It has been previously extended on the side with a conservatory together with living room. The roof arrangement comprises of an a-typical right angle arrangement with a sloped roof provided fronting the street scene.

During the initial site visit there was 1no. outbuilding fronting Foxshaw Close. However, during the course of this application the outbuilding has since been demolished.

Proposal

As originally submitted the proposed development sought permission for an infill extension, first floor extension in the form of gable entrance together with front and rear dormers. The application proposals have been substantially altered since their initial submission with the removal of front facing dormer and reduction of gable entrance to a porch. The revised proposals therefore form the basis of consideration in this report.

The proposed ground floor infill extension would replace the existing morning room and the only structural change would be to the existing opening. The first-floor aspect would include a relatively small extension to extend the gable roof into a more traditional arrangement and would span 2.21m width and 2.06m in height and follow the roof slope. The rear dormer would measure 7.39m in width and attain a height of 2.19m and project 4.7m at its furthest point. It would include 3no. windows of which 1no. would be obscured. The dormer would be clad in anthracite grey cladding.

The porch would utilise the existing bay window as the properties principal entrance. However, due to its height it would require planning permission. The entrance would include a gable roof would include an apex window together with 2no. linear leaf windows and 1no. door. The porch would measure 3.85m at its highest point.

Consultations

Highways – No objections raised.

Representations

This application has been publicised by letters sent to 7 neighbours and displayed by site notice. Five letters of objection have been received with 4no. letters being received from the same applicant. As such, given that 2no. neighbours have provided representations this application can be dealt with under delegated powers.

The objections raise concern in relation to dormer loft conversion as originally submitted which is considered would impact the effect outlook of neighbours and their privacy. The front dormer would have had direct visibility to the rear garden, main bedroom and sitting room and other gardens affecting privacy together with concerns regarding the demolition of the garage. The adjacent property has shared drive and is in the corner of a close meaning access can be an issue.

During the course of this application revised plans were submitted to address the Local Planning Authority's and neighbour's concerns which remove the front facing dormer and a reduced porch which significantly reduces the impact caused on the street scene and neighbours' amenity. However, a further representation was received outlining concerns to the porch and Velux windows. The existing bay window to the living room provides what will be the new entrance and the inclusion of the door will help to reduce the overall visual influence over what currently exists. Whilst the revised applications include 3no. velux windows these can be implemented under permitted development rights and would fall outside the scope of this application. Whilst the outbuilding has been demolished during the course of this application such works would not require planning permission.

Consideration as to regards to visual amenity and outlook will be further address below.

Planning History

Ref: 74/11372/HIST– Erection of conservatory and lounge extension to side of dwelling. Granted 30th October 1989.

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.

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.

The site is located within a Primarily Residential Area. As such, a domestic extension to the existing residential property is considered acceptable in principle, subject to compliance with local planning policy and guidance.

Regarding the adopted Development Plan policies, the proposed application has regard to policies CS2 and CS19 of the adopted Local Plan Core Strategy (2016) and saved policies H5 and H8 of the Unitary Development Plan (2006), together with the Householder Development SPD (2016).

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; avoiding overlooking and overshadowing, as well as an unacceptable overbearing impact; and that adequate parking and garden space would remain for use by residents of the extended property.

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

Design

The Householder Development SPD states that front extensions and porches can be particularly prominent in the street scene and should be carefully designed to retain the character of residential areas.

As originally submitted the proposed front dormer together with gable entrance would have appeared dominant within the street scene made worse by virtue of the application's property's elevated position. The Local Planning Authority has worked positively with the applicant to reduce the overbearing nature of the proposals as originally submitted. The applicant has since removed the front dormer and reduced the size of gable entrance to a porch. The porch is of a size proportionate to the rest of the dwellinghouse given that it is utilising the existing bay window. Accordingly, the only difference is the fact it includes a gable roof which would appear sympathetic against the backdrop of the original dwelling house.

The infill extension would replace that of the existing conservatory and would result in an improvement to that of the existing dwelling house. Similarly, the extension of the roof would also provide symmetry at the rear. The roof dormer would be clad in grey anthracite and would not be visible from the street scene. It would be set in .62m either side of the dwelling house and set back 3.53m from the rear elevation it relates to. As such, it would be in accordance with the guidance set out in the Householder Development SPD.

Overall, the development proposals as revised are acceptable in terms of how it responds to the character of the street scene and that of the host property.

Residential Amenity

No. 23 and No 24 Foxshaw Close

No. 23 and No. 24 are a pair of semi-detached properties which front the application property. No. 24 shares the common law boundary with the application property.

During the course of this application the detached outbuilding was demolished which helped to obscure the host property from the private amenity space of these two rear gardens. Following its demolition, it does offer new views due to the elevated position. However, the Local Planning Authority has worked positively with the applicant to reduce the harm with the removal of the front facing dormers which would have had ability to directly overlook the private amenity space. Although velux roof lights are proposed these could be undertaken via permitted development. Notwithstanding this, due to the angle of the roof lights which will face upwards this will reduce the potential for overlooking compared to that of the front facing dormer.

The proposed gable entrance has been reduced to a porch which is more sympathetic to the host property in terms of scale and has a reduced effect on neighbours amenity from what was previously submitted. Although it is appreciated that the outbuilding provided some level of screening, its loss is outside of the local planning authority's control and any changes to the common law boundaries are civil matters which would need to be addressed by the applicant and neighbours. The existing bay window which serves the current living room will therefore provide more views to the private amenity spaces of adjacent neighbours as currently in situ. As such, the replacement of the window in favour of a door which will largely obscure visibility between these properties and the two linear windows would actually restrict views between the properties and strictly speaking would no longer be a habitable room and as such will improve the privacy over what now exists.

Accordingly, whilst objections have been received on revised proposals, the proposed changes have significantly addressed many of the concerns as originally submitted to reduce the harm to neighbour's amenity and it is not considered that these properties would be adversely affected beyond what currently in situ to warrant refusal of this application.

No. 26 Foxshaw Close

No. 26 is the neighbouring semi-detached bungalow. It includes 2no. doors and 1no. window at ground floor level together with 1no. window sited below the apex of the roof which is a habitable room. The existing arrangement of the application property includes 1no. window facing the window opposite. Although the dormer would affect

views visually to the rear of the property these are already affected by the current built form of the bungalow. Notwithstanding this, sufficient outlook would be retained towards the street scene. Taking this into account and the similar arrangement which exists between no. 28 and no. 27 it is not considered that existing and future occupiers would be adversely affected in terms of residential amenity.

Halsnead Garden Village

To the west of the application property is a vacant parcel of land which benefits from planning permission associated with the Sustainable Urban Extension known locally as Halsnead Garden Village. The properties associated with that development are yet to commence on this phase of development. However, it would retain approximately 18.43m interface distance from these dwellings which is considered acceptable given that the New Residential Development SPD advises that principal elevation to gable end should be a minimum of 12m. Whilst this would result in rear elevation to gable end it would maintain a satisfactory distance between the existing and proposed properties.

No other properties would be adversely affected.

Highways

The proposed extension would not give rise to adverse effects to highways safety. Whilst the proposals include provision for 3no. linear driveway due to the constraints associated with the site it would lead to a driveway providing 3no. parking spaces within the curtilage of the property boundary in accordance with the Ensuring a Choice for Travel SPD.

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 will 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) Notwithstanding the proposed car parking layout Dwg No 01745-SK-02 REV B, no part of the development hereby permitted shall be brought into use until an area of hard standing in addition to that already existing within the property has been laid out in accordance with details which have previously been submitted to and approved by the Local Planning Authority. The hard standing shall be laid out such that 3no space(s) measuring 2.85m by 5m are provided. The additional car parking area shall be made of porous materials, or provision shall be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house. The agreed area shall be retained as such at all times that the proposed development is in use.

Reason: To ensure that adequate off-street parking is available in accordance with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved policy H8 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
25.08.2023	LOCPLAN		LOCATION PLAN
08.11.2023	01745-SK-02	REV B	PROPOSED SITE PLAN
08.11.2023	01745-SK-01	REV C	EXISTING AND PROPOSED PLANS AND ELEVATIONS

Signed Case Officer¹: **John Fleming**

Signed Authorising Officer²: **K Foster**

Date: **5 December 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

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 visit photographs





