

Regeneration and Economic Development Department

APPLICATION NO: 21/00094/FUL

APPLICANT: Mr Andrew Edwards

WARD AFFECTED: St Gabriels

DEVELOPMENT: ERECTION OF A TWO STOREY FRONT EXTENSION

LOCATION OF SITE: 48 The Orchard, Huyton, L36 5UZ

KNOWSLEY LOCAL PLAN ALLOCATION –

Conservation Areas - The Orchard Conservation Area

Primary Residential Development - Primary Residential Development

RELEVANT POLICIES

Knowsley Local Plan Core Strategy (2016):

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

CS20 - Managing the Borough's Historic Environment

Knowsley Replacement Unitary Development Plan (2006):

DQ5 - Development in Conservation Areas

H5 - Development within Primarily Residential Areas

H8 - Extensions and Alterations to Residential Properties

TECHNICAL CONSULTATIONS:

Arboricultural Officer – No objections.

NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 12 neighbours. It has also been advertised by Site Notice and a Press Notice.

There has been 0 letters of objection, 1 letter of support and 0 letters of comment. The representations are summarised as follows:-

- We have no objection this planning application. We cannot foresee any impact that this planning application will have.

ARTICLE 35

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.

ISSUES AND ASSESSMENT:

PROPOSAL

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PS/DC/OP04/05	003	23/9/02

The application is for the erection of a two storey front extension to the detached property at 48 The Orchard in Huyton. The extension would provide a new cinema room at ground floor level and fifth en-suite bedroom at first floor level.

The proposed extension would project approximately 3.4m from the north elevation of the existing property and would measure 7.6m in width. The extension would have a pitched roof with a gable end rather than the hipped roof like the current dwelling and would measure approximately 4.8m in height to the eaves and 9.4m to the ridge.

RELEVANT PLANNING HISTORY

None.

POLICY CONSIDERATIONS

The site is identified as land for primarily residential development and lies within the conservation area. The application complies with policies CS2, CS19 and CS20 of the Local Plan Core Strategy (2016) and saved policies DQ5, H5 and H8 of the UDP (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 and maintains a good standard of amenity for all existing and future occupants. The development should also preserve or enhance the conservation area.

DESIGN

As the dwelling is located within a conservation area, particular attention must be paid to the design of development to ensure that it would not adversely affect the character of the existing property or the wider conservation area.

The property was built in 1999 and it is not considered to possess any historic or architectural merits which would be devalued by the proposed development. The extension would be faced in materials to match the existing property and although the roof would be changed from a hipped roof to one with a gable end, it is considered that it would still be in keeping with the scale and appearance of the property. The application property is not readily visible from The Orchard or St Mary's Road and given that it does not possess any particular historic or architectural merit it is considered that the proposed development would not be detrimental to the character of the street scene and that it would preserve the setting of the conservation area and therefore, the proposal is acceptable with regards to design and its impact on heritage assets.

RESIDENTIAL AMENITY

Given the position and proximity of the proposal to No. 50 The Orchard, the development would not significantly affect the visual amenity of No. 50 in terms of outlook and levels of light. The relationship between the windows proposed on the east elevation of the extension and existing windows on the west elevation of No. 50 would be the same as the current relationship between the existing windows on these properties. As such, the intervisibility between the existing and proposed windows would not give rise to any privacy issues.

The New Residential Development SPD identifies interface distances that would normally be considered appropriate to protect residential amenity. It states that there should be a minimum distance of 12m between principal to gable elevations. Number 46 The Orchard lies to the north of the application property, although it is set at an angle relative to number 48. A plan has been submitted which demonstrates that the extension would be more than 12m away from the centre of the nearest habitable windows on number 46 and therefore it is considered that the proposed extension would not unduly affect the amenity of this neighbouring property.

It is considered that there are no other properties that would be affected by the proposal given their sufficient distance from development.

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HIGHWAYS

The proposal would increase the number of bedrooms at the property from four to five. The Householder Development SPD states that 4+ bed dwellings should provide a maximum of three in-curtilage car parking spaces. There is sufficient room to accommodate three cars at the property and therefore, the proposal complies with the Council's parking standards.

OTHER ISSUES

None.

CONCLUSION

The proposal would be acceptable in terms of design, access and residential amenity and highways. It would not be detrimental to the character or setting of the conservation area and the proposal also complies with the relevant Core Strategy, Replacement UDP policies and guidance in the NPPF and is therefore recommended for approval.

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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
24/02/2021	-	-	LOCATION PLAN
09/03/2021	1011-A1	-	EXISTING AND PROPOSED PLANS AND ELEVATIONS
05/02/2021	1010-A4	-	BLOCK PLAN

Informatives

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- 1 The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

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: 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

Chloe Roberts

20 May 2021

Alan Kilroe
20 May 2021

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