

<u>APPLICATION NO:</u>	22/00592/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	Whiston & Cronton	<u>PARISH:</u>	
<u>LOCATION:</u>	268 Dragon Lane, Whiston, Knowsley, L35 3QZ		
<u>PROPOSAL:</u>	ERECTION OF A SINGLE STOREY SIDE EXTENSION		

Site Description

The application property is a semi-detached dwelling located on a corner plot within a Primarily Residential Area. The property is part brick facing and part rendered in a pebble dash finish to its front elevation and brick facing to its side and rear elevations. The openings are brown UPVC windows and doors.

The application property is contained by a small brick wall located along the property boundary at the front garden. The side of the property is contained by a taller brick-built wall measuring 1.68m in height and close boarded fencing located at the rear beyond which is a single garage and hardstanding providing parking for two vehicles.

Proposal

The application seeks permission for the erection of a single storey side extension for a disabled person and will provide a ground floor bedroom together with en-suite.

The proposed extension would measure 2.7m in width at the front and 3.26m in width to the rear. It will include a stepped front elevation due to the existing wall at the property boundary. The extension would span a total depth of 6.85m and sit parallel to the existing rear elevation of the application property.

The extension will include a hip roof measuring 2.3m at the eaves and 3.4m at its highest point. It includes 1 window at its front and rear elevation respectively.

Consultations

Highways – No objection subject to condition.

Representations

This application has been publicised by letters sent to 11 neighbours. No representations have been received.

Planning History

No relevant planning history.

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date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 – 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 identified as land located within a Primarily Residential Area. As such, the extension to a domestic 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 policy 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 is a material consideration for the purposes of considering this planning application. It states that particular attention should be paid to the design of extensions on corner plots. Development on these plots should ensure sufficient distance is retained to the side boundary to preserve the character of the surrounding area and should not be located so close that the extension adversely impacts the street scene. It further states that extensions should be set in 2m from the side boundary and not exceed half the width of the existing dwelling.

As originally submitted, the proposals included a stepped design at the front elevation which allowed for increase space located at the side of the property in the region of 0.2m – 1.6m. It also extended beyond the rear elevation of the existing dwelling house together with one window located at the side elevation. The window located at the side would have faced the existing brick wall at the property boundary creating a negative outlook for the occupants and insufficient private amenity space located at the rear as a result of the proposed development.

To alleviate these concerns revised plans have been submitted which increases the width of the front elevation to 2.7m allowing for increased turning space for a wheelchair user and a window located at the front elevation. This is considered a more accessible solution to the bedroom whilst also providing a better outlook in terms of residential amenity for the occupants than what was previously proposed. The extension does not extend beyond the rear elevation and sufficient amenity space will be retained in the rear garden for existing and future occupants.

The proposals would be faced in materials to match existing and would therefore not appear out of place within the wider street scene. The roof is hipped measuring 2.3m at the eaves and 3.4m at its highest point and would echo the roof of the host property.

The front elevation would be less than half the width of the dwelling house and therefore gives the perception of a smaller development from the street scene. The existing boundary wall will be partially demolished to accommodate the proposed side extension. The proposed extension would not be set in 2m at the property boundary due to limited space available. However, the character of the application site is already dominated by the existing boundary wall so there would not be an overall change of character in terms of built form from the street scene. Although the Local Planning Authority would have preferred to retain the existing boundary wall in its entirety, this would create a negative void which would not have been accessible to the residents. As such, in the interest of maintaining the property it is considered appropriate to lose a small proportion of the boundary wall to accommodate the proposed development.

Whilst the development is not in strict accordance with the SPD in terms of retained space located to the side of the property, when taken as a whole, the proposed development responds positively to the original dwelling house and consist of materials to match the existing in compliance with the SPD. The revised proposals would improve the living conditions of a disabled person and thereby provide a social benefit. When assessed against the Development Plan policies and guidance as a whole the development is considered acceptable in terms of design.

Residential Amenity

No. 270 Dragon Lane

No. 270 is the adjoining property. The proposed extension is located at the side of the application property and would not extend beyond its rear elevation. As such, the proposed development would not cause adverse impacts to residential amenity in relation to this property.

No. 1 Eglington Avenue

No. 1 is located to the rear of the property and is separated by the existing outbuilding located at the rear and boundary fencing which will obscure the proposed development.

The side extension would be located to the north of the application site and as such it would not result in overshadowing/loss of light to no.1. No adverse impacts to residential amenity would occur in relation to this property.

No. 2, 4, 6, 8, 10 Eglington Avenue

These properties are located opposite the host property at its side elevation. Due to the retention of the existing brick boundary wall the proposed development will largely be obscured and these properties would not be adversely affected in terms of residential amenity.

No other properties would be affected.

Highways

Highways have raised no objection to the proposed development subject to a condition which requires additional car parking space to be provided within the curtilage of the front garden. The current parking arrangement allows for 2 vehicles to be parked at the rear of the property. Due to increasing the number of bedrooms at the application property this will mean a maximum of 3 vehicles should be provided within the curtilage of the property boundary.

The development is minor and the lack of 1 additional parking space to be provided would not warrant refusal for this application as it would not result in an unacceptable impact to highway safety that would be considered severe in accordance with paragraph 111 of the Framework. Furthermore, the parking standards set out in the Ensuring a Choice for Travel SPD are maximum standards to be achieved. It is considered on balance given the needs of the applicant and that two parking spaces would be retained within the curtilage of the property that no adverse effects to highways safety would occur in relation to the development proposals.

Conclusion

The proposal would be acceptable in terms of design, residential amenity and highways (subject to condition attached). 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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
28.09.2022	2014362-01		EXISTING FLOOR PLANS AND ELEVATIONS, LOCATION PLAN
03.11.2022	2014362-02	REV B	PROPOSED FLOOR, ELEVATION AND SITE PLANS

Signed Case Officer: **John Fleming**

Signed Authorising Officer: **Alan Kilroe**

Date: **17 November 2022**

INFORMATIVES

HIGHWAYS

- ☒ No Highway Objection Subject to the Following Conditions

Highways have no objection to the proposed development subject to a condition which requires an additional car parking space to be provided within the curtilage (front garden).

No development shall take place until a scheme identifying an areas of parking minimum 5.5 deep x 3m wide, in accordance with the Council's current standards, has been submitted to and approved in writing by the Council as Local Planning Authority. The development shall not be brought into use until the areas identified have been hard surfaced, drained within the site in accordance with the details agreed. The areas shall be retained as such thereafter.

Reason: In the interests of highway and pedestrian safety and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

COAL AUTHORITY

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

Appendix 1 – Site Photographs



