

<u>APPLICATION NO:</u>	25/00223/FUL	<u>CASE OFFICER:</u>	Louise Robinson
<u>WARD:</u>	St Gabriels	<u>PARISH:</u>	N/A
<u>LOCATION:</u>	45 Chapel Drive, Huyton, Knowsley, L36 5AA		
<u>PROPOSAL:</u>	ERECTION OF A SINGLE STOREY REAR EXTENSION		

Site Description

The property is a two-storey detached dwelling located within the cul-de-sac of Chapel Drive and is situated within a Primarily Residential Area. The dwelling has brick to all elevations, a gable tiled roof and white UPVC windows. It benefits from a detached garage which is set back from the rear of the dwelling. The immediate surrounding area is characterised by similar dwellings (both detached and semi-detached).

Proposal

Planning permission is sought to erect a single storey extension to the rear of the dwelling. The extension would have a depth of 4.0m and a width of 5.0m. The extension would have a flat roof with a height of 3.4m. Within the flat roof would be a roof lantern which would have a height of 0.4m (max height of roof 3.8m). Within the rear elevation of the extension, 1no. white UPVC double door and 1no. white UPVC window are to be installed.

Consultations

None Required.

Representations

This application has been publicised by letters sent to 17 neighbours and a site notice displayed near to the site (as of 08 May 2025). No comments or objections were received during the consultation period.

Planning History

15/00696/FUL	Erection of 67no. dwellings comprising of 23no. four bed dwellings, 36no. 3 bed dwellings and 1no. apartment block comprising of 8no. flats together with construction of a new vehicular access, landscaping and associated works. Granted (08.01.2016)
15/00037/FUL	Erection of 75no. dwellings comprising of 21no. four bed dwellings, 46no. 3 bed dwellings and 1no. apartment block comprising of 8no. flats together with construction of a new vehicular access, landscaping and associated works. Refused (07.05.2015)

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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

Policy CS2 Development Principles

Policy CS19 Design Quality and Accessibility in New Development

SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

Policy H5 Development Within Primarily Residential Areas

Policy H8 Extensions and Alterations to Residential Properties

SUPPLEMENTARY PLANNING DOCUMENTS

Householder Development SPD

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 (2006) 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 to be 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 to highway users by obstructing visibility for pedestrians or drivers of motor vehicles
- e) Adequate parking and garden space would remain for use by the residents of the extended property.

The Householder Development SPD advises that 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.

1.0 Principle of Development

- 1.1 The applicant site is identified as Urban Greenspace and Educational Land in the Knowsley Local Plan: Core Strategy.
- 1.2 As indicated by the planning history, this designation is no longer relevant as the Former St Agnes RC Primary School has since been demolished and replaced with a new-build housing estate. As such, the domestic extension proposed is considered to be acceptable in principle, subject to compliance with local planning policy and guidance.

2.0 Design

- 2.1 The extension would be finished in a rustic cavity brick to match the existing dwelling and would have a flat roof. Whilst the Householder Development SPD advises that flat roof extensions will normally not be appropriate, given that the extension would be situated to the rear of the dwelling and would not be visible from the wider street scene of Chapel Drive, the extension is considered to be acceptable in visual terms.
- 2.2 The door and window to be installed would be white UPVC. The additional doors and windows would match the materials and colours of the existing fenestrations found at the dwelling and are acceptable in this instance.
- 2.3 Overall, the extension is considered to be acceptable in terms of any impacts on the visual amenity of the host property and the surrounding area and complies with Policy H8 and guidance provided by the Householder Development SPD.

3.0 Residential Amenity

- 3.1 The Householder Development SPD advises 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 4.0m from the rear elevation of the existing dwelling.
- 3.2 The proposed extension would have a depth of 4.0m and a width of 5.0m which would comply with the Householder Development SPD in terms of its depth.
- 3.3 In regard to any impacts on No.43 Chapel Drive, the proposed extension would project 4.0m beyond the rear elevation of the neighbouring dwelling. As

the depth of the extension meets the guidance provided by the Householder Development SPD, it is considered that the proposed extension would not have a negative impact on the amenity of the neighbouring dwelling and would be acceptable.

- 3.4 In regard to any impacts on No.47 Chapel Drive, the proposed extension would project 5.0m beyond the rear elevation of the neighbouring dwelling, as the applicant site is set back from the rear elevation of No.47 by 1.0m. As such, this would exceed the Householder Development SPD's 4m advice. The proposed extension would not breach the 45-degree principle and therefore would be acceptable. (as there is no window on the ground floor rear elevation of No 47 immediately adjacent to the site boundary). Additionally, given the location of the application site's existing detached garage adjacent to No.47's boundary fencing, the proposed extension would have little additional impact on the residential amenity of No.47 than existing.
- 3.5 The additional door and 1no. window raise no overlooking concerns due to boundary treatments, ground floor siting and orientation of the fenestration within the rear elevation of the extension.
- 3.6 Therefore, the single storey rear extension is considered to be acceptable in terms of any impacts on residential amenity and complies with Policy H8 and guidance provided by the Householder Development SPD.

Conclusion

The proposal would be acceptable in terms of any impacts on the visual and residential amenity. The proposal also complies with the Knowsley Local Plan: Core Strategy, Replacement UDP Policies and guidance provided in the NPPF, and is therefore recommended for approval, subject to conditions.

Recommendation

That planning permission be granted subject to the following conditions:

- 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 Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, Saved Policy

H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, and the National Planning Policy Framework (NPPF).

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
01/04/2025	-	-	Location Plan
24/04/2025	Drg No. 1B		Existing and Proposed Plans

Signed Case Officer¹: **Louise Robinson**

Signed Authorising Officer²: **Mark Quinn**

Date: **17.06.25**

Informatives

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

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 Mining Remediation 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 a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and

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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mine entries available at: Building on or within the influencing distance of mine entries
- GOV.UK

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation 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. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here -<https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Informative Note valid from 1st January 2025 until 31st December 2026

Site Photographs

