

<u>APPLICATION NO:</u>	22/00636/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Whiston & Cronton	<u>PARISH:</u>	Whiston Town Council
<u>LOCATION:</u>	2 Nelson Place, Whiston, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF SINGLE STOREY SIDE EXTENSION		

Site Description

The application site is located at 2 Nelson Place, Whiston and is a semi-detached dwelling located in what is allocated Primarily Residential Area in the development plan. The applicant property is brick facing on its front, side, and rear elevation with white UPVC doors and windows and a pitched tiled roof.

It is situated in on the inside of a corner of a cul-de-sac. The property currently has a smaller side extension on the east side of the dwelling house, facilitating access to the rear of the property. This has a flat roof.

The applicant property has a row of terraced houses to the east and an open green space south beyond the rear of the property's boundary.

Proposal

The applicant seeks permission for the erection of a single storey side extension, consisting of a dual pitched roof and two additional rooflights. The existing side extension would be demolished to make way for the proposed development.

The side extension would span a width of 2.62m and a length of 0.89m (these measurements are for the front section of the side extension, as it is set in to respect the boundary of the neighbouring boundary.) It then enlarges and measures at 3.29m in width, with a length of 6.5m for the main body of the extension as it proceeds back to meet the rear wall of the existing dwelling. It will have a dual pitched roof, which would measure 2.78m at the eaves on the front elevation and 2.58m at the eaves at the rear elevation, as there is a gradual incline in ground level from the front to rear elevation of the applicant site. In addition, the roof would measure 3.62m at its highest point and would be set, as a minimum, of 15-degrees.

The previously submitted plans for this application included the measurements of a width of 2.9m and a length of 1.4m, for the front section of the side extension, before being enlarged to a width of 3.6m and a length of 6.5m. The previous plans also included a mono pitched roof with eaves measuring 2.6m at the front and the highest point of the roof would have been 3.6m. Following on from a discussion with the agent, this has been amended to the proposed outlined prior.

Consultations

Whiston Town Council - No Comments Received.

Representations

This application has been publicised by letters sent to 2 neighbours.
No representations have been received.

Planning History

17/00344/FUL – FULL PLANNING PERMISSION REQUEST FOR PROPOSED
TWO STOREY SIDE EXTENSION – PERMITTED 04.07.2017.

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

- 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.

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

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.

The existing dwelling is brick facing with white UPVC windows and tiled roofing. The proposed development would also be brick facing and include materials which are keeping with those found at the host property and has a dual pitched roof. The extension has an acceptable design and is in keeping with the requirements of Policy H8 and the Householder Development SPD.

Amenity

The Householder Development SPD states that extensions should not cause overshadowing, loss of outlook or loss of privacy to neighbours. The proposed development would be keeping within the guidance of the Householder Development SPD.

The proposed development is a single-storey side extension of an end property, it is likely the only neighbour to be impacted by the proposed development is the detached neighbour on the quarter-turn (no.68).

4 Nelson Place

No.4 is the attached property of the applicant property, and the existing front and rear elevations of both properties sit in line with one another. The proposed development would be erected on the east side of the applicant site and therefore would not be readily visible to the occupants of no.4 as the proposed development would not protrude beyond the existing front and rear elevations of the applicant site. The proposed development would accord with the Household Development SPD and would not cause significant harm to the amenity of no.4's occupants.

68 Nelson Avenue

No.68 is the detached, adjacent neighbour, situated at a south-east position from the applicant property, with its principal elevation facing the highway but from the right angle of the inside of the corner that no.68 and the applicant property share.

The property has a 'staggered' single storey side extension, this is set back because of the relationship of the shared boundary with the application site. This extension has two small windows that face onto the applicant site. The proposed development would not be readily visible from this window as only a marginal edge of the front elevation of the application site is visible on the far side, the proposed development would be constructed on the side elevation closest to no.68 and therefore would not be readily visible to the occupants of no.68. In addition to this, on the property boundary is a 1.8-metre-high garden wall that prevents any overlooking and loss of privacy for both no.68 and the applicant site. The garden wall also ensures that the 45-degree rule is not breached and that amenities for no.68 are maintained. Furthermore, following discussions with the agent, the proposed development was amended to include a setback of 0.25m for the proposed development from the front elevation, to further ensure that overlooking and potential loss of privacy were not an issue.

A second amendment from the previously submitted plans were the change in roof design from a mono pitched roof to a dual pitched roof. This is in keeping with the policy requirements of the Householder Development SPD, which advocates a pitched roof, but that this should also echo the original roof design of the existing dwellinghouse would also reflect the local street scene. Furthermore, the employment of a dual pitched roof, not only responds more accordingly to no.68's roof design, and the street context but also prevents any issues of overshadowing or loss of light that may have occurred if the previous mono pitched roof had been selected for the proposed development. The choice in design of a dual pitched roof protects the amenities for both the applicant property and no.68. Therefore, the proposed development would accord with the Householder Development SPD and would not cause significant harm to the amenity of no.68's occupants.

Highways

The property currently has existing off-street parking provisions at the rear of the curtilage in the back garden and vehicular access to this from the side from Pennywod Drive. The proposed development would have no impact on the existing parking provisions. As such, the proposed development would not result in adverse impacts to the public highway.

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

- 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
03/11/2022	TQRQM2230722061 2283	-	LOCATION PLAN
04/01/2023	1774 / 06 REV A	-	PROPOSED SECTION
04/01/2023	1774 / 02 REV A	-	PROPOSED GROUND FLOOR PLAN
04/01/2023	1774 / 04 REV A	-	EXISTING & PROPOSED REAR ELEVATION
04/01/2023	1774 / 03 REV A	-	EXISTING & PROPOSED FRONT ELEVATION
04/01/2023	1774 / 05 REV A	-	EXISTING & PROPOSED SIDE ELEVATION
13/10/2022	1774/07	-	PROPOSED SITE PLAN

Signed Case Officer:

Reece Black

**Signed Authorising
Officer:**

M Quinn

Date:

06.01.23

Informatives

- 1 NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments;
- 2 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









