

Consultations

Tree Officer – No objection subject to condition.

Highways – No objection following review.

Representations

This application has been publicised by letters sent to 7 neighbours and site notice. No responses have been received.

Planning History

Ref: 16/00822/FUL – Erection of 50no. dwellings (including 20 no. affordable dwellings) together with associated access and works. Granted 28th March 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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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.

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

OS2 – Urban Green space and Educational Land

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 allocated as Urban Green Space and Educational Land. However, following the grant of planning in 2017 the land is now subject to a residential housing estate of modern design. As such, the alterations proposed to a

dwellinghouse are 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, access and crime prevention

The host property is of modern construction. As originally submitted the side extension located on the gable end closest to the public highway sought to project 2.41m forward the principal elevation. Whilst it included a pitched roof, the structure would be out of keeping with the host property resulting in an incongruous feature located within the street scene given the significant projection from the front elevation of the original dwelling house together with a 3.62m blank elevation which would not be in keeping with the host property or the character of properties within the surrounding area.

The Local Planning Authority worked positively with the applicant who has submitted revised plans to set back the extension in line with the front elevation which is more in keeping with the host property. Notwithstanding this it would largely be obscured by the brick boundary treatment and is considered acceptable in terms of design.

Given the atypical arrangement of the property it is considered that the side elevation fronting the public highway should be considered the principal elevation. As such, the extension located closest to the property boundary to the park should be treated as a side and rear extension. The side and rear extension initially sought provision for 3no. rooms accommodating a flat roof at 2.5m in height. It appears that the height as originally submitted was a result of a drafting error and that this has now increased to 2.81m in order to accommodate sufficient headroom together with parapet roof in an effort to elevate the design beyond a typical flat roof. The Householder Development SPD states that side extensions should accommodate a pitch roof. A request was made for a pitch roof to be included however on receipt of these plans it was apparent that it would not be suitable due to the unusual roof arrangement. As such, the local planning authority discussed with the applicant to

include a parapet roof to include a coping stone to elevate the typical flat roof which was submitted. In addition, the rooms were amalgamated due to the poor outlook from the rear habitable room and that of the previous storage area which would overlook the common law boundary. The windows were also amended to be more consistent with the host property. Given that this aspect of the proposals is located at the rear of the property and is largely not visible from the street scene it is considered acceptable in terms of design.

Overall, the development is considered acceptable in terms of design as proposed.

Residential Amenity

No. 9 & 10 Meadow Grove

The above properties are located at the rear of the application property. The side extension located at the gable end would be located approximately 1.03m from the common law boundary. Given that it is only a 3m projection it is not considered that this would significantly adversely affect the residential amenity of neighbours located at the rear.

The single storey side and rear extension would be located alongside the common law boundary. However, it would be largely obscured by the existing common law boundary together with the outbuilding associated with no. 9. The window have been removed along the common law boundary and it is not considered that the occupiers of no. 9 & 10 would be adversely affected by the proposed development.

No. 12 Meadow Grove

No. 12 is located opposite the application property. Due to the orientation of the application property which is set at a slight angle within the street scene the single storey side and rear extension would be largely obscured by the existing dwelling house.

The side extension located at the gable end projects 3m from the side of the existing house. However, the stepped brick wall is considerably tall and would largely obscure the majority of the side extension with the exception of the roof. As such, it is not considered that either extensions would adversely affect the residential amenity of existing and future occupiers of no. 12.

No other properties would be adversely affected.

Other issues

Highways

The property is a 3no. bedroom detached property which therefore requires 2no. parking spaces to be provided within the curtilage of the property boundary. The application property benefits from a large drive which if it was not for the existing outbuilding could accommodate 3no. vehicles. The outbuilding will be removed as part of the development proposals and 2no. car parking spaces will still be retained. As such, there would be no adverse effects to highways safety as a result of the proposed development.

Trees

The property is located within close proximity to a number of mature trees associated with Halsnead Park along the property boundary where the crowns on the trees slightly overhang the common law boundary. One tree is located within the property boundary due to the manner in which the metal railing fence has been constructed.

The tree officer was consulted as part of this application who originally requested a tree survey to be submitted. However, this was considered disproportionate with the level of development proposed particularly when the vast majority of trees are not within the applicant's ownership. The Tree Officer later confirmed that the tree report was not required but a condition should be placed on this application relating to the erection of tree protective fencing given the proximity of trees and their crowns which has been agreed with the applicant.

Subject to the erection of tree protective fencing whilst works are undertaken there would be no adverse impact on existing trees.

Conclusion

It is considered that the development would be acceptable in terms of design, residential amenity and highway safety and complies with the relevant Core Strategy, Replacement UDP and guidance in the NPPF and PPG 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) No part of the development hereby permitted shall be commenced until:-
- a) A plan showing the location of protective fencing has been submitted to and agreed in writing by the Local Planning Authority.
 - b) All existing trees/hedges to be retained on site have been protected by fencing in accordance with BS5837:2012, of a minimum height of 2.3m, which shall use vertical and horizontal scaffolding poles with the uprights driven well into the ground and well braced to resist impact. Onto this, weldmesh panels (without the use of rubber or concrete feet) should be securely fixed.
 - c) At least five days written notice has been given to the Local Planning Authority of the intention to commence development. The protective fencing referred to in parts (a) and (b) shall be in place prior to the written notice of the start of development being given to the Local Planning Authority and shall be retained in place until the development is complete.

Reason: To protect existing trees within the site in the interests of visual amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
14.08.2023	SL01		LOCATION PLAN
09.01.2024	P 01	REV A	PROPOSED GROUND FLOOR PLAN
09.01.2024	P 02	REV C	PROPOSED FIRST FLOOR PLAN
19.12.2023	P 04	REV C	PROPOSED ELEVATION A
19.12.2023	P 07	REV C	PROPOSED ELEVATION D
19.12.2023	P 06	REV C	PROPOSED ELEVATION C
19.12.2023	P 05	REV C	PROPOSED ELEVATION B

Signed Case Officer¹: John Fleming

Signed Authorising Officer²: K Foster

Date: 10 January 2024

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.