

<u>APPLICATION NO:</u>	23/00205/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Prescot North	<u>PARISH:</u>	Prescot Town Council
<u>LOCATION:</u>	93 St Helens Road, Prescot, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF A SINGLE STOREY REAR EXTENSION AND A FIRST FLOOR REAR EXTENSION		

Site Description

The application site is located at 93 St Helens Road, Prescot, and is a semi-detached dwelling and is located in an area that is allocated as a Primarily Residential Area in the Development Plan. The application property is brick facing on its ground floor front, side and rear elevations and a cream render on its first-floor front, side and rear elevations. In addition, it has brown UPVC windows and doors and grey, interlocking roof tiles.

The property benefits from a protruding outrigger from the rear. As well as a detached garage structure adjacent the rear and side elevations of the property.

There is a small woodland to the rear of the application site.

Proposal

The application seeks permission for the amendment to a previously approved planning application: 22/00700/FUL – for a first-floor rear extension over existing outrigger and single storey rear extension.

The submitted plans for this application propose that the proposed ground floor rear extension would form an infill between the existing outrigger and party boundary. This would have a width of 3.48m and would have a length of 3.51m. This would bring it flush to the rear elevation of the outrigger. This proposal also includes an additional rear extension that would project 4.40m from the new rear elevation and would have a width of 4.63m. The cumulative projection and side elevation adjacent the party boundary would be 7.90m.

The proposed ground floor infill and rear extension would be served by a flat roof at a height of 2.81m and would feature two skylights on the roof, which would be the highest part of the roof and would measure 3.45m.

The proposed plans also include a first-floor rear extension, which would project out by 3.5m and would have a width of 2.9m. This section would be served by a dual pitched roof, that would measure 5.54m at the eaves and 6.53m at its highest point.

The salient amendment between 22/00700/FUL and this application is the rear extension off the proposed rear elevation of the dwelling. The previously approved application did not feature the additional projection that this application includes.

Consultations

Prescot Town Council - No Comments Received

Representations

This application has been publicised by letters sent to 5 neighbours. It has also been advertised by Site Notice. No representations have been received.

Planning History

APP. NO: 22/00700/FUL

PROPOSAL: ERECTION OF FIRST FLOOR REAR EXTENSION AND SINGLE STOREY REAR EXTENSION

DECISION: GRANTED

DECISION DATE: 20 January 2023

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 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 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 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.

The existing dwelling is rendered on the front of its first-floor and red brick on the ground floor elevations, with brown UPVC windows and tiled roofing. The proposed development would maintain this and have both rendered and brick exteriors to be in keeping with the materials on the property, and at the relevant elevations to match the respective existing elevations. The proposal would also see the existing brown UPVC changed to cream UPVC, which would be applied to the whole of the property.

The proposal would also include a pitched roof and a flat roof. This is considered acceptable given where the roofs would be sited and what they would serve. The flat roof would be located to the rear and would serve a single storey rear elevation. Although this is a departure from the Householder Development SPD, it would be considered appropriate on this occasion as it would be sited and enjoyed in the private garden amenity area and would not be visible from the public highway.

Overall, the proposed development, is keeping in with the requirements of Policy H8 and the Householder Development SPD and has an acceptable design.

Residential Amenity

The Householder Development SPD states 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 4m from the rear elevation of the existing dwelling. It also states that a single storey extension beyond 4m (or in a situation where the application property has an elevation which is set further back than the rear elevation of the neighbouring dwelling) will normally only

be permitted if it does not breach the 45-degree rule.

The proposed developments single storey extension(s) is therefore in accord with policy, as although the overall projection would cumulatively be greater than 4m, it is not considered to breach the 45-degree rule of the two adjacent dwellings.

The Householder Development SPD also states that two storey extensions beyond 3 metres will only be acceptable if they do not breach the 45-degree rule. In addition, where the properties are attached and the neighbouring dwelling has no extension adjacent to the boundary, any first-floor element of an extension beyond 3 metres should be set in from the party boundary by a minimum of 1m.

91 St Helen's Road

No.91 is situated adjacent to the South-West of the application site. The prominent front and rear elevations of the property sit in line with the application property. No.91 benefits from a ground floor rear extension, a first-floor extension from the first story at the rear elevation and an outbuilding that contains patio doors on its rear elevation, which sit in line with the detached garage at the application property.

The most significant projection of the proposed development is the ground-floor rear extension. The proposal is in accord with the Householder Development SPD as although the proposed developments ground floor extension does exceed the 4m parameter and the first-floor extension projects over 3m from the original rear elevation it would not breach the 45-degree rule and subsequently, is in accord with the Householder Development SPD.

The proposal has also seen the addition of a window on its side elevation of the proposed first floor rear extension. The Householder Development SPD states that windows on side elevations that serve main habitable rooms and overlook an adjacent dwelling are rarely acceptable.

However, it would be adequate to relax this guidance on this occasion as the view from the proposed window would face the extended side elevation of no.91 from their first-floor rear extension. The window is sited as far in as practicable for the room and is not sited in an area that allows any clear overlooking into the private amenity space of no.91. The detached outbuilding at no.91 would also provide a significant amount of screening to ensure that there would be no overlooking from the application site on to the private amenity space of no.91. It would not be considered on this occasion that the proposed window would cause any overlooking to an unacceptable degree to the occupants of no.91.

Therefore, it is in accord with the Householder Development SPD and would not have an unacceptable impact on the amenities or privacy of the occupants of no.91.

95 St Helen's Road

No.95 is the attached semi-dwelling to the application property. The prominent front and rear elevations of the property sit in line with the application property. No.95 benefits from a two-storey rear extension, single storey, part rear extension / infill and a further single storey rear conservatory. It also benefits from a detached outbuilding adjacent the side and rear elevations of no.95.

The most significant projection of the proposed development is the ground-floor rear extension. The proposal is in accord with the Householder Development SPD as

although the proposed developments ground floor extension does exceed the 4m parameter and the first-floor extension projects over 3m from the original rear elevation it would not breach the 45-degree rule and subsequently, is in accord with the Householder Development SPD.

The proposed rear extension would sit flush with the conservatory extension of 95. There may be a partial reduction in light to the conservatory, but the conservatory has sufficient windows on the rear and side elevation to ensure the conservatory is not overshadowed to an unacceptable degree.

There is also sufficient boundary treatment between no.95 and the application site in the form of timber fencing at approximately 1.8m.

Therefore, it is in accord with the Householder Development SPD and would not have an unacceptable impact on the amenities or privacy of the occupants of no.95.

Highways

The property currently has a large section of the front garden with hard standing that provides parking to the property. The proposed development is not considered to impact the existing parking provisions, which are sufficient. 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 NPFF and is therefore recommended for approval subject to conditions.

Recommendation

That Planning Permission 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
04/04/2023	06/10/93	-	LOCATION PLAN AND BLOCK PLAN
04/04/2023	02/10/93	REV A	PROPOSED GROUND FLOOR
04/04/2023	03/10/93	REV A	PROPOSED FIRST FLOOR PLAN
04/04/2023	04/10/93	REV A	PROPOSED ELEVATIONS
04/04/2023	01/10/93	REV A	EXISTING PLANS AND ELEVATIONS

Signed Case Officer¹:

Reece Black

**Signed Authorising
Officer²:**

K Foster

Date:

12 June 2023

Informatives

- 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

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

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







