

|                               |                                                                          |                             |              |
|-------------------------------|--------------------------------------------------------------------------|-----------------------------|--------------|
| <b><u>APPLICATION NO:</u></b> | 24/00004/FUL                                                             | <b><u>CASE OFFICER:</u></b> | John Fleming |
| <b><u>WARD:</u></b>           | Roby                                                                     | <b><u>PARISH:</u></b>       |              |
| <b><u>LOCATION:</u></b>       | 274 Kingsway, Roby, Knowsley, L36 9UF                                    |                             |              |
| <b><u>PROPOSAL:</u></b>       | ERECTION OF A TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION |                             |              |

---

### **Site Description**

The application property is of 1930's construction and features both render and brick finish with UPVC windows in white and a hip roof.

The application property is situated at a slightly higher ground level than that of the public highway and is contained by a dwarf brick wall and allows for parking provision for 1no. vehicle within the curtilage of the property boundary.

To the south of the application property is a timber fence beyond which is the private amenity space of the adjacent property.

The application property has been previously extended at the rear in the form of a part single storey extension.

### **Proposal**

The application proposals seek permission for the erection of a two storey side and single storey rear extension.

The proposals have been amended since their original submission. The ground floor aspect would span 3.27m in width and span 10.57m in length. It would then turn and span 9.43m in width returning to the rear elevation of the original dwelling house.

The two storey side extension would be set back at first floor level by 1m. It would span the same width at 3.27m but extend 6.37m in length.

The proposals would accommodate a hip roof above the two storey side extension measuring 5.47m at the eaves and 6.83m at its highest point. The ground floor aspect at the front and rear elevations would accommodate a pitch roof measuring 3.6m at there highest point.

The proposals would provide a new open plan kitchen and living room together with utility room, w/c and storage area at ground floor level. To first floor a new bedroom is proposed together with en-suite.

### **Consultations**

**Highways Authority** – No objection subject to condition.

### **Representations**

This application has been publicised by letters sent to 6 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 within a Primarily Residential Area within the adopted Development Plan. 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 character of the street scene is predominantly comprised of semi-detached properties with the exception of the adjacent neighbour which is of modern construction. However, due to the juxtaposition of properties it is not readily appreciated from the street scene.

The Householder Development SPD states that two storey side extensions should be designed to avoid having an overbearing effect or causing unacceptable loss of light or privacy of neighbours and should avoid the creation of a terracing effect. The SPD further advises in respect of rear extensions that these should be designed to avoid causing overshadowing, loss of privacy and outlook or appear unduly dominant to neighbours.

As originally submitted, the proposed extension measured 3.67m in width and abutted the common law boundary with the two storey side extension spanning the same length as the existing gable end of the application property.

The Local Planning Authority expressed concern that the scale of the development which was considered disproportionate to the original dwelling house as originally submitted given the width of the side extension resulted in an unbalanced addition to the dwelling when taking into consideration the extent of similar extensions found within the street scene. In addition, the siting of the extension which abutted the common law boundary would have resulted in an overbearing effect to the residential amenity of neighbouring occupiers due to how the proposals result in a large blank wall alongside the majority of the common law boundary and impacting the private amenity space of the neighbouring property (discussed further below).

The Local Planning Authority has worked positively with the applicant and revised plans have been submitted to include a 1m set back at first floor level together and reducing the width of the side extension to 3.27m which allows for a set in of at least .5m from the common law boundary.

The reduction in width is considered more acceptable than as originally submitted. The extension would be stepped back at first floor level by 1m. Whilst it is accepted that the proposed development would not result in a terracing affect this will help reduce the built form of development at first floor level therefore reduces the potential impact of

residential amenity of neighbours. The two storey side extension would accommodate a hip roof and would sit at a lower height than the existing ridge and would therefore appear subservient to the original dwelling house. The single storey rear extension would accommodate a pitched roof and is therefore in accordance with the guidance set out in the SPD.

The proposed development would consist of materials to match those found at the original dwelling house and is therefore acceptable in terms of design.

### Residential Amenity

#### *No. 272 Kingsway*

No. 272 is the adjoining semi-detached property. The only aspect of the development proposals relevant to this property in terms of amenity relates to the single storey rear extension. The Householder Development SPD advises that development up to 4m is acceptable in principle. The proposed extension would connect to the side Elevation of no. 272's rear extension and would extend approximately 1.47m from its rear elevation. As such, the development is well within the tolerance advised by the SPD and would not result in adverse effects to residential amenity to existing and future occupiers of no. 272.

#### *No. 17 Springwell Avenue*

No. 17 is a semi-detached property located to the east of the application property. The property benefits from a large grass lawn with a small patio located behind the boundary fencing which fronts Kingsway. The original dwelling house already breaches the 45 degree rule in relation to this property and the proposed side extension would further increase this affect.

As originally submitted, the proposed would abut the common law boundary which resulted in total built form measuring 10.56m at ground floor level and 7.37m at first floor level. This was considered to have an overbearing effect on the residential amenity of neighbours and their ability to use their private amenity space due to the proximity to the common law boundary.

The Local Planning Authority have worked positively with the applicant which has involved increasing the distance at the common law boundary and setting in the development by .5m together with including a set back at first floor level of 1m which reduces the overall built form at first floor level to 6.37m.

The first floor windows of the side extension serve a dressing area and en-suite. Details have not been provided as towards window treatment. Whilst the en-suite is a non habitable room, the dressing area in the context of the wider master bedroom is considered a habitable room. The interface distance to the rear elevations would measure roughly 7.53m and therefore there would be some indirect views from the window arrangements. As such, both windows should be obscured glazed to reduce the affects on residential amenity as it brings the gable end closer to the common law boundary and should be secured via condition.

Given these changes together with the fact that outlook from neighbours is already influenced by the existing gable end it is not considered that the development would adversely affect the residential amenity of existing and future occupiers of no. 17 to an unacceptable degree.

### *No. 5 Olive Grove*

No. 5 is located at the rear of the application property and has been extended in the form of a two storey side extension and single storey rear extension. Given that the two storey aspect would not project beyond the rear elevation it would maintain the same interface distance as what currently exists between properties and is not considered that the proposed development would adversely affect residential amenity in relation to this property.

No other properties would be affected.

### **Highways**

The Highways Authority were consulted as part of the application. Due to the increase in number of bedrooms, an increase in parking provision of 3no. parking spaces within the curtilage of the property boundary would normally be required.

The property currently provides parking provision for 1no. vehicle. The Highways Authority has agreed that provision for 1no. additional parking space is acceptable in this instance. A revised site plan was provided to include ACO drain where the property boundary joins the public highway due to the topography of the existing drive in order to prevent water egress to the public highway.

Subject to these changes there would be no adverse impact on highways safety.

### **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.

- 4) No part of the development hereby permitted shall be used or occupied until the proposed 2no. windows serving the master bedroom located on the rear elevation of the two storey side extension as indicated on drawing number 563-P-001 Rev E has been glazed with obscure glass to level 4/5 and retained as such at all times thereafter.

Reason: In order to safeguard the residential amenities enjoyed by the occupants of the neighbouring residential property and to ensure the development complies with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy and Saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 5) Notwithstanding the proposed car parking layout Dwg No 563-p-002 rev d, submitted no part of the development hereby permitted shall be brought into use until an area of hardstanding in addition to that already existing within the property has been laid out in accordance with details which have previously been submitted to and approved by the Local Planning Authority. The hardstanding shall be laid out such that 2 spaces measuring 5.46 metres by 6.3 metres, are provided side by side and the dropped kerb shall be extended in accordance with the specification of the Local Planning Authority. The additional car parking area shall be made of porous materials, or provision shall be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house. The agreed area shall be retained as such at all times that the proposed development is in use.

Reason: To ensure that adequate off-street parking is available in accordance with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved policy H8 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

## SCHEDULE 1

| Date Received | Ref. No   | Version | Drawing/Document Title        |
|---------------|-----------|---------|-------------------------------|
| 05.01.2024    | 563-LR    |         | LOCATION PLAN                 |
| 28.02.2024    | 563-P-001 | REV E   | PROPOSED PLANS AND ELEVATIONS |
| 28.02.2024    | 563-P-002 | REV D   | PROPOSED SITE PLAN            |

**Signed Case Officer<sup>1</sup>:**     **John Fleming**

---

<sup>1</sup> 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.

**Signed Authorising  
Officer<sup>2</sup>:**

**K Foster**

**Date:**

**26 March 2024**

---

<sup>2</sup> 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.

