

<u>APPLICATION NO:</u>	23/00072/FUL	<u>CASE OFFICER:</u>	Maxine Wishart
<u>WARD:</u>	Roby	<u>PARISH:</u>	
<u>LOCATION:</u>	14 Kempton Close, Roby, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF A SINGLE STOREY SIDE EXTENSION, SINGLE STOREY REAR EXTENSION AND A FRONT PORCH EXTENSION		

Site Description

The application relates to a detached bungalow located on Kempton Close, Roby. The property is located on a cul-de-sac comprising of 5 no. houses which includes a mix of two-storey and bungalows. The dwelling is brick built with a white rendered upper front elevation. The windows are brown uPVC. The dwelling has a pitched tiled roof with a piked front featured entrance and bay window.

The property has an open plan front garden area and is served by a detached garage and driveway located forward of the dwelling frontage, split between the house and the adjacent dwelling (No. 12). The property has private amenity space to the rear which also extends to the south west of the dwelling. The amenity space is contained by existing timber fencing along the common boundaries with neighbouring properties.

There has previously been an extension to the south west side elevation of the dwelling which has been removed save for the foundations which remain on site.

Proposal

The application as submitted proposes works which comprise of three elements which are:

- Single storey rear extension;
- Single storey side extension; and
- New front porch.

The rear extension would be located at the north east end of the dwelling and would extend beyond what is currently the kitchen and dining room. The extension would measure 7.3 m in width by 4 m in depth. It would have a duo-pitched roof that would hip into the existing pitched roof, aligning with the existing ridge height, reaching a maximum height of 3.8 m and 2.35 m to eaves. The rear extension would accommodate open plan kitchen, dining and living accommodation.

The side extension would have dimensions of 2.59 m wide by 5.85 m depth. It would have a pitched roof attaining a maximum height of 3.59 m with eaves up to 2.34 m high. The roof would mirror the design of the existing house but would be set approximately 190mm below the existing ridgeline. The extension to the side would accommodate 2 no. en-suite bathrooms with wardrobe space.

The entrance porch would have a pitched roof attaining a maximum height of 3.11 m and have dimensions of 2.38 m wide by 1.55 m deep.

Consultations

Cadent Gas Limited - No objection to this proposal from a planning perspective, which is in close proximity to their medium and low pressure assets. However, they need the applicant / developer to take action to prevent damage to assets or interface with their rights.

Representations

The application has been amended, in relation to the porch, since submission which is discussed in the report below. Consideration has been given to the necessity to re-consult on the amended plans received. In this instance, it is considered that the proposed amendments do not constitute substantial differences or fundamental change to the originally submitted proposal. The LPA has acted fairly and reasonably taking in to account the duty to fully consider representations from interested parties and considers that nobody has been deprived of the opportunity to make any representations that they may have wanted to make on the application as amended due to the nature of the change/s.

This application has been publicised by letters sent to 8 neighbours. One email, objecting to the proposal has been received. The points raised are summarised as follows:

- Interface – Extension to the north-west aspect [rear] will be closer to boundary fence and their property.
- Noise / disturbance / dirt
 - Increased noise due to extension being closer to boundary.
 - Noise and dirt generated by building works.
 - Will there be limits on hours / days of the week when the works will be occasioned?
 - Do not want building site at the rear of garden in operation every day of the week.
 - Size of extensions will necessitate building works over several weeks, with adverse effect on enjoyment of garden during spring / summer.
- Loss of daylight and sunlight
 - Impact on garden and property.
 - Original builders maximised available sunlight and daylight that is now being interfered with by the proposed development.
 - Loss of light to windows/patio doors facing onto garden.
- Loss of Privacy.

Planning History

Nonrelevant.

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.

National Planning Policy Framework

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

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

H5 - Development within Primarily Residential Areas

H8 - Extensions and Alterations to Residential Properties

SUPPLEMENTARY PLANNING DOCUMENTS

Householder Development SPD (2016)

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

The application property is located within a Primarily Residential Area identified in the adopted Local Plan: Core Strategy. As such, the erection of extensions to the existing residential property is considered acceptable in principle, subject to compliance with local planning policy and guidance.

The proposed development should be assessed against policies CS2 and CS19 of the adopted Local Plan and saved policies H5 and H8 of the Replacement UDP, together with the Householder Development SPD. These policies and guidance require that, in

summary, 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.

Permitted Development

The application seeks permission for the three elements: porch, side extension and rear extension. These components are clearly severable elements. Where there are more than one element to the proposal, permitted development rights may be claimed for one or more of those elements if on its own it meets the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended. Part 1 of Schedule 2 to the Order sets out the permitted development rules concerning what enlargements, improvements, alterations and other additions a householder may make to their house and the area around it without the need for an application for planning permission.

There is a case to be made that elements of the proposal are permitted development under Class A of Part 1 of Schedule 2 of the GDPO. Of the three elements proposed, the side and rear extension are considered to be permitted development. However, as an application has been submitted which includes these elements the application must be assessed against relevant policies. Nevertheless, regard must be had in the determination of the application in the context of the property's fall back permitted development options which is a material consideration in the assessment of this application.

Design

Rear Extension

The proposed roof of this extension would comprise a duo pitched roof hipped into the main roof meeting the height of the existing ridge. It would have 2 no. rooflights within each roof plane. The roof would be tiled to match the dwelling. The roof design would sit comfortably with the design of the dwelling.

The proposed rear extension would be faced in brickwork which would reflect the materials used on the rear of the existing dwelling.

The rear elevation would accommodate two sets of full-length windows, the side elevation facing the common boundary with No. 5 would include bi-folding door, the other side facing the boundary with No. 12 would be blank. The design of the windows is not an uncommon arrangement to the rear and as such, is of suitable design.

Side Extension

Turning to the side extension, this would set back 1.36 m from the main front elevation of the dwelling, this is to take account of the angle of the boundary with No. 5. The rear elevation would be flush with the rear elevation of the dwelling. The roof would be pitched and tiled to match the existing house with a drop in the ridge height due to the set back.

The extension would in the main be constructed in facing brick with a rendered upper section to front elevation, wrapping around in part to the side elevation which would match that of the existing dwelling. It would include a window to the front (en-suite), side (wardrobe area) and to the rear elevation (en-suite) and be suitable in terms of design.

Porch

The porch would project 1.5 m from the main front elevation of the dwelling and measure 2.38 m wide. The application has been amended at the request of officers such that the

proposal would alter a duo-pitched roof which sat in front of the existing projecting piked roof across the entrance and lounge bay window. It would now include a mono-pitched roof increasing the height to the ridge of the existing piked roof. This would result in a tidier, less muddled roof line. The north east elevation would include a section of hanging tiles to match the front apex of the piked roof. An entrance door and windows would be inserted within the front elevation with windows to both side elevations with brick work to the lower levels.

There is a mix of house types and there is no uniformity of design or building line within the close. There is substantial set back from the highway and from neighbours.

As amended, the style, design, materials and scale of the porch are acceptable. On balance, it is considered that the proposals would not be detrimental to the character of the host dwelling or the street scene and are therefore considered acceptable in regard to design. Furthermore, weight must be given to the 'fall-back' position that the side and rear extensions are considered to be permitted development.

Residential Amenity

No. 12. Kempston Close

No. 12 is a detached property sited to the side of the application property. Due to the arrangement of dwellings around the cul-de-sac, No. 12 is set significantly forward of host dwelling.

The Householder 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. The proposed rear extension would project 4 m from the rear elevation and would be sited approximately 2.4 m from the common boundary with No. 12.

The porch would be sited approximately 6.2 m from the side boundary of the site and the side extension located on the opposite side of the application property.

It is not considered that the proposed development would result in adverse living conditions to No. 12.

No. 5 Kempston Close

No. 5 is located to the south west of the application property and faces the south west side elevation of the host dwelling. No. 5 has a large, attached garage to the front elevation which sits between the main dwelling and the side boundary with the application site.

In regard to the side extension, due to the layout, this would be at an angle to No. 5 and be set off the boundary between 0.5 m and 6.4 m. The main front elevation of that dwelling is sited between 10.5 m and 11 m from shared common boundary. There would be a small window proposed in the side elevation serving a wardrobe area between two en-suites. This would be mostly obscured by the existing fence at approximately 1.8 m high. Given the interface distance; the angle of the common boundary and that there is an existing fence, it is not considered that the side extension would result in unacceptable harm to the amenities of the neighbouring property.

The proposed rear extension would be sited 7.65 m from the side elevation and off the common boundary with No. 5 by approximately 14.5 – 18.5 m. The rear extension would have bi-fold doors within the elevation facing the boundary with No. 5. However, given the juxtaposition of the extension with this dwelling and the distance involved, it is not

considered that the rear extension would have detrimental impacts on the neighbour's amenity.

The porch would be sited about 18.6 m from the front elevation of No. 5.

As such, no adverse effects to residential amenity would occur in relation to this property.

Nos. 4 - 8 Sunningdale Close

Nos. 4 to 8 Sunningdale Close share a common boundary with the application site at the rear. These properties comprise detached properties; Nos. 4 and 8 are 2-storey and No. 6 is a bungalow.

The rear extension would be sited approximately 18 m from the rear of No. 4 Sunningdale Close, approx. 16.7 m from the rear of No. 6 and approx. 14.2 m from a conservatory at the rear of No. 8. Approximately 5.9m would be retained between the extension and the common boundary with these dwellings. A fence and part trellis of approximately 1.8 m is sited along this boundary.

In regard to the objection raised, the extension would unavoidably be closer to the neighbours to the rear, however, at the distance proposed; given that the development would be single storey and a fence would be maintained, it is considered that the development would have not have unacceptable impacts on the neighbours to the rear due to loss of light either to the garden area or the dwelling.

Turning to the concern raised over loss of privacy, whilst there would be two full length windows within the rear elevation facing the rear boundary, due to the interface between neighbouring dwellings and existing fencing, the extension would not give rise to unacceptable impacts on neighbour's privacy.

The side extension would be 17.3 m from the rear of No. 4 and in excess of 20 m from Nos. 6 and 8. The porch would not be visible from these properties.

As such, officers consider that no significant adverse effects on the residential amenity would occur in relation to properties on Sunningdale Close.

Noise and Construction Impacts

In respect of the objection raised in relation to noise impacts and dirt arising from the proposed building works and future impacts of the development, it is inevitable that some disturbance would occur as part of construction process. However, this would be for a temporary period only and separate legislation is in place to ensure that this is controlled. It is not considered that it would be appropriate or necessary to secure a construction management plan or to control the hours of construction through the planning process for a domestic development. The erection of the extensions would not give rise to additional noise effects from the day to day use of the extended living areas that would have significant detrimental impacts on the neighbours.

On balance, the proposed development would maintain acceptable separation to neighbouring properties and would maintain an acceptable standard of amenity for all existing residents. Additionally, weight must also be given to the 'fall-back' position that the side and rear extensions are considered to be permitted development.

Highway Considerations

The development would not impact on existing parking provision which would be retained. The proposed development would not introduce any additional bedroom provision and the

resulting development would not require the delivery of additional parking on-site.

No other highway impacts would occur as a result of the development.

Other Issues

None.

Conclusion

The proposal would be acceptable in terms of design, residential amenity and highway considerations. The proposal therefore complies with the relevant Core Strategy, Replacement UDP policies and guidance in the NPPF and is recommended for approval. Furthermore, weight must be given to the 'fall-back' position that the side and rear extensions are considered to be permitted development.

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 the National Planning Policy Framework (2021), Saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the Householder Development SPD (2016).

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
25/04/2023	11/23/2	Rev. A	SINGLE STOREY EXTENSION TO FRONT, SIDE AND REAR
15/02/2023	06/23/LP	-	LOCATION PLAN
15/02/2023	06/23/BP	-	BLOCK PLAN

**Signed Case
Officer¹:**

M Wishart

**Signed
Authorising
Officer²:**

K Foster

Date:

10 May 2023

Informatives

NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments:

- 1 The comments of Cadent in their email of 9 March 2023 (attached).

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting: cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

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

Appendix 1 – Site Photographs



Imagery@2023 Google



Existing Front Elevation



No. 5 Kempton Close /Common boundary with application site



No 12 Kempton Close / Common boundary with application site



Relationship with No. 12 Kempton Close Imagery @2023 Google



Rear Common Boundary with Sunningdale Close



Rear Common Boundary with Nos. 6 and 8 Sunningdale Close