

<u>APPLICATION NO:</u>	24/00337/FUL	<u>CASE OFFICER:</u>	Maxine Wishart
<u>WARD:</u>	Halewood North	<u>PARISH:</u>	Halewood Town Council
<u>LOCATION:</u>	42 Brambling Park, Halewood, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF SINGLE STOREY REAR EXTENSION (DEMOLITION OF CONSERVATORY)		

KNOWSLEY LOCAL PLAN POLICIES MAP ALLOCATION

Primarily Residential Area

Site Description

The application site is located at 42 Brambling Park, Halewood and is situated within an established residential area. The application property is a semi-detached dwelling located towards the head of a cul-de-sac. Other residential properties surround the application site to either side and to the rear. The property faces a linear area of greenspace.

The property benefits from in-curtilage parking to the front of the house and a rear garden. An existing outbuilding (garden room) is located at the rear of the plot and there is currently a conservatory to the rear.

Proposal

The application seeks planning permission for the erection of a single storey extension which would project to the rear and beyond the side elevation of the dwelling. The proposed extension would include the demolition of the existing conservatory.

The extension would have a rear projection of 4.05m where it is adjacent to the common boundary with the adjoining neighbour, No. 44. It would have a width of 5.39m which would extend beyond the gable elevation by approx. 1.13m. The extension would extend over the common boundary with the neighbouring property, No. 40 Brambling Park by approx. 190mm.

The proposed extension would have a flat roof incorporating a roof lantern. The extension would attain a height of 3.30m to the top of the parapet roof and 3.70m at the highest point of the roof lantern.

Consultations

Halewood Town Council - No Comments Received
None other required.

Representations

This application has been publicised by letters sent to 5 neighbours. It has also been advertised by Site Notice.

There have been no letters of objection, 1 email of support together with a separate email from the same address in relation to point d) below. The representations are summarised as follows: -

- a) The applicant has discussed all details.
- b) Fully support it.
- c) No questions or doubts relating to the application.
- d) Aware that the external wall of the extension will be erected astride the party boundary and become a party wall and supportive of this.

Planning History

APP. NO: 95/00457/APP
PROPOSAL: SUBSTITUTION OF HOUSE TYPES FROM 4No TERRACED AND 2No DETACHED (PLOTS 60-65)
DECISION: Granted
DECISION DATE: 14 September 1995

APP. NO: 16/00306/CLD
PROPOSAL: ERECTION OF DETACHED SINGLE STOREY OUTBUILDING TO REAR OF GARDEN
DECISION: Granted
DECISION DATE: 15 June 2016

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 and SPDs which provide additional guidance 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)

Ensuring a Choice of Travel SPD (2010)

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 relevant planning policy and guidance.

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

Policies CS2 and CS19 of the Local Plan Core Strategy and saved policies H5 and H8 of the Unitary Development Plan together with the Householder Development SPD 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.

Layout

Amenity Space - The property has an enclosed private garden to the rear. The extension would leave approx. 28 sq. m of useable garden space to the rear. Whilst this is relatively small area in relation to the dwelling, there is an existing garden room currently located at the rear of the property. Having regard to the garden room accommodation available it is considered that there would be adequate room about the dwelling to maintain adequate private amenity space and to avoid a cramped appearance within the plot.

Parking Provision - The existing dwelling comprises a 2-bedroom house and the proposed development would not result in additional bedrooms. The proposal would not affect the parking provision for the host property.

Waste Storage (Bins) - Currently there is a garden gate allowing access to the rear of the property allowing access for the storage of bins at the rear out of view from the street. The development would result in loss of access to the rear garden other than through the dwelling.

Extensions which remove access to the rear of a dwelling will normally only be acceptable if a secure bin store or alternative arrangements can be provided, which would not have a detrimental impact on the street scene. Adequate space would still remain to the side of the dwelling (910mm wide) to allow for the storage of bins, much the same as appears to be the existing situation noted at Officer's site visit.



It is not considered therefore that this would have a significant detrimental impact on visual amenity and the streetscene and in this instance that a bin store would be required.

Design

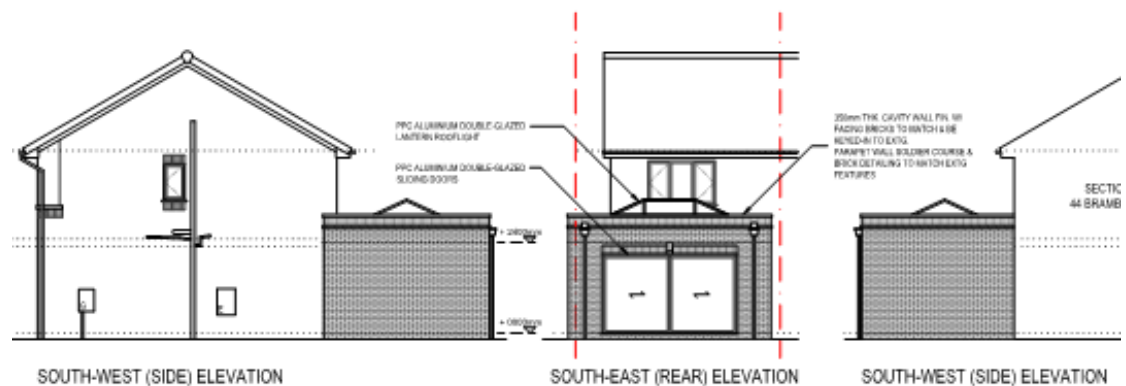
The Householder Development SPD advises that rear extensions should be designed to avoid causing overshadowing, loss of outlook or loss of privacy.

Following the demolition of the existing conservatory a new rear extension is proposed which would project out from the rear of the host dwelling and extend beyond the gable elevation.

The host dwelling is brick built with a white rendered section to the first floor on the front elevation. It has tiled duo-pitched roof with white uPVC windows. The extension would be constructed of brickwork. It would have a flat roof with a parapet wall and soldier course brick detailing with an aluminium double glazed roof lantern. It would incorporate large Polyester Powder Coated (PPC) aluminium glazed sliding patio doors at the rear elevation and a tall and narrow window within the front elevation which would face the street.

The SPD advises that roof lines should be pitched or match that of the host property. In this instance a flat roof extension incorporating a parapet wall and roof lantern is proposed. While the proposal would not have a pitched roof to match the existing

property, the proposed extension would be in the main located at the rear of the dwelling.



There would be a section of the extension that would be presented to the street, this element would be set back by approximately 14.5m from the end of the driveway and would not be highly visible from the street.



Given the style and scale of the extension at this point, it is considered that it would not present too differently than a brick boundary wall. The slim, long length window in the front elevation would also provide some relief to this elevation.

It is considered that the proposed development would not result in an unacceptable design, the inclusion of a parapet wall and roof lantern elevates the design of the extension beyond that of a typical flat roof and it would not appear incongruous from the public highway. Overall, the development is of an acceptable scale in relation to the host dwelling and would provide a contemporary and simple design which is considered to be acceptable in this instance.

Residential Amenity

No. 44 Brambling Park

No. 44 is the adjoining semi-detached property. It has previously been extended to the rear in the form of a conservatory which measures approx. 3.20 m in depth along the common boundary with the application site.



The Householder Development SPD advises that single storey rear extensions are acceptable in principle up to 4m in depth. The proposed extension would extend 4.05m along the common boundary but would only project approx. 850mm beyond the conservatory of No. 44. There is an existing high level boundary fence separating the two properties.

Taking these matters into consideration, it is not considered that there would be any significant adverse effect to the residential amenity of the occupiers of No. 44 as a consequence of the proposed development.

No. 40 Brambling Park

No. 40 is the neighbouring semi-detached property. No. 40 is set back approx. 5.20m from the front of the host dwelling. The property has also been extended in the form of a conservatory to the rear.



The proposed extension would extend to the side over the common boundary with No. 40 encroaching onto the neighbour's driveway. The occupier of this property has written to acknowledge this encroachment and to support the planning application.

Officer's site measurements indicate that the driveway at the side of No. 40 is approx. 2.48m wide towards the end of the driveway where the extension would be sited. The Householder SPD indicates that *"car spaces provided at the side of dwellings should have a minimum dimension of 5m x 2.75m (this width is necessary to enable a car door to be opened and used satisfactorily)." The top end of the driveway which would be built over is therefore of substandard size to adequately accommodate a car space. It is acknowledged that there is currently a small strip of land on the application site (photo (a) below) which would enable car doors to open out across it; however, the occupier of the host property could utilise this space as they wish e.g. to store bins (as is the case) or could install a fence along the boundary which would prevent this and therefore the area may not remain unhindered in perpetuity. Nonetheless, the remaining length of the driveway of No. 40 would retain between approx. 11 – 14.4m in length in front of the proposed extension and this is considered to maintain adequate parking provision for No. 40.*



(a)

(b)

(c)

Driveway No. 40 Brambling Park

In terms of the encroachment of the proposed development onto the neighbour's land, the applicant has submitted Certificate B which indicates that the development would not be built entirely within the land ownership of the applicant. The neighbour has written in indicated that they are aware of this. However, the neighbour would be within their rights to refuse access onto their land for the construction of the extension if planning permission is granted. Given that the correct procedural matters have been carried out, in that the correct Certificate of Ownership has been submitted and Notice served on the owners of the adjacent land, the encroachment is a civil matter and is not a consideration of this planning application.

The proposed development is within acceptable tolerance set out in guidance within the Householder Development SPD and the separation provided between the development and this neighbouring dwelling would ensure that the proposal would not adversely affect the residential amenity of the occupiers of No. 40.

Highway Considerations

A Public Right of Way (PRoW) is immediately to the front of the dwelling, this runs from an existing area of greenspace to the north / north-east of the host property along the footpath fronting the house, along Brambling Park towards Torcross Way.

The proposal would not have any impact on the existing PRow.

No adverse effect to highway and pedestrian safety would occur as a result of the proposed development.

Conclusion

The proposal would be acceptable in terms of design, residential amenity and highways. The proposal complies with the NPPF, relevant Core Strategy and Replacement UDP policies and guidance in relevant SPDs and is therefore recommended for approval subject to conditions.

Recommendation

That planning permission be granted subject to the following conditions:

- 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
01/07/2024	AG (00) 01	REV. A	EXISTING SITE AND LOCATION PLAN
01/07/2024	AG (00) 03	REV. A	PROPOSED SITE PLAN
21/06/2024	AG (00) 04	-	PROPOSED PLANS AND ELEVATIONS

Signed Case Officer¹: M Wishart

Signed Authorising
Officer²: K Foster

Date: 20 August 2024

Informatives

N/A

Contd...

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

