

Planning History

Ref: 15/00022/OUT – Outline application for mixed use development comprising up to 750no. dwellings & up to 929sqm of commercial/industrial buildings (Use Classes B1/B2/B8) – all matters reserved for future approval. Granted 20th December 2016.

Ref: 17/00081/REM – Reserved matters application for 150no. dwellings in respect of planning permission 15/00022/OUT (parcel b) – approval sought for appearance, landscaping, layout, scale & access. Granted 24th July 2017

Ref: 23/02312/CLD – Certificate of proposed lawful development for the erection of a single storey rear extension. Application withdrawn.

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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.

CS1 – Spatial Strategy for Knowsley

CS2 - Development Principles

CS13 – Principal Regeneration Area – South Prescott

CS19 - Design Quality and Accessibility in New Development

H8 – Extensions and Alterations to Residential Properties

In addition, the Householder Development SPD is a material consideration for the purposes of determining this planning application. The site was initially identified as Employment Land in the adopted Development Plan. However, prior to the adoption of the Knowsley Local Plan Core Strategy in 2016, permission was granted for a mixed use development consisting of residential and commercial development. The residential aspect of the development is currently under construction with this phase having since been completed. As such, the extension of a domestic property is acceptable subject to compliance with the policies referred to above.

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 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

Design, access and crime prevention

The host property is of modern construction. The development proposals consist of a simple rear extension which extends beyond the rear elevation of the property by 4m and connects to the side elevation of the garage. The rear extension is of simple design and accommodates a pitched roof with materials to match the host property. The windows and openings are restricted to the rear elevation and as such it is in accordance with the Householder Development SPD.

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

Residential Amenity

9 Merchant Close

No. 9 is the neighbouring detached property. The Householder Development SPD states rear extensions up to 4m in depth are considered acceptable in principle. Given that the properties are parallel to each other and the proposed development is within the size threshold set by the SPD. It is not considered that the existing and future occupiers of no.9 will be adversely affected by the proposed development.

No. 3 & 5 Sonnet Avenue

The rear elevation of these properties face the gable end of the application property. The proposed development seeks to retain the existing garage. The proposed development will span 1.31m where it will connect to the garage. The proposed extension would therefore be largely influenced by the built form of the existing garage and as such it is not considered that the proposed extension would adversely affect the residential amenity of no's 3 & 5.

No. 1, 3 & 5 Merchant Close and No. 40, 42, 44, 46, 48 & 50 Stratford Drive

These properties provide are located at the rear of the application site and provide the common law boundary to the host property. These properties sit at an elevated position to that of the host property. No. 3 & 5 Merchant Close are within 15m as currently in situ. However, given their elevated position together with the dominant

boundary treatment serving these properties it is not considered that these properties will be adversely affected with the remaining properties located some 30m away and therefore sufficient interface distance will be retained.

No other properties would be adversely affected.

Other issues

Highways

The dwelling house is a 4no bedroom property which requires 3no. parking spaces to be provided within the curtilage of a dwelling house. Of relevance to this application is condition 5 attached to application 17.00081/REM which states:

"The garages hereby permitted shall not be converted into living accommodation (either in whole or part) and shall be retained for use as garages by the dwellings hereby approved at all times.

Reason: To ensure adequate garaging/off street parking provision is retained and thereby to avoid the harm to amenity, safety or convenience caused by on street parking and to comply with Policies CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016."

The proposals would retain the existing garage together with 2no. vehicle spaces parked on the hardstanding. The garage will not be converted to living accommodation and would simply utilise the space for small utility area. Given that the storage of belongings would be similar to the size it is not considered that this will restrict parking provision in the site together to an unacceptable degree with the fact that the property is located at the end of a small road belonging to 2no. dwellings of which the application property is one. Indeed, if it was not for the garage connection then this development could be undertaken via permitted development rights and as such it would be unreasonable to refuse planning permission on this basis.

As such, sufficient parking would be retained on site and no adverse effects to highways safety would occur as a result of the proposed extension.

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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
02.11.2023	LOCPLAN		LOCATION PLAN
06.11.2023	02		PROPOSED PLANS AND ELEVATIONS

Signed Case Officer¹: **John Fleming**

Signed Authorising Officer²: **K Foster**

Date: **15 December 2023**

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.

INFORMATIVES

Coal Authority

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024

Appendix 1 – Site visit photographs



