

Regeneration and Economic Development Department

APPLICATION NO: 22/00340/FUL

APPLICANT: Mr and Mrs McCabe

WARD AFFECTED: Whiston & Cronton

DEVELOPMENT: ERECTION OF A SINGLE STOREY SIDE AND REAR WRAP AROUND
EXTENSION

LOCATION OF SITE: 29 Montgomery Close, Whiston, Knowsley, L35 3RD

KNOWSLEY LOCAL PLAN ALLOCATION:

Primarily Residential Development

RELEVANT POLICIES:

Knowsley Local Plan Core Strategy (2016):

- CS2 - Development Principles
- CS19 - Design Quality and Accessibility in New Development

Knowsley Replacement Unitary Development Plan (2006):

- H5 - Development within Primarily Residential Areas
- H8 - Extensions and Alterations to Residential Properties

TECHNICAL CONSULTATIONS:

Network Rail has responded stating that if there are no works within 10m of the railway boundary then Network Rail has no comments. The rear elevation of proposed development is located 13.7m from the railway boundary. Accordingly, there would be no concerns from Network Rail.

NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 6 neighbours. No representations have been received.

ARTICLE 35

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.

ISSUES AND ASSESSMENT:

PROPOSAL

The proposed development relates to the erection of a single storey side and rear extension located at 29 Montgomery Close, Whiston.

The single storey side extension is set back by 4.2m from the property's principal elevation and would extend approximately 2.7m to the property boundary. Due to the buildings orientation it would extend diagonally along the property boundary by a depth of 7.9m and wrap around the existing dwelling. The rear aspect of the proposals would project 2.9m from the original dwelling house and span a width of 9.6m.

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Internally, the proposals would provide a new utility room, WC and open plan kitchen/dining room. Externally, the proposals would include provision of a new window serving the utility room at its principal elevation and a new window and bi-folding doors located at the rear elevation. The proposed roof is of a gable construction and measures 2.6m at the eaves and 4.3m at its highest point and will include 2 Velux windows serving the dining room.

RELEVANT PLANNING HISTORY

No planning history associated with the site.

POLICY CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires development proposals to be determined in accordance with the Development Plan unless material considerations indicate otherwise. Policies relevant to the development proposal consist of the following policies and guidance:

Knowsley Core Strategy (2016)

- Policy CS2: Design principles; and
- Policy CS19: Design quality and accessibility in new development.

Knowsley Replacement Unitary Development Plan (2006)

- Policy H5: Development within Primarily Residential Areas; and
- Policy H8: Extensions and alterations to residential properties.

Other material considerations:

- National Planning Policy Framework (the “Framework”) (2021); and
- Planning Practice Guidance (PPG); and
- Householder Development Supplementary Planning Document (SPD) (2016).

The site is identified as land located within a Primarily Residential Area. As such, a domestic extension to the existing residential 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 policies H5 and 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.

DESIGN

The Householder Development SPD is a material consideration for the purposes of this planning application. It states that single storey extensions should be designed to preserve the street scene, protect light and privacy of neighbours and provide sufficient parking spaces.

The proposed materials and finishes to be used on the proposed development will match the existing finish of the host dwelling. As such, the proposals are in keeping with the scale and appearance of the property and are in accordance with the guidance set out in the Householder Development SPD.

The proposed roof relating to the principal elevation would match the angle of roof of the host dwelling but would extend at a slightly lower pitch towards the rear elevation. The rear aspect would not be visible from the public highway, and it is considered that proposed roof would be in keeping with the character and design of the wider property from the public highway.

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The single storey side extension would be largely screened by the existing double doors located at the property's side elevation which are to be retained. It is therefore not considered that the proposal would be detrimental to the character of the street scene and is therefore acceptable with regards to design.

RESIDENTIAL AMENITY

Single storey side and rear extension

The Householder Development SPD is a material consideration for the purposes of determining this planning application. It recommends that single storey rear extensions located on or immediately adjacent to the party boundary with a neighbouring dwelling will be acceptable if it does not project more than 4m from the rear elevation. The proposed single storey rear projects 2.9m from the rear elevation of the original dwelling house and is therefore well within the parameters set by the SPD.

The proposed extension would leave a separation distance of 0.2m between the side elevation of the single storey rear extension and the property boundary at no.27 and would mirror the built form provided by the extended garage at the neighbouring property and its rear elevation would sit virtually parallel to the proposed extension at no. 29. As such, it is not considered that the proposed development would result in having an adverse effect on residential amenity with regards to no. 27.

The adjoining property at no. 31 appears to be original in its current form and does not benefit from any additions to its rear elevation. Given that the proposed single storey rear extension element of the proposals only projects 2.9m from the existing elevation it is not considered that development of this scale would result in having an adverse effect on residential amenity with regards to the adjoining property at no. 31.

It is therefore not considered that the proposed extension would unduly affect the outlook/lighting to neighbouring properties.

HIGHWAYS

Adequate parking spaces will be retained as part of the development proposals within the curtilage of the property boundary. As such, the proposals would not result in having an unacceptable impact on the public highway network and is therefore considered acceptable.

OTHER ISSUES

None.

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 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.

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- 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
24.06.2022	A099		LOCATION PLAN
24.06.2022	A102		PROPOSED BLOCK PLAN
24.06.2022	A104		PROPOSED FLOOR PLANS/ ELEVATIONS

J Fleming
18.07.2022

Alan Kilroe
19/7/22

INFORMATIVE

Coal Authority:

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. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous 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 development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be 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 safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: <https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

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, digging of 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.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any of the 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

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