

<u>APPLICATION NO:</u>	24/00368/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Whitefield	<u>PARISH:</u>	
<u>LOCATION:</u>	41 Malvern Close, Kirkby Park, Kirkby		
<u>PROPOSAL:</u>	ERECTION OF SINGLE STOREY REAR EXTENSION (DEMOLITION OF CONSERVATORY)		

Site Description

The application site is located at 41 Malvern Close, Kirkby Park and is situated within an area allocated as a Primarily Residential Area in the Development Plan. The application property is a semi-detached dwelling and is brick and white clad facing on its front, side and rear elevations, together with white UPVC openings and grey, interlocking rooftiles.

The application property benefits from a single storey side extension (with a garage door on the front elevation) and a rear conservatory. The rear garden contains an outbuilding adjacent the party boundary shared with No.40.

The front elevation of the property is south facing and fronts the highway. The front garden area is a combination of grass and block slab paving (which provides the hardstanding) and is enclosed by a low brick boundary wall.

To the north of the site is a large field, to all other directions are other residential properties.

Proposal

The application seeks permission for the erection of a single storey rear extension.

The proposed development would have a depth of 3m and a width of 7.66m. This would be served by a dual-pitched roof, which would measure 2.3m at the eaves and 3.78m at the highest point.

The proposed development would feature French patio doors and two windows on the rear elevation. The roof would contain 2 Velux roof lights.

The proposal would see the demolition of the existing conservatory.

Consultations

Environmental Health – No objections raised.

Representations

This application has been publicised by letters sent to 7 neighbours. No representations have been received.

Planning History

APP. NO: 02/00609/FUL
PROPOSAL: ERECTION OF SINGLE STOREY SIDE EXTENSION TO FORM GARAGE AND STUDY WITH PORCH TO FRONT, TOGETHER WITH CONSERVATORY TO REAR
DECISION: GRANTED
DECISION DATE: 30 August 2002

APP. NO: 09/00239/FUL
PROPOSAL: ERECTION OF FIRST FLOOR SIDE EXTENSION
DECISION: GRANTED
DECISION DATE: 10 September 2009

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.

The site is identified as a site allocated for housing development in the adopted Unitary Development Plan. 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.

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

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.

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

Saved Policy H8 in the Replacement Unitary Development Plan states that proposals for extensions to dwellings will be permitted provided that:

- a) The proposals would not (due to their scale and massing) result in a disproportionate addition to the original dwelling
- b) The design and materials used would reflect those used on the original dwelling
- c) The proposal would not adversely affect the amenity or privacy of occupiers of adjacent dwellings
- d) The proposal would not create potential hazards for highway users by obstructing visibility for pedestrians or drivers of motor vehicles; and
- e) Adequate parking and garden space would remain in use by the residents of the extended property

The Householder Development SPD states that single storey rear extensions should be designed to avoid causing overshadowing, loss of outlook or loss of privacy to the neighbours, or appear unduly dominant to neighbours.

Design

The existing dwelling is predominately brick facing, with white UPVC openings and tiled roof. The proposed development would be faced with white, smooth render, the fenestration would be UPVC to match the existing dwelling. The Application Form states that the roof tiles would be to match the existing dwelling also. This would further be secured via a standard planning Condition on external facing materials.

Although, the proposed development' external wall faces would be white rendered, which would contrast with the brick facing of the existing dwelling, it would be considered acceptable on this occasion, given that the proposed development is a single storey rear extension and would not be readily visible from the highway and contained to the rear garden, which would mitigate any adverse harm.

The proposed development would be served by a dual-pitched roof. The Householder Development SPD states (6.14) that the extension should leave adequate room around the dwelling to avoid a cramped appearance within the plot. It should also leave adequate garden areas for sitting out etc.

Therefore, the extension would have an acceptable design and would be in keeping with the requirements of Policy H8 and the Householder Development SPD.

Residential Amenity

The Householder Development SPD states that extensions should not cause overshadowing, loss of outlook or loss of privacy to neighbours. It also 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.

40 Malvern Close

No.40 is the adjacent, semi-detached dwelling to the application property. The rear elevations of the two properties sit parallel and these properties face one another on the side elevations. No.40 benefits from a rear conservatory.

The proposed development would be within the prescribed parameters of the Householder Development SPD and would subsequently be acceptable.

Overall, it is considered that the proposed development would not cause any detrimental harm to the amenities or privacy on the occupants of No.39.

43 Malvern Close

No.43 is the paired, semi-detached dwelling and displays parallel building elevations to the application site. No.43 benefits from a single storey rear extension.

The proposed development would be within the prescribed parameters of the Householder Development SPD and would subsequently be acceptable.

Overall, it is considered that the proposed development would not cause any detrimental harm to the amenities or privacy on the occupants of No.43.

Highways

The proposed development is to be sited at the rear and would be considered to effect on existing parking provisions and would consequently not be deemed to cause any adverse impact on highway safety.

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 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) Notwithstanding the outlined materials agreed for the external facing walls of the extension hereby permitted, all other materials to be used on the external surfaces of the extension 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
08/07/2024	41 MELVIN - 005	REV A	EXISTING AND PROPOSED REAR ELEVATIONS
08/07/2024	41 MELVIN – 003	REV A	PROPOSED BLOCK PLAN
08/07/2024	41 MELVIN – 008	REV A	EXISTING AND PROPOSED FRONT ELEVATIONS
08/07/2024	41 MELVIN – 007	REV A	EXISTING AND PROPOSED EAST SIDE ELEVATIONS
08/07/2024	41 MELVIN – 006	REV A	EXISTING AND PROPOSED WEST SIDE ELEVATIONS
08/07/2024	41 MELVIN – 004	REV A	EXISTING AND PROPOSED FLOOR PLANS
08/07/2024	41 MELVIN – 001	REV A	LOCATION PLAN

Signed Case Officer¹: **Reece Black**

Signed Authorising Officer²: **K Foster**

Date: **27 August 2024**

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

Not applicable.