

<u>APPLICATION NO:</u>	23/02837/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	Roby	<u>PARISH:</u>	
<u>LOCATION:</u>	23 Briar Drive, Roby, Knowsley, L36 9XG		
<u>PROPOSAL:</u>	ERECTION OF SINGLE STOREY REAR EXTENSION (DEMOLITION OF CONSERVATORY)		

Site Description

The application property is a semi-detached dwelling of what appears to be 1930's construction.

The property is part brick facing and part rendered and benefits from two storey side extension which abuts the common law boundary.

The property boundary is contained by a partial dwarf brick wall with open entrance leading to a hardstanding drive.

To the rear, the property benefits from two separate single storey rear extensions with one built in brick and one being a conservatory which is proposed to be demolished.

Proposal

Following the demolition of the existing conservatory the applicant is seeking permission for the erection of a new single storey rear extension. It would measure 3m – 4.17m in depth and 3.7m in width. It would include an apex window arrangement to the rear elevation together with double doors at the side elevation facing the existing rear extension.

It would accommodate a gable roof and would measure 2.31m at the eaves and attain a maximum height of 3.68m.

It would accommodate a hip roof measuring 2.35m at the eaves and 3.64m at its highest point.

The proposals would provide an extended dining room.

Consultations

No consultations required.

Representations

This application has been publicised by letters sent to 5 neighbours. No representations have been received.

Planning History

Ref: 74/00237/HIST – Bedroom over existing garage. Granted 26th June 1974.

Ref: 02/00910/FUL – Erection of conservatory to rear of dwelling. Granted 19th December 2002.

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

H5 – 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.

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 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 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

The Householder Development SPD states rear extensions should be designed to avoid causing overshadowing, loss of outlook or loss of privacy and should not appear unduly dominant to neighbours.

The proposed extension would replace the existing conservatory and would occupy a smaller footprint than what currently exists. The conservatory is sited along the common law boundary which is a mixture of dwarf fencing and 1.8m timber fencing. Whilst it is acknowledged that the proposed development would replace the open nature of the existing conservatory the proposed development is of an appropriate scale and would be finished in materials to match the existing dwelling house.

The extension would match the height of the existing gable extension and would provide symmetry to the rear elevation.

The proposed development is considered acceptable in terms of design.

Residential Amenity

No. 25 Briar Drive

No. 25 is the adjacent semi-detached property. Due to the location of the proposed development and the existing built form of the rear extension currently in situ which is being retained there would be no adverse impact on residential amenity in relation to this occupier.

No. 21 Briar Drive

No. 21 is the adjoining semi-detached dwelling.

The Householder Development SPD advises that rear extensions up to 4m will be acceptable. Development which extends beyond 4m will need to demonstrate that the 45 degree line will not be breached.

The proposed extension would extend 4.17m along the common law boundary with the neighbouring extension and therefore slightly extends beyond the 4m allowed by the SPD. It would be set in 150mm from the common law boundary. The applicant has confirmed that gutters will be located within their land ownership.

The proposed development would replace the existing conservatory which is materially larger than what is proposed. Notwithstanding this, no. 21 benefits from the original bay window at the rear which roughly measures .45m. As such, the development would

fall within the scope of 4m from the rear elevation of the neighbours bay window and is therefore acceptable.

Taking the above matters into account there would be no adverse impact on residential amenity of neighbours.

Highways

No adverse effect to highways safety would occur as a result of the proposed development.

Conclusion

The proposal would be acceptable in terms of design, residential amenity and highways (subject to condition attached). 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.

- 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
14.12.2023	LP1		LOCATION PLAN
14.12.2023	BP1		BLOCK PLAN
14.12.2023	02		PROPOSED FLOORPLAN AND ELEVATIONS

Signed Case Officer¹: **John Fleming**

Signed Authorising
Officer²: **K Foster**

Date: **19 February 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.

INFORMATIVE

TRESSPASS

The permission does not authorise a trespass on (or over) neighbouring land nor does it provide authorisation required under the Party Wall Act 1996 etc.

