

<u>APPLICATION NO:</u>	22/00426/FUL	<u>CASE OFFICER:</u>	Lee Osborne
<u>WARD:</u>	St Gabriels	<u>PARISH:</u>	Tarbock Parish Council
<u>LOCATION:</u>	5 Spencer Close, Huyton, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF SINGLE STOREY SIDE AND REAR EXTENSION		

Site Description

The application site comprises a detached house, detached garage and associated curtilage and is sited on the south side of Spencer Close, a small cul-de-sac off Biglands Drive. There is an existing approved conservatory on the rear (05/00452/FUL).

Proposal

The application is for the erection of an L-shaped single storey extension to the side and part of the rear of the house. The extension would comprise a living room/bedroom to the side extending beyond the rear of the house at the back with the living room part at the front part of the extension and the bedroom to the rear. An extension extending the kitchen is proposed on the rear of the house. The extension would extend and would with the living room being to the front part of the extension at the side of the house with the bedroom to the rear of that. There would be an extension to part of the rear of the house forming an extension to the kitchen. The proposal would extend 3m beyond the rear elevation of the original house. The extension would have a pitched roof rising from the front to an apex approximately 3.9m high and then sloping down to the rear of the extension, with the roof extended across the rear extension. The front slope of the roof would have a rooflight and there would be two on the rear slope. The external materials would match the existing house.

Consultations

Tarbock Parish Council - No comments received.
Cadent Gas Limited – No objections in principle.

Representations

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

Planning History

05/00452/FUL - ERECTION OF CONSERVATORY TO REAR OF DWELLING.
Granted: 03.06.2005.

K/APP/10735 – ERECTION OF 72 DWELLINGS WITH GARAGES. Granted:

05.05.1985.

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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

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

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

The proposal is for an extension to a house in a residential area and therefore the principle of development is acceptable subject to design, amenity and policy considerations.

Design and Visual Amenity Considerations

The design of the proposed extension is satisfactory and broadly in character with the existing house. The proposed single storey extension would not be detrimental to

the visual amenities of the neighbouring properties or to the area in general.

Parking Considerations

With regards the proposal planning policy laid out in the Householder Development SPD states that parking of at least the same level as the existing dwelling should be maintained, and if the proposal includes a bedroom a further space may be required up to bring the number of spaces to three, which is the maximum number of spaces required for houses (4+ bedrooms). In this instance there would be no useable parking as the space that would be left in front of the extension would be 1.8m-2.1m to the back of the service strip, (3m-5m to carriageway). On the other side of the house the distance from the front to the back of service strip is 3m (5m to the carriageway). Ordinarily in such circumstances it would be recommended that planning permission be refused. However, in this instance it would seem that the site is Plot 59 of the original development as far as can reasonably be ascertained, and that plot has permitted development rights with regard extensions. The development could proceed without planning permission with regards the extension to the side and the extension to the rear as a backstop, as it is the extension at the rear of the side extension which links the side and the rear extension to form the L-shape which requires planning permission as by linking the rear and the side extension together the overall development is more than 50% wider than the original house. As such, with the permitted development backstop leading to the same scenario as the proposal in terms of parking in this one instance it is considered that the parking policy as in the Householder Development SPD is not enforced as such with regard the application. It is noted that if the backstop were not there (if permitted development rights were removed for instance) then the application would not be supported for reasons of the lack of parking.

Whilst the proposal does not accord with the Council planning policy and parking standards with regards developments to dwellings in this instance due to the backstop position that what could be built as permitted development would lead to the same parking scenario outcome. In addition, it would not be significantly smaller and therefore does form a probable and likely backstop; to make permitted development it would entail just the removal of the part of the extension to the side of the rear extension proposed corresponding to the part of the extension to the rear of the side extension and linking those permitted development parts of the extension (if not linked) and thus forming the L-shape.

Residential Amenity Considerations

The application is for an extension to a house and raises no residential amenity concerns and does not cause overlooking or loss of privacy. The application therefore complies with Policies CS2 and CS19 of the Core Strategy and saved Policy H5 and H8 of the UDP.

Conclusion

The proposed extension would be satisfactory in design and would not be detrimental to the visual or residential amenities of the area. The parking would not meet policy or parking standards but for reasons outlined above it is considered that in this particular instance this should be overlooked as if the extension were built as the side and rear (with the small part of the extension linking the side and rear elements) the same scenario with regard parking would result. Consequently the application is recommended for approval.

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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
13/07/2022	-	-	Proposed single storey side and rear extension, location plan, existing and proposed floor plans, existing and proposed elevations.

Signed Case Officer¹: **Lee Osborne**

Signed Authorising Officer²: _____

Date: _____

Informatives

- 1 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

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

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