

<u>APPLICATION NO:</u>	23/00187/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	Halewood South	<u>PARISH:</u>	Halewood Town Council
<u>LOCATION:</u>	17 Stapeley Gardens, Halewood, Knowsley, L26 9YG		
<u>PROPOSAL:</u>	ERECTION OF A PART SINGLE STOREY PART TWO STOREY SIDE EXTENSION TOGETHER WITH THE ADDITION OF A FRONT PORCH ROOF		

Site Description

The application property is a detached dwelling located at the end of Stapeley Gardens. The property is brick facing and accommodates a gable roof together with a porch roof canopy. The openings consist of white UPVC doors and windows.

The property has parking provision at both the side and front of the property together with a large front garden which contains 1no. streetlight located within the service strip of the adopted highway.

The property boundary at the side of the dwelling consists of brick columns with 1.8ft timber fence panels beyond which is a public footpath leading to Bailey's Lane at the rear.

Proposal

The application proposals seek permission for a two-storey side extension incorporating a single storey front porch and extended roof canopy.

The two-storey extension would occupy a footprint of 2.6m in width and span a depth of 9.07m. The first-floor aspect would measure the same width but is stepped back .5m.

The two-storey aspect would introduce a dual pitch gable roof measuring 4.9m at the eaves and 7m at its highest point together with a pitch roof above the single storey aspect measuring 2.3m at the eaves and 3.4m at its highest point.

The proposals would provide a new living room together with utility room at ground floor level. To the first floor, 1no. additional bedroom is proposed together with an extension to an existing bedroom.

Consultations

Highways Authority – No objections raised subject to conditions.

Tree Officer – No objection subject to condition. Request sought for s106 contribution.

Cadent Gas – No objection. Request informative to be attached to decision notice.

Representations

This application has been publicised by letters sent to 11 neighbours. No representations have been received.

Planning History

A number of applications relate to the construction of the wider housing estate. No individual applications have since been submitted with regards to the individual dwelling house.

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 – 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.

The site is 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.

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

Design

The application property is a detached dwelling of modern construction. It is brick facing and accommodates a gable roof. The application proposals seek to introduce a new two storey side extension incorporating a single storey porch and canopy roof.

The two storey aspect includes a .5m set back from the front elevation of the existing property. The Householder Development SPD advises that a 1m set back is typically required. However, due to the location of the application property which borders a public footpath it would not result in a terracing affect. The proposed dual aspect roof would sit lower than the existing roof ridge and taking the reduced ridge height and proposed set back into account this will help ensure that the proposed extension would appear subservient to the application property.

The front extension is considered an appropriate scale to the application property and would not look out of place with regards to the character of the street scene.

The proposed materials would match those of the existing property and are therefore considered acceptable in terms of design. Overall, it is considered that the proposed development is acceptable with regards to design.

Residential Amenity

No. 18 Stapeley Gardens

The proposed porch extends .72m forward the principal elevation of the application property and is the only visible aspect of the proposed extension from No. 18. Given the relatively minor scale of built form visible to no. 18 there would be no adverse impact on residential amenity with regards to the proposed development given that the vast majority would be obscured by the existing built form of the dwelling house.

No. 5 & No. 6 Hatherton Grove

No. 5 – 6 are located at the rear of the application property. Both of these properties have been previously extended in the form of single storey rear extensions. However, outbuildings located along the common law boundary with these properties obscures the view. Notwithstanding this, the proposed two storey extension would not extend

beyond the rear elevation of the existing dwelling house. As such, it would not materially alter the interface distance between these properties. As such, no adverse effects to residential amenity would occur in relation to property no. 5 and no. 6.

No. 41 & 43 Blackacre Road

No. 41 & 43 are located to the west of the application property and form part of a group of terraced properties. The gable end of the proposed extension would measure 22m from the rear elevation of these properties it is not considered that the proposed development would adversely affect the residential amenity of these properties.

No other properties would be affected.

Trees

There is a small number of mature conifer trees located at the western extent of the application property which are proposed to be felled. The Tree Officer has been consulted and has no objections to the proposed development subject to the Arboricultural Impact Assessment and Method Statement being made approved documents and a condition relating to 5 days written notice for the erection of tree fencing.

The Arboricultural report has indicated the loss of two trees and a request has been made from the Tree Officer for their replacement on the provision of a 2:1 basis. However, as the submitted AIA considers these are low quality trees and are not protected by a Tree Preservation Order. As such, it is considered unreasonable to require replacement for low quality trees and financial contribution is therefore not sought. The remaining trees on site located at the rear are considered to be of higher quality and will be protected by tree protective fencing during the development of the site. As such, although there will be a loss of some natural assets, these are not considered to be of significance or quality which warrant the need for replacement provision. Notwithstanding this, there are a number of mature trees along the public footpath and due to this the loss of some trees would not significantly detract from the natural assets found within close proximity.

Highways

The application property currently provides parking provision for 2no. vehicle spaces at the side of the property. A service strip is located in front of the application property and contains 1 streetlight. Following the erection of the two store side extension this would reduce the parking provision to 1no. parking space.

The Ensuring A Choice for Travel SPD advises that 4+ bedroom properties should accommodate parking provision for 3no. vehicles within the curtilage of the property boundary.

A revised site plan was submitted to demonstrate that the required number of vehicles could be accommodated on site. However, due to concerns raised by the Highways Authority regarding the proposed modifications to the vehicle cross over and potential for damage to the lighting column a condition is sought relating to the design and layout of parking provision to be submitted prior to commencement.

Subject to this condition and a revised layout to be submitted there would be no adverse effects regarding highways 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 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.

- 4) Notwithstanding the parking plan indicated on drawing number GBA-STA-PL-DR-102 REV E, no part of the development shall be commenced until a scheme for the design and layout of the service strip vehicle crossover has been submitted to and approved in writing by the Council as Local Planning Authority. The crossovers shall be implemented in accordance with the approved details and shall be available for use prior to occupation. The access shall be kept available for use at all times.

Reason: To ensure the provision of safe and adequate means of access to the development in the interests of highway safety and amenity and to comply with Policy CS19 of the Core Strategy, adopted January 2016.

- 5) At least five days written notice has been given to the Local Planning Authority of the intention to commence development. The protective fencing referred to in the approved documents shall be in place prior to the written notice of the start of development being given to the Local Planning Authority and shall be retained in place until the development is complete.

No storage of plant or material (including soil), works (including movement of soil, changes in ground level, vehicular movements, siting of temporary buildings or other works), lighting of fires or tipping of liquids shall take place within the protective fencing thereby defined for the duration of the development works.

Reason: To protect existing trees within the site in the interests of visual amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
29.03.2023	LOCPLAN		LOCATION PLAN
29.03.2023	GBA-STA-PL-DR-202	REV A	PROPOSED FLOOR PLANS AND ELEVATIONS
27.07.2023	GBA-STA-PL-DR-102	REV E	PROPOSED SITE AND BLOCK PLANS
16.05.2023	BS5837 AIA - AMS		ARBOIRCULTURAL IMPACT ASSESSMENT & ARBORICULTURAL METHOD STATEMENT

Signed Case Officer: **John Fleming**

Signed Authorising Officer: **K Foster**

Date: **17 August 2023**

INFORMATIVES

Highways

It is an offence to carry out any works within the public highway without the permission of the Highway Authority. This permission requires the construction, improvement or alteration of an access to the public highway. Under Section 184 of the Highways Act 1980, the Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Prior to the commencement of any works, the applicant is advised to contact the Council's Maintenance Contractor Tarmac on 0800 023 2334 or Knowsley.highways@tarmac.com

Cadent Gas

Your planning application – No objection, informative note required

We have received a notification from the LinesearchbeforeUdig (LSBUD) platform regarding a planning application that has been submitted which is in close proximity to our medium and low pressure assets. We have no objection to this proposal from a planning perspective, however we need you to take the following action.

What you need to do

To prevent damage to our assets or interference with our rights, please add the following **Informative Note** into the **Decision Notice**:

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

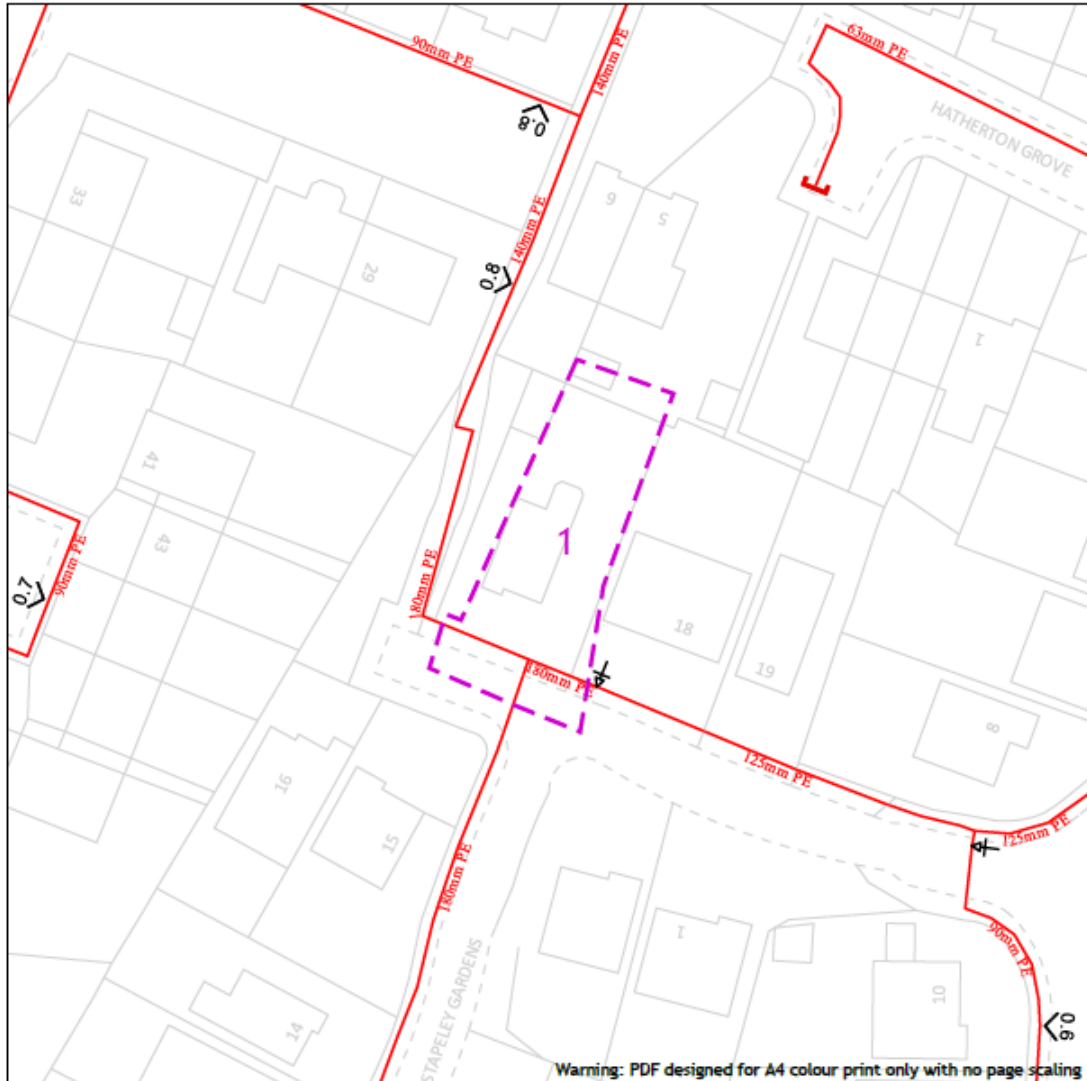
Your responsibilities and obligations

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.

This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions about the outcome, please contact us at plantprotection@cadentgas.com or on 0800 688 588 quoting your reference at the top of this letter.



 Cadent Your Gas Network	Warning: PDF designed for A4 colour print only with no page scaling Scale: 1:500 (When plotted at A4) 25m Dig Sites Area: Line: LP Mains MP Mains IP Mains LHP Mains Valve Depth of cover Syphon Diameter Change Material Change Out of Standard Service
Date Requested: 08/06/2023 Job Reference: 29756527 Site Location: 345273 384796 Requested by: Mr Sukvinder Singh Your Scheme/Reference: 23/00187/FUL (SS) View extent: 100m, 100m	IMPORTANT NOTICES This plan shows these pipes owned by Cadent Gas Limited in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GT's or otherwise privately owned may be present in this area. Information with regards to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections etc. are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Cadent Gas Limited or their agents, servants or contractors for any errors or omission. Safe digging practices, in accordance with HSG47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue. In case of emergency call - 0800 111 999 Drawn Copyright © - This plan is reproduced from or based on the OR map by Cadent Gas Limited, with the sanction of the controller of HM Stationary Office. Crown Copyright Reserved. Ordnance Survey Licence number 100024888

Appendix 1 – Site Photographs



