

<u>APPLICATION NO:</u>	22/00547/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	Roby	<u>PARISH:</u>	
<u>LOCATION:</u>	47 Bowring Park Avenue, Roby, Knowsley, L16 2NH		
<u>PROPOSAL:</u>	ERECTION OF A PART SINGLE STOREY PART TWO STOREY SIDE AND REAR EXTENSION AND THE ERECTION OF A SINGLE STOREY REAR EXTENSION (DEMOLITION OF GARAGE AND SIDE/REAR EXTENSION)		

Site Description

The host property is a semi-detached dwelling located at 47 Bowring Park Avenue. The property is part brick facing and part rendered in a pebble dash finish at the first floor and brick facing at its side and rear elevations. The property benefits from a porch and white UPVC windows and doors.

The property benefits from a garage located to the side of the property. The property also benefits from a part grass part hard standing drive which provides parking for one vehicle within the curtilage of the property.

Proposal

The application seeks permission for a two-storey side extension together with the erection of a part single storey part two storey side/rear extension following the demolition of the existing single storey rear extension and garage.

To the ground floor the proposals would provide an open plan kitchen and diner, utility room, office at ground floor with internal alterations to accommodate a WC. The proposed side extension would project 2.3m in width from the existing porch and span a depth of 11.2m. The first-floor aspect would be set back substantially by 3.7m. The principal elevation would include 1 window at ground floor level, 1 window at first floor level. The side elevation would include 1 window to the side. The two-storey element is served by a hip roof which measures 5.6m at the eaves and 7.2m at its highest point.

The rear extension would have two sliding doors and would be served by a pitched roof including provision for 2 Velux windows. The roof measures 2.4m at the eaves and 3.8m at the highest point.

Consultations

None Required

Representations

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

Planning History

No relevant planning history associated with this property.

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

Two storey side extension

The Householder Development SPD is a material consideration for the purposes of determining this planning application. It states that two storey side extensions should be designed to avoid having an overbearing effect or causing unacceptable loss of light or privacy for neighbours and should be designed to avoid creating a terracing effect, either by themselves or in conjunction with similar extensions which may exist. It recommends that a minimum 1m set back at first floor should be provided from the adjoining part of the main front wall of the original dwelling.

The proposed development allows for a set back of 3.7m and it is therefore not considered that the proposed development would not result in the creation of a terracing effect within the wider street scene.

The roof sits below the existing ridge line by 1.4m. Therefore, it is clear that the proposed extension will appear subservient to the host dwelling in accordance with the SPD.

The proposed development seeks to apply render to its principal, side and rear elevation in limestone white. Whilst the property is currently only part rendered at first floor, a number of properties in the vicinity are finished in a similar fashion. As such, the proposed development would not look out of character within the street scene.

Rear Extension

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

This aspect of the development is considered in keeping with the host property. It is not considered that this aspect of the proposal would be detrimental to the character of the street scene as it would not be visible from the public highway and is considered acceptable with regards to design as it complements the existing host property.

Overall, it is considered that the proposed development is acceptable with regards to design.

Residential Amenity

Saved policies H5 and H8 of the UDP amongst other matters, seek to ensure that new development does not lead to unacceptable impacts on the amenity of neighbouring occupiers of adjacent dwellings. Policies CS2 and CS19 of the Local Plan seek to ensure that development promotes good quality design, respects its setting and avoids

unacceptable impacts on existing residents. Further advice in this regard is set out in the Householder Development SPD.

No 43 Bowring Park Avenue

The two-storey side extension would be located along the common boundary with the neighbouring property at no. 43. This property has a single storey rear extension and garage (which appears to have been converted) located to the side of the property. No. 43 has two first floor windows in the side elevation facing the proposed extension. One of these is an obscure glazed window that serves the landing whilst the second window located at the rear of the gable serves the third bedroom in the property. The two properties are currently separated by single storey garages on both plots. If the proposed extension were to be implemented, the resulting separation distance between the side elevation of the extension and the facing window of no.43 would be approximately 3.83m.

Paragraph 7.2 of the SPD provides specific design guidance in relation to two storey side extensions and states that "side extensions should be designed to avoid causing direct overlooking or loss of light to main habitable rooms in neighbouring dwellings". In addition, paragraph 6.19 of the SPD states that, "extensions must adequately protect your neighbours' right to enjoy their own home. Extensions must not overshadow or have an overbearing effect on neighbouring dwelling to an unacceptable degree".

The proposed extension would bring the gable of the property approximately 2m closer to the neighbouring windows. The landing window serves a non-habitable room and because it is set in the middle of the gable it would be the window that it is most effected by the proposed development. However, as it is a non-habitable window there would be no significant effect on amenity.

The bedroom window is located to the rear of the gable and although the proposed extension would alter the outlook from this window, its outlook would already be dominated by the gable of the neighbouring dwelling and following a site visit which included a visit to the same window on the application property it is not considered that the proposed development would significantly harm the outlook to the extent that it would cause significant harm to amenity. The proposed extension would include 1 obscured glazed window replacing the existing clear glazed window albeit at a closer distance and would therefore avoid views between both properties.

The proposed extension as originally submitted would have projected 3.95m beyond the existing rear elevation of the host property. The Householder Development SPD states that extensions of up to 3m will normally be considered acceptable in addition it states that balconies will not be permitted where they would result in an unacceptable loss of privacy to neighbours.

Following ongoing discussions with the applicant the Local Planning Authority has positively sought to work with the applicant which has resulted in the rear aspect of the development being reduced and replacement of the proposed Juliet balcony with windows to reduce concerns of adverse effects on residential amenity no.43. Revised plans have been submitted so that the extension only extends 3m beyond the rear elevation of the existing property and two windows are proposed instead of the Juliet balcony. Furthermore, no.43 would face the en-suite window and not a habitable room so there would be no adverse effect in terms of residential amenity in this respect. The gap between the properties together with the reduction in built form at the rear helps ensure that a sufficient amount of light is still received into the room. Notwithstanding this, in the interest of residential amenity the windows serving the en-suite should be

obscured glazed and a condition should be placed on this application to ensure this.

The resultant window arrangement would therefore be similar to many other properties in the surrounding area where planning permission has been granted for two storey side extensions. There has also been recent appeal decisions where two-storey side extension was refused and upheld at appeal due to the impact on neighbouring amenity. However, it is considered that this proposal is different to those developments. In the case of 20/00782/FUL the proposed two storey side extension would have affected first floor and ground floor window habitable rooms and in the case of 19/00019/FUL there would be more space between the extension and the window.

Regarding the rear extension, the proposed ground floor extension would project 4.6m. However, no. 43 has a single storey rear extension which protrudes beyond the existing single storey extension located at the host property. The proposed ground floor aspect of the development would project 1.13m beyond rear elevation of this property and is in accordance with the threshold set by the Householder Development SPD.

Accordingly, it is not considered that the proposed development would have adverse effects on residential amenity with regards to this property.

45 Bowring Park Avenue

No. 45 is the adjoining property. The Householder Development SPD states that single storey rear extensions will generally be considered acceptable up to 4m. Development proposals beyond 4m will only be considered acceptable if they do not breach the 45-degree rule.

The proposed single storey rear aspect of the development would project 4.61m from the existing rear elevation. However, the adjoining property has been previously extended in the form of a single storey rear extension in the form of a conservatory. During the site visit it was noted that the conservatory contains obscured screening to the side elevation facing the property boundary. The proposed extension would only project .6m beyond the rear elevation of the neighbouring extension. As such, it is not considered that this property would be adversely affected in terms of residential amenity by the proposed development and the 45-degree rule would not be breached.

No other properties would be affected.

Highways

The proposed development would not result in adverse effects to the public highway.

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) No part of the development hereby permitted shall be used or occupied until the proposed window located at first floor to the principal and side elevation serving the en-suite as indicated on drawing A104 REV A has been glazed with obscure glass to a minimum of level 4 standard. The window shall be retained as such with level 4/5 obscure glazing at all times thereafter.

Reason: In order to safeguard the residential amenities enjoyed by the occupants of the adjoining residential property and to ensure the development complies with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policy H8 OF THE Knowsley Replacement Unitary Development Plan, adopted in June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
05.09.2022	LOCPLAN		LOCATION PLAN
25.10.2022	A103	REV A	PROPOSED FLOOR PLANS
25.10.2022	A104	REV A	PROPOSED ELEVATIONS

Signed Case Officer: John Fleming

Signed Authorising Officer: Alan Kilroe

Date: 31/10/22

Appendix 1 – Site Photographs



