

<u>APPLICATION NO:</u>	25/00019/FUL	<u>CASE OFFICER:</u>	Maxine Wishart
<u>WARD:</u>	Halewood South	<u>PARISH:</u>	Halewood Town Council
<u>LOCATION:</u>	25 Tavington Road, Halewood, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF SINGLE STOREY SIDE EXTENSION AND NEW FRONT PORCH (DEMOLITION OF DETACHED GARAGE)		

KNOWSLEY LOCAL PLAN POLICIES MAP ALLOCATION:

Primarily Residential Area.

Site Description

The application relates to a detached two-storey dwelling located on Tavington Road, Halewood. The site is surrounded by other residential dwellings to the east, south and west. The application site shares its rear boundary with Court Farm Woods, an area of Public Open Space. The property is sited at a turning head which fronts the application site and its neighbour at No. 23 Tavington Road and these properties are set back from the main road.

The host property has a private rear garden and a landscaped garden at the front set behind low-level shrubs. The residential estate is open plan in character. A single detached garage is located towards the back of the plot which is served by a driveway leading off Tavington Road. Both the application site and the neighbouring property No. 23 are served by a 'shared driveway' accessed from a turning head off Tavington Road which is functionally shared and serves as the only route to the respective properties and their in-curtilage parking provision.

There is no uniform building line where the property is located and the host dwelling is set back behind the neighbouring detached property to the east, No. 27 Tavington Road.

Proposal

The application seeks consent for the erection of a single storey extension to the side and a new front entrance porch.

The side extension would extend the depth of the original dwelling and have dimensions of 3.5 m wide by 8.4 m deep, It would have a steel pitch with eaves height of pitched roof that would attain a maximum height of 2.92 m and a height to the ridge of 5.4 m. The ridge height of the host property attains a ridge height of 9.7m.

The porch would project out from the front elevation of the host dwelling by 1.1 m. It would infill an area to the side of the existing bay front and would not project any further than the nearest part of the front elevation to the street. The porch would have

a roof that is hipped to one side. It would have a maximum height of 3.5m.

Background

Condition 14 attached to planning permission referenced 02/00726/FUL removes permitted development rights for the erection of extensions, enlargement (or external alteration) to any building or a garage, car port or other building or enclosure erected within the curtilage of the site, without a further specific planning permission having been sought.

Consultations

Halewood Town Council - No Comments Received

Local Highway Authority - Objection raised due to unacceptable proposed parking arrangements.

Representations

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

Planning History

APP. NO: 02/00726/FUL
PROPOSAL: ERECTION OF 38 NO. DWELLINGS
DECISION: Granted
DECISION DATE: 31 October 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.

NATIONAL PLANNING POLICY FRAMEWORK

SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

H5 - Development within Primarily Residential Areas

H8 - Extensions and Alterations to Residential Properties

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

SUPPLEMENTARY PLANNING DOCUMENTS

Ensuring a Choice of Travel SPD (2010)

Householder Development SPD (2016)

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason for refusal, allowing the applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

Assessment

Principle of Development

The application for the extension of an existing dwelling in a residential area is acceptable in principle subject to compliance with relevant planning policies and guidance.

Layout and Design

Saved UDP Policy H5 provides the Council's guidance on development within Primary Residential Areas and should be considered when determining a development's potential impact on neighbouring occupiers and the local street scene. The Council's general approach to planning applications for domestic extensions and other "householder" proposals is set out in Saved UDP Policy H8. Policy CS2 in the Core Strategy requires new development to amongst other things, '*promote good quality design and ensuring that development respects its setting taking account relevant design requirements, and best practice.*' Policy CS19 is of particular importance with all householder development proposals being expected to demonstrate a high standard of sustainable design that can contribute towards and sustain the local distinctiveness of the Borough.

The Council's Householder Development SPD forms a material consideration for the purposes of determining this planning application. It advises that the overall scale of development should not look out of place from the street or local environment. The

design of the roof should echo that of the original dwelling; windows should follow the precedent shown in the host dwelling and materials should generally be the same or similar to the dwelling to which it relates. The extension should also leave adequate room around the dwelling to avoid a cramped appearance, space for sitting out and storage of bins and adequate parking.

Amenity Space

The proposed development would be to the side of the dwelling and would not have any impact on existing amenity space that is currently provided to the rear of the dwelling. Adequate space would therefore be retained in line with the SPD

Waste Management

The application proposes that the extension would be sited 595 mm off the common boundary with the neighbouring property narrowing down to 560 mm. Given that the size of wheeled bins utilised in the borough measure 580 mm wide this would not leave sufficient space for wheeled bins to be manoeuvred through this space to allow continued access to the rear. The Householder SPD advises that extensions which remove access to the rear of a dwelling will normally only be acceptable if a secure bin store or alternative arrangements can be provided to the front of the dwelling, which would not have a detrimental impact on the street scene. In this instance there is an area to the right hand side of the dwelling that could be used to store bins which would not be highly visible to the street rather than imposing the need for a bin store which, in the officer's opinion, would appear more detrimental to the visual amenity.

Parking

The proposed development would see the loss of an existing detached garage to the rear of the plot and the driveway located to the side of the dwelling and 2 no. replacement spaces to front of the dwelling. The parking provision is discussed in detail in the Highways Considerations section below.

Design, Materials, Fenestration

The extension is acceptable in design and broadly in character with the existing dwelling. There are no windows proposed on the gable of the adjacent house and the extension would not affect the outlook of that dwelling.

The proposed extension would be acceptable in the street scene and would not be detrimental to the visual amenity of the street scene. The proposal would involve a combination of front garden conversion and parking on a shared access to meet parking standards. In terms of visual amenity, whilst this would regrettably see the loss of soft landscaping at the site frontage, it is not considered that this alone would be adequate grounds for the refusal of planning permission, however, the acceptability of the parking layout in highway safety and residential amenity matters is discussed elsewhere in this report.

Nonetheless, overall, the development is of suitable design that would not detract from the character of the original dwelling or the street scene. Taking the above into account in terms of the layout and design the proposal complies with Saved Policies H5 and H8 of the UDP, Policies CS2 and CS19 of the Core Strategy and the Householder Development SPD.

Highway Considerations

Paragraph 112 of the NPPF states that if setting local parking standards for

residential and non-residential development policies should take into account: the accessibility of the development; the type, mix and use of the development; the availability of and opportunities for public transport; local car ownership levels; and the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

Paragraph 113 continues to state that *maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport* (in accordance with chapter 11 of the Framework)...

The application property comprises a 4-bedroom dwelling. Appendix A of the Ensuring a Choice of Travel SPD requires that 4-bedroomed dwellings should be served by 3 no. off-street parking spaces. The Householder SPD states that: *"...garages will normally count as contributing to the car parking provision where their internal dimensions are sufficient to allow them to be satisfactorily used as such. Minimum internal dimensions of 5.5m x 2.75m"*.

The existing garage has internal dimensions of 5.3 x 2.7 m and as it is only marginally shorter than the standards set out in the guidance it is therefore considered that it could be argued in this instance that the garage is of sufficient size to represent a usable parking space, and the proposed development would therefore result in the loss of that space.

The hard surfacing to the front of the garage measures approx. 12 m in length to the front elevation of the dwelling and is approx. 4.4 m wide. It is clear that the parking provision of 3 no. spaces within the curtilage was intended to comprise the garage and driveway space at the side of the dwelling for a further 2 no. spaces.

The proposal would see the loss of the existing 3 no. parking spaces and this would be replaced with 2 no. parking spaces to the site frontage.

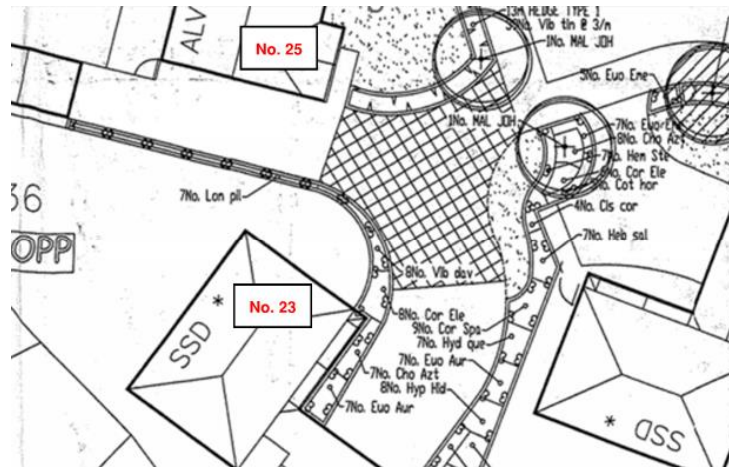
Both the application site and the neighbouring property No. 23 are served by a 'shared driveway' accessed off a turning head off Tavington Road. The extent of any 'right of access' is unknown and the applicant is unable to provide relevant information in respect of the neighbour's right of access across any 'shared driveway'.

The Householder Development SPD states that *circumstances vary, depending on the existing level of parking provision and the particular environmental and highway conditions in the locality. In most cases the existing level of provision for car parking should be retained within the curtilage of a dwelling. Where the extension would result in the need for additional or replacement parking, the number of spaces should be in line with the Council's parking standards (See Table A below). Fewer spaces than set out in the parking standards will only be acceptable if the highway and environmental conditions in the locality allow.... Proposals that would result in an adverse impact on street parking conditions to the detriment of highway safety or the amenity of local residents would not be acceptable.*

The Local Highway Authority have raised objection to the proposal. They have advised that shared access driveways are generally not accepted as designated parking spaces, as this can result in obstruction to other users of the shared route.

Even where informal arrangements may exist between neighbours, these do not override the requirement to maintain unobstructed access for all parties at all times. Following review of land ownership, it is understood that the applicant has sole ownership of the shared private driveway proposed for additional parking use. While this may confirm the applicant's legal right to use the space, it does not remove highways concerns about the practicality and long-term appropriateness of this space being relied upon as a parking solution,

In highways terms, the issue is not ownership, but functionality and impact. Shared driveways (even under sole ownership) are not generally supported as formal parking space where they restrict free movement or create conflict with neighbouring users or visitors. In this case, although the applicant may own the full extent of the driveway, it is visually and functionally shared, serving as the only route to the respective properties and their in-curtilage parking provision. It is also noted that the approved layout plan for the residential development shows a hatched area that is clearly intended to be a manoeuvring area between the dwellings.



Parking in such a constrained space could easily result in blockage, reduced turning space or disputes in the future, particularly if neighbouring property changes ownership and no longer accepts informal arrangements. Furthermore, the proposal would result in the loss of the applicant's existing formal driveway and relies on a combination of front garden conversion and this shared access to meet parking standards.

While the front garden conversion may offer one compliant space, the second space is reliant on an area that is operationally compromised – i.e. the shared access driveway. On-street parking displacement onto Tavington Road, particularly on a bend with limited visibility, presents a genuine safety concern. Any increase in roadside parking in this area is likely to impact driver visibility and safe navigation of the bend.

Considering the above, the Local Highway Authority maintains that the parking arrangement as proposed is not acceptable in highway terms. If the applicant is relying on a shared driveway area for permanent parking provision, there is a need to ensure that there is sufficient space for vehicles to manoeuvre safely without causing obstruction, even if the space meets the required dimensions for parking, consideration should be given to whether vehicles can turn within the area safely and exit the site safely.

For the reasons outlined above, highways do not consider the proposed parking arrangements to be acceptable in their current form. Parking a vehicle or overhanging into this area from a parking area introduces a risk of obstruction, particularly when visitors or deliveries attend either property.

Furthermore, the proposed development would also result in the loss of a parking space within the plot which would result in the development having further adverse impact on street parking conditions to the detriment of highway safety and the amenity of local residents.

It is also noted that the submitted plans indicate a drainage channel adjacent to the dwelling rather than in between the proposed parking area and the highway. However, in order to ensure that any development would not result in surface water draining onto the adjacent highway a suitable condition requiring the applicant to demonstrate that adequate means would be included within the curtilage to ensure that there would be no surface water run-off could be secured by way of a condition if planning permission is granted.

Conclusion - Highways

Paragraph 116 of the National Planning Policy Framework states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or residual impacts on the road network, following mitigation, would be severe taking into account all reasonable future scenarios.

Having regard to the above, it is considered that the proposed parking arrangements would not be acceptable and would have a significant materially harmful effect on highway safety and as such the development fails to comply with Policies CS2 and CS19 of the Local Plan, Saved Policies H5 and H8 of the UDP, Householder Development SPD and the Ensuring the Choice of Travel SPD.

Residential Amenity Considerations

No. 23 Tavington Road

The proposed extension would be located to the side adjacent to the common boundary with No. 23 Tavington Road. These houses are set at an angle to each other. They share a private driveway off Tavington Road and No. 23's gable faces the side boundary with the application site.

The proposed extension would be sited along its gable elevation. The extension would be set back approx. 6.9 m beyond the rear elevation of No. 23. It would be sited between 2.7 m away from the rear elevation and 700 mm towards the rear of the neighbouring site boundary. It would present a gable end to the common boundary and would attain a height to the ridge of 5.4 m high with eaves height of 2.9 m.

The proposal would be in close proximity to the rear elevation of the neighbouring property, The Council's Householder Development SPD includes a 45 degree guideline for assessing the effect of an extension on the outlook and light from a neighbouring habitable room. Extensions that cross the 45 degree line from the mid-point of the nearest habitable room window will not normally be permitted. Due to the juxtaposition of the dwellings, the proposed extension would extend outside a 45 degree line taken from the nearest window to the rear of No. 23.

It is acknowledged that there is an existing fence along the common boundary with No. 23, however, the proposed extension would present a gable elevation to the boundary which would have considerable height and bulk close to the common boundary. As such, this would result in there being a significant part of the extension that would be clearly visible above the fence. It is considered that due to siting of the extension in close proximity to the garden and rear elevation of the neighbouring dwelling this would result in the development appearing overbearing in nature. It would dominate the outlook, particularly from the garden and also from the rear of the neighbour's house.

The residential amenity of this property would be further reduced in light of the displaced parking provision and the likely impacts that would arise in relation to potential obstruction to access and manoeuvring into and out of their driveway. Consequently, taking the above into account, the proposal would result in a reduction in the living conditions of the occupiers of No. 23 to an unacceptable level.

No. 27 Tavington Road

The proposed side extension would not project beyond either the front or rear elevation and would not impact on this neighbour directly. The proposed porch would be sited behind the front elevation of No. 27 and it is considered that there would be no impacts on this property arising from the erection of the porch.

Given the above, it is considered that the proposed development would not have unacceptable impacts on the residential amenity of neighbouring properties. The proposal is for an extension to a house in a residential area and raises no residential amenity concerns. The application complies with Policies CS2 and CS19 of the Core Strategy and Saved Policies H5 and H8 of the UDP.

Conclusion

Given that the proposed development would not be highly visible from the street and public vantage points, the proposal is acceptable in terms of its design and would not have a detrimental impact on the character or visual amenity of the host dwelling or the street scene. Nonetheless, it is considered that the development would have unacceptable impacts due to the loss of parking provision and that the proposed replacement parking would rely on a combination of front garden conversion and a shared access to. This would result in fewer spaces being provided than the Council's parking standards and parking that would be laid out in such a way as to result in unacceptable obstruction to the detriment of the safe manoeuvring of vehicles into and out of both the application site and the adjacent property No. 23 Tavington Road to the detriment of highway safety and the residential amenity of the neighbouring property. The proposed development would also result in unacceptable impacts on the living conditions of the occupiers of No. 23 due to the development appearing overbearing and dominant the rear garden on No. 23.

The proposal therefore fails to comply with the NPPF, Saved Policies H5 and H8 and Policies CS2 and CS19 of the Core Strategy the Householder SPD and the Ensuring a Choice of Travel SPD. It is therefore recommended that planning permission is refused.

Recommendation

That planning permission be refused for the following reasons:

- 1) The proposal would involve the displacement of existing parking onto an area of land which is visually and functionally a shared vehicular access serving the host dwelling and the adjacent property No. 23 Tavington Road. Parking a vehicle and / or overhanging into this area would introduce a risk of obstruction to the detriment of the satisfactory function of the shared access, highway safety and the residential amenity of the occupiers of No.23 Tavington Road. The proposal would also result in the loss of a parking provision on the site from three spaces to two. Consequently, the proposal is contrary to the National Planning Policy Framework (2024), Saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the Householder Development SPD.
- 2) The siting of the proposed extension due to its scale and height in close proximity to the common boundary and rear elevation of the neighbouring property No. 23 Tavington Road would appear overbearing and dominant from that property and from its garden and would result in unacceptable impacts to the detriment of the living conditions of the occupiers of the neighbouring property.

The proposal therefore fails to comply with the National Planning Policy Framework, Saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the Householder Development SPD (2016).

<u>Signed Case Officer¹:</u>	<u>M Wishart</u>
<u>Signed Authorising Officer²:</u>	<u>Jo Sheridan</u>
	<u>21/05/2025</u>
<u>Date:</u>	

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