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|-------------------------------|-------------------------------------------------------------------------------------|-----------------------------|-------------|
| <b><u>APPLICATION NO:</u></b> | 24/00050/FUL                                                                        | <b><u>CASE OFFICER:</u></b> | Reece Black |
| <b><u>WARD:</u></b>           | Roby                                                                                | <b><u>PARISH:</u></b>       |             |
| <b><u>LOCATION:</u></b>       | 89 Oak Road, Huyton, Knowsley                                                       |                             |             |
| <b><u>PROPOSAL:</u></b>       | ERECTION OF A SINGLE STOREY REAR EXTENSION<br>(DEMOLITION OF EXISTING CONSERVATORY) |                             |             |

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### **Site Description**

The application site is located at 89 Oak Road, Huyton and is situated within an area which is allocated as a Primarily Residential Area in the Development Plan. The application property is a detached dwelling and is brick facing on its front, side and rear elevations, along with white UPVC openings and grey, interlocking roof tiles.

The property features an open plan design to the front area and features block paving hardstanding. The property benefits from a rear conservatory which spans just under the full width of the rear elevation of the dwelling.

The application site sits in a uniform building line with the immediate properties and fronts the highway. The front elevation is South/South-West facing. The application site is bounded by other residential dwellings.

### **Proposal**

The application seeks permission for the erection of a single storey rear extension together with the demolition of the existing conservatory.

The proposed rear extension would feature an 'L-shaped form' and project 5.06m at its furthest section, 3.38m at the remainder and would have a width of 8.8m. The proposal would be served by two roofs, a dual-pitched roof would serve the deeper projecting section; this would measure 2.25m at the eaves and 3.43m at the highest point. The rest of the proposal would be served by a mono-pitched roof, which would sit level with the dual-pitched roof.

The rear elevation of the deeper projecting section would feature bi-fold doors. The side and rear elevations would feature full height windows. 3 rooflights would also form part of the proposal.

The proposed development would largely emulate the footprint and form of the existing conservatory set to be demolished.

The submitted plans have seen minor amendments as to ensure the two windows on the side elevations would be obscurely glazed.

### **Consultations**

None Required.

## **Representations**

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

## **Planning History**

No relevant recorded planning history.

## **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.

The site is identified as a site allocated for housing development in the adopted Unitary Development Plan. 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.

### **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

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.

### **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**

Saved Policy H8 in the Replacement Unitary Development Plan states that proposals for extensions to dwellings will be permitted provided that:

- a) The proposals would not (due to their scale and massing) result in a disproportionate addition to the original dwelling
- b) The design and materials used would reflect those used on the original dwelling
- c) The proposal would not adversely affect the amenity or privacy of occupiers of adjacent dwellings
- d) The proposal would not create potential hazards for highway users by obstructing visibility for pedestrians or drivers of motor vehicles; and
- e) Adequate parking and garden space would remain in use by the residents of the extended property

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

### **Design**

The existing dwelling is brick facing, with white UPVC openings and tiled roof. The proposed development would also be brick facing and largely include materials which are keeping in with those found at the application property and would have pitched roofs.

The Application Form states that the bi-fold doors and windows would be grey UPVC, however, given that the proposed development would be sited on the ground floor rear elevation, it would be considered that this would not result in any unacceptable adverse harm as it would not be readily visible from the street scene.

Overall, the extension would have an acceptable design and would largely be in keeping with the requirements of Policy H8 and the Householder Development SPD.

## **Residential Amenity**

The Householder Development SPD states that extensions should not cause overshadowing, loss of outlook or loss of privacy to neighbours. It also states that a single storey rear extension located on or immediately adjacent to the party boundary with a neighbouring dwelling will normally be acceptable if it does not project more than 4m from the rear elevation of the existing dwelling.

As discussed, prior, the submitted plans were amended to ensure that the windows on the side elevations were obscurely glazed. It was discussed that these windows be removed altogether but the applicant was insistent to keep these and agreed to having these obscurely glazed. This would be acceptable and would therefore be considered to not have an unacceptable impact on privacy or residential amenity.

### **87 Oak Road**

No.87 is the adjacent, detached dwelling, situated to the West of the application site. The front and rear elevations sit in line with one another. The property benefits from a rear conservatory.

The proposed development adjacent to the boundary shared with No.87 would project 3.37m and therefore would be within the prescribed parameters outlined in the Householder Development SPD.

Given that the footprint of the proposal is roughly similar to the existing conservatory it would not be considered to cause any significant material change to amenities.

The height of the eaves would be to an acceptable height to ensure that the proposal in its form and mass would not result in any substantial harm.

Overall, the proposed development would largely be in accord with the Householder Development SPD and would not be considered to cause any significant harm to the amenities or privacy of the occupants of no.87.

### **91 Oak Road**

No.91 is the adjacent, detached dwelling, situated to the East of the application site. The front elevations sit parallel to the application property as does the rear elevation of the original dwelling of no.89, which has been extended by the conservatory.

No.91 does not feature any alterations or extensions and features two sets of patio doors on the rear elevation. From the site visit it appears the closest patio doors serve a kitchen. The gable walls of the two properties face one another at an approximate interface distance of 1.8m.

The proposed development section adjacent to the boundary shared with No.91 would have a projection of 5.06m. Given that the two properties are detached and the midpoint of the closet window is approximately 1.5m it is not considered that the proposal would be in significant breach of the 45-degree rule. However, on this occasion and the site context and basis of the proposal, it would be considered that this projection would be deemed acceptable. This is because under the conditions set out in the General Permitted Development Order legislation, larger home extensions, householders are able to build larger single storey rear extensions. Given the location of the application site, which is not situated within Article 2(3) land or in a Site of Special Scientific Interest, this limit is increased to 8 metres in the case of this

dwellinghouse (detached dwelling).

The occupants of No.91 have not submitted any objections to the proposal.

Subsequently, given the application property benefits from the potential to extend a larger single storey rear extension up to a depth of 8m, it is considered that the protection of 5.06m would be acceptable.

Furthermore, it is considered that the proposal would not result in an unacceptable loss of outlook or privacy as given the relationship between the two properties and that the existing interface distance would be retained, and the proposal would not encroach any further towards the party boundary.

Although the Local Planning Authority does not hold any record for Planning Applications or Permissions for the existing conservatory erected on site, it is significant to note that the existing structure (which largely in terms of form, scale and mass is very similar to the proposal) does not appear to cast any undue overshadowing or appear unduly dominant to No.91 and this was observed on site. There is also sufficient boundary treatment between the two properties in the form of 1.8m timber fencing. The proposal would also feature a dual pitched roof for this adjacent section and would pull away from the party boundary, which would reduce any harm from overshadowing; given that the eaves would measure at 2.25m and the factors outlined earlier it would be considered to not cause any unacceptable overshadowing or loss of outlook.

Therefore, it is considered that the proposed development would not result in unacceptable harm to the amenities or privacy of the occupants of No.91 and would therefore be acceptable.

### **Highways**

The proposed development is to be sited at the rear and would not be considered to effect on existing parking provisions. Therefore, the proposed development would not have an impact on the parking utilised by the application property or would cause any adverse impact on highway 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 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                  |
|---------------|-------------------------------|---------|-----------------------------------------|
|               |                               |         |                                         |
| 02/02/2024    | -                             | -       | LOCATION PLAN                           |
| 03/03/2024    | 89OR/EXTENSION<br>/T/02 REV A | REV B   | PROPOSED LAYOUT PLANS AND<br>ELEVATIONS |

**Signed Case Officer<sup>1</sup>:** Reece Black

**Signed Authorising  
Officer<sup>2</sup>:** K Foster

**Date:** 5 April 2024

## **Informatives**

Not applicable.

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<sup>1</sup> 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

<sup>2</sup> 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