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|-------------------------------|------------------------------------------------------------|-----------------------------|-------------|
| <b><u>APPLICATION NO:</u></b> | 24/00510/FUL                                               | <b><u>CASE OFFICER:</u></b> | Reece Black |
| <b><u>WARD:</u></b>           | Whitefield                                                 | <b><u>PARISH:</u></b>       |             |
| <b><u>LOCATION:</u></b>       | The Johnny Todd, 38 Whitefield Drive, Westvale             |                             |             |
| <b><u>PROPOSAL:</u></b>       | ERECTION OF A SINGLE STOREY REAR EXTENSION (RETROSPECTIVE) |                             |             |

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### **Site Description**

The application property is located at The Johnny Todd, 38 Whitefield Drive, Westvale and is situated within an area which is allocated as a Primarily Residential Area in the Development Plan. The unit is contained within the premises of the public house, The Johnny Todd, and operates as a convenience store ('go local extra').

The premises is situated on a corner plot and is south / south-eastern facing, orientated to front Whitefield Drive (B5192) with James Holt Avenue located to the west. The front elevation of the shopfront is situated roughly 8m from the public highway.

The site is bounded by residential properties to all directions.

The rear extension is currently erected on site, within the private rear of the retail unit and is currently faced in stainless steel cladding (RAL 7040) and features a flat roof.

### **Proposal**

The application seeks permission for the retention of a single storey rear extension.

The rear extension is largely a square footprint, excluding one chamfered section.

The extension has a depth of 6.10m and a width of 6.8m. This is served by a flat roof, which measures at a height of 2.9m at the apex of the pitch. The east facing side elevation features a door.

The application has seen amendments to the materials proposed. This includes a change of the existing stainless steel cladding to a brick slip cladding exterior.

### **Consultations**

Cadent Gas Limited – No objections, suggested Informative to be included on the Decision Notice.

### **Representations**

This application has been publicised by letters sent to 34 neighbours. No representations have been received.

## **Planning History**

**APP. NO:** 24/00320/FUL

**PROPOSAL:** INSTALLATION OF A NEW SHOP FRONT AND REPLACEMENT ROLLER SHUTTERS - (RETROSPECTIVE)

**DECISION:** GRANTED

**DECISION DATE:** 24 October 2024

## **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 application site is located within a Primarily Residential Area in the adopted Development Plan. The unit serves as a commercial use within a residential area and therefore, alterations to this established unit would be considered acceptable in principle, subject to accordance with the relevant Development Plan policies listed below.

### **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

## **SUPPLEMENTARY PLANNING DOCUMENTS**

## **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**

Core Strategy Policy CS19 (criterion a) requires development to respond to and integrate positive characteristics of immediate surroundings, including local materials, scale, mass, form, layout, alignment and density.

Saved Policy H5 in the Replacement Unitary Development Plan states that new development within the Primarily Residential Areas (or proposals for the change of use or redevelopment of existing buildings) which is for uses appropriate to a residential area will be permitted provided that the development (either by itself or in conjunction with other developments) would not:

- a) Have an unacceptable impact on the amenity of neighbouring occupiers by reason of noise, disturbance, overlooking, visual intrusion, smells, fumes, on-street parking or other causes
- b) Adversely affect the character or street scene of the area

### **Design**

The extension erected on site is currently faced in stainless steel cladding. This has been agreed to be changed to brick slip cladding instead to match the rest of the building. The proposal would be served by a glass reinforced plastic (GRP) roof and UPVC for the doors. The materials would therefore be considered acceptable, and the amendments secured improve the overall design and emulate the larger building.

The proposal is a single storey rear extension, located within a largely enclosed area and does not hold a prominent view in the street scene. Generally, flat roofs are discouraged, however, given the concealed, discrete location a flat roof would be considered acceptable.

Overall, the proposed development would be considered acceptable in design and would largely comply with CS2 and CS19, Saved Policy H5.

### **Residential Amenity**

The application site is encircled by residential dwellings, with the closest three properties situated to the east on Marnswood Walk approximately 9m away.

The extension would not be considered to cause any unacceptable harm to residential amenity given the single storey scale and distance. A 2m tall brick wall also divides the rear elevations of the properties on Marnswood Walk and the application site.

Overall, the proposed development would be considered to have an acceptable impact on residential amenity and would comply with CS2 and CS19, Saved Policy H5.

### **Highways**

The proposed development is for a single storey rear extension and would impact any current parking provision or raise any highway safety concerns.

Overall, the proposed development would be considered acceptable on highways grounds would largely accord with CS2 and CS19, Saved Policy H5.

### **Other Issues:**

#### **Biodiversity Net Gain (BNG)**

The application for the retention of the existing rear extension would not trigger BNG.

The submitted Application Form states that the development subject to the de minimis exemption (development below the threshold). The development does not impact a priority habitat and impacts less than 25 square metres (5m x 5m) of on-site habitat or 5 metres of on-site linear habitats such as hedgerows.

The extension has been erected on a sealed surface (this is evidenced by Google Earth historical aerial imagery) sealed surfaces such as tarmac or buildings are assigned a zero score in the statutory biodiversity metric, meaning that these surfaces are effectively exempted from the 10% net gain requirement.

### **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 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.

## SCHEDULE 1

| Date Received | Ref. No | Version | Drawing/Document Title       |
|---------------|---------|---------|------------------------------|
|               |         |         |                              |
| 25/09/2024    | 01      | -       | LOCATION PLAN.               |
| 06/12/2024    | 03      | REV A   | EXISTING AND PROPOSED PLANS. |

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

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

**Date:**      **9 December 2024**

## **Informatives**

1. See attached letter.

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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