

Regeneration and Economic Development Department

APPLICATION NO: 21/00570/PDE

APPLICANT: Mrs Sheryl Curran

WARD AFFECTED: Halewood North

DEVELOPMENT: ERECTION OF A SINGLE STOREY REAR EXTENSION

LOCATION OF SITE: Sunnyside Cottage, Greensbridge Lane, Tarbock Green, Knowsley, L35 1QD,

KNOWSLEY LOCAL PLAN ALLOCATION –

Green Belt

RELEVANT POLICIES

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

TECHNICAL CONSULTATIONS:

Tarbock Parish Council - No Comments Received

NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 1 neighbour. No representations have been received.

ARTICLE 35

Not required.

ISSUES AND ASSESSMENT:

SITE AND SURROUNDINGS

The property is located along Greenbridge Lane in Tarbock Green and sits adjacent to several residential dwellings located to the south of the site. The site is also surrounded by open fields to the north and east and is located within a wider area designated as Green Belt land.

The Historic Environment Record identifies that a property has been on this site since at least 1691. The 1845 OS survey indicates that Sunnyside Cottage and the adjoining property were one building at this time. The building has since been divided into a pair of semi-detached properties (Sunnyside Cottage and The Cottage) and at the time of the Tarbock Estate sale in 1926, the buildings were listed as lots 11 and 12. The applicant has also previously confirmed that before the 1900s the building was divided into two plots and both properties were extended by way of a 1.5 storey rear extension shortly afterwards. The applicant also states that in 1986, the rear extension was demolished and replaced with a new two storey extension which exists today.

PROPOSAL

The application is for the erection of a single storey rear extension to the four-bed property at Sunnyside Cottage in Knowsley. The proposal would also involve the demolition of an existing original outbuilding (currently used as a utility/W.C.) to the rear of the dwelling.

Due to the presence of the existing two storey rear extension, the rear elevation of the building is currently staggered. The proposal would therefore be 'L-shaped' as it extends 6.0m from the rear elevation of the original property and would wrap-around to the rear of the existing two storey extension

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to extend an additional 6.0m from the rear wall of this extension. The proposed development would also have a flat roof measuring 3.1m in height to the eaves and the top of the roof.

RELEVANT PLANNING HISTORY

20/00123/FUL - DEMOLITION OF EXISTING DWELLING, OUTBUILDINGS AND STRUCTURES, TOGETHER WITH THE ERECTION OF 1NO REPLACEMENT DWELLING AND RELOCATION OF VEHICULAR ENTRANCE - Withdrawn 27 October 2020.

POLICY CONSIDERATIONS

The application is made under Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The GPDO is a national grant of permission which allows certain development and changes of use to be carried out without submission of a planning application provided that the developments fall within certain parameters and meet specified conditions.

The applicant has applied for the Council's 'prior approval' to erect the extension and in accordance with the requirements of the GDPO the adjoining neighbour was consulted. No objections have been received.

APPRAISAL

Class A, Part 1 of Schedule 2 of the GPDO 2015 (as amended) permits the enlargement, improvement or other alteration of a dwellinghouse. There are several exceptions set out in section A.1 whereby development is not permitted if;

“(g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and -

(i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse...”

“(h) the enlarged part of the dwellinghouse would have more than a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres...”

“(i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres...”

“(ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);”.

In interpreting the "original dwellinghouse" the GPDO defines 'original' as *"a building as it existed on 1 July 1948 where it was built before that date, and as it was built if built after that date"*. The applicant contends the position of the original rear wall of the property and therefore, this definition is relevant.

The existing two storey rear extension to Sunneyside Cottage is not considered to be part of the "original dwellinghouse" as evidence identifies that the property has been in existence since 1691 and the extension was erected in 1986. The applicant has confirmed that the existing two storey extension replaced an original 1.5 storey rear extension (believed to have been erected before the 1900s) in its entirety. As the existing extension was built after 1 July 1948 and replaced a former original 1.5 storey extension, it cannot be considered part of the "original dwellinghouse".

Additional evidence has been submitted by the applicant during the course of the application which shows aerial photos of the property dating from 1945, 1955 and 1953, including a snippet of a historic map of the property from 1959. The images show what is believed to be the original 1.5 storey rear

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extension in situ. The images are scaled and approximate measurements of the extension are given (which have been provided by the applicant) which show that the original extension measured approximately 3.3m in length at its longest point. Based on this evidence, on balance, it is reasonable to conclude that the original extension measured approximately 3.3m in length at its longest point and for the purposes of the GPDO, it would have constituted the 'original rear wall of the dwelling' when it was in situ.

The plans submitted by the applicant as part of this application show that the existing two storey rear extension measures 4.2m at its longest point and consequently, the existing extension projects 0.9m beyond the rear wall of the original extension.

The applicant contends that the existing two storey rear extension should be considered part of the 'original dwellinghouse' for the purposes of the GPDO. This is on the basis that the extension has been erected within the footprint of the former, original 1.5 storey extension. The applicant has submitted information to support their view which includes case law. However, as discussed previously, based on the aerial pictures provided by the applicant it is considered that the existing extension projects further at the rear than the original rear extension and must be considered an existing enlargement to the property. Given that the 'original extension' has now been demolished and replaced by a modern two storey extension the LPA's view is that the rear wall of the original dwellinghouse is now formed by the remaining original rear wall of the main dwellinghouse.

In either scenario, whether the original rear wall sits 3.3m beyond the rear wall of the main dwellinghouse or it is formed by the remaining rear wall of the dwellinghouse, based on the evidence provided by the applicant the proposed rear extension is not permitted development because the cumulative length of the extension would be either 6.8m or 10.1m and it would not accord with criteria (g) (i).

Furthermore, criteria (ja) states that development is not permitted if *"any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);"*

In either scenario the current extension at the rear of the property includes a first-floor addition which lies beyond the 'original rear wall'. The proposed extension would adjoin the first floor addition and the extension as a whole would fail to comply with criteria (h) (i) which does not permit extensions of more than a single storey to extend more than 3m from the rear wall of the original dwelling.

In addition, whilst the applicant has stated in the application form and supporting document that the eaves height of the extension would be no more than 3.0m, as it would be located within 2m of the boundary of the site, the proposed plans show that the eaves height would be 3.1m, which would not comply with part (i) which allows a maximum eaves height of 3m. Consequently, it is not clear whether the proposed development would not comply with that part of the General Permitted Development Order 2015 (as amended).

It should also be highlighted that even if the existing two storey rear extension was taken to be part of the "original dwellinghouse" for the purposes of the General Permitted Development Order (as set out by the applicant) then the proposal would extend from a side wall of the original dwelling and would exceed more than half the width of the original dwelling. As such, it would not comply with part (j) (iii) which states that development is not permitted if, *"the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would... have a width greater than half the width of the original dwellinghouse"*.

CONCLUSION

It is concluded that the proposal would not comply with Class A of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Accordingly, it is recommended that Prior Approval is refused.

RECOMMENDATION:

That Planning Permission be refused for the following reason(s):-

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- 1) The proposal would not comply with Schedule 2, Part 1, Class A (g), (h), (i) and (ja) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Informatives

Chloe Roberts

17 August 2021

Alan Kilroe

17 August 2021

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