

Regeneration and Economic Development Department

APPLICATION NO: 22/00439/FUL

APPLICANTS: Mrs Reddington

WARD AFFECTED: Prescott North

DEVELOPMENT: ERECTION OF A TWO STOREY SIDE EXTENSION AND A SINGLE STOREY REAR EXTENSION

LOCATION OF SITE: 12 Fletcher Avenue, Prescott, L36 6LN

KNOWSLEY LOCAL PLAN ALLOCATION:

Primarily Residential Area

RELEVANT POLICIES:

Knowsley Local Plan Core Strategy (2016):

- CS2 - Development Principles
- CS19 - Design Quality and Accessibility in New Development

Knowsley Replacement Unitary Development Plan (2006):

- H5 - Development within Primarily Residential Areas
- H8 - Extensions and Alterations to Residential Properties

TECHNICAL CONSULTATIONS:

None.

NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 5 neighbours. One letter of objection has been received. The objection raises the following:

- Negative impact on the amenity of my property.
- Privacy issues with the existing landing window. The second storey extension brings the rear window nearer to the property and overlooks the garden.
- Second storey extension will block light and limit light through the landing window.
- The front of the extension commences on a shared drive. Concerns are raised over foundation placement and necessary repair of the drive.
- Insufficient room on the drive meaning owners of no 12 will trespass on neighbour's drive.
- Side walkway is narrow, and concerns are raised over damage to the boundary wall and fence.
- Measurements from the house to the boundary fence needs to be remeasured.

These issues will be considered throughout this officer's report. However, issues relating to property boundaries and damage are not planning issues and would be dealt with under separate legislative procedures. Furthermore, during the site visit measurements were taken to ensure accuracy and were consistent with the plans as submitted.

ARTICLE 35

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.

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ISSUES AND ASSESSMENT:

PROPOSAL

The host property is semi-detached dwelling located in a modern housing estate. The proposed development relates to the construction of a two-storey side extension together with the demolition of an existing conservatory and erection of a single storey rear extension located at the property no. 12 Fletcher Avenue.

The proposed side extension would provide a utility area and together with the single storey rear extension would provide an open plan kitchen and dining room. To the first floor the extension would provide a 4th bedroom.

RELEVANT PLANNING HISTORY

A number of planning applications have been submitted and approved relating to the construction of the wider housing estate. No application history associated with the host property have been submitted.

POLICY CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires development proposals to be determined in accordance with the Development Plan unless material considerations indicate otherwise. Policies relevant to the development proposal consist of the following policies and guidance:

Knowsley Core Strategy (2016)

- Policy CS2: Design principles; and
- Policy CS19: Design quality and accessibility in new development.

Knowsley Replacement Unitary Development Plan (2006)

- Policy H5: Development within Primarily Residential Areas; and
- Policy H8: Extensions and alterations to residential properties.

Other material considerations:

- National Planning Policy Framework (the "Framework") (2021); and
- Planning Practice Guidance (PPG);
- Ensuring a Choice for Travel Supplementary Planning Document (SPD) (2010; and
- Householder Development Supplementary Planning Document (SPD) (2016).

The proposed development is identified as land located within a Primarily Residential Area in the adopted Development Plan and a domestic extension is therefore considered to be acceptable in principle, subject to compliance with local planning policy and guidance listed above.

Regarding the adopted Development Plan policies, the proposed application complies with 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.

DESIGN

The existing dwelling is brick facing to principal, side and rear elevations. It has white uPVC windows and doors with a tiled gabled roof.

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The two-storey side extension would be set back by 3.03m from the principal elevation and would avoid causing a terracing effect in the street scene. The side extension would extend 1.85m in width and span a depth of 5.76m sitting parallel to the existing rear elevation of the original dwelling house. Windows would be located at both ground floor and first floor level at the principal elevation whilst the rear elevation would include 1 double door to the ground floor and 1 window to the first floor.

The proposed two storey side extension would include a gable roof and is considered in keeping with the host dwelling. It would measure 5.01m at the eaves and 6.94m at its highest point and sit .68m below the existing ridge line of the property.

As such, it is considered the two storey side extension is acceptable in terms of design and use of materials to match as it would appear subservient to the host dwelling.

The rear extension would be brick facing and include bi-folding doors to its rear elevation. It would span a width of 3.29m and project a depth of 3.2m and measures the same dimensions as the existing conservatory which is to be demolished. The pitched roof would measure 2.37m at the eaves and 3.59m at its highest point and includes provision for 2 Velux windows.

The proposed development would be brick facing and include tiles and uPVC windows and doors to match the existing property features found at the host property. As such, the proposed works would be faced in materials which match the existing property and are considered acceptable in terms of character with the existing property in terms of its visual appearance and use of materials to match. It is not considered that the proposed development would result in an incongruous addition to the property. The development is therefore considered in keeping with the host property and would ensure the character of the wider street scene is maintained.

RESIDENTIAL AMENITY

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 avoid the creation of a terracing effect. It further states that single storey rear extensions will be acceptable if it does not project more than 4m from the rear elevation or in a situation where the application property has a rear elevation which is set further back from the rear elevation of a neighbouring dwelling will only be permitted where it does not breach the 45-degree rule. In addition, it states that windows should be restricted to rear elevations to avoid overlooking neighbouring gardens and dwellings.

No. 14 Fletcher Avenue

No. 14 is the adjoining property and has been previously extended in the form of a single storey rear conservatory. The proposed two storey extension would not affect the residential amenity of this property due to its location at the side of the host dwelling. The single storey rear extension would measure the same footprint as the existing single storey conservatory. As originally submitted, the application sought provision for windows located at each side elevation. The conservatory at no.14 does not include obscured glazing to its side elevation. In order to preserve the residential amenity of no.14 and no.10 the Local Planning Authority has worked positively with the applicant and recommended the removal of the windows located at the side elevations and revised plans have been submitted to this effect. This amendment ensures the residential amenity of neighbouring occupiers will be maintained.

As a result of the changes made it is not considered that adverse effects to residential amenity would occur in relation to this property.

No. 10 Fletcher Avenue

The owner of no.10 have raised a number of concerns regarding the proposed development. In summary, these relate to the following:

- Loss of light

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- Impact to residential amenity and privacy due to overlooking
- Impact on highway safety due to insufficient room on drive and therefore trespass on the drive when existing cars.
- Concern over damage to boundary wall and fence.

Built form

The two storey side extension would extend 1.8m in width and provide a separation distance of .5m to the property boundary. No 12 is set back from the neighbouring property at no.10. No.10 has a single obscured glazed door located at the nearside of the property and a window at ground floor level. Neither the two storey side extension or single storey rear extension would breach the 45 degree rule.

The built form of the proposed development is considered to be of an acceptable scale and would be subservient in relation to the host property and is therefore considered appropriate.

Privacy

Privacy concerns are raised regarding the existing landing window and the proposed window located at first floor of the two-storey side extension which would overlook the neighbouring garden. Whilst the objector raises concerns regarding the existing landing window, there would be no privacy concerns as a result of the new development as it would be facing a blank gable wall which contains no window to the side elevation.

With regards to the proposed rear window at first floor, the Householder Development SPD states that "side extensions should be designed to avoid causing direct overlooking or loss of light to main habitable rooms in neighbouring dwellings". Due to no.12 being set back from the public highway the rear elevation would sit around 2.4m beyond the rear elevation of no.10. However, whilst the side extension would be located closer to the property boundary it would measure .98m from the existing rear window located at the first floor at its nearest point. It would not overlook into any habitable rooms and is not considered that the views provided would materially alter the perception and views which can already be observed from the existing first floor window.

Loss of light

The objection raises concern that the second storey extension will block garden light and limit light through the landing window. The landing window is not a habitable room, and the proposed works are in accordance with the Householder Development SPD as referred to above.

Both properties contain north facing gardens and therefore do not enjoy the same amount of sunlight than a south facing property would have. Taking into consideration the movement of the sun from east to west, whilst there will be a certain degree of overshadowing in the evening due to the direction of the sun path, the extension would sit lower than the existing roof line and is set back by more than 3m from the principal elevation. As such, it would not be significantly worse than what is already experienced in relation to the existing properties.

It is not considered that the proposed development would lead to a significant loss of light which would be over-dominate in relation to neighbouring property at no 10.

Impact to highway safety

The objector raises concern that there is insufficient room on the drive and that trespassing will occur when existing vehicles and that the extension will cause problems with parking.

Boundary issues are not a matter for the Local Planning Authority and are covered under separate legislation. Notwithstanding this, the Local Planning Authority are concerned in relation to parking provision on site and this is discussed below.

Conclusion on residential amenity

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Overall, whilst objections have been raised by neighbouring occupiers, these concerns are not considered to be materially different than what is currently experienced by the property owners at no.12 and would not be sufficient to warrant a refusal given that the proposed extensions are of an appropriate scale, design and appearance in relation to the existing property, are in keeping with the site and its immediate surroundings.

HIGHWAYS

The host property is currently a 3-bedroom semi-detached property and provides parking provision which can accommodate two car parking spaces in a linear arrangement. Due to the 3.03m set back the side extension would not materially alter the level of parking which can already be achieved on site. However, the Ensuring a Choice for Travel SPD recommends that 4-bedroom properties should provide a maximum of 3 car parking spaces within the curtilage of the property boundary.

Through ongoing discussions with the Local Planning Authority, the applicant has confirmed their intention to hardscape the existing garden to allow for increased parking provision. The applicant has since submitted a car parking layout in support of this. The parking arrangement measures roughly 7.4m width by 7.4m – 10.6m length and whilst marginally smaller than the Local Planning Authority's standards for a typical 3 car bay in front of the property, it is considered that this change would allow an additional car parking provision for 3 cars with space to exit vehicles. However, to ensure adequate parking remains within the curtilage of the property a condition should be imposed to ensure this.

Accordingly, the proposed development would not have an adverse impact on highways.

OTHER ISSUES

None.

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) Notwithstanding the proposed car parking layout Dwg No 101 submitted, no part of the development hereby permitted shall be brought into use until an area of

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hardstanding in addition to that already existing within the property has been laid out in accordance with details which have previously been submitted to and approved by the Local Planning Authority. The hardstanding shall be laid out such that 3 car parking spaces can be located within the curtilage of the property boundary and the dropped kerb shall be extended in accordance with the specification of the Local Planning Authority. The additional car parking area shall be made of porous materials, or provision shall be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house. The agreed area shall be retained as such at all times thereafter.

Reason: To ensure that adequate off-street parking is available in accordance with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved policy H8 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
02.08.2022	LOCPLAN		SITE PLAN/LOCATION PLAN
09.09.2022	1002/22	Rev A	EXISTING AND PROPOSED PLANS AND ELEVATIONS
12.09.2022	101		CAR PARKING ARRANGEMENT
02.08.2022	1003/22		SECTION/SPECIFICATION

J Fleming
12.09.2022

Alan Kilroe
14 September 2022

COAL INFORMATIVE

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

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www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

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