

<u>APPLICATION NO:</u>	23/01879/FUL	<u>CASE OFFICER:</u>	Andrew Hunt
<u>WARD:</u>	Roby	<u>PARISH:</u>	NA
<u>LOCATION:</u>	6 Sandfield, Roby, Knowsley, L36 9XR		
<u>PROPOSAL:</u>	ERECTION OF FIRST FLOOR SIDE EXTENSION		

Site Description

The application site is a Semi - Detached house in a residential area. The site is bounded by a railway to the north and by other residential properties to the west, south and east. It is situated at the end of a close (Sandfield) which is off the B5199 (Archway Road).

Proposal

The proposal is for the erection of a first floor side extension. This would go above the existing ground floor side extension (approved in 2015).

Consultations

Network Rail – No objection subject to a condition to secure details of scaffolding.

Representations

This application has been publicised by letters sent to nearby neighbours. 2 letters of objection have been received which was submitted on behalf of two individuals. The objection raises the following main points:

- The site is already over developed, this proposal will turn it into a concrete jungle
- We are already overlooked at the rear of the property and if this extension is agreed we will be completely hemmed in and overlooked
- Cars owned by the residents and belonging to people who visit the applicants block up the close even though they can fit 4 cars on their drive
- The applicant may be setting up a car repair business
- Network Rail have already given the applicant the go ahead to erect scaffolding without them having planning permission
- The new dwelling would not be acceptable in terms of visual or residential aesthetics
- The site will be a concrete jungle as all grass and plants have been removed from the front and rear gardens
- There are existing parking problems with several cars parked.
- There is anti social behaviour.
- There is a large outbuilding at the site which affects our amenity.
- There is a mirror installed at the site which affects our privacy.

- Fences have been erected near to the railway embankment and an aerial.
- We have existing noise problems, the extra room would increase noise.
- There are existing boundary issues with the neighbour.
- Concerned about impact on the structure of the railway.
- The extension would allow anti- social behaviour on the railway due to its greater height – people would be able to jump across
- We have not been notified of any planning application and neighbours at Ashdale have also not been notified.
- Somebody has been out to measure the applicant's shed for solar panels and expressed shock that "he got away with it"
- The Council should remeasure the shed
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Planning History

An application for demolition of existing garage and erection of a single storey side extension was approved (15/00074/FUL – approved 8/4/2015).

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.

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)

H8 - Extensions and Alterations to Residential Properties

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

Street Scene

Saved Policy H8 In the UDP and Policy CS19 in the Core Strategy require new developments to be sympathetic to their surroundings and to not result in a disproportionate addition to the dwelling. The Householder Developments SPD provides further, more detailed guidance on particular types of extension.

The proposed extension would be sited above an existing single storey side extension and would not represent a disproportionate addition to the dwelling, furthermore the proportions of windows and the pitch of the roof matches the existing dwelling meaning that it has an acceptable appearance. There is no dwelling adjacent to where the extension is proposed so even though the extension would be on the same plane as the existing dwelling there would be no terracing effect.

Objections have been received about the extension representing an over development of the site and the creation of a “concrete jungle” but as set out above the proposed extension would not detract from the character and appearance of the dwelling or its surroundings.

Therefore, the proposal is in accordance with policies H8 and CS19.

Neighbour Amenity

Saved Policy H8 In the UDP and Policy CS19 in the Core Strategy require new developments to respect the amenity of neighbouring residents.

In relation to 5 Sandfield. The extension would take place on the opposite side away from 5 and would not impact on their amenity from loss of light or outlook, the addition of an additional first floor window to the rear (that would serve an ensuite bathroom) would not have an unacceptable impact on privacy given that there are already 2 first floor windows closer to the boundary. In terms of noise, the extension would not result in any greater noise impacts than at present as it would be further away from 5 than the existing bedrooms (which both adjoin no 5).

An objection has been received which says that the extension, when combined with other developments at the property, would have an unacceptable impact on amenity

because it would create a concrete jungle. Given the juxtaposition of the extension relative to neighbouring properties it is not considered that it would cause unacceptable harm in this regard.

The extension would also not materially affect other properties as no other properties are close to the extension and therefore the proposal complies with Policies H8 and CS19.

Highway Safety

NPPF para 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposal would increase the number of bedrooms from 2 to 3. However, there are currently at least 4 parking spaces at the site and this would not change. This exceeds the 2 spaces required by the council guidelines for a 3 bedroom property. Therefore, sufficient parking is provided within the site and the application complies with NPPF para 111 and Policies H8 and CS19.

Rail Network

In relation to the impacts on the structure of the railway. The council has consulted Network Rail who have no objection provided that details of scaffolding are approved by them prior to works starting. To address this a condition is proposed to require scaffolding details to be submitted. Provided this condition is attached, there will be no harmful impacts on the rail network.

In relation to the extension potentially giving access to the railway, there is a gap of around 3 metres between the extension and the railway embankment wall. This will mean that the extension will not allow easy access to the railway. It would be easier to access the railway via the green fenced area instead.

Other Considerations

In relation to other building works at the property, these cannot be taken into account in the current application(except when assessing cumulative impacts). Only the first floor extension and its impacts can be considered as part of the current application. Nevertheless, the council has raised issues in relation to the mirror separately with Network Rail outside the application process. Planning Enforcement are aware of the residents concerns about the outbuildings and allegations that a business may be being run from the neighbouring property. This is a separate matter to this application. In relation to boundary issues and anti-social behaviour by residents this would not be material planning considerations that could be taken into account.

In relation to neighbour notification. Our records indicate that letters of notification were sent to 12 properties, including 5 Sandfield, number 4 Sandfield and numbers 1, 3,5,7,9, 11, 15,17,19,21 Ashdale, This is in accordance with planning legislation and the Council's adopted Scheme of Community Involvement.

Conclusion

The proposal would be acceptable in relation to Street scene, Neighbour amenity and highway safety. The application complies with local planning policies and is recommended for approval.

Recommendation

That planning permission be granted subject to the following conditions.

- 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 following approved plans and documents :-

- a. Proposed Plans and Elevations - 002 - (received 18/07/2023).
- b. Site Plan – 04 - (received 21/08/2023).
- c. Location Plan - (received 21/08/2023).

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 Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006.

- 4) No development shall commence until scaffolding details have been submitted to and approved by, the local planning authority. The scaffolding shall be erected in accordance with the approved details for the duration of the building works.

Reason: In order to avoid impacts from scaffolding on the nearby railway.

Signed Case Officer¹:

Andrew Hunt

**Signed Authorising
Officer²:**

Alan Kilroe

Date:

7 December 2023

Informatives

N/A

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