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| <b><u>APPLICATION NO:</u></b> | 22/00753/FUL                                                                                                                        | <b><u>CASE OFFICER:</u></b> | John Fleming          |
| <b><u>WARD:</u></b>           | Halewood South                                                                                                                      | <b><u>PARISH:</u></b>       | Halewood Town Council |
| <b><u>LOCATION:</u></b>       | 93 Higher Road, Halewood, Knowsley, L26 1TB                                                                                         |                             |                       |
| <b><u>PROPOSAL:</u></b>       | DEMOLITION OF EXISTING KITCHEN AND ERECTION OF FRONT, SIDE AND REAR EXTENSION TOGETHER WITH DISABLED ACCESS RAMPS TO FRONT AND REAR |                             |                       |

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### **Site Description**

The application property is a semi-detached dwelling located at 93 Higher Road.

The application property is largely finished in a cream render across the front, side and rear elevations with a small brick facing finish found below the front window of the original dwelling house.

The doors and openings are white UPVC.

The application property benefits from a garage located at the side together with kitchen extension located at the rear. The property accommodates a hip roof with front facing gable and a pitched roof located above the existing garage.

The application property is contained by a dwarf sandstone wall with access taken directly off Higher Road where a large area of hardstanding is located providing parking facilities for multiple vehicles.

Adjacent to the property is a detached bungalow which contains a number of side facing windows facing the side elevation of the application property.

### **Proposal**

As originally submitted, the planning application sought permission for a two-storey side extension and single storey extension to the rear for use of registered disabled persons and care staff.

The application proposals have been substantially altered since their initial submission and now consist of a single storey front, side and rear extension together with disabled access ramps at the front and rear. The disabled access ramps are not subject to this application and will be undertaken via permitted development and they only include slight changes to the ground floor level and would be within the tolerance of a raised platform set by the General Permitted Development Order 2015.

The revised proposals form the basis of consideration in this report.

Following the demolition of the existing garage, the proposed front extension would project 1.2m from the existing front elevation and span a width of 5.2m connecting to the existing bay window. The extension would then turn and span a depth of 14.6m consisting of 3 steps due to the orientation of the common law boundary with no. 95 Higher Road.

The rear aspect would then turn and span a total a width of 7.6m consisting of a stepped rear aspect.

The front and side extension would accommodate a hip roof with tiles to match existing measuring 2.3m at the eaves and 3.7m at its highest point. The rear aspect would include a flat roof extension incorporating 2no. roof lanterns measuring 2.6m at the eaves and attaining 3.3m at their highest point.

The proposals would provide 2 downstairs bedrooms to assist with the needs of the current occupants together with a jack and jill shower room and open plan kitchen and dining room.

### **Consultations**

None.

### **Representations**

This application has been publicised by letters sent to 6 neighbours. No representations have been received.

### **Planning History**

No application 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.

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

The site is located within a Primarily Residential Area. As such, an alteration 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.

### **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**

#### **Design**

The Householder Development SPD states that single storey side extensions should be designed so that they preserve the street scene, protect light and privacy of neighbours as well as provide sufficient parking spaces.

Following the demolition of the existing garage, the proposed development would appear largely similar in scale to that which is currently in situ with exception of the proposed porch which connects to the existing bay window. This is considered a minor development and there are examples of similar scale extensions (i.e., no. 87 Higher Road) located within the street scene.

The proposed extension will be served by a pitch roof which will help to assimilate it within the wider context of the street scene.

The SPD states that side windows serving main habitable rooms are rarely acceptable where they would overlook an adjoining dwelling. The existing property currently

benefits from 3 windows located in its side elevation one of which is a habitable room. As such, there would be no difference to the existing situation and is therefore acceptable in terms of design, but regard must be given to residential amenity which is set out below.

The SPD further states that rear extensions should be designed to avoid causing overshadowing, loss of outlook/privacy to neighbours or appear unduly dominant.

The single storey rear extension accommodates a stepped rear aspect. It accommodates a flat roof with 2no. roof lanterns. Whilst a pitch roof would have been preferred, the roof lantern and glazed rear elevation provides a contemporary aesthetic which is acceptable in terms of design. In addition, the flat roof would not be visible from the public highway and would therefore not adversely affect the character of the street scene and is therefore considered acceptable in terms of design.

The proposed development would be faced in materials to match the existing property. Overall, the proposal is acceptable with regards to design.

### Trees

As originally submitted the application was not supported by a Tree Survey. It was noted during the site visit that a mature tree is located within the private amenity space of no. 97 within close proximity of the proposed development. However, during the course of the application the neighbouring property owners have felled this tree removing the requirement to undertake a Tree Survey.

### Residential Amenity

#### *No. 95 Higher Lane*

No. 95 is a detached bungalow with a number of windows located in its side elevation facing the application property.

The existing floor layout of the application property comprises 5no. windows in the side elevation of the property facing no. 95 consisting of 2no. windows serving the garage, 1no. window serving the open plan living area and 2no. windows serving the kitchen. The proposed side extension would bring the application property .7m closer at its front elevation to the side elevation of no. 95. However, the side extension would be 2m closer to the property boundary at the rear bedroom which accommodates a small window. Whilst the extension would bring the rear bedroom 2m closer to the property boundary the window is notably smaller than the existing and its use as a bedroom would be limited in comparison to the current use of the main lounge. In addition, new fencing is proposed at a height of 2m from the front elevation to the proposed rear extension which will largely screen the development.

The rear aspect closest to the common law boundary would measure 6m in depth from the existing rear elevation. However, it would be largely obscured by the existing outbuilding located in no. 95's rear garden. As such, it is not considered that the proposed development would adversely affect residential amenity of existing or future occupiers in relation to this property.

#### *No. 97 Higher Lane*

No. 97 is the adjoining property. It has been extended in the form of a single storey side and part rear extension located at the far side of the dwelling house. The

Householder Development SPD states that rear extensions up to 4m will generally be considered acceptable. Development beyond 4m will only be acceptable if it does not breach the 45-degree rule.

As originally submitted, the application proposals would have breached the 45-degree rule. The Local Planning Authority has worked positively with the applicant to reduce impacts to neighbours amenity.

The rear extension is of a stepped design and measures 4m in depth closest with the common law boundary with no. 97, it would then span 3.3m in width away from the common law boundary before turning and increasing the depth to 6m. As such, the development would be in compliance with the 4m depth at the common law boundary and would not breach the 45-degree rule in respect of the 6m aspect.

The applicant revised the glazed openings which includes a bifold located at the side elevation. Whilst the Local Planning Authority would have preferred a wall as opposed to a glazed frontage facing no. 97 it is set back significantly together with a new 2m fence at the common law boundary would prevent any overlooking between the private amenity spaces of this property.

As such, no adverse impacts to residential amenity would occur as a result of the proposed development.

No other properties would be affected.

### **Highways**

The existing parking arrangements at the application property allow for 3no parking spaces within the curtilage of the property boundary in accordance with the guidance set out in Ensuring a Choice for Travel SPD in relation to the number of bedrooms proposed. As such, the proposed development would not lead to any adverse impact to highways 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 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.

#### **SCHEDULE 1**

| <b>Date Received</b> | <b>Ref. No</b> | <b>Version</b> | <b>Drawing/Document Title</b>                |
|----------------------|----------------|----------------|----------------------------------------------|
| <b>11.05.2023</b>    | <b>9</b>       | <b>B</b>       | <b>LOCATION PLAN AND PROPOSED BLOCK PLAN</b> |
| <b>11.05.2023</b>    | <b>3</b>       | <b>A</b>       | <b>PROPOSED GROUND FLOOR PLAN</b>            |
| <b>11.05.2023</b>    | <b>4</b>       | <b>A</b>       | <b>PROPOSED FIRST FLOOR PLAN</b>             |
| <b>11.05.2023</b>    | <b>6</b>       | <b>A</b>       | <b>PROPOSED ELEVATIONS</b>                   |

**Signed Case Officer<sup>1</sup>:**     **John Fleming**

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

**Date:**                                 **17 May 2023**

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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.

## **Appendix 1 – Site Photographs**



