

<u>APPLICATION NO:</u>	23/00021/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	Whiston & Cronton	<u>PARISH:</u>	Whiston Town Council
<u>LOCATION:</u>	17 Aspen Close, Whiston, Knowsley, L35 1AB		
<u>PROPOSAL:</u>	ERECTION OF A SINGLE STOREY REAR EXTENSION		

Site Description

The application site is a detached house located on a new build housing estate.

It is brick facing with white UPVC windows openings. It accommodates a front facing gable roof which grey tiles. The property has access to a detached garage located at the side of the application property. Parking space is provided in a linear fashion on hardstanding sufficient to accommodate at least 2 vehicles in addition to the garage taking the number of parking spaces available to 3.

The rear garden is bounded by close boarded fencing at the rear. The garage associated with the application property and that of the neighbouring property enclose the garden on both boundaries respectively before connecting to close boarded fencing which form the residual common law boundaries located at the rear beyond which is mature protected trees.

Proposal

The application proposals seek permission for the erection of a single storey rear extension. It measures 4.2m in width and 3.6m in depth. It would accommodate a combination French door and window arrangement at its rear elevation.

It would accommodate a gable roof measuring 2.5m at the eaves and 3.6m at its highest point and would include 2no. Velux windows.

The proposal would provide an extended dining room.

Consultations

Tree Officer – No objection to the proposed development. Tree reports should be made approved documents.

Representations

This application has been publicised by letters sent to 5 neighbours and displayed by site notice. One representation in support of the proposed development has been submitted.

Planning History

A number of planning applications have been submitted in respect of the construction of the wider housing estate including:

- 05/00228/ful: engineering works to improve drainage. granted 3rd may 2005.
- 74/11400/hist – proposed erection of supermarket and ancillary service shopping and construction of new access. refused 10th may 1989.
- 18/00283/hyb – hybrid application comprising full application for erection of 123no. dwellings, construction of vehicular/pedestrian accesses, laying out of public open space and associated works; outline application for erection of up to 237 no. dwellings car park and associated works (access into site to be considered – all other matters reserved for future approval). granted 17th march 2021.
- 18/00283/nma - 18/00283/nma | non-material amendment following grant of planning permission 18/00283/hyb to allow for amendment to approved plans relating to plot house types comprising; plot 1 amended from shirley to langley, plot 2 amended from langley to wyatt, plot 3 amended from brook to lawrence, plots 5 and 28 amended from brook to burns, plots 33 and 34 amended from milton to makenzie, plots 18, 32 and 37 amended from lyttleton to lawrence. non-material amendment to vary materials together with the addition of half rendered house type versions from plots 38 onwards. granted 27th September 2022
- 18/00283/nma1 - nonmaterial amendment to planning permission 18/00283/hyb to vary the approved materials layout plan. application withdrawn.
- 18/00283/nma2 - non-material amendment to permission 18/00283/hyb to amend the location of plots 64 and 65. granted 27th September 2022.

No applications in respect of the application property has been submitted.

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

SUE1 – Sustainable Urban Extensions and Safeguarded Land

SUE2 – Sustainable Urban Extensions – Development Principles

SUE2C – Sustainable Urban Extension – South of Whiston and Land south of M62.

Unitary Development Plan – Saved Policies

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.

The site is identified as land located within a Sustainable Urban Extension (SUE) for residential development. As such, the extension of an 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 H8 of the Unitary Development Plan (2006).

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; 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 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

Design

The Householder Development SPD forms a material consideration for the purposes of determining this planning application. It advises that rear extensions should be designed to avoid causing overshadowing, loss of outlook or loss of privacy to neighbours. The proposed development would not result in overshadowing or loss of outlook as its siting would be influenced by the adjacent detached outbuildings.

The extension would be faced in materials to match that of the application property and is therefore in keeping with its design aesthetic. The extension is of an appropriate scale to the application property and would not appear incongruous within the wider street scene due to its location at the rear of the dwelling house.

As such, the development proposal is acceptable in terms of design.

Trees

The Trees and Development SPD advises that a tree survey should be submitted alongside applications that contain trees within 15 of a site boundary and where trees are protected by Tree Preservation Order (TPO).

The mature trees located beyond the rear boundary form part of a group of trees which benefit from a TPO. The Local Planning Authority advised that a Tree Report, Impact Assessment and Method Statement would be required to ensure trees are protected. The applicant provided these details during the course of this application and these have been accepted by the Council's Tree Officer subject to them being made approved documents and subject to condition.

Accordingly, the proposed development would not adversely affect protected trees.

Residential Amenity

No. 15 and 19 Aspen Close

No. 15 and No. 19 are two detached properties located either side of the application property. The Householder Development SPD states that development up to 4m in depth will generally be considered acceptable. The proposed development spans a depth of 3.6m and would be within the tolerance threshold set by the SPD. Notwithstanding this, the proposed development would be largely obscured by the existing outbuildings and timber fencing which form the common law boundaries to these properties. Accordingly, it is not considered that the proposed development will cause adverse effects to residential amenity to either of these properties.

No other properties would be affected.

Highways

No adverse issues to highway safety would occur as a result of the proposed development.

Conclusion

The proposal would be acceptable in terms of design, residential amenity and highways (subject to condition attached). 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) Five working days written notice shall be given to the Arboricultural Officer before commencement of the works hereby granted.

Reason: For the avoidance of doubt and to comply with the application.

SCHEDULE

Date Received	Ref. No	Version	Drawing/Document Title
22.02.2023	P1366MAP1		LOCATION PLAN
22.02.2023	P13663MAP2		PROPOSED BLOCK PLAN
22.02.2023	P13663-2		PROPOSED ELEVATIONS, FLOOR PLAN & SITE PLAN
27.04.2023	AIA.13640.01		ARBORICULTURAL IMPACT ASSESSMENT AND METHOD STATEMENT

Signed Case Officer¹: John Fleming

Signed Authorising Officer²: K Foster

Date: 2 May 2023

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.

INFORMATIVE

COAL

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024

Appendix 1 – Site Photographs



