

<u>APPLICATION NO:</u>	24/00056/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Halewood South	<u>PARISH:</u>	Halewood Town Council
<u>LOCATION:</u>	26 Tavington Road, Halewood, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF SINGLE STOREY REAR EXTENSION		

Site Description

The application site is located at 26 Tavington Road, Halewood and is situated in an area which is allocated as a Primarily Residential Area in the Development Plan. The application property is a detached dwelling and is brick facing on its front, side, and rear elevations together with white UPVC openings and black, flat, interlocking roof tiles.

The front area comprises of a grassed section and hardstanding, and a built-in garage in the front elevation. The property sits in a uniform building line and the front elevation is North-West facing. The property is situated within a modern built housing estate. The existing rear elevation features a modest canopy roof together with patio doors; the current rear garden spans a depth of approximately 10.5m.

Proposal

The application seeks permission for the erection of a single storey rear extension.

The proposed development would project 3.5m and have a width of 3.93m. This would be served by a dual-pitched roof, which would measure at 2.25m at the eaves and 3.38m at its highest point. This would feature bi-fold doors on the rear elevation and two rooflights.

Consultations

Halewood Town Council - No Comments Received.

Representations

This application has been publicised by letters sent to 6 neighbours.

There have been 1 letters of objection, 0 letters of support and 0 letters of comment. The representations are summarised as follows:-

28 Tavington Road – Loss of Light.

- The measurements of the proposed structure will negatively impact the light in my living room. The part of the window that is covered by the shadow makes the room extremely dark from midday.

Knowsley Council
Regeneration and Economic Development Directorate.
Delegated Planning Report

- Reference was made to 6.23 of the Householder Development SPD in regard to the 45-degree rule.
- Point 7.4 was referenced also.
- The extension is considered to not comply with the local planning guidelines and should be rejected or amended to ensure the 45-degree rule is not broken.

Planning History

No relevant recorded planning 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.

The site is identified as a site allocated for housing development in the adopted Unitary Development Plan. As such, a domestic extension 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.

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)**

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.

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

Saved Policy H8 in the Replacement Unitary Development Plan states that proposals for extensions to dwellings will be permitted provided that:

- a) The proposals would not (due to their scale and massing) result in a disproportionate addition to the original dwelling
- b) The design and materials used would reflect those used on the original dwelling
- c) The proposal would not adversely affect the amenity or privacy of occupiers of adjacent dwellings
- d) The proposal would not create potential hazards for highway users by obstructing visibility for pedestrians or drivers of motor vehicles; and
- e) Adequate parking and garden space would remain in use by the residents of the extended property

The Householder Development SPD states that single storey rear extensions should be designed to avoid causing overshadowing, loss of outlook or loss of privacy to the neighbours, or appear unduly dominant to neighbours.

Design

The existing dwelling is brick facing, with white UPVC openings and tiled roof. The proposed development would also be brick facing and largely include materials which are keeping in with those found at the application property and would have a pitched roof.

Therefore, the extension would have an acceptable design and would be in keeping with the requirements of Policy H8 and the Householder Development SPD.

Residential Amenity

The Householder Development SPD states that extensions should not cause overshadowing, loss of outlook or loss of privacy to neighbours. It also states that a single storey rear extension located on or immediately adjacent to the party boundary with a neighbouring dwelling will normally be acceptable if it does not project more than 4m from the rear elevation of the existing dwelling.

24 Tavington Road

No.24 is located to the South-West of the application site and the property is a detached dwellinghouse. The front and rear elevations of no.24 sit parallel to the application property.

The proposal would not surpass the 4m parameter outlined in the Householder Development SPD.

The proposed development would also be situated approximately 0.95m away from the party boundary between no.24 and the application property.

There is also sufficient party boundary treatment between the rear gardens of No.24 and the application site in the form of 1.8m timber fencing.

Overall, it is considered that the proposed development would be in accord with the Householder Development SPD and would not be considered to cause any detrimental harm to the amenities or privacy on the occupants of no.24.

28 Tavington Road

No.28 is located to the North-East of the application site and the property is a detached dwellinghouse. The front and rear elevations of no.28 sit parallel to the application property.

The proposal would not surpass the 4m parameter outlined in the Householder Development SPD.

The proposed development would also be situated approximately 1m away from the party boundary between no.28 and the application property.

There is also sufficient party boundary treatment between the rear gardens of No.28 and the application site in the form of 1.8m timber fencing.

No.28 has objected to the application in its current form which can be summarised as a loss of light as well as the assertion it contravenes with referenced policies from the Householder Development SPD. The more detailed reasons for objection are addressed in the representation section of this report.

It is not considered that the measurements of the proposed structure would negatively impact the light in the living room of no.28 to an unacceptable degree. The proposal is less than the 4m projection by 0.5m and potentially could have extended further. Furthermore, the proposal is not considered to breach the 45-degree rule. (see illustration below.)



This line was taken from the centre point of the rear patio doors at no.28, which is the closest habitable room to the proposed development. As shown, it would not be considered that the proposal would breach the 45-degree rule.

The objection made reference to the 3m parameter and asserted this was in breach of that guidance. However, the guidance stipulates that 4m is the prescribed projection for single storey rear extensions and states this will normally be permitted. The 3m projection parameter follows immediately after discussing two-storey rear extensions and therefore, applies to these types of extensions; the 3m parameter is not a consideration for single storey rear extensions.

Overall, the proposed development would not be considered to contravene with the relevant guidance of the Householder Development SPD.

Given the two rear elevations of these properties sit parallel, that the proposal was less than the prescribed 4m projection, would not breach the 45-degree rule, would be set in from the party boundary by 1m, that the proposal would not cause any unacceptable impact on the amenities of no.28. furthermore, the eaves would measure at a height of 2.25m and would only project approximately 0.45m above the boundary treatment, given that the roof would be a dual-pitched roof and would pull away from the party boundary, it would not be considered to result in any undue overshadowing or obstruction.

Overall, it is considered that the proposed development would be in accord with the Householder Development SPD and would not be considered to cause any detrimental harm to the amenities or privacy on the occupants of no.28.

Highways

The proposed development is to be sited at the rear and would not be considered to effect on existing parking provisions as the number of bedrooms would not be changed. Therefore, the proposed development would not have an impact on the parking utilised by the application property or would cause any adverse impact on highway 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 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

Date Received	Ref. No	Version	Drawing/Document Title
13/02/2024	211_P-01	REV A	EXISTING PLANS AND ELEVATIONS AND LOCATION PLAN
07/02/2024	211_P-02	-	PROPOSED FLOOR PLANS AND ELEVATIONS

Signed Case Officer¹: Reece Black

Signed Authorising Officer²: K Foster

Date: 5 April 2024

Informatives

- 1 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

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

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