

<u>APPLICATION NO:</u>	23/00837/FUL	<u>CASE OFFICER:</u>	Lee Osborne
<u>WARD:</u>	Shevington	<u>PARISH:</u>	
<u>LOCATION:</u>	23 Kelso Close, Tower Hill, Kirkby		
<u>PROPOSAL:</u>	ERECTION OF FIRST FLOOR SIDE EXTENSION, RETENTION OF CONVERSION OF GARAGE TO HABITABLE ROOM AND RETENTION OF FENCE TO SIDE AND PART FRONT BOUNDARY		

Site Description

The application site consists of a semi-detached house and gardens on a corner plot fronting Kelso Close and adjacent Dumfries Way. The house has a large side garden in addition to the rear and front garden area. The front area has been hard surfaced with paviers for parking purposes and the side garden including adjacent to the front garden area has been fenced off.

Proposal

The proposal is for a first-floor extension to the side of the house, and for the retention of the conversion of the garage to a living room and the retention of the fence to the side garden extending to part of the front boundary of the site.

The first-floor extension would be the depth of the main two storey part of the house with a pitched roof tied into the existing roof and would be the width of the existing garage. The extension would consist of a bedroom with built-in cupboard and an extension to the bathroom. The garage projects forward of the main part of the house and adjoins the porch, and this has been converted to a living room. The garage door has been replaced with a window similar to the windows of the main house.

The application is also for the retention of 1.9 - 2.2m high around the side garden, including part of the front garden. The fence runs down the driveway of a detached garage to a neighbouring house, along the back of footpath of both Dumfries Way and Kelso Close and up the side/front garden of the house and then across to the gable of the house. The fencing height varies due to slight changes in land level and consists of timber panels with concrete posts and gravel board. A driveway from the highway angled along the side garden has been lost with the installation of the fence.

Consultations

Highway Authority - No objections but request a condition requiring the installation of a dropped kerb the full width of the hardstanding / drive.

Representations

This application has been publicised by letters sent to 7 neighbours. No representations have been received.

Planning History

K/APP/12456 - ERECTION OF GARAGE AND KITCHEN EXTENSION TO SIDE OF DWELLING AND FRONT PORCH. Granted: 13.07.1990.

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)

H5 - Development within Primarily Residential Areas

H8 - Extensions and Alterations to Residential Properties

Householder Development SPD

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

The application relates to an extension to a house in a residential area. As such the proposal is acceptable in principle subject to design and amenity considerations.

Design and Visual Amenity Considerations

The proposed first floor extension and garage conversion are acceptable in design and broadly in character with the existing dwelling. There is no set back proposed for the first-floor extension as the house is adjacent the junction of Kelso Close and Dumfries Way and therefore there is no neighbouring pair of semi-detached houses to the side. As such a first-floor set back is not required as there are no houses to the side and therefore no mitigation against a terracing effect is required.

Para. 7.6 of the Householder Development SPD states that particular attention should be paid to the design of extensions on corner plots because they can encroach over the building line on either highway frontage, and therefore be particularly prominent in the street scene and sometimes create undesirable pinch points at the entrance to side roads. The SPD further states that the following general guidelines apply:

- Sufficient distance should be retained to the side boundary to preserve the character of the surrounding area. Extensions should not be sited so close to the boundary that they would adversely impact on the street scene.
- In the case of two storey extensions, established building lines on both street frontages should normally be respected.

With regards the above, the first floor extension would be above the existing single storey side extension which comprises the lounge conversion of the former garage, utility room and kitchen, and building lines would be respected. There would be significant distance from the gable of the proposed extension to Dumfries Way, and the proposal would not unduly affect the street scene.

Whilst the fence is prominent in the street scene due to its height and position there are a number of other properties in the area with high fencing in similar positions to the back of the footpath e.g. 17 Melrose Road, 16 Dumfries Way and it is considered acceptable in the context of the site location and surroundings.

The proposal therefore complies with Policies CS2 and CS19 of the Core Strategy and Saved Policies H5 and H8 of the UDP together with the Householder SPD.

Highways Safety Considerations

The garage as it was existing was not useable as the internal length was approximately 3.6m due to the rear part being divided off to form a utility room. The front garden area has been surfaced with paviers and is used for parking purposes which can accommodate three cars although the dropped kerb access has not been extended across to match. As such the proposal would meet the Council standards for a 4 bedroomed house.

Whilst the fence has been installed, the Highways Engineer notes it does not meet usual highway requirements due to the height and position at the back of the footway. In this position the Highways Engineer states that it reduces the intervisibility between drivers emerging from the driveway and pedestrians travelling along the footway. Similarly, he notes that the fence obscures forward visibility for drivers travelling along Kelso Close turning left onto Dumfries Way. However, the Highways Engineer does not object to the application, including the retention of the fencing, as it is considered that both situations are not detrimental to a significant degree due to the driveway fronting onto Kelso Close being of a width that vehicles are unlikely to be positioned close to the fence when egressing. As such the Highways Engineer considers that the forward visibility restriction is minor and

unlikely to cause road safety concerns (no incidents have been reported to date). Following a site visit the Case Officer agrees with the Highways Engineer, in so far as the fencing in this instance does not cause issues to a degree to warrant refusal of planning permission.

The application complies with Policy CS2 of the Core Strategy and Saved Policies H5 and H8 of the UDP.

Residential Amenity Considerations

The application is for the retention of the conversion an existing garage and a first-floor extension above together with the retention of garden fencing for a house in a residential area and as such raises no residential amenity concerns. The first-floor extension would be approximately 13.8m from the nearest house to the rear, on an angle. However, the rear window of the extension is for a bathroom and therefore it is considered that overlooking would not be raised as an issue, particularly if the window were obscure glazed. The first floor gable window would be approximately 15m to the ground floor window of the nearest property to the side / rear, 17 Melrose Road, and in the context of the area and housing layouts is considered acceptable and not detrimental to residential amenity or privacy. The fence is similar to others in similar positions in the locality and does not raise residential amenity issues.

The application as such complies with Policies CS2 and CS19 of the Core Strategy and Saved Policies H5 and H8 of the UDP.

Conclusion

The first-floor extension and retention of the conversion of the garage are/is acceptable in design and would not impact detrimentally on the visual or residential amenities of neighbouring properties or the area in general. Parking is provided to the front of the house on the hard surfaced paved area in the front garden area. The fence is in a similar position to some other fences to properties in the area and it is considered that the fence is acceptable taking the context of the site location into account.

The application complies with the above planning policies and is recommended for approval.

Recommendation

That Planning Permission be granted subject to the following condition(s):-

- 1) 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.

- 2) 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.

- 3) Within 3 months of the date of this planning permission, a footway crossing shall be provided to give access from the carriageway the full width of the driveway/ hard surfaced area to the front of the house, in accordance with a scheme previously submitted to and agreed in writing with the Local Planning Authority.

Reason: In the interests of highway and pedestrian safety and to comply with Policy CS2 of the Knowsley Local Core Strategy adopted January 2016 and Saved Policy H5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 4) No part of the extension hereby permitted shall be used or occupied until the window on the rear elevation of the first-floor extension hereby permitted (bathroom window) as indicated on drawing 002 has been glazed with obscure glass to level 4/5. The window shall be fixed shut/ top hung and shall be retained as such with level 4/5 obscure glazing at all times thereafter.

Reason: In order to safeguard the residential amenities enjoyed by the occupants of adjoining residential property and to ensure the development complies with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy and Saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan adopted in June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
12/06/2023	002	-	PROPOSED FLOOR PLANS AND ELEVATIONS
12/05/2023	003	-	SITE LOCATION PLANS
10/10/2023	004	-	FENCE LAYOUT AND ELEVATION

Signed Case Officer¹: Lee Osborne

Signed Authorising Officer²: Mark Quinn

Date: 20/10/2023

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

Informatives:

NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments

It is an offence to carry out any works within the public highway without the permission of the Highway Authority. This permission requires the construction, improvement or alteration of an access to the public highway. Under Section 184 of the Highways Act 1980, the Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Prior to the commencement of any works, the applicant is advised to contact the Council's Maintenance Contractor Tarmac on 0800 023 2334 or Knowsley.highways@tarmac.com

