

<u>APPLICATION NO:</u>	24/00024/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Whiston & Cronton	<u>PARISH:</u>	Whiston Town Council
<u>LOCATION:</u>	57 Windy Arbor Road, Whiston, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF TWO STOREY SIDE EXTENSION		

Site Description

The application site is located at 57 Windy Arbor Road, Whiston and is situated in an area which is allocated as a Primarily Residential Area in the Development Plan. The application property is a semi-detached dwelling and is a combination of brick and pebble-bash rendered facing on its front elevation and is brick facing on its side and rear elevations. The property features white UPVC openings and red, flat, interlocking rooftiles.

The property benefits from a single storey rear extension as well as a conservatory; the front elevation features a modest porch extension. Adjacent to the party boundary and behind brick pillars and a wooden gate, is a detached garage. There is hardstanding to the front and side areas around the dwelling and shrubbery behind the low brick built front boundary wall.

The property fronts the Highway of Windy Arbor Road and is West facing. The property is bounded by other residential properties in a ribbon development fashion of the Highway. The application property benefits from a generous space to the side of the dwelling and features a much larger space here in contrast to other dwellings on in the building row.

The Council's records in regard to Constraints, lists the site as a Waste Tipping Site.

Proposal

The application seeks permission for the erection of a two-storey side extension.

The proposed development would have a width of 4.42m and a depth of 6.7m. The proposal would be served by a hipped roof and would measure at a height of 4.88m at the eaves and a height of 7.7m at the highest point.

The proposal would be set-back from the adjoining front elevation by one brick course (0.22m). This would feature rolling garage doors on the front and rear elevations together with fenestration.

The application has secured amendments to improve the proposal and bring it more in line with relevant policies and guidance. These include a reduction in the width to ensure the corner closest to the party boundary is set in by 1m, the front elevation of the proposal has been set-back by 1 brick course, the ridge line of the extension has been lowered in contrast to the ridge of the original dwelling and finally additional fenestration has been added to the rear elevation.

Consultations

Whiston Town Council - No Comments Received.
Environmental Health - No Objections Received.

Representations

This application has been publicised by letters sent to 8 neighbours. No representations have been received.

Planning History

APP. NO: 19/00055/PREAPP
PROPOSAL: PRIVATE AND CONFIDENTIAL
ERECTION OF TWO STOREY SIDE / REAR EXTENSION AND SINGLE STOREY REAR
EXTENSION
DECISION: ADVICE GIVEN
DECISION DATE: 23 October 2019

APP. NO: 19/00632/FUL
PROPOSAL: ERECTION OF TWO STOREY SIDE / REAR EXTENSION AND SINGLE
STOREY REAR EXTENSION
DECISION: GRANTED
DECISION DATE: 20 January 2020

Planning Permission was granted for a two-storey side and rear extension and single storey extension. The former has not been constructed; however, the latter has been built and completed. Although the rear extension has been constructed, it does not appear to be in full compliance with the approved plans and documents and some slight deviation appears to have occurred. The two-storey side extension of the approved plans for 19/00632/FUL was not erected and the single storey rear extension appears to be built different when considered against the approved plans.

However, given that the proposed development that was erected within the rear of the site and would not be considered to have an unacceptable impact on the street scene and that, given that the Decision Notice was granted in January 2020, that it may be outside of any Enforcement Action and in the interest of expedience and resource if no harm to residential amenity is caused, it may not be considered reasonable to mandate an application to regularise these deviations. However, this matter will be shared with Planning Enforcement and a view can be taken as to whether any Enforcement Action would be necessary.

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

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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 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

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 two storey side extensions should be designed to avoid having an overbearing effect or causing unacceptable loss of light or privacy for neighbours.

It also states that two-storey side extensions should be designed to avoid having an overbearing effect or causing unacceptable loss of light or privacy for neighbours. It also states proposed developments should avoid creating a terracing effect, either by themselves or in conjunction with similar extensions which may exist or potentially be proposed for adjacent properties in the future.

In addition, it stipulates that usually either a minimum space of 1m should be preserved between the extension and the party boundary to the side of the property, OR the front wall of the first floor of the extension should be set back at least 1m from the immediately adjoining part of the main front wall of the original dwelling.

The Householder Development SPD further specifies that this requirement may be relaxed if, because of a staggered or irregular arrangement of the dwellings in the street or corner location, the construction of the extension would not create an actual or potential terracing effect.

Design

The existing dwelling is faced in a combination of brick and render facing, with white UPVC openings and tiled roofing. Amended plans show that the applicant would be removing the existing pebble-bash rendered facing of the front elevation and would be rendering the front elevation with a new design, this is yet to be decided but has been agreed would be matching with the proposed development. This is also secured by Condition however for matching materials and therefore would not be considered a significant issue.

The proposed development would largely include materials that are in keeping with the existing dwelling and emulate the design of the combination of brick and render facing to match the existing front elevation. The materials used overall on the proposal would be cohesive with the existing dwelling. The proposed development would be served by a pitched (hipped) roof.

The proposal has been revised to ensure it is more in accordance with relevant policies and guidance.

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The initial submission had a width that was almost the same width of the existing dwelling, this was requested to be reduced to ensure the proposed development would accord with Saved Policy H8, that through the scale and massing would be more sympathetic and subordinate addition to the dwelling. Furthermore, it was requested that the width was reduced to ensure the proposal would be no closer than 1m to the party boundary.

Other amendments to the design included the front elevation being set-back by one brick course to reflect the guidance of the Householder Development SPD, which stipulates that for side extensions, it should be set-back by one brick course to avoid unsightly bonding. Furthermore, the ridgeline of the proposal has been lowered, per the Householder Development SPD to ensure that the proposal is visually subordinate to the original dwelling.

Fenestration was added to the rear elevation, as on the initial submission, there was none included. The Householder Development SPD outlines that the ratio of solid to void on an elevation is also a key consideration when designing an extension. The original submission featured a blank walling and looked poor when observed against the rear elevation of the dwelling. Therefore, it was agreed that additional fenestration, of similar proportions be added to the scheme. This was agreed and has been included.

The application property is a semi-detached dwelling and there would remain sufficient space to the side after the proposed two-storey side extension has been erected. Through the amendments secured, the proposal would comply with the guidance and no potential terracing effect would be caused. The proposal would now have an appropriate scale and would not appear unduly dominant.

Overall, it is considered that the proposed development would have an acceptable design and would be in accord with the Householder Development SPD and Saved Policy H8.

Residential Amenity

55 Windy Arbor Road

No.55 is the paired, semi-detached dwelling. The front and rear elevations of no.55 sit parallel to the application sites. The property benefits from a part two-storey part single storey rear extension and a conservatory.

The proposed development would not project beyond the existing front and rear elevations and would therefore not be readily visible to the occupants of no.55 and subsequently, would not result in any adverse harm to existing amenities.

Overall, the proposed development would be in accord with the Householder Development and would not be considered to cause any significant harm to the amenities or privacy of the occupants of no.55.

59 Windy Arbor Road

No.59 is the adjacent semi-detached dwelling and is sited to the South from the application property. The front elevations sit parallel to each other, but no.59 does not have any rear extensions so the rear elevations of the application property project further. The two gable walls

of the properties are parallel and face one another at an approximate interface distance of 10.5m. The party boundary shared with no.59 is orientated diagonally, and

The proposed development would not be considered to have an unacceptable impact on the amenities of the occupants of no.59. There would remain sufficient space between the dwellings. The proposed developments rear elevation would not surpass the rear elevation of no.59 and therefore, would not be considered to raise any concerns on the amenities. The side elevation of the proposal would not contain any windows and therefore, would not facilitate any overlooking between the properties and would therefore be acceptable.

From the amendments secured, which has seen the additional fenestration incorporated, it would be noted that this would result in a degree of view to the rear garden, however, it would

not be considered to allow any unacceptable overlooking and would not allow any greater overlooking than other semi-detached dwellings with windows on the rear elevation into neighbouring gardens. As outlined, the overlooking would not be to an unacceptable degree and there would be no openings on the side elevation. Therefore, this would be considered acceptable.

The proposed development overall would be deemed acceptable and would not be considered to result in any overlooking or overshadowing, through the amendments secured, it further reduces any potential for the proposal to appear overbearing or unduly dominant.

Overall, the proposed development would be in accord with the Householder Development and would not be considered to cause any significant harm to the amenities or privacy of the occupants of no.59.

Highways

The application site features hardstanding to the front elevation, which could accommodate 1 car minimum, the proposed development has outlined that the ground floor would be for a garage and would meet the internal dimension requirements to be counted as a parking space within the curtilage of the dwelling. Therefore, the property would be able to accommodate parking for a minimum of 2 cars, which would accord with the Householder Development and the relevant maximum parking requirements, which states that for a property with 2 or 3 bedrooms, it should be able to accommodate a maximum of 2 parking spaces within the curtilage of the dwelling.

Therefore, the proposed development would be in accord with the Householder Development SPD, would not be considered to cause any adverse harm to the highway or motorists and would be deemed acceptable.

Other issues

Trees

As outlined earlier and seen in the site photos, the application site features trees and shrubbery in the rear garden. It is considered that there is not any presence of vegetation that serve any great amenity value to the wider area and are not visible to the street scene; and subsequently it

would not be considered proportionate or reasonable to mandate a Tree Survey be completed and submitted in support of the application.

Environmental Health

The application site is identified as a waste tipping site as a constraint. Subsequently, Environmental Health were consulted on the proposal. The submitted plans were reviewed and have no objections or suggested Conditions.

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.

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SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
30/01/2024	p2e/uk/1052277/141 7629	-	LOCATION PLAN
21/03/2024	2	REV A	PROPOSED PLANS
27/03/2024	3	REV B	PROPOSED ELEVATIONS AND ROOF PLAN
21/03/2024	4	REV A	EXISTING AND PROPOSED BLOCK PLAN

Signed Case Officer¹: Reece Black

**Signed Authorising
Officer²:** K Foster

Date: 28 March 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

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

- 1 The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:
www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Informative Note valid from 1st January 2023 until 31st December 2024.