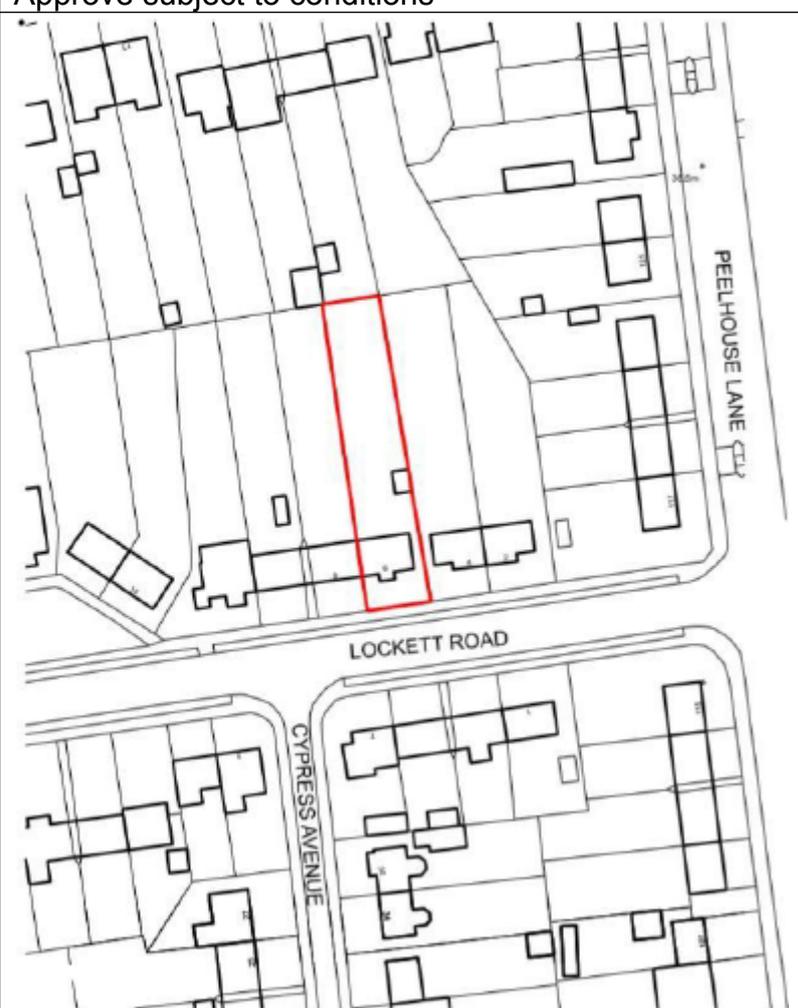


<b>APPLICATION NO:</b>	22/00327/FUL
<b>LOCATION:</b>	6 Lockett Road, Widnes, Cheshire, WA8 6SL
<b>PROPOSAL:</b>	Proposed two storey and single storey rear extensions
<b>WARD:</b>	Appleton
<b>PARISH:</b>	None
<b>AGENT(S)/APPLICANT(S):</b>	Home Architectural Ltd/Mr I Wall
<b>DEVELOPMENT PLAN:</b>	National Planning Policy Framework (2021)  Delivery and Allocations Local Plan ('DALP') (March 2022).  House Extensions Supplementary Planning Document (2007)
<b>DEPARTURE:</b>	No
<b>REPRESENTATIONS:</b>	None
<b>KEY ISSUES:</b>	Appearance, amenity impact on neighbours and parking
<b>RECOMMENDATION:</b>	Approve subject to conditions
<b>SITE MAP:</b>	

## **1. APPLICATION SITE**

### **1.1 The Site**

The application site relates to a two storey, end terrace style dwelling located on Lockett Road in the Appleton area of Widnes. The application dwelling is located at the end of a row of four terrace dwellings (see location plan). The application proposes the erection of a two storey and single storey rear extension.

## **2. THE APPLICATION**

### **2.1 The Proposal**

The application seeks permission to erect a two storey rear extension and a single storey rear extension.

### **2.2 Documentation**

The application has been submitted with the requisite planning application form and a complete set of plans.

### **2.3 History**

No relevant planning history.

## **3. POLICY CONTEXT**

Members are reminded that planning law requires for development proposals to be determined in accordance with the development plan, unless material considerations indicate otherwise.

### **3.1 National Planning Policy Framework**

The National Planning Policy Framework (NPPF) was published in July 2021 to set out the Government's planning policies for England and how these should be applied.

### **3.2 Halton Delivery and Allocations Local Plan**

The following policies contained within the Halton Delivery and Allocations Local Plan are of relevance:

- GR1 Design of Development;
- GR2 Amenity;
- C2 Parking Standards;
- RD3 Dwelling Alterations, Extensions, Conversions and Replacement

Dwellings.

### 3.3 House Extensions Supplementary Planning Document

Policy RD3 is supported by the Halton Supplementary Planning Document 'House Extensions' (the SPD). This document sets out further guidance as to the design, scale and appearance of residential extensions. This is outlined below.

### 3.4 Equality Duty

Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

There are no known equality implications arising directly from this development that justify the refusal of planning permission.

### 3.5 Other Considerations

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

## **4. CONSULTATIONS**

None

## **5. REPRESENTATIONS**

There have been no representations received for this application.

## 6. ASSESSMENT

### 6.1 Policy – Single Storey Rear Extension

Part 6 of the House Extensions Supplementary Planning Document, which relates to single storey rear extensions, states that:

- An extension will not normally be allowed if it projects more than a 45 degree line from the middle of the nearest affected neighbouring window or exceeds a maximum of 4 metres.
- To comply with the 45-degree code, extensions should be designed so as the neighbours nearest habitable room (living, dining, conservatory or bedroom) window. The 45-degree line shall be drawn in the horizontal plane and taken from the middle of the neighbour's window. The line will show the maximum width and/or depth that a proposed extension can build up to avoiding obstruction from light or views.
- The council when assessing single storey rear extension will consider the impact on the neighbouring property and take into account differences in land levels.
- The council will also take into consideration the height of a proposed extension when assessing an application.

The proposed single storey rear extension would project 3.7m from the rear elevation of the original dwelling and would measure 3.53m in width. This element of the proposed development would host a pitched roof structure containing two velux roof lights. The extension would have a maximum height of 3.55m and would measure 2.5m to the eaves.

The proposed plans submitted to support the planning application have demonstrated the 45 degree line drawn from the mid-point of a neighbouring window on the rear elevation of neighbouring property No.8 Lockett Road. The proposed single storey rear extension would encroach on the 45 degree line drawn from the mid-point of this neighbouring window, however there are material considerations that need to be taken in to account.

In order for there to be no encroachment on the 45 degree line, the proposed extension would need to be reduced to a rearward projection of 2m (projecting from the original rear elevation of the application dwelling). The application property benefits from full, unrestricted, permitted development rights.

Householder permitted development rights are set out in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Part 1 of Schedule 2 to the Order sets out the permitted

development rules concerning what enlargements, improvements, alterations and other additions a householder may make to their house and the area around it without the need for an application for planning permission

Under the permitted development rights order, the applicant could construct a single storey rear extension projecting 3m from the rear elevation of the original dwelling without the need for an application for planning permission. This example 3m extension would encroach on the 45 degree line drawn from the neighbouring window and yet would be acceptable in accordance with the rules set out within the permitted development rights order.

It is therefore considered that the proposed 3.7m rearward projection would result in a similar or equal impact on the neighbouring property as an extension build under permitted development rights. To mitigate any potential impact on the neighbouring property, the single storey rear extension has been set in, away from the shared boundary, by 1m. This is considered to be appropriate to mitigate the impact of the encroachment of the 45 degree line drawn from the mid-point of the neighbouring property window.

Given the above, it is considered that the proposed single storey rear extension is acceptable in light of the Permitted Development Rights enjoyed by the application property.

## 6.2 Policy – Two Storey Rear Extension

Part 6 of the House Extensions Supplementary Planning Document, which also relates to two storey rear extensions, states that the following principles apply to two storey rear extensions:

- Two storey extensions along shared boundaries shall not project at first floor level by more than 2 metres.
- In any other case the following sizes shall be applied:

<b>Distance between extension and adjoining property</b>	<b>Maximum projection at first floor level</b>
1m	2.5m
2m	3m
3m or more	4m

- Where properties have a staggered building line and a neighbouring property is set forward in the plot, the maximum projection will be measured from the rear building line of that neighbour's property.

The proposed two storey rear extension would project 3.7m from the rear elevation of the original dwelling and would measure 4.29m in width. The extension would host a hipped roof structure that would sit below the ridge of the main, original dwelling. A distance of 4.23m would be maintained between the proposed two storey extension and adjoining property No.8 Lockett Road, and as such the proposed rearward projection of 3.7m is policy compliant and acceptable, in line with the sizes set out in the table above.

A distance of 3.39m would be maintained between the proposed extension and adjacent property No.4 Lockett Road. The proposed projection of the two storey rear extension is therefore also in line with the policy guidance set out in Section 6 of the Hose Extensions Supplementary Planning Document and is acceptable in the context of the relationship between neighbouring property No.4 Lockett Road.

The proposed two storey rear extension would not infringe or encroach on a 45 degree line drawn from any windows on the rear elevations of either neighbouring properties. This element of the proposed development is therefore deemed acceptable.

### 6.3 Amenity of neighbours

Given the proposed development is located to the rear of the application property, it would not be visible from the street scene. The proposed extensions would therefore result in no impact on the character or appearance of the surrounding area or street scene.

Two windows would be installed on the first floor rear elevation of the proposed two storey extension, that would serve a bedroom. Bi-folding doors on the ground floor rear elevation to serve the dining area, and two windows on the ground floor to serve the kitchen would also be included. The application dwelling is situated within a large plot with a significantly long garden. A distance of 37.3m would be maintained between the rear wall of the proposed extensions and the rear site boundary. It is therefore considered that beyond acceptable interfacing distances will be sustained and there would be no impact on the residential amenity enjoyed by the neighbouring properties to the rear of the application site.

There are no windows proposed on the gable elevation of the two storey side extension however there is a new door and single window proposed on the side elevation of the original dwelling which will provide access to a utility room and a window for a downstairs WC. There are no windows on the gable elevation of No.4 Lockett Road and therefore there would be no detrimental impact on the residential amenity enjoyed by this neighbouring property.

As discussed in the sections above, the proposed single storey rear extension would encroach on the 45 degree line drawn from the mid-point of the neighbouring property window (at No.8 Lockett Road). This affected neighbouring window serves a sitting room and is therefore a habitable room window. As stated above, the proposed single storey rear extension would have a similar impact to an extension built under permitted development rights without the need for planning permission. The proposed extension has been set in from the shared boundary to mitigate any potential impact on the residential amenity enjoyed by No.8, however in addition to this, the affected room within the neighbouring property benefits from a dual outlook, having a window on the front elevation of the property which also serves the sitting room. It is therefore considered that although some of the rearward outlook for the sitting room in No.8 Lockett Road may be compromised, there is still sufficient outlook and provision of natural daylight to the habitable room.

It is considered that light would not be significantly restricted to the detriment of residential amenity and given the location of the proposed openings, the proposed extensions would not compromise the levels of privacy enjoyed by surrounding neighbours. The proposed development would not result in a significant detrimental impact on the residential amenity enjoyed by any neighbouring properties.

#### 6.4 Design in relation to existing dwellings

The proposed extensions are considered to be of a size and scale which are acceptable to the application property. The materials to be used will need to match or closely harmonise with the existing dwelling in terms of colour. This can be secured by way of planning condition attached to any subsequent planning approval. The design of the extensions is complementary to the existing property and is not deemed to detract from the original character of the house. The design of the proposed development is considered to complement the existing dwelling and is therefore deemed acceptable.

#### 6.5 Highway considerations

The proposed development would not result in an increase in the number of bedrooms within the application property and there is no change proposed to the existing parking provision for the application site. It is considered that there is sufficient off street parking within the application site curtilage in accordance with the Council's standards to support the proposed development.

#### 6.6 Summary and Conclusion

In summary, the proposed extensions would not have in a detrimental effect on the character and appearance of the original house or the street scene given the proposed structures are located to the rear of the property, out of sight from the street scene. It is deemed that the design is of good quality and the extension does not compromise residential amenity due to its siting in relation to neighbouring properties. There is sufficient off street parking within the site curtilage to support the proposed development. The proposal is therefore deemed acceptable in compliance with Policies GR1, GR2, C2 and RD3 of the Halton Delivery and Allocations Local Plan.

## **7. RECOMMENDATIONS**

Grant planning permission subject to conditions.

## **8. CONDITIONS**

1. Standard 3 year expiry
2. In accordance with approved plans
3. Materials to match existing

## **9. BACKGROUND PAPERS**

The submitted planning applications are background papers to the report. Other background papers specifically mentioned and listed within the report are open to inspection at the Council's premises at Municipal Building, Kingsway, Widnes, WA8 7QF in accordance with Section 100D of the Local Government Act 1972

## **10. SUSTAINABILITY STATEMENT**

As required by:

- The National Planning Policy Framework (2021);
- The Town and Country Planning (Development Management Procedure) (England) Order 2015; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015.

This statement confirms that the local planning authority has worked proactively with the applicant to secure developments that improve the economic, social and environmental conditions of Halton.