

**Report of:** CHIEF PLANNING OFFICER Derek McKenzie

**Report to:** PLANNING COMMITTEE **Date of Meeting:** 24<sup>TH</sup> July 2024

**Subject:** [DC/2024/00421](#)  
[5 School Road, Hightown L38 0BN](#)

**Proposal:** Erection of a first floor extension to the side, single storey to the rear, a single storey garden store in the rear garden and installation of a new shop front.

**Applicant:** Mrs Sutharsan Kandiah **Agent:** Mr Mike Carr  
5 School Road, Hightown MAT DESIGN LIMITED

**Ward:** Manor Ward **Type:** Full Application

**Reason for Committee Determination:** Called in by Cllr McNabb

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## Summary

This proposal is for the erection of a first floor extension to the side, single storey extension to the rear, a single storey garden store in the rear garden and installation of a new shop front.

The main planning issues for consideration include the impact of the proposed works on the living conditions of neighbouring residents and the impact on the character of the area and wider street scene.

It is considered the proposed extension and alterations to the application property would not cause significant harm to the living conditions of neighbouring properties and would be of an acceptable design. The proposal would comply with Policies HC4 (House Extensions, Houses in Multiple Occupation/Flats), and EQ2 (Design) of the Local Plan.

## Recommendation: Approve with Conditions

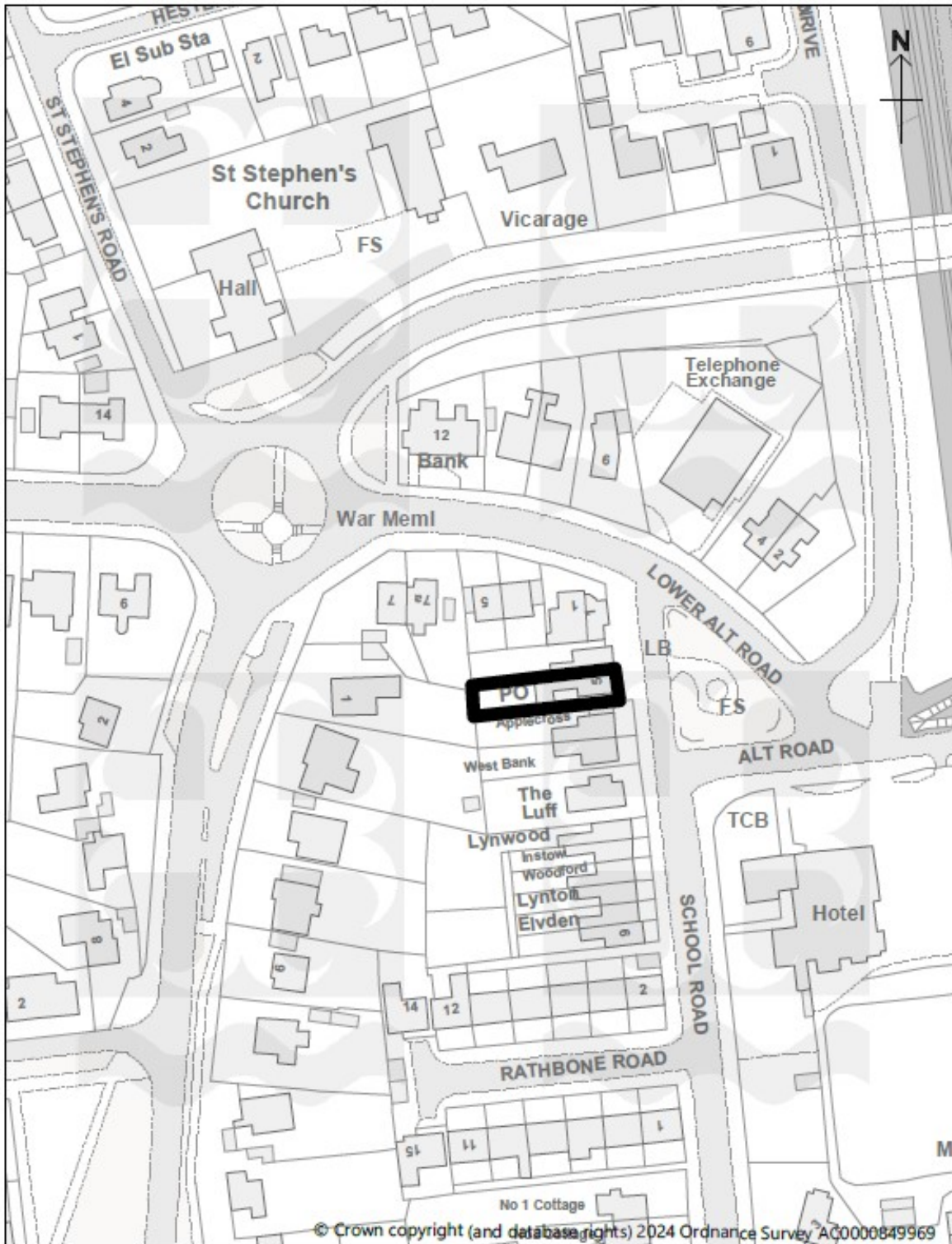
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**Telephone** 0345 140 0845

Application documents and plans are available at:  
<https://pa.sefton.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

## Site Location Plan



## 1 The Site

- 1.1 The application site consists of a semi-detached, two storey building which although presently vacant, has a long standing use as a post office at ground floor with residential accommodation above.
- 1.2 The adjoining premises is a small general store at ground floor known as 'The Village store' with residential accommodation above. A house is situated to the other side.
- 1.3 The area is primarily residential in character.

## 2 History

- 2.1 There is no relevant planning history.

## 3 Consultations

- 3.1 The following consultee responses have been received:

**Environmental Health Manager**- No objections.

**Highways Development Design Manager** – No objection.

**Natural England** - No objections

## 4 Neighbour Representations

- 4.1 Neighbours were originally notified by letter on 15th March 2024. Revised drawings were subsequently submitted to correct the boundary lines which were wrongly displayed on the original drawings. Neighbours were then renotified by letter on the 22<sup>nd</sup> May 2024.
- 4.2 Correspondence has been received from residents within the vicinity objecting on the following grounds:

### Living Conditions

- Opposed to change in hours of opening.
- Possible anti-social behaviour
- Access for stock deliveries/noise
- Impact upon overshadowing and outlook and overlooking

### Design

- Poor design within street scene

### Impacts on Highways

- Lack of parking

### Other Matters

- Application form states 1 previous employee when there were two originally
- Conflict of interest with adjacent business
- Impact upon workforce
- Security issues
- A further site meeting is required
- Issues with Party Wall Act/Access to build/Boundary encroachment
- The dimensions/details on plans are incorrect and do not show a residential unit.

4.3 In addition, Cllr Dominic McNabb has called in the application on the following grounds:

- Design quality,
- Harmful to highway safety
- Harmful impact on the economy.

## 5 Policy Context

5.1 The application site is situated in an area designated as Primarily Residential in the Council's Adopted Local Plan.

## 6 Assessment of the Proposal

6.1. The main planning issues for consideration include the impact of the proposed works on the living conditions of neighbouring residents and the impact on the character of the existing property and wider street scene.

### ***Living conditions of neighbouring occupiers***

6.2 This proposal is for the extension and alteration of the existing premises. Although the premises is currently vacant, the application does not seek to change the existing use of the premises which as a post office falls within Use Class E. The upper flat would remain as a residential use (i.e. Use Class C3).

6.3 The attached neighbouring property, has a commercial use at ground floor with residential accommodation above. The proposal would not impact on the living conditions of the neighbouring property due to the scale and location of the proposed works.

- 6.4 Number 7 School Road, named Applecross, is positioned to the south of the application site. Due to the existing layout of these two properties, with single storey extensions being added historically to both, ground floor windows in the main house of this adjacent neighbour are already overshadowed. Considering the orientation of the two properties, the distance that will be maintained, and the high boundary treatment, it is considered a further 2m extension to this property's existing single storey rear extension would not result in any significant harm to the neighbour either as a result of overshadowing or impacting on the neighbour's outlook from habitable room windows.
- 6.5 The gables of both No.7 and the application property run in line with each other and the two storey side extension will not project past either the main front or rear elevations of the neighbour. There are no windows to side gable of neighbouring property and no windows proposed in the side elevation of the two storey extension. As such it will not significantly impact upon overshadowing or outlook to this neighbour, and would not present any overlooking concerns. Acceptable distances would be maintained to properties to the front and rear.
- 6.6 The detached garden room/store would be located to the rear boundary and of a scale that would not give rise to overlooking, overbearing or overshadowing concerns.
- 6.7 Concerns have been expressed regarding potential antisocial behaviour, noise associated with delivery access and changing in opening hours. The application does not seek to change the use of the premises, the opening hours and delivery arrangements beyond that which could already occur. There is no evidence to suggest that the extensions proposed would give rise to anti-social behaviour.
- 6.8 The proposal would comply with Policy HC4 and EQ2 of the Local Plan, in that it does not create an unacceptable impact upon the living conditions of the occupiers of neighbouring properties in relation to overlooking, overshadowing or outlook.

### ***Street Scene***

- 6.9 The two storey side extension would be subordinate in scale and would be set back with a reduced ridge height. It will be constructed of materials similar in appearance to the existing building and as such would be of an acceptable design.
- 6.10 Whilst the main shop front window will be made slightly larger, it would not be too dissimilar to what is existing and as such would be acceptable. The single storey rear extension and garden room/store would also be of an acceptable design.
- 6.11 It is considered that the proposal would be of an acceptable design and would not cause detriment to the character of the area or wider street scene. The proposal would comply with Policy EQ2 of the Local Plan.

## ***Other Matters***

- 6.12 The proposed extension would provide separate access up to the first floor flat, whilst the rear extension would result in a small increase in the footprint of the premises. The use would remain within Use Class E. Whilst there is a lack of on street parking, this would not be any different to the current arrangement and the proposal would not make this worse.
- 6.13 Various other matters have been raised by local residents, a number of which are not material considerations. Nevertheless, they do not raise specific concerns that would outweigh the key material considerations addressed above.

## **7 Conclusion**

- 7.1 The proposed extension and alterations to the application property would not cause significant harm to the living conditions of neighbouring properties and would be of an acceptable design. The proposal complies with Policies HC4, and EQ2 of the Local Plan. The proposal is acceptable and is recommended for approval subject to conditions.

## **8 Equality Act Consideration**

- 8.1 Section 149(1) of the Equality Act 2010 establishes a duty for the Council as a public authority to have due regard to three identified needs in exercising its functions. These needs are to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
  - Advance equality of opportunity between people who share a relevant protected characteristic (age, disability, race, gender reassignment, marriage and civil partnership, pregnancy and maternity, religion and belief, sex and sexual orientation) and people who do not share it;
  - Foster good relations between people who share a relevant protected characteristic and those who do not share it.
- 8.2 The decision to approve this scheme would comply with the requirements of the Equality Act 2010, that no one with a protected characteristic will be unduly disadvantaged by this development.

## **Recommendation - Approve with Conditions**

### **Time Limit for Commencement**

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

### **Approved Plans**

- 2) The development hereby granted shall be carried out strictly in accordance with the following details and plans: Existing and Proposed Plans reference Number 1 dated Dec 2019, Number 2 Rev A & Number 3 Rev A dated March 2024

Reason: To ensure a satisfactory development.

### **During Building Works**

- 3) The external surfaces of the building(s) shall be constructed of the materials to match those existing as depicted on the Planning Application Form.

Reason: To ensure an acceptable visual appearance to the development.