

<u>APPLICATION NO:</u>	24/00516/FUL	<u>CASE OFFICER:</u>	Lee Osborne
<u>WARD:</u>	Roby	<u>PARISH:</u>	
<u>LOCATION:</u>	25 Court Hey Road, Roby, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF A SINGLE STOREY EXTENSION TO THE EXISTING PORCH TOGETHER WITH THE ERECTION OF TWO STOREY SIDE AND PART TWO STOREY / PART SINGLE STOREY REAR EXTENSION.		

Site Description

The application site comprises a L-shaped semi-detached house and associated garden. The rear garden is very large and extends across the rear of neighbouring properties rear gardens with some trees; one of the trees, a Poplar, is protected under TPO 04/00004. The pair of semi-detached houses are angled in from the highway, with the neighbouring pair of semi-detached houses (19 and 23 Court Hey Road) angled as well albeit the opposite way, so the two pairs of semi-detached houses are slightly turned towards each other. The site rises approximately 2m from the dwelling to the north-east of the site.

Proposal

The proposal is for the erection of a two-storey extension to the side of the house and part two storey part single storey extension to the rear of the dwelling. In addition, it is proposed to erect a single storey extension to the existing porch.

The extension to the front porch would have a width of 1.6m and a depth of 1.5m with a sloping roof which would be tied in with the existing sloping roof of the porch. The entrance door currently faces the carriageway, and this would be relocated to the current side elevation of the porch, which would become the front elevation. The extension would extend the porch towards the highway and would comprise a w.c.

The two-storey extension would be a wrap-around with a width of 3m at the side and project 3.3m at the rear. The two-storey extension at the rear would drop to single storey 2.7m from the party boundary with the adjoining house, 27 Court Hey Road. The two-storey extension would have a hipped roof tied into the hipped roof of the adjoining part of the house; the single storey part of the rear extension would have a sloping roof.

Materials are to match the existing house.

Consultations

NA

Representations

This application has been publicised by letters sent to 20 neighbours.

There has been 1 letter of objection. The representations are summarised as follows:

1. A two storey extension on the rear of the house would cause loss of light to the objector's property.
2. The extension would also cause loss of privacy.
3. The loss of light and privacy could cause loss of value of the objector's property should they wish to sell.

It should be noted that impact on property value is not a material planning consideration and cannot be taken into account when considering a planning application.

Planning History

09/00489/FUL - CONVERSION OF EXISTING DWELLING HOUSE INTO 2 NO. APARTMENTS. ERECTION OF 2 STOREY EXTENSION TO REAR WITH 1ST FLOOR BALCONY. Granted: - 16.12.2009.

12/00611/RPP - APPLICATION TO EXTEND THE TIME LIMIT FOR IMPLEMENTATION OF PERMISSION 09/00489/FUL FOR THE CONVERSION OF EXISTING DWELLING HOUSE INTO 2 NO. APARTMENTS. ERECTION OF 2 STOREY EXTENSION TO REAR WITH 1ST FLOOR BALCONY. Granted: - 12.12.2012.

17/00353/FUL - ERECTION OF 1NO SINGLE STOREY DETACHED 2 BED DWELLING AND ASSOCIATED WORKS. Granted: - 24.08.2017.

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

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 proposal is to extend a house in a residential area and is therefore acceptable in principle.

Design and Visual Amenity Considerations

The design of the proposal is acceptable and broadly in character with the existing house. Due to the juxtaposition of the pair of semi-detached houses including the application dwelling, and the adjacent neighbouring pair of semi-detached houses, 17 and 23 Court Hey Road, where there is separation and the houses are angled so that each pair of semi-detached houses is slightly turned towards each other, no potential terracing effect would be initiated.

There is a lounge window (also with a window on the front) and two bedroom windows (these appear to be windows to the same bedroom which also appears to have a window on the front) plus a landing window on the side of the projecting part of the adjacent neighbouring house which face towards the existing application dwelling at an angle, with approximately 11.3m from the closest window to the corner of the application dwelling where the extension would be built from. The widening of the application house here with the proposed side extension would give a distance of approximately 11m between the side extension and the bedroom windows of 23 Court Hey Road, albeit straight on view rather than at an angle as existing.

The widening of the dwelling by the extension would not cause undue loss of outlook to this part of the neighbouring dwelling, being similar in distance to rear to gable interface distances (as specified in the New Residential Development SPD). The other windows on the side which are at right angles to the mentioned living room, bedroom and landing windows face the highway, with the existing bulk of the house viewed at a slight angle, and the extension at angle not in the view angle of those windows. As such the proposal would not be detrimental to the outlook of 23 Court Hey Road.

The rear extension would be single storey and 3.3m deep on the party boundary with the adjoining house, 27 Court Hey Road, and would not extend to a two-storey extension until 2.7m from the party boundary. This would accord with the adopted Householder Development SPD which allows an extension up to 4m deep for a single storey extension on/adjacent the party boundary with a neighbouring property. The SPD also goes on to state that 2-storey extensions of up to 3 metres will

normally be acceptable, and extensions beyond 3 metres will only be acceptable if they do not breach the 45 degree rule and where the properties are attached and the neighbouring dwelling has no extension adjacent to the boundary, any first floor element of an extension beyond 3 metres should be set in from the party boundary by a minimum of 1m. The two-storey element conforms to the requirements of the SPD. As such it is considered that the extension would not impinge unduly on the outlook of the adjoining house.

The porch extension and the relocation of the front door within the extended porch therefore it would be 9.8m or more from windows on 23 Court Hey Road that can view it, and it would not affect the outlook of that house to any great extent.

The proposal would not be detrimental to the visual amenity of the neighbouring properties or the area in general and complies with Policies CS2 and CS19 of the Core Strategy and Saved Policies H5 and H8 of the UDP.

Highways Considerations

The application site can accommodate three cars which would be the usual requirement for a 4-bedroom dwelling, which the application house would become as a result of the proposal. In addition, NPPF para 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The proposal would not have an unacceptable impact on highway safety or the road network and therefore in terms of the NPPF the application is acceptable.

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

Residential Amenity

The proposal is to extend a house in a residential area and the proposal would not have a detrimental impact on residential amenity. On the front elevation of the two storey side extension would be a kitchen window (by the sink) with en-suite window above, and a W.C window on the side of the porch extension adjacent the relocated entrance door. The W.C and en-suite windows would be obscure glazed (and it would be prudent to condition such to ensure this) and as such privacy and overlooking would not be issues.

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

Protected Tree

The protected tree is not near to the proposed extension, being some 25m from the nearest part of the existing house; the root protection zone of the protected tree is approximately 12.5m from the nearest part of the existing house. The extension would be approximately 8.6m from the root protection area at the closest part and would not impact the protected tree. Other trees within the site do not offer anywhere near the amenity value of the protected Poplar and are not protected. With the distance of the Poplar from the proposed extension, and the topography of the site, it is considered that protective fencing is not required, an informative informing that any damage to the TPO Poplar including root damage, could result in criminal proceedings would be prudent, however.

Conclusion

The proposal is acceptable in design and would not be detrimental to the visual and residential amenities of the area and raises no highway safety concerns. The protected tree is not near to the proposed extension, being some 25m from the nearest part of the existing house. The root protection zone of the protected tree is approximately 12.5m from the nearest part of the existing house; the extension would be approximately 8.6m from the root protection area at the closest part. The application complies with planning policies and is 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) Notwithstanding any submitted details 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 Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan adopted in June 2006.

- 4) No part of the development hereby permitted shall be used or occupied until the 2 proposed en-suite windows on the first floor north and west elevations, and the W.C/cloakroom window of the single storey porch extension, as indicated on drawing 02, have been glazed with obscure glass to level 4/5 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 the neighbouring 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.

- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order), no windows or openings shall be inserted in the extension hereby permitted other than those shown on the approved plans.

Reason: In the interests of privacy having regard to Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 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
26/09/2024	02	-	PROPOSED PLANS AND ELEVATIONS
26/09/2024	03	-	LOCATION PLAN

Signed Case Officer¹: **Lee Osborne**

Signed Authorising Officer²: **K Foster**

Date: **28 November 2024**

Informatives

1. There is a Poplar tree within the site protected by a Tree Preservation Order (TP: 04/00004). Any works undertaken (including storage of materials) which result in damage to the tree, or its root system, could result in criminal prosecution being undertaken.

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

Appendix 1 – Site Photographs