

APPLICATION

NO: 24/00551/FUL

CASE OFFICER:

Maxine Wishart

WARD:

Whiston & Cronton

PARISH:

Whiston Town
Council

LOCATION:

31 Cronton Avenue, Whiston, Knowsley

PROPOSAL:

ERECTION OF A FRONT CONSERVATORY

Site Description

The application relates to a mid-terraced two-storey dwelling located on Cronton Avenue, Whiston. The property faces onto a pedestrian footpath fronting a row of terraced properties. The property has an enclosed garden to the front which is laid to hard surface and set behind low-level fencing and brick wall with a pedestrian gate. It has an enclosed yard to the rear with gated pedestrian access onto Cronton Avenue. The property is modest in size having a width of 5 m. The host dwelling is in the main rendered white to the front elevation with a slate roof and white uPVC windows. There is an existing front porch with white frames above a low-level brick wall. There is an existing single storey extension to the rear.

The properties are 'back-to-back' with properties located on Halsnead Avenue with the street, Cronton Avenue, which is used by vehicular traffic, running between the enclosed back yards of dwellings on Cronton Avenue and Halsnead Avenue. The application site has no in-curtilage parking, the nearest street-parking is to the rear on Cronton Avenue.

Running parallel to the footpath fronting the properties on Cronton Avenue lies the former mineral line footpath which extends from Halsnead Garden Village to the south to Stadt Moers Park to the north. Other residential dwellings are located to the east and beyond the former mineral line lies Whiston Enterprise Park an industrial and commercial area.

Proposal

The application seeks consent for a conservatory to the front of the dwelling. The conservatory would extend across almost the entire front elevation.

It would be 4.7m wide and with a stepped arrangement, projecting 1.6 m adjacent to the boundary with No. 32 Cronton Avenue for approx. 840 mm wide and then projecting out for a maximum depth of 2.9m for the remainder of the width and where adjacent to the common boundary with No.30. It would have a mono-pitched roof to a maximum height of 2.96m.

The conservatory would replace the existing porch which has dimensions of 2.4 (w) by 1.01m (d) by 2.9 m (h).

There would be a distance of between approx. 3.4 m and 1.8 m between the conservatory and the boundary with the footpath at the front of the site.

Consultations

Whiston Town Council - No Comments Received.

Environmental Health - No objection to the proposed development. Advise a condition would be required in relation to contaminated land if planning permission granted.

Representations

This application has been publicised by letters sent to 5 neighbours. It has also been advertised by Site Notice. No representations have been received.

Planning History

None relevant.

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.

NATIONAL PLANNING POLICY FRAMEWORK

SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

H5 - Development within Primarily Residential Areas
H8 - Extensions and Alterations to Residential Properties
ENV5 – Contaminated Land

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles
CS19 - Design Quality and Accessibility in New Development

SUPPLEMENTARY PLANNING DOCUMENTS

Householder Development SPD (2016)

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application within a timely manner. However, the proposed development raises fundamental issues which are contrary to local and national planning policies and which are incapable of being addressed within this application. The Local Planning Authority is willing to meet with the applicant to amplify the reasons for refusal.

Assessment

Layout and Design

Saved UDP Policy H5 provides the Council's guidance on development within Primary Residential Areas and should be considered when determining a development's potential impact on neighbouring occupiers and the local street scene. The Council's general approach to planning applications for domestic extensions and other "householder" proposals is set out in Saved UDP Policy H8.

Policy CS2 of the Core Strategy requires new development to, amongst other things, *'promote good quality design and ensuring that development respects its setting taking account relevant design requirements, and best practice.'* Policy CS19 is of particular importance with all householder development proposals being expected to demonstrate a high standard of sustainable design that can contribute towards and sustain the local distinctiveness of the Borough.

The Council's Householder Development SPD is also a material planning consideration. The SPD highlights that front extensions and porches can be particularly prominent in the street scene and should be carefully designed to retain the character of residential areas. It requires that the style, design, materials and scale should respect the character of the surrounding residential area. Account should also be taken of the building line and should not dominate the existing dwelling or disrupt the uniformity of a group of similarly designed dwellings.

Front porches have been erected on a number of the dwellings in the terrace. The proposed conservatory would replace a modest porch. The proposed conservatory would cover approx. 50% of the site frontage.

Given the character of the terraced row and the small area to the front of the dwelling it is considered that the proposed conservatory would be out of keeping with the character and appearance of the host dwelling and the surrounding area in terms of its scale and design, particularly as conservatories are not generally found at the front of a dwelling. Whilst the unusual layout is noted it is considered that in this instance the erection of a conservatory to the front of this dwelling would appear incongruous and over dominant having regard to the limited depth of the area to the front and the closeness of the development to the front boundary and footpath. As such, it would fail to appear subordinate or be a sympathetic addition or to the host dwelling.

On balance, the proposed conservatory would have a detrimental impact on the character of the host property and the streetscene.

No.32 Cronton Avenue

No. 32 an adjoining neighbour to the left has an existing porch which abuts the porch on the host dwelling. The neighbour's porch projects approx. 1.35 m. There is a very low-level wall along common boundary with this property.

The proposed conservatory would project 1.6 m along the common boundary with No. 32 for a width of 840 mm, it would then continue to project out by 2.9 m.

A ground floor window in the neighbour's front elevation is located beyond their porch. The mid-point of that window being approx. 1.8 m from the common boundary. When applying a 45-degree rule, as identified in the Householder development SPD, the proposed conservatory would not cross the 45-degree line from this neighbour's nearest window. The neighbour's porch also sits between the application site and the neighbour's ground floor window and both existing porches would already, to some extent, reduce light and cause some overshadowing to that window.

Any impacts of the development in terms of loss of light would therefore be limited. Nonetheless, due to the scale of the development and the location of the conservatory within a small-confined space at the front, the proposed development would result in an overly dominant feature that would have an overbearing impact on the neighbouring property to the detriment of their residential amenity.

No. 30 Cronton Avenue

There is a low level brick wall along the front common boundary. This neighbour has an existing porch which is on the far side of the dwelling. The proposed conservatory would project 2.9 m at the point adjacent to the common boundary.

The proposed development would cross a 45 degree line from the nearest window on this neighbouring property and it is considered that impacts would be greater as the development would also create a "tunnel effect" between the proposed conservatory and the neighbour's existing porch. Despite the glazed element of the proposal, it is considered that the development would cause unacceptable harm to the adjoining neighbour by reason of overshadowing and loss of light. In addition, the development would result in an overly dominant development when seen from this property and would appear overbearing to the detriment of the neighbour's residential amenity.

Overall, the proposed development would appear as an unsympathetic and incongruous addition that would not be subordinate to the host dwelling resulting in an overly dominant and overbearing development to the detriment of the character of the host dwelling, the visual amenity of the streetscene and the residential amenity of neighbouring properties. The proposed development therefore fails to comply with the NPPF, Saved Policies H5 and H8, Policies CS2 and CS19 of the Local Plan and the Householder Development SPD.

Conclusion

The proposed development conflicts with the NPPF, Saved Policies H5 and H8 of the UDP and Core Strategy Policies CS2 and CS19 together with the Householder SPD. It is therefore recommended that planning permission is refused for the following reasons:

Recommendation

That planning permission be refused for the following reason(s):

1. By virtue of its scale and location to the front of the dwelling the proposed conservatory would appear incongruous and over-dominant within the plot and would be an unsympathetic addition to the host dwelling. In addition, the development would appear overly dominant and have an overbearing impact to the detriment of the residential amenity of surrounding neighbours. The proposal is therefore contrary to the NPPF, Saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and the Householder Development SPD (2016).

Signed Case Officer¹: **M Wishart**

Signed Authorising Officer²: **Jo Sheridan**

Date: **11/04/2025**

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