
APPLICATION NO:

26/00095/FUL

CASE OFFICER:

Reece Black

WARD:

Roby

PARISH:

LOCATION:

25 Court Hey Road, Roby, Knowsley

PROPOSAL:

S73 APPLICATION FOR THE VARIATION OF CONDITION 2 (THE DEVELOPMENT HEREBY PERMITTED SHALL BE CARRIED OUT IN ACCORDANCE WITH THE APPROVED PLANS AND DOCUMENTS LISTED IN SCHEDULE 1) ATTACHED TO PLANNING PERMISSION 24/00516/FUL (ERECTION OF A SINGLE STOREY EXTENSION TO THE EXISTING PORCH TOGETHER WITH THE ERECTION OF A TWO STOREY SIDE AND REAR EXTENSION) TO ALLOW FOR THE INSTALLATION OF A NEW WINDOW TO THE SIDE ELEVATION TOGETHER WITH A VELUX ROOFLIGHT TO THE PORCH ROOF.

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 application is for a variation of condition to a recently approved application (24/00516/FUL – 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) to allow for the installation of a window to the side elevation and a velux rooflight to the porch roof.

Consultations

None.

Representations

This application has been publicised by letters sent to 20 neighbours. There have been no representations received as a result of the publicity given to the 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.

24/00516/FUL – 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. Granted 28.11.2024.

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

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 principle of the erection of a two storey outbuilding together with the demolition of the existing barn has previously been established by virtue of planning permission 25/00192/FUL. This application is to assess the impacts of the introduction of a new window to the ground floor of the rear (north-facing) elevation and the amendment to the external cladding material from green to dark matt grey.

All other aspects of the previously approved scheme will remain as otherwise approved.

Introduction of window to side elevation:

The window would be inserted into the elevation fronting 23 Court Hey Road. Given the distance to the boundary (approximately 3.5m from the boundary) and given the height of the boundary and the outbuildings to the rear of 23 Court Hey Road, there would be no issues regarding privacy or overlooking.

The new window would reflect the character of the host dwelling and the extension already approved.

The proposal therefore complies with policy H8 in that there would be no issues regarding privacy.

Introduction of velux window to porch:

The insertion of a roof light into the roof of the porch would raise no issues in terms of design or impact on neighboring properties and is therefore acceptable and compliant with Policy H8.

Conclusion

The proposal is 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 no later than the expiration of three years beginning with the date of the granted original planning permission (28.11.2024).

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
04/03/2026	02	B	PROPOSED PLANS AND ELEVATIONS
26.09.2024	03		LOCATINO PLAN

Signed Case Officer¹: Jo Sheridan

Signed Authorising Officer²: Alan Kilroe

Date: 27 April 2026

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.

Knowsley Council
Regeneration and Economic Development Directorate.
Delegated Planning Report