

<u>APPLICATION NO:</u>	24/00445/FUL	<u>CASE OFFICER:</u>	Maxine Wishart
<u>WARD:</u>	Halewood North	<u>PARISH:</u>	Halewood Town Council
<u>LOCATION:</u>	Foxhill House , Foxhill Lane, Halewood		
<u>PROPOSAL:</u>	ERECTION OF SINGLE STOREY REAR EXTENSION (DEMOLITION OF OUTRIGGER EXTENSION)		

KNOWSLEY LOCAL PLAN POLICIES MAP ALLOCATION

Green Belt

Site Description

The application relates to Foxhill House which is a two storey, brick detached house located on Foxhill Lane a narrow lane which is accessed off Gerrards Lane and which is on the outskirts of Halewood. Foxhill House is a Grade II listed building and occupies a semi-rural setting within the Green Belt. There is a painted date plaque above the door stating 1720.

The application site extends over circa 0.35 ha. The property has an existing rear extension, which would be demolished to make way for the proposed development. There is an existing orangery and an outrigger to the western side of the property. There is a small single storey extension to the rear elevation on the northern elevation. There is a large, raised decked area to the eastern side of the property.

The front of the property is hard surfaced with cobbled pavements set behind low-level sandstone walls with decorative railings and hedges together with sandstone gate piers and decorative wrought iron access gates both to the southwest and southeast of the front boundary with Foxhill Lane. The property is also hard surfaced at the rear.

To the west of the site there is a large, grassed area with an ornamental pond and trees. To the east lies another large, grassed area, bounded by a sandstone wall with hedging and trees along the Foxhill Lane and where the site turns the bend on Foxhill Lane. In this section of the site, close to the southern stretch of Foxhill Lane there is an outdoor elevated swimming pool with associated decked terrace area and fenced enclosure.

There is a detached double garage block to the northeast of the dwelling set along the rear boundary of the site. Further to the northeast there is a derelict outbuilding. Both of these structures are fronted by hardstanding and vehicular access is provided into this section of the site at the eastern boundary off Foxhill Lane.

Beyond the application boundary to the north, east, south and west the application site is surrounded by agricultural land. The nearest properties are located at the end of Foxhill Lane. 'The Bungalow' and Foxhill Farm, are located to the east of the application site at approximately 310m – 330m respectively.

Other properties are located approximately 340 m to the north west of the site on Gerrards Lane. There are no other properties in close proximity to the application site.

Proposal

The application proposes the erection of a single storey rear extension. The proposal would replace an existing single storey extension at the rear. The existing extension at the rear has dimensions of 2.26m wide by 2.34m deep with an external footprint of 5.25sqm. The side door is accessed by a set of steps, due to the site level difference and has a pitched roof which attains a maximum height of 3.62m.

The proposed extension would have dimensions of 6.8m wide by 3.7m deep. It would extend across the rear elevation of the host dwelling. The extension would provide open plan diner / kitchen and living area accommodation. The land immediately to the rear of the dwelling drops with the floor level being set approx. 900mm higher. Taking into account the level difference, the proposed extension would have a gable ended mono-pitched roof with raised gable ends which would attain a height of approx. 3.3m to the eaves, 4.25 to the ridge and a maximum height of approx. 4.5m to the top of the gables.

There would be a set of French doors within the eastern side elevation which would be accessed via a set of steps from ground level. It is proposed to install two sash windows to the rear elevation and windows within the western elevation. Three roof lights would be installed in to the roof slope.

It is proposed that there would also be some internal reconfiguration of the ground floor which would comprise the removal of a decorative chimney breast within the existing kitchen area, provision of a utility room within what is currently the kitchen and the demolition of the rear extension and the erection of the new extension would see the removal of a section of the rear wall.

Consultations

Halewood Town Council - No comments received.

Conservation Officer - Raise a number of concerns relating to the proposed development and which have not followed through into the scheme as amended, in particular with reference to the loss of the chimney breast and the removal of part of the rear wall elevation without the retention of wall nibs to the opening.

Merseyside Environmental Advisory Service - Advised on matters relating to ensuring protection of bats; requirement for Habitats Regulations Assessment to be carried out and the provision of such undertaken by them; and archaeology.

Natural England - No objection subject to appropriate mitigation being secured. Natural England considers that without appropriate mitigation the application would have an adverse effect on the integrity of identified Special Protection Areas and Ramsar sites and damage or destroy the interest of features for which identified SSSIs have been notified. Mitigation options should be secured: Minimise construction noise impacts on sensitive nearby land through seasonal timing and / or mitigation measures. Advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Representations

This application has been publicised by letters sent to 13 neighbours, site notice and a press notice. No representations have been received.

Planning History

APP. NO: K/APP/937 (Alt. Ref:74/00960/HIST)
PROPOSAL: FOXHILL HOUSE OFF GERRARDS LANE HALEWOOD :-
RENOVATION OF FOXHILL HOUSE FOR USE AS
RESTAURANT AND ERECTION OF PUBLIC HOUSE
DECISION: Refused
DECISION DATE: 14 October 1975

APP. NO: K/APP/1443 (Alt Ref: 74/01743/HIST)
PROPOSAL: REPAIRS REINSTATEMENT OF REAR PORCH AND SIDE
CONSERVATORY
DECISION: Granted
DECISION DATE: 25 June 1976

APP. NO: K/APP/6192 (Alt. Ref: 74/06436/HIST)
PROPOSAL: GARAGE
DECISION: Granted
DECISION DATE: 6 October 1981

APP. NO: K/APP/6249 (Alt. Ref: 74/06493/HIST)
PROPOSAL: SWIMMING POOL HALL AND SERVICES EXTENSION
DECISION: Granted
DECISION DATE: 6 October 1981

APP. NO: K/APP/6250 (Alt. Ref: 74/06494/HIST)
PROPOSAL: SWIMMING POOL HALL AND SERVICES EXTENSION
DECISION: Granted
DECISION DATE: 6 October 1981

APP. NO: K/APP/14887 (Alt. Ref: 74/14854/HIST)
PROPOSAL: RETENTION OF SATELLITE DISH
DECISION: Granted
DECISION DATE: 25 June 1993

APP. NO: 96/00442/APP
PROPOSAL: ERECTION OF SINGLE STOREY DETACHED BUILDING TO
HOUSE SWIMMING
DECISION: Refused
DECISION DATE: 15 November 1996

APP. NO: 96/00443/LBC
PROPOSAL: ERECTION OF SINGLE STOREY DETACHED BUILDING TO
HOUSE SWIMMING
DECISION: Refused
DECISION DATE: 15 November 1996

APP. NO: 09/00260/FUL
PROPOSAL: ERECTION OF ORANGERY TO SIDE

DECISION: Granted
DECISION DATE: 29 July 2009

APP. NO: 09/00261/LBC
PROPOSAL: LISTED BUILDING CONSENT SOUGHT FOR THE ERECTION OF ORANGERY TO SIDE OF DWELLING TOGETHER WITH CONVERSION OF SEPERATE COACH HOUSE TO FORM 'RESIDENTIAL ANNEXE'

DECISION: Granted
DECISION DATE: 6 October 2009

APP. NO: 24/00446/LBC
PROPOSAL: ERECTION OF SINGLE STOREY REAR EXTENSION (DEMOLITION OF OUTRIGGER EXTENSION)
DECISION: Pending Consideration

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

KNOWSLEY LOCAL PLAN: CORE STRATEGY

- CS2 - Development Principles
- CS5 - Green Belt
- CS8 - Green Infrastructure
- CS19 - Design Quality and Accessibility in New Development
- CS20 - Managing the Borough's Historic Environment
- CS21 - Greenspaces and Trees
- CS24 - Managing Flood Risk
- CS26 - Waste Management

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

H8 - Extensions and Alterations to Residential Properties
G7 - Alteration, Extension or Replacement of Existing Dwellings in the Green Belt
DQ2 - Security in the Built Environment
DQ4 - Trees and Development
ENV2 - Noise and Vibration
ENV3 - Light Pollution

SUPPLEMENTARY PLANNING DOCUMENTS

Ensuring a Choice of Travel SPD (2010)
Design Quality in New Development SPD (2016)
Householder Development SPD (2016)
Trees and Development SPD (2016)

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

ASSESSMENT

Green Belt – Principle

The main issues are:

- Whether the proposed development would amount to inappropriate development in the Green Belt, having regard to the NPPF and any relevant development plan policies.
- The effect on the openness of the Green Belt.
- Whether any harm by reason of inappropriateness and any other harm, is clearly outweighed by other considerations, such as to amount to the very special circumstances necessary to justify the development.

Whether the development would amount to inappropriate development in the Green Belt

As the application site lies within the Green Belt, Policy G7 of the UDP is relevant. This policy requires that proposals for the extension of an existing dwelling within the Green Belt will be permitted provided that at criterion (a) the form and materials of the development would respect the appearance of the dwelling and its setting, and preserve the openness of the Green Belt... and at criterion (c), the proposal would not result in a disproportionate addition over and above the size of the 'original

building'. The explanation for the policy states that as a general guideline enlargements of over 50% will not be allowed. The size of the 'original dwelling' is defined as that which existed on 1 July 1948 or the dwelling as originally built if this was later.

Policy CS5 of the Core Strategy establishes that inappropriate forms of development will continue to be resisted in the Green Belt. These policies are in accordance with paragraph 153 of NPPF which states that 'when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.'

The NPPF does not provide a specific definition of what would constitute a disproportionate addition over and above the size of the original building. Therefore, it is a matter of judgement for the decision maker.

The NPPF at para 154 states that development in the Green Belt is inappropriate unless it would constitute one of the exceptions set out at paragraph 154. The NPPF also states that inappropriate development is, by definition, harmful to the Green Belt and should only be approved in very special circumstances.

The application proposes an extension to a residential dwelling and one of the listed exceptions (c) is *'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.'* "Original building" is defined in the NPPF as a building as it existed on 1 July 1948, or if constructed after 1 July 1948, as originally built.

Foxhill House first appears on the 1845 OS Map, where it consists of a house rectangular in shape with an outrigger to the north elevation, with two small outbuildings and set within large garden. The house appears to retain this layout until the beginning of the 20th century, where in 1904 on Historic OS maps, the outrigger and outbuildings are shown as demolished and instead, there is one long outbuilding to the northeast of the site.

Planning history indicates that the rear porch (outrigger) was granted planning permission in 1976 Ref: K/APP/1443). That permission also granted consent for repairs and the reinstatement of the side conservatory and a 2009 permission (Ref: 09/00260/FUL) was granted for the erection of an orangery to the side elevation, suggesting that the outrigger to the north seen in the 1845 map was rebuilt in the 20th/early 21st century. The permission for the orangery in 2009 to the eastern elevation of the property was not implemented.

The applicant's agent purports that the volumetric calculations are as follows:

Original House - 1081.94m³

Side Extension – 209.97m³

Rear Extension (Proposed) – 100.63 m³

% Increase = 28.7%

Officers calculate the following:

Original House – concur, appears accurate 1081.94m³

Existing Side Extension (outbuilding and conservatory) – approx. 240m³

Proposed Extension to Rear – concur, appears accurate 100.63m³

% Increase 31.48%

The applicant's agent estimates that the volume increase following development would be 28.7 %, the LPA however does not concur with this and calculates that the volume increase would be 31.48%. This is based on the original dwelling assumed to have not included in 1948 the outbuilding as stands to the side of the dwelling and the conservatory to be a new addition post 1948.

Whilst there is no definitive picture of what the 'original' building comprised on 1 July 1948; it is considered that on the balance of probability the outbuilding and conservatory to the side are later additions. In the absence of definitive proof, the Local Planning Authority has in this instance taken the 'original' building to be the existing two-storey dwelling. Even so, the volume increase would be less than the 50% set out in Policy G7 and when taking into account the above factors it is considered that in this instance the proposal would not result in a disproportionate addition over and above the size of the original building and is not inappropriate development in the Green Belt.

The Effects on the Openness of the Green Belt

Taking into account the fact that the proposal is not considered to be inappropriate development, regard has been had to case law - Lee Valley Regional Park Authority v Epping Forest District Council [2015] EWHC 1471 (Admin) which held that, where development is found to be not inappropriate, it should not be regarded as harmful either to the openness of the Green Belt or to the purposes of including land in the Green Belt.

The exception set out in paragraph 154(c) does not specifically require as a determining factor any requirement to assess the impact of the development on the openness of the Green Belt in gauging inappropriateness. Therefore, consistent with the judgment, given it is considered that the proposed development would not be a disproportionate addition to the original dwelling, there is no necessity for a subsequent assessment of the effect of the development on the openness of the Green Belt.

The proposed development is considered to comply with the NPPF and Policies CS5 of the Local Plan and Saved Policy G7 of the Replacement UDP.

Design and Layout

Local Plan Core Strategy Policy CS2 states that new development will be expected to enhance local character and promote quality of space. Policies CS19 and CS20 of the Local Plan Core Strategy seek to ensure new development complements and enhances features of historic interest, preserves local distinctiveness and character through sensitive design as well as ensuring new development includes appropriate integration with the setting and immediate landscape.

The Council's Householder Development SPD also forms a material consideration for the purposes of determining this planning application. It advises that the overall scale of development should not look out of place from the street or local

environment. The design of the roof should echo that of the original dwelling; windows should follow the precedent shown in the host dwelling and materials should generally be the same or similar to the dwelling to which it relates. The extension should also leave adequate room around the dwelling to avoid a cramped appearance, space for sitting out and storage of bins and adequate parking.

The layout of the proposed development would ensure that adequate space is retained around the building and the existing parking and waste facilities would not be affected by the proposed development.

Chapter 16 (Conserving and Enhancing the Historic Environment) of the NPPF and Historic Environment Good Practice Advice in Planning: 2 (Historic England: 2015) all seek to preserve or enhance the Borough's historic and architectural assets and any archaeological remains.

Rear Extension

In this case, the Council's Conservation Consultant has advised that in principle, a rear extension of this scale is acceptable at Foxhill House. The proposed extension is generally of a style and scale appropriate to the house, using brickwork to match the existing and with the roof echoing that of the main house.

A number of amendments have been made to the scheme, beginning with revisions to the submitted plans to accurately reflect the existing window configuration within the host property. The list description notes sash windows, however windows with a central opening hopper are present across the front and rear elevation. These do not benefit from listed building consent. It is noted that in an earlier planning application, granted in 1976 (Ref: K/APP/1443) that the windows on the submitted plans reflect the historic 6 over 6 window style.

Other changes have been secured in relation to the design of the proposed extension, specifically regarding the window layout and detailing. The originally proposed kitchen windows, which featured a horizontal emphasis, have been revised to reflect the historically appropriate vertical emphasis of those originally found on Foxhill House. Windows to the side elevation have also been amended to reflect the 6-over-6 configuration. Historic photographs confirm that the property originally featured 6-over-6 timber sliding sash windows, and the revised design now aligns with this.

Additionally, the originally proposed high-profile rooflights have been replaced with low-profile, conservation-style rooflights. The central mullions have also been improved, changing from surface-applied elements to true component central mullions. Detailing on the French doors has also been amended.

Internal Works

In addition to the proposed extension, additional works to facilitate its implementation would include the following:

Removal in part of rear wall

The removal of part of the rear elevation of the dwelling is proposed to enable the extension of the existing kitchen.

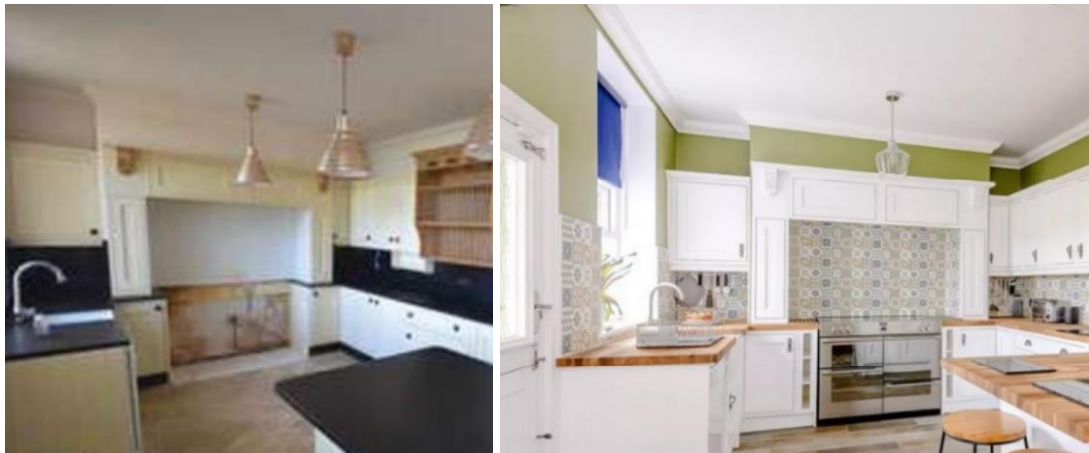
Removal of chimney breast and creation of a utility room

It is proposed that an existing chimney breast within the existing kitchen be removed.

This is identified as being decorative and not of solid construction. This would allow an internal utility room to be built.

It is proposed to create a new utility room within the existing kitchen area measuring 3.7 m by 1.7m. This room would straddle the area where the existing chimney breast is located.

An amendment has been secured to alter the originally proposed ground floor layout of the existing property which did show double doors replacing an existing door from the hallway into the kitchen which has now been removed from the scheme.



(taken from sales particulars)

Heritage Impacts

This is a full planning application although a separate application for Listed Building Consent application (Ref: 24/00446/LBC) has been made in tandem with this application. The main issue is whether the proposal would preserve the Grade II listed building and any of the features of special architectural or historic interest that it possesses.

Listed Building

The proposed development would involve an extension and internal works to facilitate a single storey extension of the Grade II listed building, Foxhill House. The listing description for the property is below:

“Georgian, brick, 2 storeys, centre door with fanlight in good doorcase and with knocker, 2 sash windows on ground floor and 3 above.”

From the listing, the evidence of the special interest and significance of the listed building, in so far as it relates to this application, is largely derived from its external architectural interest with its age and fenestration design features, specifically to the building frontage, making an important contribution in that regard. The listing has no detail in regard to the internal floorplan or specific internal features.

Externally, the proposed extension would replace a later addition, which is not considered to be part of the historic fabric of the building. The existing extension is not shown on Historic Maps of 1904 (published 1907), 1958 or 1938 (published in 1945). The existing porch addition is finished in a grey render above a deep brick

plinth with a large window across the rear elevation. The structure proposed for demolition is considered to be of a poor quality and design, detrimental to the significance of the host property and as such, it is considered that its removal is acceptable.

Following amendments to the design, it is considered that the proposed extension, subject to relevant planning conditions, would not be unduly out of keeping with the host property and would replace the existing inappropriate structure. As such, it is Officer view that the replacement extension would preserve the Grade II listed building and would not harm its significance as a designated heritage asset.

The demolition of the existing rear porch proposed is considered to be a poor quality and design, detrimental to the significance of the host property and as such, it is considered that its removal is acceptable. The Conservation Officer has not raised any objections to the demolition.

Turning to the other works, these would comprise the removal of part of the external rear elevation wall and loss of two ground floor windows to enable access to the extension and the removal of the chimney breast to allow the creation of a new utility room which would extend into the existing kitchen area. These alterations together with the extension would create an open plan kitchen, diner and living area.

Currently, there is a door providing access from the rear of the property into the porch extension which is flanked by the two windows on the rear elevation. The removal of part of the rear elevation of the wall between the existing kitchen and the proposed extension would expand approx. 6.3m.

While there is no objection to the creation of the opening in the external wall to provide the open plan kitchen space, they have advised that wall nibs should be retained to each side of the opening in order to retain legibility of the original extent / plan form of the house. This amendment has not been forthcoming in the revised application detail.

Furthermore, the Conservation Officer has raised an objection to the removal of the chimney breast within the existing kitchen area. The applicant purports that the chimney breast is decorative and is not an original feature.

The rear elevation is considered to be an integral part of the historic fabric of the building. The proposed removal of a section of this wall—without retaining nibs—and the loss of the chimney breast would result in the loss of historic fabric of the building to the detriment of the existing historic floor plan and internal features.

Public Benefits and Heritage Balance

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that *'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'*

The NPPF at paragraphs 207 – 215 provides guidance on the approach that should be taken in considering the impacts against the level of harm (if any) that has been identified to listed buildings and their settings.

Paragraph 208 sets out that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 210 states: In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

When considering potential impacts, paragraph 212 of the NPPF requires that in considering the impact of a development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

Paragraph 213 goes on to stress that *'any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:*

- a) *grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) *assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'*

Paragraphs 214 and 215 address the balancing of harm against public benefits. Proposals that would result in substantial harm to or loss of significance of a designated heritage asset should be refused, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Paragraph 215 emphasises that where less than substantial harm will arise as a result of a proposed development, this harm should be weighed against the public benefits of a proposal, including securing its optimum viable use.

Taking into account the Conservation Officer's comments, they have clear concerns regarding the removal of the rear wall without the retention of wall nibs and the removal of the chimney. While the applicant's agent has updated the supporting Design, Access and Heritage Statement, the removal of the chimney is not noted or justified. The report reasons that there would be *no alterations to key architectural features or significant internal spaces* and that *the heritage significance of the internal finishes and layout will therefore be preserved*.

However, there is insufficient evidence available; either put forward by the Conservation Officer or within the listing to confirm that the chimney breast is an original feature of the building and that the development would comprise the

demolition of a principal element of the listed structure or a substantial part of the interior. In light of the Conservation Officer's comments and the lack of definitive evidence regarding the chimney breast's historic significance, it is not possible to conclude with certainty that the proposed works would result in the loss of a principal or original feature of the listed building. Having regard to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires decision-makers to have special regard to the desirability of preserving the building or its setting considerable importance and weight must be given to any harm identified. These benefits might include securing the optimum viable use the building.

Notwithstanding the above, the revised application addresses a number of other design issues raised by the Council's Conservation Officer. Before these amendments (discussed above), which relate to the window layout and design; rooflight layout and specifications; French door detailing; omitting a double door opening from the hallway into the kitchen and reverting back to the existing single door opening - the Conservation Officer considered that the proposals would likely cause a low to moderate level of harm to the significance of the Grade II listed Foxhill House and would not therefore meet the test to preserve. With the amendments, the level of harm should be regarded as less than substantial and as such should be considered under paragraph 215 of the NPPF.

To reiterate, paragraph 215 requires that *where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

The supporting information indicates that the extension is designed to enhance the functionality of the property by expanding the kitchen area to create a combined kitchen-diner and family living space. The extension would provide a more functional and modern living environment, better suited to contemporary family needs.

The existing kitchen is of modern design reflecting a modern layout with a door leading to a later addition of a porch, indicating that the internal configuration has already evolved over time. The proposed works would continue this evolution, enhancing the usability of the space .

In accordance with paragraph 215 of the NPPF, having regard to the above, the proposed extension would result in less than substantial harm to the significance of the listed building. This harm is considered to be justified and outweighed by the public benefits of the scheme derived from the continued optimum use of the building and the provision of a more practical and contemporary living arrangement that aligns with modern standards of residential use. The proposed development seeks to enhance the functionality of the dwelling while maintaining respect for its architectural and historic character.

Officers have applied the test set out in para. 215 of the NPPF, whereby a balanced judgement is made weighing the less than substantial harm to the significance of this asset. In weighing up the impact of the development on the significance of the designated heritage asset and the public benefit resulting from the proposal, this is a matter of judgement which can be subjective, so clear planning reasons based on an objective assessment against relevant policy considerations are necessary.

The final amendments to the proposal are considered to have moderately reduced the degree of harm within the spectrum of less than substantial, albeit that, having

regard to other matters raised above, this is not to sufficient extent to remove the harm altogether.

In light of the above assessment the degree of less than substantial harm caused to the listed building is considered to be outweighed by the public benefits derived from the development proposals identified above and that the balance is considered to tip in favour of the allowing the development proposals.

The development is acceptable subject to conditions as set out below. As such the development is considered compliant with the NPPF, Core Strategy Policies CS2 and CS19, CS20 and Saved UDP Policy H8 together with the Householder Development SPD and The Planning (Listed Buildings and Conservation Areas) Act 1990.

Highway Considerations

The proposed development would be erected to the rear of the dwelling and would not result in any impact on the existing parking or access arrangements for the site.

Consequently, the proposed development would not conflict with paragraphs 114 and 115 of the NPPF, Saved Policies H8 and G7 of the Replacement UDP, Policies CS2, CS7 and CS19 of the Local Plan: Core Strategy and the Ensuring a Choice of Travel SPD and Householder Development SPD which together, amongst other things, require developments to provide sufficient off-street parking to ensure safe and sustainable access and routes, and to enhance road safety.

Residential Amenity

Saved Policies H5 and H8 of the UDP amongst other matters, seek to ensure that new development does not unacceptably impact on the amenity of neighbouring occupiers of adjacent dwellings. Policies CS2 and CS19 of the Local Plan seek to ensure that development promotes good quality design, respects its setting and avoids unacceptable impacts on existing residents. Further advice is set out in the Householder Development SPD.

The nearest properties are located at the end of Foxhill Lane. 'The Bungalow' and Foxhill Farm, are located to the east of the application site at approximately 310m – 330m respectively. Other properties are located approximately 340 m to the north west of the site on Gerrards Lane. There are no other properties in close proximity to the application site.

On this basis, the proposed development would not have any impact on the residential amenity of the occupants of the nearest residential dwellings and the proposal would not conflict with the NPPF, Policies CS2 and CS19 of the Local Plan Core Strategy and Saved Policies H8 and ENV2 of the Knowsley UDP.

Ecology

Policies CS2 and CS8, amongst other things, seek to ensure that new development maintains or enhances the quality of biodiversity and habitats and ensure that they provide adequate mitigation and / or, as a last resort, compensation for Green Infrastructure or biodiversity loss, in circumstances where harm resulting from the development is otherwise unavoidable. This is consistent with the aims of the NPPF.

Bats

Bats are protected species and a material consideration. Policy CS8 of the Local Plan applies. The application was not supported by any ecology reports. In this case, MEAS advised that whilst a preliminary ecological appraisal (PEA) is not required, an assessment with regards to bats was required. In the first instance, the provision of photographs of the existing extension and of the location of the proposed was sought in order to determine whether a Preliminary Roost Assessment (PRA) was required to assess the suitability of the existing extension and location of the proposed extension for bat roost suitability.

The applicant provided a number of photographs and MEAS are satisfied that a bat survey isn't required on this occasion as the works would not impact the roof structure and site photographs provided show the area of proposed works (demolition and construction) to be well sealed.

The proposed development would not result in any adverse impacts on ecology. As such the development would comply with Policies CS2, CS8, CS19 and CS21 of the Local Plan Core Strategy and the NPPF.

Noise Considerations

Saved Policy ENV2 of the Knowsley UDP seeks to ensure that new or existing developments are protected from new or existing noise sources and that, where necessary, effective mitigation measures are secured. In that regard, MEAS have carried out a Habitats Regulations Assessment which identifies that there is potential for demolition and construction noise impacts on sensitive nearby land as discussed below.

Habitats Regulations Assessment (HRA)

The precautionary principal has been followed to undertake this Habitats Regulations Assessment (HRA) as there are records of small numbers of non-breeding birds in the area.

The development site is adjacent to agricultural land which provides functionally linked habitat to the following international and national sites. These sites are protected under the Conservation of Habitats & Species Regulations 2017 and Knowsley Council Local Plan policy CS8 applies:

- Ribble and Alt Estuaries SPA
- Ribble and Alt Estuaries Ramsar site
- Mersey Narrows and North Wirral Foreshore SPA
- Mersey Narrows and North Wirral Foreshore Ramsar site
- Mersey Estuary SPA
- Mersey Estuary Ramsar site
- Martin Mere SPA
- Martin Mere Ramsar site

Due to the development's potential pathways and impacts on the above sites, this proposal requires Habitats Regulations Assessment (HRA) for likely significant effects. Local Plan policy CS8 applies. In line with the recent Court of Justice of the European Union judgement of 12 April 2018 (known as *People Over Wind*¹), the

Council's Ecologists, MEAS have undertaken an assessment of likely significant effects which is based upon the essential features and characteristics of the project only. This concludes that, without mitigation / preventative measures, that there will be likely significant effects on the following sites:

- Ribble and Alt Estuaries SPA
- Ribble and Alt Estuaries Ramsar site
- Mersey Narrows and North Wirral Foreshore SPA
- Mersey Narrows and North Wirral Foreshore Ramsar site
- Mersey Estuary SPA;
- Mersey Estuary Ramsar site
- Martin Mere SPA
- Martin Mere Ramsar site.

An Appropriate Assessment is required in accordance with Regulation 63 (Habitats Regulations 2017). MEAS have provided an Appropriate Assessment report which concludes that, with mitigation / preventative measures, there will be no adverse effect upon the integrity of European sites.

On the advice of MEAS, Natural England have been consulted on the outcome of the Appropriate Assessment. Natural England have raised no objection subject to the appropriate mitigation being secured. Natural England advise that in order to mitigate adverse effects and make development acceptable the following mitigation options should be secured via an appropriate planning condition or obligation attached to any planning permission if it is granted:

- Minimise construction noise impacts on sensitive nearby land through seasonal timing and/or mitigation measures.

Natural England acknowledge that an Appropriate Assessment has been carried out which concludes that the LPA is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advise that they concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

Natural England also advise that construction activities undertaken between April and August of any year when this is not possible then acoustic fencing / hoarding should be installed along the rear of the application site boundary for demolition and construction works that are to take place between 1st September and 31st March, in order to mitigate impacts to nearby functionally linked land during construction activities.

MEAS advise that a planning condition should be attached to any planning permission granted which requires an acoustic fence / hoarding to be erected along the rear boundary for the duration of demolition works and construction period of works that would take place between 1 September and 31 March.

Conclusion of Test of Likely Significant Effects (TOLSE)

MEAS have completed an assessment of likely significant effects (ALSE) using the source pathway receptor model which concludes that without the implementation of avoidance and mitigation measures the proposal is likely to have significant effects on international and national sites. Appropriate Assessment is required in

accordance with Regulations 63 (Habitats Regulations 2017 (as amended)).

Conclusion of Appropriate Assessment

The Council's environmental experts, MEAS have concluded in the Appropriate Assessment report that they carried out, that provided that acoustic fencing/hoarding is installed along the rear of the application site boundary for demolition and construction works that are to take place between 1st September and 31st March which can be secured by a suitably worded planning condition, there will be no adverse effect on the integrity of the international and national sites.

Arboriculture

Saved Policy DQ4 of the Knowsley UDP seeks to ensure that new developments include adequate tree and landscape provisions whilst at the same time seeking the protection or replacement of trees affected by development. Local Plan Core Strategy Policy CS8 seeks to preserve landscape character. Policy CS21 seeks to enhance and protect existing trees, woodland, vegetation and other habitat features that offer a positive contribution to the local environment whilst seeking tree planting and other soft landscaping. The Trees and Development SPD is also a material consideration.

It is noted that the site is covered by a TPO (TPO - Areas, Groups, Woods (91/00003/TPO)). However, there are no existing trees within close proximity of the proposed extension that would be impacted by the development.



Officer site photo 2025

In conclusion, it is considered that the proposal would comply with Saved Policy DQ4 of the Knowsley UDP, and policies CS2 and CS21. In coming to this view regard has been given to the Trees and Development SPD.

Flood Risk and Drainage

According to the Government's Flood Map for Planning Service Flood Zone website map results, the site is located within Flood Zone 1 (the area at lowest risk of flooding). Policies CS2 and CS24 in the Local Plan Core Strategy combine to ensure that development will not cause any unacceptable risk of flooding and that surface water will be drained in a safe and sustainable manner.

It is not considered that the proposal would be likely to result in detrimental impacts resulting from surface water drainage and the proposal would not conflict with

Policies CS2 and CS24, of the Knowsley Local Plan Core Strategy.

Other Matters

Biodiversity Net Gain

The application does not need to provide mandatory Biodiversity Net Gain (BNG) as it householder development falls within the list of exemptions.

Conclusion and Planning Balance

As considered above, the design and impact of the proposed development would be of an acceptable scale. The development would not be inappropriate development in the Green Belt or have a significant impact on the openness of the Green Belt

The proposal would be acceptable in terms of design, highways, residential amenity, ecology, impacts on trees.

In line with Officer's statutory duty, considerable importance and weight has been given to the harm arising from the proposal. It is found that the development would cause less than substantial harm to the listed building. Whilst less than substantial harm would be caused to this heritage asset it is considered that, for the reasons outlined in this report, that the extent of harm would be at the lower end of the spectrum of less than substantial.

In accordance with paragraph 215 of the NPPF, the harm has been weighed against the public benefits. Officers acknowledge that there would be some limited public benefits of the scheme, involving securing its optimum viable use, which in this instance is considered sufficient to outweigh the harm that has been identified.

Given the above, it is concluded that, on balance, subject to conditions, the proposal would preserve the listed building and would satisfy the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), paragraph 215 of the NPPF and relevant Local Plan and UDP policies.

Recommendation

That planning permission be granted subject to the following conditions:

- 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 description of materials in the application, no part of the development (including demolition works) hereby permitted shall take place until samples and a full specification of materials to be used externally on the development have been submitted to and approved in writing by the Local Planning Authority.

Such details shall include:

- the type, colour and texture of the materials.
- pointing mortar mix, joint thickness and finish profile (1m x 1m sample panel).
- Details of rainwater goods, soffits and fascias.

For the avoidance of doubt:

- Facing brick shall match the existing brickwork adjacent in respect of dimensions, colour, texture, face bond, and pointing.
- Rainwater goods (gutters, downpipes/hopper heads/soil pipes and associated items) on visible elevations shall be cast iron / cast aluminium and shall be finished black within three months of being placed on the building the subject to this permission and shall be retained as such at all times thereafter
- All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution and finished appearance and in accordance with details which inform the above submission.

The development shall be carried out only in accordance with the agreed samples and schedule of materials.

Reason: To preserve the special and historic character of a Grade II Listed Building and to comply with the National Planning Policy Framework (2024), Saved Policies H8 and G7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2, CS5, CS19 and CS20 of the Knowsley Local Plan: Core Strategy, adopted January 2016, and the Householder Development SPD (2016).

- 4) Notwithstanding any description in the application or details provided, prior to the commencement of any part of the development, full details of the proposed windows and doors to be installed in the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority.

Details shall include large scale elevational and sectional drawings including 1:10 scale, or scale otherwise agreed, cross-section drawings. The submitted details shall include but not be limited to the following detail:

- Materials (for the avoidance of doubt this should be timber);
- Cross sections for glazing bars, sills, heads. at a scale of 1:20
- Method of opening;
- Method of glazing;
- Finished colour and specification of any windows and doors to be formed as part of the development (paint specification should be off

- white paint. Product specification or RAL number should be supplied); and
- Details of ironmongery.

The development shall be carried out only in accordance with the approved details and windows and doors shall be maintained as such thereafter.

Reason: To preserve the special architectural and historic character of a Grade II Listed Building and to comply with the National Planning Policy Framework (2024), Saved Policies H8 and G7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006 and Policies CS2, CS8, CS19 and CS20 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

- 5) Acoustic fencing / hoarding shall be erected along the rear of the application site boundary for the duration of any demolition and construction period of works that will take place between 1 September and 31 March.

Precise scheme details of acoustic fencing / hoarding that shall be erected along the rear boundary of the application site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any demolition or construction works that are to be carried out between 1 September and 31 March.

The approved acoustic fencing / hoarding shall be installed in accordance with the approved details prior to the commencement of such works and shall be retained in place for the duration of the demolition and construction period occurring within the specified timeframe.

The approved fencing / hoarding shall be removed in its entirety immediately following first occupation of the use of the extension hereby permitted.

Reason: In the interests of mitigating disturbance impacts in terms of noise and visual disturbance effects from related demolition / construction related activities and to ensure that there will be no adverse effect of the integrity of identified international and national sites; and to preserve the special architectural and historic character of a Grade II Listed Building and to comply with the National Planning Policy Framework(2024), Saved Policies H8 and G7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2, CS8, CS19 and CS20 of the Knowsley Local Plan: Core Strategy, adopted January 2016, and the Householder Development SPD (2016).

- 6) Notwithstanding any details shown on the approved plans and submitted documents, this permission relates solely to the single storey rear extension hereby approved. No approval is granted for any other works, alterations, or development on the site beyond those explicitly described in the application.

Reason: To ensure clarity regarding the scope of the permission and to prevent any unauthorised development that may have an adverse impact on the character of a Grade II Listed Building and to comply with the National Planning Policy Framework (2024), Saved Policies H8 and G7 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS2, CS19 and CS20 of the Knowsley Local Plan: Core Strategy, adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
21/11/2025	FH-R03-PR-105	R04	PROPOSED ELEVATIONS
26/09/2025	FH-R03-PR-104	R03	PROPOSED ELEVATIONS
26/09/2025	FH-R03-PR-103	R03	PROPOSED ROOF PLAN
26/09/2025	FH-R03-PR-102	R03	PROPOSED GROUND FLOOR PLAN
26/09/2025	FH-R03-PR-101.1	-	LOCATION MAP
26/09/2025	FH-R03-PR-101	R03	SITE PLAN
26/09/2025	-	-	DESIGN, ACCESS AND HERITAGE STATEMENT
11/04/2025	-	-	PHOTOGRAPHS OF EXSITING WINDOWS AND EXISISTING EXTENSION ROOF (PAGE 1 OF 2)
11/04/2025	-	-	PHOTOGRAPHS OF EXSITING WINDOWS AND EXISISTING EXTENSION ROOF (PAGE 2 OF 2)
09/04/2025	D-CRPM-07	-	CLEMENT CONSERVATION ROOFLIGHT SLATE APPLICATION SIDE HUNG SHEET 1
09/04/2025	D-CRPM-02	REV G	CLEMENT CONSERVATION ROOFLIGHT SLATE APPLICATION SIDE HUNG SHEET 1
09/04/2025	D-CRPM-01	REV G	CLEMENT CONSERVATION ROOFLIGHT SLATE APPLICATION HORIZONTAL SECTION SHEET 1 OF 2
06/11/2024	KN240012	Issue 1	HABITATS REGULATIONS ASSESSMENT

Signed Case Officer¹: Jo Sheridan

Signed Authorising Officer²: Alan Kilroe

Date: 28 November 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

Contd...

Informatives

NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments:

1. *Habitats Regulations*

A precautionary principal has been followed to undertake a Habitats Regulations Assessment (HRA) as there are records of small numbers of on-breeding birds in the area. The development is adjacent to agricultural land which provides functionally linked habitat to international and national site. These are protected under the Conservation of Habitats & Species Regulations 2016 and Knowsley Local Plan Policy CS8 applies. **The Habitats Regulations Assessment for likely significant effects is attached.**