

<u>APPLICATION NO:</u>	25/00333/FUL	<u>CASE OFFICER:</u>	Louise Robinson
<u>WARD:</u>	Roby	<u>PARISH:</u>	N/A
<u>LOCATION:</u>	244 Kingsway, Roby, Knowsley, L36 9UF		
<u>PROPOSAL:</u>	ERECTION OF REAR CONSERVATORY		

Site Description

The property is a two-storey semi detached dwelling located on Kingsway. The dwelling has a mixture of brick and render to the elevations, a hipped tiled roof, and white UPVC windows. It benefits from a single storey rear extension, a front porch extension, and a semi-detached garage set back from the rear elevation of the dwelling.

When carrying out a site visit on 23 June 2025, it revealed that construction of the rear conservatory had begun.

Proposal

Planning permission is sought to erect a single storey conservatory to the rear of the dwelling. The conservatory would project 3.0m beyond the rear of the existing rear extension (which has a projection of 3m from the original rear wall of the dwelling) and have a width of 3.5m. It would have a hipped glazed roof, which would have a height of 2.96m.

The conservatory would consist of a brick base and white UPVC glazing to the roof, both side elevations and rear elevation. To the party wall side with No.246 Kingsway, the brick would be built up to a height of 1.8m and would have obscure glazing installed above.

Consultations

None required.

Representations

This application has been publicised by letters sent to 7 neighbours. No comments or objections were received during the consultation period.

Planning History

22/00529/FUL	Erection of a single storey rear extension Granted (11.10.2022)
74/06117/HIST	Car Port Granted (22.09.1981)

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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

Policy CS2 Development Principles

Policy CS19 Design Quality and Accessibility in New Development

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

Policy H5 Development Within Primarily Residential Areas

Policy H8 Extensions and Alterations to Residential Properties

SUPPLEMENTARY PLANNING DOCUMENTS

Householder Development SPD

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 (2006) 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 to be 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 to highway users by obstructing visibility for pedestrians or drivers of motor vehicles
- e) Adequate parking and garden space would remain for use by the residents of the extended property.

The Householder Development SPD advises that rear extensions should be designed to avoid causing overshadowing, loss of outlook or loss of privacy to the neighbours or appear unduly dominant to neighbours.

Principle of Development

The application site is identified as a Primarily Residential Area in the Knowsley Local Plan: Core Strategy.

As such, the domestic rear conservatory is considered to be acceptable in principle, subject to compliance with local planning policy and guidance.

Residential Amenity

The Householder Development SPD advises that a single storey rear extension (including conservatories) located on or immediately adjacent to the party boundary with a neighbouring dwelling will normally be acceptable if it does not project more than 4m from the rear elevation of the existing dwelling.

Whilst the proposed rear conservatory would have a projection of 3.0m, as the dwellinghouse has already been extended (3.0m) to the rear, there would be a total of 6.0m projection beyond the rear elevation of the dwelling, requiring the 45-degree rule to be applied.

However, as the proposal is for a rear conservatory, the Householder Development SPD outlines that in some circumstances the guidelines may be relaxed for conservatories, although it will be necessary to provide or retain appropriate boundary fencing / walls to prevent overlooking of neighbours.

In regard to any impacts on the attached neighbouring dwelling No.246 Kingsway, the proposed rear conservatory would project 6.0m beyond the rear elevation of the neighbouring dwelling, exceeding the Householder Development SPD's guidance by 2.0m. The conservatory would not breach the 45-degree principle when taken from the mid-point of No.246's nearest habitable room window and therefore would be acceptable. Additionally, whilst glazing is proposed to the upper part of the side elevation close to the boundary with No.246, the submitted plans indicate that obscure glazing will be installed to this part of the conservatory, to protect the neighbouring dwellings privacy. As such, it is considered that the proposed conservatory would not have a negative impact on the amenity of the neighbouring dwelling and would be acceptable.

In regard to any impacts on the other neighbouring dwelling No.242 Kingsway, the proposed rear conservatory would project 6.0m beyond the rear elevation of the adjacent dwelling. The conservatory would not breach the 45-degree principle when taken from the mid-point of No.242's nearest habitable room window. The proposal

would include clear glazing within the side elevation towards the neighbouring dwelling, however, a distance of approximately 4.55m to the shared boundary would be provided, and the existing boundary fencing and garage would provide a degree of screening. Therefore, the proposed conservatory would not have a negative impact on the amenity of the neighbouring dwelling and would be acceptable.

The additional double doors and glazing within the conservatory raise no overlooking concerns due to boundary treatments and ground floor sitting. Additionally, the glazing would allow for light to pass through the structure, mitigating any impacts in terms of loss of light or overshadowing to the neighbouring dwellings.

Therefore, the rear conservatory is considered to be acceptable in terms of any impacts on residential amenity and complies with Policy H8 and guidance provided by the Householder Development SPD.

Design

The proposed conservatory would be situated to the rear of the dwellinghouse and would not be visible from the wider street scene of Kingsway.

The conservatory would be finished in a matching brickwork to the base and white UPVC to the glazing aspect of the structure. As the materials proposed would match those already found at the dwelling, the conservatory is considered to be acceptable in visual terms.

Additionally, the conservatory would have a matching hipped roof to that of the application sites main roof type and therefore considered to be acceptable.

Overall, the conservatory is considered to be acceptable in terms of any impacts on the visual amenity of the host property and the surrounding area and complies with Policy H8 and guidance provided by the Householder Development SPD.

Conclusion

The proposal would be acceptable in terms of any impacts on the visual and residential amenity. The proposal also complies with the Knowsley Local Plan: Core Strategy, Replacement UDP Policies and guidance provided in the NPPF, and is therefore recommended for approval, subject to conditions.

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) 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 Saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

- 4) No part of the development hereby permitted shall be used or occupied until the proposed glazing within the side elevation facing No.248 Kingsway as indicated on drawing no. 244/0936/P/02 Rev A; has been glazed with obscure glass to level 4/5. The obscure glazed side elevation shall be retained as such thereafter.

Reason: In order to safeguard the residential amenities enjoyed by the occupants of adjoining residential property and to ensure the development complies with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy and Saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, and the National Planning Policy Framework.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
27.05.2025	-	-	Location Plan
06.06.2025	244/0936/E/01	Rev A	Existing Layouts and Elevations
06.06.2025	244/0936/P/02	Rev A	Proposed Layouts, Elevations and Cross Section.

Signed Case Officer¹: Louise Robinson

Signed Authorising Officer²: Jo Sheridan

Date: 01/07/2025

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

Informatives

- 1) 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.

Site Photographs

