

<u>APPLICATION NO:</u>	22/00561/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	St Gabriels	<u>PARISH:</u>	
<u>LOCATION:</u>	33 Huyton Church Road, Huyton, Knowsley, L36 5SH		
<u>PROPOSAL:</u>	ERECTION OF SINGLE STOREY SIDE AND REAR EXTENSION		

Site Description

The application property is situated on a residential street located within the Victoria Road & Huyton Church Road Conservation Area. The conservation area serves as an attractive, and to a large extent, well preserved example of a Victorian suburb characterised by large villa style houses with extensive gardens. However, the application property is a detached bungalow of more modern construction which appears to be of 1960s design and does not have any heritage significance with the exception of its location within the conservation area. Within the immediate vicinity of the application site the area is typically categorised by tree lined streets and low lying boundary walls made of stone with the exception of the opposite property.

The application property's existing front elevation is stepped and has brick detailing together with render. The property is rendered at the side and rear. The application property has a pitched asymmetrical roof with a piked detail projecting element running through the roof ridge. To the side of the property is a porch which connects to a flat roof garage.

The property is fronted by one mature tree together with low lying rail fencing and hedgerow. There is sufficient parking space to accommodate multiple vehicles alongside the existing property.

Proposal

The application seeks permission for the erection of a single storey side and rear extension following the demolition of the existing garage located at the side. The application has been revised following its original submission and forms the basis of this recommendation.

The single storey side extension would project 4.95m in width and span a length of 17.5m. It would include 1 inset front door and 1 window at its front, one window would be located on both the side and rear elevation respectively. The rear elevation would be of stepped design. The proposed rear extension measures 4m in depth by 7.6m in width and would be served by 2 windows located at the rear and one bi-folding doors to its side elevation.

The side extension would include a flat roof measuring a maximum height of 3.2 whilst the rear extension would extend the a-symmetric roof of the host property measuring 2.9m at the eaves and 4.4m at its highest point. A total of 6 roof lanterns are proposed which are to be sunken within the roof.

The proposals will provide internal alterations to the host property together with

provision for a new sunroom at the rear, games room and 1 additional bedroom together with a jack and jill bathroom.

Consultations

Highways – No objection to the proposed development.

Tree Officer – No objections subject to conditions and making the Tree Report an approved document.

Design and Conservation Officer – No comments received.

Representations

This application has been publicised by letters sent to 5 neighbours and also been advertised via press release and site notice. No representations have been received.

Planning History

No relevant planning history associated with the site.

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.

CS2 - Development Principles
CS19 - Design Quality and Accessibility in New Development
CS20 – Managing the Borough’s Historic Environment
DQ5 – Development in Conservation Areas
H5 – Primarily Residential Areas
H8 - Extensions and Alterations to Residential Properties

In addition, the Householder Development SPD (2016) is a material consideration for the purposes of this planning application and provides additional guidance in relation to householder development within Knowsley Borough.

The site is identified as land located within a Primarily Residential Area and the Victoria Road and Huyton Church Road Conservation Area. As such, the extension to a domestic property is considered acceptable in principle, subject to compliance with local planning policy and guidance.

Regarding the adopted Development Plan policies, the proposed application has regard to policies CS2, CS19 and CS20 of the adopted Local Plan Core Strategy (2016) and saved policies DQ5, H5, H8 and DQ5 of the Unitary Development Plan (2006), together with the Householder Development SPD (2016).

These policies and guidance require that new development demonstrates a high standard of design, which does not adversely affect the character of the property or street scene; maintains a good standard of amenity for all existing and future occupants; avoiding overlooking and overshadowing, as well as an unacceptable overbearing impact; that adequate parking and garden space would remain for use by residents of the extended property and that the borough's historic assets are preserved and/or enhanced.

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

Design

The proposed extension would extend the full depth of the property at the side as well as a stepped profile at the rear elevation. The Householder Development SPD is a material consideration for the purposes of determining this planning application. It advises that single storey extensions should be designed so that they preserve the street scene, protect light and privacy of neighbours and provide sufficient parking spaces.

It further states that extensions should be constructed in materials and style to match the original dwelling and should have a pitched roof for aesthetic reasons. Wherever possible, the angle of the pitch should match that of the original dwelling but flat roofs may be preferable in circumstances where they can be justified in design terms.

As originally submitted the development proposals were to be faced in light grey render, black window frames and 8 no. rooflights which protruded above the flat roof. The Local Planning Authority considered that the materials and finish would fail to respond to the character and appearance of the conservation area. The applicant has since submitted revised plans which confirm the use of white K-render finish which is typical of the aesthetic found in many properties within the conservation area, light grey windows which will be less harmful in contrast to that which was previously proposed and the number of roof lights have been reduced to 4 and are now sunken so that they do not protrude above the flat roof. These changes are considered appropriate but further details should be provided and this will need to be secured via condition.

The proposed rear extension would measure 2.9m at the eaves and 4.1m at its highest point and would extend the existing roof of the application property and is therefore considered appropriate and in conformity with the guidance set out in the SPD.

The flat roof would attain a maximum height of 3.2m at the side. Whilst the Local Planning Authority would have preferred a pitch roof over the extension, the revised plans submitted for consideration appeared dominant in the context of the application property's asymmetric roof. The applicant has submitted further details in respect of the use of coping stone to add some design characteristic to elevate it above a standard flat roof design and to respond to features found within the local vicinity. Given the existing garage and porch is served by a flat roof and a number of properties with the conservation area also have similar roof lines the use of a flat roof is considered acceptable on balance of ensuring the host property respects the character of the conservation area rather than a pitched roof which would appear unsympathetic to the host property.

The proposed development is considered to be of an acceptable design and scale for the dwelling and rendering and window design would not affect the character of the host dwelling or the street scene. As such, the proposal complies with policies CS2, CS19 & CS20 of the Local Plan and saved Policies DQ5, H5 and H8 of the Unitary Development Plan together with the Householder Development SPD.

Heritage

Policies CS19 and CS20 seek to preserve or enhance the Borough's historic and architectural assets and any archaeological remains. The impacts arising and therefore assessed is that of the 'setting' of the conservation area.

The NPPF (2021) makes clear, significance derives not only from a heritage asset's physical appearance, but also from its setting and regard must be had as to whether the proposal will cause 'substantial harm', 'less than substantial harm' or no harm to the asset.

The proposal involves works to a dwelling house which does not contain any historic features. As such, the question is what harm if any will occur to the character of the conservation area.

The application is supported by a heritage statement which identifies that the application site is located within the Victoria Road and Huyton Church Road Conservation Area. Saved Policy DQ5 requires that new development within or close to a Conservation Area must preserve or enhance the character of the area.

In accordance with Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, there is a duty to pay special attention to the desirability of preserving or enhancing the character and appearance of conservation areas.

The Victoria Road and Huyton Church Road Conservation Area largely retains its character as a late Victorian/early 20th Century suburban development. Huyton Park, as the area was known, was laid out from the 1860s on former enclosed agricultural fields, the boundaries of which helped to define the pattern of streets and plots. Huyton Park was however slow to develop, with some plots not being developed for several decades such as the application property. The mature trees and regular development pattern of the Victorian estate remains clearly apparent. Development which came

later, such as the application property, is less in tune with the original Victorian ambition for the area, with properties being more diminutively proportioned, and of lesser status.

The application property is not of any intrinsic historic merit, being of more modern date, although it does have an extensive garden at the rear which is typical of the plot layouts within this conservation area.

The Townscape Appraisal Map set out within the Conservation Area Appraisal identifies that there are no listed, positive unlisted buildings or focal buildings within the vicinity of the application site. It does however identify an important view taken from the entrance of the playing field associated with the Lord Derby Academy in the direction of Huyton Church Road which denotes the character of the street scene boundaries by mature trees. At the entrance point of the playing field -the proposed works would not be visible due to the boundary features found in the street scene with the exception of the view point taken directly in front of the application property.

Whilst the proposed side extension projects nearer to the party boundary it does not extend beyond the principal elevation of the property. The greenery along the boundary wall located at the front of the property is the dominate feature. The application as originally submitted sought the erection of a 2.2m tall boundary wall to the front of the property boundary. This aspect of the development proposals was considered out of keeping with the character of the conservation area and would lead to less than substantial harm to the significance of the designated heritage asset in accordance with paragraph 202 and 207 of the NPPF. The Local Planning Authority has worked positively with the applicant who has since confirmed that they will be retaining the existing boundary features and will no longer be seeking to erect the 2.2m boundary wall. As such, the greenery along the property frontage which is a dominate feature in the street scene is to be retained and the affect of the development proposal is now considered neutral and would not harm the character and appearance of the conservation area given that the development would only visually bring the existing built form of the property forward.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to show special regard to the desirability of preserving listed buildings and their settings in exercising their planning functions. Due to the nature and location of the proposed extensions which would not be visible from listed buildings within the conservation area, the proposed development would not affect the character of their surroundings and not harm the setting and significance of listed buildings.

The harm to designated heritage assets has been considered. It is considered that the development would have a neutral affect on the conservation area and would cause no harm to the character or appearance of the conservation area and would not affect the setting of any nearby listed buildings. As such, the proposal is considered to comply with the requirements set out in the NPPF(2021), policies CS19 and CS20 of the Knowsley Local Plan (2016) and Saved Policy DQ5 of the Unitary Development Plan.

Residential Amenity

No. 31 Huyton Church Road

No. 31 is the neighbouring detached bungalow. The rear elevation of the application property is set back from the rear elevation of no. 31. The Householder Development SPD advises that development proposals up to 4m in depth will be acceptable. Development proposals beyond 4m or in instances where the application property is set further back than the neighbouring dwelling will only be permitted where it does not

breach the 45 degree rule.

The rear gable wall of no. 31 has one window located in a central position of that wall. The proposed site layout plan demonstrates that the 45 degree rule would not be breached. As such, it is not considered that the occupiers of no. 31 would be adversely affected in terms of residential amenity.

No. 35 Huyton Church Road

45- degree rule

No. 35 is the neighbouring two storey dwelling. It has been previously extended in the form of a single storey rear extension which runs parallel to the rear elevation of the existing garage. During the site visit it was noted that the window located at the rear elevation has since been bricked up. The proposed side extension at the rear would not breach the 45 degree rule as demonstrated on the proposed site plan.

Notwithstanding the above, no. 35 is set back from the application property and has a habitable window nearest the property boundary at its front elevation. The applicant has submitted a 45 degree plan which shows a very slight breach with the corner of the proposed extension. However, it is considered that this is extremely small breach and given the mature vegetation located at the property boundary the development would be largely obscured in any event. On balance, it is considered that no adverse effects to residential amenity would occur as a result of the proposed development to the occupiers of no. 35.

Side facing window

The Householder Development SPD states that side windows serving main habitable rooms are rarely acceptable where they would overlook an adjoining dwelling. The proposed side extension would include 1 window located at the side elevation. The proposed extension would be built within close proximity of the property boundary and the window would provide an outlook of .9m – 1.3m to the property boundary. Whilst a more positive outlook is preferred in terms of design the retention of this window provides a better alternative to the applicants proposed approach to remove the window entirely. The proposed window would face a blank gable wall of the no. 35 and as such no adverse effects to residential amenity would occur as a result of the proposed development taken as a whole.

No other properties would be affected

Highways

The application proposals would not result in adverse effects to public highway safety.

Trees

The proposals are supported by an Arboricultural Report/Impact Method Statement. It identifies several trees found at the rear property boundary together with hedgerow serving the property boundary with no. 35 and a mature tree at the centre of the front property boundary. The tree schedule confirms the proposed works would not impact the trees identified. Furthermore, the Tree Officer raises no objections to the proposed development and advises that the Tree Report and Method Statement is included as an approved plan to ensure all works are undertaken as per the approved plans.

No impact to trees would occur as a result of the proposed development.

Conclusion

The proposal would be acceptable in terms of design, residential amenity highways and impacts on the conservation area (subject to condition attached). 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 will 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 detail and description of materials in the submitted application, the exterior facing materials to be used on the external walls, coping, roof (including eaves), windows (save for rooflights) and doors shall match those used on the existing building in terms of colour texture, profile where applicable coursing materials

Reason: In the interests of visual amenity, and to preserve the character and appearance of the Victoria Road and Huyton Church Road Conservation Area and to comply with Saved Policies DQ5 and H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, Policies CS19 & CS20 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

- 4) The render to be applied to the host dwelling and extension hereby permitted shall be K rend smooth or fine grained finished in white. The development shall only be carried out in accordance with the agreed details.

Reason: In the interests of visual amenity and to preserve the character and appearance of the Victoria Road and Huyton Church Road Conservation Area and to comply with the National Planning Policy Framework, Policies CS2, CS19 and CS20 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policies H5, H8 and DQ5 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006 and the Householder Development SPD (2016).

- 5) The proposed rooflights shall be flush with the proposed roof slope and shall not project above the plane of the roof in which they are located.

Reason: In the interests of visual amenity and to preserve the character and appearance of the Victoria Road and Huyton Church Road Conservation Area and to comply with the National Planning Policy Framework, Policies CS2, CS19 and CS20 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policies H5, H8 and DQ5 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006 and the Householder Development SPD (2016).

- 6) At least five days written notice has been given to the Local Planning Authority of the intention to commence development. The protective fencing referred to in section 15 of Arboricultural Report (document ref: no. 1) shall be in place prior to the written notice of the start of development being given to the Local Planning Authority and shall be retained in place until the development is complete.

No storage of plant or material (including soil), works (including movement of soil, changes in ground level, vehicular movements, siting of temporary buildings or other works), lighting of fires or tipping of liquids shall take place within the protective fencing thereby defined for the duration of the development works.

Reason: To protect existing trees within the site 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 Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 7) The development hereby permitted shall be implemented in accordance with the submitted Arboricultural Method Statement. Ref no 1, 2, 3, 4 and 1022/01/ received on 21/10/2022.

Reason: To ensure that the proper protect of trees has been carried out in the interest of visual amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
31.01.2023	GBA-HUY-PL-DR-101	REV A	LOCATION PLAN
31.01.2023	GBA-HUY-PL-DR-102	REV A	PROPOSED SITE AND BLOCK PLAN
31.01.2023	GBA-HUY-PL-DR-303	REV C	PROPOSED FLOOR PLAN
31.01.2023	GBA-HUY-PL-DR-304	REV C	PROPOSED ROOF PLAN
31.01.2023	GBA-HUY-PL-DR-401	REV D	PROPOSED FRONT AND REAR ELEVATIONS
31.01.2023	GBA-HUY-PL-DR-402	REV D	PROPOSED EAST AND WEST ELEVATIONS
21.10.2022	1		ARBORICULTURAL REPORT

21.10.2022	2		IMPACT STUDY AND METHOD STATEMENT
21.10.2022	3		TREE SCHEDULE
21.10.2022	1022/01		EXISTING SITE PLAN
21.10.2022	1022/01		TREE CONSTRAINTS PLAN
21.10.2022	4		TREE REPORT

Signed Case Officer: **John Fleming**

Signed Authorising Officer: **Mark Quinn**

Date: **10/02/2023**

INFORMATIVE

COAL AUTHORITY

The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Informative Note valid from 1st January 2023 until 31st December 2024

Appendix 1 – Site Photographs





