

<u>APPLICATION NO:</u>	23/00388/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	Roby	<u>PARISH:</u>	
<u>LOCATION:</u>	3 Court Hey Drive, Roby, Knowsley, L16 2NB		
<u>PROPOSAL:</u>	ERECTION OF A FIRST FLOOR SIDE EXTENSION INCORPORATING DORMER LOFT EXTENSION		

Site Description

The application property is a semi-detached dwelling located within a predominantly residential area. The property is finished in white render and has previously been extended in the form of a single storey wrap around extension which accommodates a parapet roof beyond which is a flat roof extension.

The existing loft has previously undergone a hip-to-gable loft conversion with flat roof dormer which is also finished in external plasterboard and rendered. This extension is visible from the street scene.

The property has a hardstanding drive in its entirety contained by a partial dwarf wall. Immediately fronting the application property is a mature tree located in the public highway.

Proposal

The proposed development seeks permission for the erection of a first floor extension above the existing garage together with the extension of the gable roof and flat roof dormer located at the rear.

The first floor extension would span 2.4m in width and span a depth of 8.7m, extending a further .6m when taking account of the proposed bay window. and include a bay window to mimic that of the original dwelling. 1no. window is located at the front and rear elevations respectively together with 1no. obscured glazing window located at the side of the dwelling is proposed.

The existing gable roof is to be extended and would maintain the same ridge height. The existing roof dormer is to be extended 2.2m in width, 4.2m in depth and 2.8m in height and would include 1no. window.

The proposals would increase the size of an existing bedroom and provide a dressing area together with 1no. additional bedroom at first floor level. To the second floor a study/office is proposed. This room could equally be used as an additional bedroom.

Consultations

Highways – No objection subject to condition.

Tree Officer – No objections raised. Arboricultural Impact Assessment is not required but advises that the drop kerb extension should not pass beyond the perimeter of the tree canopy.

Representations

This application has been publicised by letters sent to 10 neighbours. No representations have been received.

Planning History

Ref: 74/08583/HIST – Erection of dining room extension. No determination date - permitted development.

Ref: 18/00696/FUL – Erection of single storey extension to side and rear including replacement roof to existing rear extension incorporating an over-sail to provide canopy to rear. Granted 23rd January 2019.

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

H5 – Development within 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 located within a Primarily Residential Area. As such, an alteration to the existing residential 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 and CS19 of the adopted Local Plan Core Strategy (2016) and saved policies H5 and H8 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; and that adequate parking and garden space would remain for use by residents of the extended property.

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

Context

As originally submitted, the proposals included a Juliet balcony at the rear of the proposed dormer. The Local Planning Authority raised concerns with this aspect of the development and revised plans were submitted omitting the rear dormer in favour of a traditional window arrangement at the rear elevation. It is on this basis that the application proposals are being considered.

Design

First floor extension

The Householder Development SPD states in respect of two storey side extensions that two storey side extensions should be designed to avoid having an overbearing effect or causing unacceptable loss of light or privacy for neighbours and should avoid the creation of a terracing affect.

The existing single storey side extension is set in from the common law boundary by at least 1m. As such, no set back to the first floor aspect is required. Notwithstanding this, due to the orientation of the neighbouring property in relation to the application site which faces a different orientation in the street scene there would no terracing affect in any event.

The proposed first floor extension would include 1no. bay window at the front elevation which would mimic that of the existing bay window together with 1no. window at the rear elevation. The window at the rear elevation has been repositioned so that it is proportionate to the existing bathroom window.

Loft extension

The proposals seek to extend the existing gable roof to the same height as existing. The roof dormer would extend the existing by 2.23m width and would measure the same height and depth at 2.78m and 4.35m respectively The roof dormer would be set

in by .31m from the gable end of the property.

The SPD states in this respect that loft conversions should not appear large so that they dominate the roof slope and appear unbalanced. It was noted during the site visit that a property in the nearby vicinity benefits from a similar two storey side extension and roof dormer currently under construction after having gained planning permission (application reference: 21/00807/FUL) in January 2022. After consideration, the proposal would be largely identical in terms of scale and mass and is considered acceptable. Whilst the Local Planning Authority would have preferred the use of hanging roof tile instead of the proposed render, this would have clashed with the existing rendered finish and the Local Planning Authority has no control over the existing dormer extension. Whilst the SPD advises that roofs should be subservient to the existing roof, such an arrangement would have resulted in a stepped dormer which would have looked less desirable in terms of design. Given the existing dormer benefits from a rendered finish and is visible from the street scene it is not considered the proposed loft extension would materially alter the appearance of the property from the street scene over what already exists.

Notwithstanding the above, alterations have been made to the window arrangement of the roof dormer omitting the Juliet balcony in favour of a traditional window in the interests of neighbours amenity discussed below. Taken as a whole, the proposed extension would be finished in materials to match that of the existing property and are not considered harmful to the character and appearance of the street scene and is therefore acceptable in terms of design.

Residential Amenity

No. 1 Court Hey Drive

No.1 is the neighbouring semi-detached property and is set at an angle located on a corner plot. It contains several windows in its side elevation. Whilst the proposed development would bring gable end closer to the party boundary it is already influenced by the gable end of the application property. Given that the proposals do not extend beyond the front and rear elevation of the property it would not appear materially different than what already exists. As such, given that sufficient separation is provided by no.1's front and rear gardens its current outlook would remain as what is currently in situ and it is not considered that the proposals would result in adverse effects to existing and future occupiers.

No. 5 Court Hey Drive

No. 5 is the adjoining semi detached property. Due to the nature of the proposals which are located on the far side of the application property there would be no changes visible to the occupiers of no. 5. As such, no adverse effects to residential amenity would occur in relation to this property.

No. 1 Court Hey Road

No. 1 would not be affected by the proposals given it would be obscured by no. 5. Although the loft conversion would introduce a new view along the common law boundary this would not materially change what is already in situ with the current roof dormer. No adverse effects would occur as a result of the development.

No's 5 and 7 Court Hey Road

These properties are set at a 90 degree angle with the application property meaning that there would no direct over looking in terms of interface distance. Again, whilst the loft dormer would provide some views alongside the common law boundary to the private amenity space of these properties, the Juliet balcony has been omitted to a traditional window arrangement to reduce the perception of overlooking. Notwithstanding this, the same views are already visible with the existing loft conversion and as such is not considered that the relatively minor extension to the loft conversion would result in adverse impacts to residential amenity.

No's 139 and 141 Roby Road

These properties are located at the rear of the application property and a 38m interface distance would be retained. As the proposed development does not extend beyond the existing rear elevation it would not result in any adverse effects to residential amenity over what currently exists.

No other properties would be affected.

Highways and Trees

The existing driveway is fully paved. The front boundary wall prevents the use of all of the available parking space and the Highways Authority has requested a condition to remove the front boundary wall and to provide an extended footway/verge cross over to facilitate vehicular access.

A tree is located on the public highway fronting the property. Environmental Services have been consulted and confirm that a Tree Survey is not required for this application as long as the extension to the drop kerb does not extend beyond the tree canopy in the interests of safeguarding the Root Protection Area (RPA).

The Highways Authority has confirmed that extension to the drop kerb to the tree canopy would enable an extension of a drop kerb to the satisfaction of the Highways Authority. As such, no adverse impacts to highways safety or trees would occur as a result of this development subject to condition.

Conclusion

The proposal would be acceptable in terms of design, residential amenity and highways. The proposal also complies with the relevant Core Strategy, Replacement UDP policies and guidance in the NPPF and is therefore recommended for approval subject to conditions.

Recommendation

That planning permission 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) 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 development shall take place until a scheme for removing the front boundary wall, and introducing an extended footway/verge crossover has, has been submitted to and approved in writing by the Council as Local Planning Authority. The extended footway/verge crossover should not extend beyond the Tree Canopy spread of the existing tree fronting the property. The development shall not be brought into use until the wall has been removed and the vehicular access introduced in accordance with the details agreed.

Reason: In the interests of highway and pedestrian safety and to comply with Policy CS7 of the Core Strategy, adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
19.07.2023	1513-01	REV B	EXISTING AND PROPOSED PLANS

Signed Case Officer¹: John Fleming

Signed Authorising Officer²: K Foster

Date: 1 August 2023

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.

INFORMATIVE

Highways

It is an offence to carry out any works within the public highway without the permission of the Highway Authority. This permission requires the construction, improvement or alteration of an access to the public highway. Under Section 184 of the Highways Act 1980, the Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Prior to the commencement of any works, the applicant is advised to contact the Council's Maintenance Contractor Tarmac on 0800 023 2334 or Knowsley.highways@tarmac.com

Appendix 1 – Site Photographs



