

<u>APPLICATION NO:</u>	23/00385/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	Roby	<u>PARISH:</u>	
<u>LOCATION:</u>	90 Roby Road, Roby, Knowsley, L36 4HG		
<u>PROPOSAL:</u>	DEMOLITION OF CONSERVATORY AND ERECTION OF A SINGLE STOREY REAR EXTENSION TOGETHER WITH THE INCREASE IN ROOF HEIGHT OF EXISTING REAR EXTENSION		

Site Description

The application property is situated on a residential street accessed off Roby Road. The application property is within close proximity to the Roby Conservation Area but does not fall within its boundary.

The property is semi-detached dwelling and accommodates a hip roof and front facing gable. It has a white UPVC porch and openings and benefits from hardstanding to provide parking for multiple vehicles. The site is contained at its front boundary a dwarf wall, stone pillars and fencing.

The property has been previously extended at the rear in the form of a single storey rear extension. The rear extension has been further extended by the erection of a single storey conservatory.

Proposal

The application proposal seeks to demolish the existing conservatory and erect a new single storey extension together with increasing the height of the flat roof to accommodate 2no. roof lights.

The proposed rear extension would span 4.1m in width and span a depth of 2.9m. The existing flat roof will be extended above the proposed rear extension and measure 2.4m at the eaves and have an overall height of 3m taking account of the 2no. roof lanterns.

The proposals would include 1no. double door at the rear elevation and 1no. window at the side elevation.

The proposals would provide an extended living and dining room.

Consultations

Network Rail – No objections

Design and Conservation Officer – No comments received.

Representations

This application has been publicised by letters sent to 3 neighbours and also been

advertised via site notice. No representations have been received.

Planning History

- Ref: 74/05699/HIST – Erection of garage and kitchen extension. Granted 5th September 1980.
- Ref: 74/06604/HIST – Dining room extension and 2 storey extension for garage and study with bedrooms over. Granted 1st December 1981.
- Ref: 74/10099/HIST – Erection of a conservatory to the rear of the dwelling. Granted 19th March 1987.

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 – 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. 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 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; 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 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

Design

The Householder Development SPD states that rear extensions should be designed to avoid overshadowing, loss of outlook or loss of privacy or appear unduly prominent to neighbours.

Following the demolition of the existing conservatory the proposed development would extend the existing single storey extension. The proposed development would be faced in render to match the existing dwelling. The application form stated that the proposed windows as originally submitted were to be 'dark window frames TBC'. The proposed windows in dark grey/black would provide a stark contrast to the existing window frames which are white UPVC. The Local Planning Authority has worked positively with the applicant who has reconsidered the window arrangement and has stated that the proposed window, doors and roof lanterns will be of white UPVC to match the existing. This arrangement is considered acceptable as the roof lanterns alone will provide a unique and more contemporary feature in terms of design whilst ensuring the openings match the existing property.

The Householder Development SPD typically advises pitch roofs above extensions. However, the property already benefits from a flat roof and requiring a pitch over the proposed extension would result in an unusual arrangement. Furthermore, the roof lanterns would elevate the design aesthetic beyond a typical flat roof and would not be visible from the public highway. As such, the proposed development would not result in a development which would appear incongruous with the wider street scene and is therefore acceptable in terms of design.

Residential Amenity

No. 88 Roby Road

No. 88 is the adjoining semi-detached property. The Householder SPD states that single storey rear extensions 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. Extensions beyond the 4m limit will only be acceptable if it does not breach the 45 degree rule.

The proposed extension would extend 8.1m from the original dwelling house. No. 88 has been extended in the form of a part single storey rear extension. However, the existing conservatory already breaches the 45 degree rule and is a material

consideration. Although the existing conservatory is glazed the flat roof would actually reduce the overall height of the roof with the exception of the roof lanterns and the proposed development would not extend passed the rear elevation of the existing conservatory. In addition, the common law boundary is tall timber facing which would obscure the majority of the proposed development. Taking these matters into consideration, whilst the development would breach the 45 degree rule it would not materially alter the outwards appearance beyond what already exists and it is not considered that the proposed development would result in adverse effects to residential amenity in relation to existing and future occupiers of this property.

No. 92 Roby Road

No. 92 Roby Road is the neighbouring semi-detached dwelling. The common law boundary with this property is made up of timber fencing with outbuildings located either side. The boundary also includes a number of mature trees along its boundary.

The Householder Development SPD advises that windows should be restricted to rear elevations. However, in this instance, the property contains a number of windows located in the side elevation. In addition, the new window would be sited 6m from the common law boundary and given the existing boundary treatments together with the fact that the existing conservatory contains windows at the side elevation facing no. 92 it would not materially alter what is currently in situ on site.

As such, the proposed development would not adversely affect the living conditions of existing and future occupiers in relation to this property.

No other properties would be affected.

Highways

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

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 shall match those used on the existing building in terms of colour, texture and profile where applicable.

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 and Policies CS2 & CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
17.04.2023	3	REV A	LOCATION PLAN (INCLUDING EXISTING AND PROPOSED SITE PLAN)
17.04.2023	2	REV C	PROPOSED GROUND FLOOR PLAN
17.04.2023	1	REV C	EXISTING AND PROPOSED PLANS AND ELEVATIONS

Signed Case Officer: John Fleming

Signed Authorising Officer: K Foster

Date: 13 June 2023

Appendix 1 – Site Photographs





