

<u>APPLICATION NO:</u>	24/00261/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Roby	<u>PARISH:</u>	
<u>LOCATION:</u>	21 Ewanville, Huyton, Knowsley		
<u>PROPOSAL:</u>	INSTALLATION OF 2 NO. WINDOWS TO GROUND FLOOR NORTH SIDE ELEVATION		

Site Description

The application site is located at 21 Ewanville, Huyton and is situated within an area designated as a Primarily Residential Area in the Development Plan. The site is also within the boundaries of the Orchard Conservation Area. The application property is a detached dwellinghouse, which is brick facing on its front, side and rear elevations, together with white UPVC fenestration and flat, grey, interlocking roof tiles. The front roof slope contains three rooflights.

The application property benefits from a single storey rear extension as well as a detached garage structure adjacent the dwelling.

The front elevation of the property is west facing. The site is located to the head of a cul-de-sac and is encircled by other residential properties.

To the east of the application property circa 36m is Greenhill, which is a Listed Building (Grade II).

Proposal

The application seeks permission for the installation of 2 windows to the existing ground floor gable wall (north / north-west facing).

The application has been supported by a Heritage Statement.

Consultations

Conservation & Design Officer – No objections received.

Representations

This application has been publicised by letters sent to 8 neighbours. It has also been advertised by Site Notice (which expired on 30.05.2024) and a Press Notice (with a date of expiry for 14.06.2024). No representations have been received.

Planning History

APP. NO:	97/00383/APP
PROPOSAL:	ERECTION OF 16 NO. TWO-STOREY DETACHED RESIDENTIAL DWELLINGS
DECISION:	GRANTED
DECISION DATE:	29 September 1997

APP. NO: 12/00015/FUL
PROPOSAL: RETROSPECTIVE APPLICATION FOR FENCE TO
SIDE/FRONT OF DWELLING TO BE REDUCED FROM 1.78 M
HIGH TO 1 M HIGH
DECISION: GRANTED
DECISION DATE: 21 March 2012

APP. NO: 14/00205/FUL
PROPOSAL: ERECTION OF SINGLE STOREY REAR EXTENSION (PART
OF EXISTING REAR LIVING ROOM TO BE DEMOLISHED),
REPLACEMENT OF GARAGE DOOR, INSTALLATION OF
VELUX WINDOWS TO FRONT AND REAR OF EXISTING
ROOF TO ALLOW FOR LOFT CONVERSION.
CONSTRUCTION OF ADDITIONAL WINDOW OPENINGS TO
SIDE ELEVATION OF EXISTING UTILITY/KITCHEN AREA.
DECISION: GRANTED
DECISION DATE: 9 July 2014

*Under the application 97/00383/APP the application property has had Permitted development rights removed.

Condition 16 of the Decision Notice states that, *Notwithstanding the provisions of Part 1 of Schedule 2 to the Town and County Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) there shall be no extension, enlargement (or external alteration) to any building forming part of the development hereby permitted, or a garage, car port or other building or enclosure erected within the curtilage of the site, without a further specific planning permission having been sought and obtained beforehand.*

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.

The site is identified as a site allocated for housing development in the adopted Unitary Development Plan. As such, a domestic extension 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.

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

CS20 - Managing the Borough's Historic Environment

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

H5 - Development within Primarily Residential Areas

H8 - Extensions and Alterations to Residential Properties

DQ5 - Development in Conservation Areas

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 application site is within the curtilage of a designated Conservation Area (Orchard). Greenhill (Grade II) is adjacent to the site to the east. Subsequently, this application would be assessed in accordance with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Section 66(1) of the Act 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.

Section 72 states that in the exercise, with respect to any building or other land in a conservation area, or any functions under or by virtue of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

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 states that proposals for extensions and alterations 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 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 for highway users by obstructing visibility for pedestrians or drivers of motor vehicles; and
- e) Adequate parking and garden space would remain in use by the residents of the extended property

Saved Policy DQ5 in the Replacement Unitary Development Plan states that new development within or close to a Conservation Area must preserve or enhance the character or appearance of the Area, having regard to the following:

- a) The scale, form, massing, height, materials and architectural detail of existing buildings in the Conservation Area
- b) Existing plot layouts and the street scene
- c) Important views into, without and out of the Conservation Area
- d) The need to preserve existing open spaces, structures and landscape features (such as trees and hedges, walls, and traditional paving
- e) Likely levels of noise, pollution, traffic, parking or disturbance that may be caused by the development.
- f) The visual impact of any vehicular parking access, parking or servicing/delivery areas that are needed to serve the development.

Design, Conservation and Heritage

The application property is served by white UPVC openings and the submitted plans demonstrate that the proposal (by means of style and materials) would match the existing materials of the existing dwelling. This would accord with the guidance of the Householder Development SPD and Saved Policy H8.

The Council's Design and Conservation Officer was consulted on the proposal and raises no objections.

CS20 seeks to preserve or enhance the Borough's historic and architectural assets. This is taken into account and assessed as 'setting' of the Conservation Area.

The NPPF states that, 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' or no harm to the asset.

The primary considerations when considering proposals sited within Conservation Areas:

- Whether the works preserve or enhance the conservation areas in accordance with S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- Whether the works preserve the setting of the listed buildings in accordance

with S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The proposal involves work to a dwelling house which does not contain any historic features. Subsequently, it is considered that the proposed development would not result in (if any) harm to the character of the Conservation Area.

The application is supported by a Heritage Statement and highlights that the application property is not a heritage asset itself. The works relate to a modern building, which by itself, do not contribute to the character or appearance of the Conservation Area. Furthermore, the works do not affect the setting of Greenhill given the nature, scale and location of the works and therefore meets the requirements of S72 and S66 of the act, relevant heritage policies (CS20 & DQ5) and the guidance of the NPPF.

Residential Amenity

The proposed development would be inserted on the north / north-western facing side elevation. This has a view of the garages and driveways which serve the application site and nearby properties. It would not result in any detrimental harm to existing residential amenity or privacy and would therefore be in accord with the Householder Development SPD and Saved Policy H8 and would be acceptable.

Highways

The proposal would not result in any change to existing parking for the occupants of the application property and would not cause any harm to highway safety.

Conclusion

The proposal would be acceptable in terms of design, residential amenity, highways and heritage assets. The proposal also complies with relevant Core Strategy, Replacement UDP policies, the Planning (Listed Buildings and Conservation Areas) Act 1990 and the guidance in the NPPF and is therefore recommended for approval subject to conditions.

Recommendation

That Planning Permission 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 exterior facing materials to be used on all windows shall match those used on the existing building in terms of colour, texture, profile.

Reason: To preserve the character and appearance of the Orchard Conservation Area and to comply with Policies H5, H8 and DQ5 of the

Knowsley Replacement Unitary Development Plan, adopted in June 2006, Policies CS19 and CS20 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
20/05/2024	HA 2431-01	-	LOCATION PLAN
20/05/2024	HA 2431-03	-	PLANS & ELEVATIONS AS PROPOSED
29/05/2024	-	-	HERITAGE STATEMENT

Signed Case Officer¹: **Reece Black**

Signed Authorising Officer²: **K Foster**

Date: **22 July 2024**

Informatives

- 1 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024.

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

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