

<u>APPLICATION NO:</u>	23/00994/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Roby	<u>PARISH:</u>	
<u>LOCATION:</u>	22 Court Hey Avenue, Roby, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF TWO STOREY SIDE EXTENSION, PART TWO STOREY AND PART SINGLE STOREY REAR EXTENSION (DEMOLITION OF DETACHED GARAGE)		

Site Description

The application site is located at 22 Court Hey Avenue, Roby and is located in an area allocated as a Primarily Residential Area in the Development Plan. The application property is a semi-detached and is brick facing on its front, side and rear elevations. Along with brown UPVC openings and brown interlocking roof tiles.

The application property features a part two-storey and part single storey rear extension, as well as a rear conservatory. The property also features a detached garage outbuilding adjacent the side elevation.

The application property is South facing on the residential street and fronts the highway of Court Hey Avenue, as well as the M62 and there is a railway line to the North of the application site. The property features a large amount of hard standing to the front of the dwelling, that currently can accommodate a minimum of two vehicles, as well as a grassed area. The front garden area is enclosed by a low-built brick boundary wall and a white fence. There is a decent amount of vegetation and a few mature trees to the front of the property and a large group of trees adjacent the railway line.

Proposal

The application seeks permission for the erection of a two-storey side extension, a part two-storey and part single storey rear extension.

The proposal would also see the demolition of the existing detached garage.

The proposed two-storey side extension would project out by 5.4m and would have a depth of 5.84m, it would then dogleg in by 1.7m and continue by a depth of 2.6m. The proposal would be served by a hipped roof, which would feature a projecting gable at the front, in which the eaves would measure at a height of 5.05m and the highest point of the roof would measure at a height of 7.15m. The ridge line of this roof would be lower than the ridge line of the original dwelling roof.

The proposed ground rear of the rear extension would project out by 3m and would have a width of 11.27m. The proposal would be served by a flat roof, which would measure at a height of 2.79m. The proposed roof would feature 2 glass lantern lights that would measure at a height of 3.02m. As well as bi-fold doors on its rear elevation. The proposal would also see the partial demolition and conversion of the existing rear conservatory to form the proposed ground floor rear extension.

The proposed first-floor rear extension would project out by 2.6m and would be constructed around the existing first-floor rear projection. The width of proposed

sections would be 4m and 5m. This would create a flush proposed first-floor rear elevation. The proposed rear extension would feature one pitched roof, in which the eaves would measure at a height of 4.82m and the highest point would 6.74m. It would also feature one flat roof which would measure at a height of 4.82m.

The proposal would not form a 'wrap around' extension and would feature sufficient distance, from the party boundary of the adjacent dwelling, that would be in accord with the guidance of the Householder Development SPD.

Consultations

Arboricultural Officer – No objections, subject to condition.
Highway Authority - No objections, subject to condition.

Representations

This application has been publicised by letters sent to 3 neighbours.

There have been 1 letters of objection, 0 letters of support and 0 letters of comment. The representations are summarised as follows:-

23 Court Hey Avenue submitted an objection that relates to the matters that involve the Party Wall Act and other Civil concerns, which are not considered a material planning consideration for the purpose of determining this application. The objector has been signposted to the Party Wall Act 1996 Guidance Booklet, for further information.

Planning History

No recorded planning history.

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

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.

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

Saved Policy H8 in the Replacement Unitary Development Plan 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 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

The Householder Development SPD states 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. It also states that two storey extensions of up to 3 metres will normally be acceptable.

The Householder Development SPD states that two storey side extensions should be designed to avoid having an overbearing effect or causing unacceptable loss of light or privacy for neighbours.

The Householder Development SPD states that front extensions and porches can be particularly prominent in the street scene and should be particularly carefully designed to retain the character of the residential areas. It also states that style, design, materials and scale of front extensions and porches should respect the character of the surrounding residential area.

Design

The existing dwelling is brick facing with brown UPVC windows and tiled roofing. The

proposed development would also emulate the original design of the dwelling and align with the existing exterior of the elevations. It would include materials which are keeping with those found at the application property and would mostly be served by pitched roofs.

The pitched roofs that would be employed would respond positively to where they are sited, in relation to the original dwelling and the paired semi-detached dwelling. The proposed roofs would be considered to demonstrate appropriate rooflines and respond positively to the dwelling and the character of the local area. The proposed flat roof would be acceptable, given that it would be adjoined to the adjacent first-floor of the neighbouring dwelling and would echo the flat roof featured there, which would create a more cohesive design. In addition, there would be no harm to the street scene or highway, as the section the flat roof would be located would not be readily visible to motorists and there are no dwellings behind and therefore, no harm would be caused as a result.

The proposed development is considered to have an acceptable design and would not be considered to appear out of place or incongruous in the street scene. The application property is sited within a Primarily Residential Area, in which other dwellings sited within the locality feature a range of alterations and extensions. Overall, the proposal would be considered a subordinate addition to the dwelling and would not cause adverse harm to the character of the dwelling or the street scene. The ridgeline of the roof that would serve the proposed two-storey side extension was set further down through an amendment secured to ensure the proposed two-storey side extension was a visually subordinate addition to the existing house.

The Householder Development SPD also states that any forward projection (which for the determination of the application is considered relevant in conjunction with the proposed two-storey side extension which features a projecting front section, that sits in line with the projecting gables of the original character of the two properties in the building line.) would only be acceptable if it would be appropriate to the dwelling's design and the wider street scene and setting. It is considered that the proposal would not harm the overall character of the area. The front projection of the two-storey side extension would be in accord with the guidance outlined in the Householder Development SPD and Saved Policy H8.

Overall, it is considered that the proposed development would have an acceptable design and would be in accord with the Householder Development SPD and Saved Policy H8.

Residential Amenity

The Householder Development SPD states that two-storey side extensions should be designed to avoid having an overbearing effect or causing unacceptable loss of light or privacy for neighbours. It also states proposed developments should avoid creating a terracing effect, either by themselves or in conjunction with similar extensions which may exist or potentially be proposed for adjacent properties in the future.

The Householder Development SPD also states that usually either a minimum space of 1m should be preserved between the extension and the party boundary to the side of the property, OR the front wall of the first floor of the extension should be set back at least 1m from the immediately adjoining part of the main front wall of the original dwelling.

23 Court Hey Avenue

No.23 is the paired, semi-detached dwelling and is sited to the North-West of the application site. The main front and rear elevations sit in line with the application site. No.23 benefits from a conservatory to the side as well as a part two-storey and single storey rear extension.

The proposed rear projections would be within the parameters of the Householder Development SPD. The proposed part two-storey rear extension would be constructed as an infill or built adjacent to the existing part two-storey rear extension. These sections would not project beyond the existing furthest projection of the application site and the adjacent, paired semi-detached dwelling. Therefore, this part of the proposal would not be readily visible to the occupants of no.23. The proposed ground floor rear projections would be within the parameters of the Householder Development SPD.

The proposed two-storey side extension would be erected off the gable wall of the property and therefore, the majority of this would not be readily visible to no.23. This would also be within the guidance of the Householder Development SPD and would not appear to cause any significant harm to the amenities or privacy of the occupants of no.23.

There is also boundary treatment between the rear gardens of the properties in the form of 1.8m timber fencing. There are parts of this which as existing are damaged, but these would be reinstated to ensure sufficient privacy between the rear gardens.

Overall, the proposed development would be in accord with the Householder Development and would not be considered to cause significant harm to the amenities or privacy of the occupants of no.23.

21 Court Hey Avenue

No.21 is the adjacent dwelling and is orientated diagonally in contrast to the application property to accommodate the curve in the highway. No.21 is sited to the South-East of the application property, the two gable walls face one another at an interface distance of approximately 11m.

The proposed two-storey rear extension would be within the parameters outlined in the Householder Development SPD and would not be considered to have an unacceptable impact on the amenities.

The Householder Development SPD states as well that the above requirement of a 1m set in from the party boundary may be relaxed if, because of a staggered or irregular arrangement of the dwellings in the street or corner location, the construction of the extension would not create an actual or potential terracing effect. It is considered the given the relationship between the application site and no.21, the proposed development would not result in an actual or potential terracing effect.

The proposal largely maintains a minimum space of 1m between the extension and the party boundary, with the exception of one corner, but as stated, this would not create an actual or potential terracing effect. The proposed development also demonstrates consideration for neighbouring amenities as it features 'dog-legged' set in sections to prevent overshadowing. Therefore, the proposal would not be considered to have an unacceptable impact on amenities.

There is also sufficient boundary treatment between the rear gardens in the form of 1.8m timber boundary fencing.

Overall, the proposed development would be in accord with the Householder Development SPD and would not be considered to cause any unacceptable harm to the amenities and privacy of the occupants of no.21.

Highways

The existing parking provisions utilised by the occupants of the property are available in the form of hard standing in the front garden area. There is also a grassed area. This hard standing can accommodate a minimum of two vehicles. The proposed development would result in the loss of a small section of the existing hard standing. However, it would not be considered to remove a significant amount.

The application has been supported by an additional Proposed Site Plan that shows the expansion of the existing hard standing to ensure that three vehicles to accommodate three vehicles comfortably.

The Highway Authority have also been consulted on the proposal and have raised no objections but a proposed condition that no part of the development shall be occupied before the Proposed Site Plan has been implemented and the parking is accessible and available to be used.

Therefore, the proposed development would be in accord with the Householder Development SPD, would not be considered to cause an unacceptable impact to highway safety or motorists and would be considered acceptable.

Trees

The application has also been supported by a Tree Survey, this has been reviewed by a member of the council's Arboricultural and Ecological Team. The application site features three mature trees at the front of the property and a hedge row, all of which are considered to be in a reasonable condition.

The Tree Officer's comments stipulated that they have no objection on the basis that the submitted Tree Survey is made an approved documents to ensure that all precautionary recommendations are implemented during construction.

In addition, one condition was provided to be included to ensure that the trees on site are provided with the necessary protection to construction. This condition states that there shall be a 5-day notice provided for the erection of tree protective fencing.

There were no further comments, and the proposed development would be considered acceptable and would not have an impact on the on site trees.

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 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) Five working days written notice shall be given to the Local Planning Authority for the erection for tree protective fencing before commencement of the works hereby granted.

Reason: For the avoidance of doubt and to comply with the application.

- 5) No part of the accommodation/development consented hereby shall be occupied until the parking provision shown on areas indicated on Drawing Site Plan M03 have been provided to the satisfaction of the Local Planning Authority. The parking provision shall be hard surfaced, and shall not drain onto the highway.

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
22/08/2023	MO2	REV A	PROPOSED FLOOR PLANS AND ELEVATIONS
11/09/2023	MO3	-	PROPOSED SITE PLAN
05/07/2023	PM/FULL/26/06/23	-	ARBORICULTURAL REPORT
05/07/2023	-	-	LOCATION PLAN

Signed Case Officer¹:

Reece Black

**Signed Authorising
Officer²:**

K Foster

Date:

18 September 2023

Informatives

Not applicable.

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