

<u>APPLICATION NO:</u>	23/00003/FUL	<u>CASE OFFICER:</u>	Andrew Hunt
<u>WARD:</u>	Roby	<u>PARISH:</u>	
<u>LOCATION:</u>	Derby Lodge Hotel, Roby Road, Roby, Knowsley, L36 4HD		
<u>PROPOSAL:</u>	ERECTION OF A DETACHED PERGOLA TO REAR GARDEN TOGETHER WITH THE ERECTION OF A METAL FRAMED STRUCTURE TO REAR ELEVATION		

Site Description

The application site is a large, detached building (Derby Lodge) of historic character set within the Roby Conservation Area. The wider site consists of parking and landscaping areas at the front, the main building and a garden area at the rear. The dwelling fronts onto the busy A580 (Roby Road). There is a large outrigger at the rear which is shared with a neighbouring property.

Proposal

The proposal is for the erection of a detached pergola to rear garden together with the erection of a metal framed structure to rear elevation*.

**A storage shed shown on the original plans has been removed.*

Consultations

Conservation – The design and siting of the additions fails to preserve or enhance Roby Conservation Area, and results in harm to the Conservation area and the non-designated heritage asset ‘Edenhurst’ and its setting.

Representations

This application has been publicised by site letters sent to 23 neighbours and by site and press notices. No representations have been received.

Planning History

Numerous applications have been approved, however none are directly relevant to the current application.

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development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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

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
DQ5 - Development in Conservation Areas

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

IMPACT ON ROBY CONSERVATION AREA

Core Strategy Policy CS20 states that development proposals in Knowsley should preserve or enhance the borough's historic and architectural assets, including Conservation Areas.

NPPF Para 197 states that In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Roby Conservation Area Appraisal (2015)

The Roby Conservation Area Appraisal identifies Derby Lodge (Edenhurst) as an important building within the Conservation Area. However, it should be noted that the appraisal identifies its importance to the street scene and appearance from the front as the main elements that contribute to its significance. The rear garden is not covered in detail with only a passing mention as being similar to the front grounds.

*“Derby Lodge was previously set within its own grounds. Sections of the grounds were sold off and the residential developments of Boxwood Close and Wynwood Park were built on the site. **Derby Lodge retains its formal, manicured grounds at the front of the property with similar formal gardens to the rear.** Parking provision and modern extensions to the side of the property have had an impact on the property, although this is recognised as a necessary provision due to the nature of the business” (Page 13 - Roby Conservation Area Appraisal).*

*“Although it is not listed, Derby Lodge is a significant historic building which is **prominent on the streetscape.** Formerly known as Edenhurst the red sandstone block building and the lodge at the entrance to the site are impressive historic buildings. Located on an elevated site above Roby Road and set within manicured gardens Derby Lodge has an undulating roof line with low parapet wall, **the front elevation has stone drip mouldings, stone detailing and the entrance has an impressive fan light over the door**”. (Page 19 - Roby Conservation Area Appraisal).*

Assessment

Freestanding Garden Structure

In relation to the freestanding structure, the former garden area is no longer a landscaped area as described in the area appraisal, it is a commercial area in character with tables, chairs, flagpoles and paved flag areas. It no longer has any landscape character value. It is considered that any historic value it may have had as a formal landscaped area has been diminished through these alterations.

The proposed structure would be of a temporary and removable nature and would not be attached to the main building. The only difference from the current chairs and tables would be that the seating would be slightly more formal and concentrated at the centre of the garden with a slightly more substantial structure.

Metal Framed Structure

The rear metal framed structure would be attached to the main building, unlike the freestanding garden structure. However, the existing area is currently taken up with paving and relatively flimsy temporary seating. The scale of the extension is modest and whilst attached to the building would not be a permanent structure that could not be removed.

Overall

The proposals are small scale and subservient structures that are considered to be of appropriate materials. The location of the proposed structures at the rear means that it will not be visible from the streetscene and would not detract from the appearance of the front of the building. The rear of the building in the Conservation appraisal is also considered of lesser significance than the front of the building with only a passing mention. The Conservation Appraisal is also out of date in relation to the rear garden, as it no longer functions as a landscaped area, instead being used for outdoor seating. As a result, the rear garden no longer contributes to the significance of the Conservation Area.

The use of the structure is considered to be reasonably necessary for the functioning of the business, particularly in the summer months when a formal outdoor seating area is a key attraction to customers. The enhancement of the outdoor seating area is considered to be necessary to support the viability of the business. The Conservation appraisal identified previous changes to the building (such as parking provision and extensions) that were necessary due to the nature of the business, it is considered that the proposed changes would also be necessary for the nature of the business whilst causing significantly less impact on the Conservation Area than previous additions (such as car parking and extensions to the building).

As the rear garden of Derby Lodge does not contribute to the significance of a designated heritage asset. It is assessed against NPPF para 197 rather than para 202.

NPPF para 197 a) states that planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

Overall, it is considered that the proposal will not cause any harm to features which contribute to the significance of the Roby Conservation Area with only minor changes relative to the existing garden. These changes are considered reasonably necessary for the commercial function of the building and are not materially harmful to the Conservation Area.

Overall, the application complies with Core Strategy Policy CS20 and Unitary Development Plan Policy DQ5 and NPPF para 197.

RESIDENTIAL AMENITY

The proposal would not harm the amenity of neighbouring properties/premises.

CONCLUSION

The proposal is acceptable in principle and would not harm the amenity of neighbouring properties or the Roby Conservation Area. The application complies with local planning policies and is recommended for approval.

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 following approved plans and documents :-

- a. Roof Shelter Information (Received 03/05/2023)
- b. Garden Structure Plans and Elevations – Rev B – (Received 03/05/2023).
- c. Site and Location Plans (received 07/02/2023).
- d. External Elevations (received 02/02/2023).

Reason: For the avoidance of doubt.

<u>Signed Case Officer:</u>	Andrew Hunt _____
<u>Signed Authorising Officer:</u>	K Foster _____
<u>Date:</u>	19 July 2023 _____

Informatives

N/A

Appendix 1 – Site Photographs



