

<u>APPLICATION NO:</u>	24/00184/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Halewood North	<u>PARISH:</u>	Halewood Town Council
<u>LOCATION:</u>	1 Felstead Avenue, Halewood, Knowsley		
<u>PROPOSAL:</u>	RETROSPECTIVE APPLICATION FOR THE ENLARGEMENT OF AN EXISTING REAR DORMER		

Site Description

The application site is located at 1 Felstead Avenue, Halewood and is situated within an area designated as a Primarily Residential Area in the Development Plan. The application property is a semi-detached dormer bungalow and is a combination of brick and render facing on its front, side and rear elevations, together with grey UPVC openings and grey interlocking rooftiles.

The property benefits from a small porch extension to the entrance of the dwelling and front and rear flat-roof dormers which feature a small set in at the sides and project no further than the existing external face of the (side) walls of the original dwelling. The front dormers are constructed with hung tiles on the external facing walls with a felt roof. The rear dormers are constructed with navy ply boards and a felt roof.

The application property holds a prominent position in the street scene as it is situated on a corner plot. The front elevation of the dwelling, like that of its paired semi-detached property are West facing and look on to Mackets Lane, however, the porch and access to the property and driveway are South facing and orientated facing Felstead Avenue. The junction is a prominent and key access to the modern housing estate behind the application site. There are other residential dwellings to all directions from the site, which display consistent and uniform building patterns. There is associated hardstanding enclosed by low timber and brick-built boundary treatment, which continues along the side curtilage of the plot at a taller height to screen the rear private amenity area. There is also an additional access taken from Felstead Avenue to further parking within the curtilage of the dwelling.

Proposal

The application seeks permission for the enlargement of existing rear dormer. The proposed development has already been completed and subsequently is to request its retention and therefore the application is retrospective*.

The enlarged rear dormer is a section and not the full rear dormer; this was for the provision of a bathroom extension.

The proposed development has a projection and depth of 2.75m at its furthest from the roof of the dwelling, a height of 2.52m and a width of 2.13m. The dormer when measured on the horizontal plan has a projection of 0.45m from the rear wall of the dwelling and when measured from the plane of the roof slope, a projection of 0.62m.

The proposed development features one window on the rear facing elevation.

Consultations

Halewood Town Council - No Comments Received.

Representations

This application has been publicised by letters sent to 8 neighbours.

There have been 2 letters of objection, 0 letters of support and 0 letters of comment. The representations are summarised as follows:-

16 Mackets Close

- The dormer doesn't match the rest of the estate. The materials used are unsightly, cheap and in complete contrast with the tiled dormers on the estate.
- The original houses are aesthetically pleasing, and the dormer looks odd (like a shed on a roof).
- The dormer in its current state make the house look egregious because if this is allowed, what is to stop other people extending their bedrooms also. If this is allowed the whole appearance of the estate would change with heavily projected dormers along the rows of houses. If a side extension was built would they be allowed to project the roof dormer to match the upper level, creating a terraced effect of dormers?

17 Millcroft Road

- Recently looked at a property for sale at 3 Grassington Crescent this house is back-to-back with 1 Felstead Avenue.
- Dormer is an eye-sore and looks awful. Estate agent agreed and said they had received several negative comments on the appearance of the back of this house. I believe it has a negative impact on the housing estate, if this is ok what is to stop other neighbours doing it?

Planning History

APP. NO: 74/06424/HIST
PROPOSAL: KITCHEN AND ATTACHED GARAGE
DECISION: REFUSED
DECISION DATE: 16/02/82
3 August 1981

APP. NO: 74/12118/HIST
PROPOSAL: ERECTION OF HALL AND KITCHEN EXTENSION TO SIDE OF DWELLING AND 2 NUMBER BEDROOM ABOVE
DECISION: REFUSED
DECISION DATE: 4 December 1989

APP. NO: 74/12595/HIST
PROPOSAL: ERECTION OF TWO STOREY EXTENSION TO SIDE OF DWELLING TO PROVIDE KITCHEN WITH BEDROOM ABOVE
DECISION: REFUSED
DECISION DATE: 25 June 1990

The application site's planning history pertains a historic pattern of refusal of proposals to alter and extend the property.

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

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

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 with the proposal and discussing those with the applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason for the refusal, approval has not been possible.

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 roof alterations and dormer extensions should be constructed with care to ensure that their design is in keeping with the dwelling and that they do not overlook neighbouring dwellings. Dormers should not be so large as to dominate the roof slope resulting in a dwelling which appears unbalanced. It also stipulates that there is a great scope to extend dwellings by adding rear dormers under Permitted Development. Dormers installed through this option would have to comply with the relevant criteria to be eligible for Permitted Development.

Design

The Householder Development SPD (6.10) and Saved Policy H8 in the Replacement Unitary Development Plan state that the design and materials used would reflect those used on the original dwelling.

The submitted plans show that these policy requirements accord with the Householder Development SPD and Saved Policy H8. Although, the materials employed on the external facing walls of the proposed development are not entirely in keeping with the existing facing materials found at the application property, it is evident that an effort to improve the colour has been made; originally the ply boards were white and through the change to a navy palette, this selection would be considered more sympathetic and less harmful.

Although, this is considered and recognised that it somewhat mitigates the adverse impact, it does still introduce external facing materials which are not otherwise present on the application property (which are faced with hung tiles) or any other dormers in the locality, which are hung tiled, brick or rendered facing. Usually, if the proposal comprehensively were to be policy compliant, leniency could be employed

as on balance, it could be justified that the harm may be acceptable. On this occasion, given the extensive conflict with policy and guidance, the siting and prominence of the proposal and the incongruous design, (accentuated through the selection of materials) it is considered in context, the materials would contribute to the cumulative impact of the proposal and this element should hold some weight when assessed in context. This would also contravene with 6.10 of the Householder Development SPD, which outlines that normally the Council would require that materials for an extension should generally be the same or similar as on the main dwelling. The change in materials would not be considered sufficient to ameliorate the harm caused by the proposal.

6.4 of the Householder Development SPD outlines that the overall scale of the development should not look out of place in the street scene or other immediate environment. Extensions should normally be subordinate to the original dwelling.

Both Saved Policy H8 and the Householder Development SPD express that the proposal should feature an appropriate scale, form, and mass. It is therefore considered to contravene with these general policy requirements as the overall scale of the proposed development is deemed too excessive by virtue of its form and mass and as a result displays an extension that is an insubordinate addition to the dwelling and original dormers and is an incongruous and unsympathetic feature. The proposed development would be considered to appear out of place in street scene and provides poor visual amenity. The application site is situated with several dwellinghouses in the locality (particularly in the building row the site relates to) which contain the characteristic dormer projections, in comparison to these, the proposed development is considered to contrast harshly to the uniform scale otherwise observed.

6.12 of the Householder Development SPD asserts that attention should be paid to the general architecture and detailing of the existing dwelling. The aim should be a harmonious appearance between the existing dwelling and the new extension through a design that responds to its context. 6.13 caveats the above policy point by stipulating that where architectural quality can be demonstrated, extensions may be acceptable where they are designed to offer a sensitive contrast to the original building through their siting, form, massing, fenestration, materials and details.

It is considered that the proposed development contravenes this as it is considered that it detracts from the established general architecture and has an adverse relationship between the existing and the recent enlargement, and the new development does not respond to its context. Furthermore, the proposal is not considered to offer a sensitive contrast and contravenes specifically with the tests outlined in the policy point (6.13). The proposal is a harsh contrast through its siting, form and massing as outlined earlier.

Moreover, the fenestration is not in a centralised position and is incongruous with the rest of the fenestration to the first-floor rear elevations of the building line, which emphasises the harm; the layout of this opening is irregular in shape and would conflict with 6.9 of the Householder Development SPD. As expressed previously, the proposal includes materials which would not be considered in keeping with the existing dwelling or others in the locality and would not be considered to foster a cohesive design.

It is considered that the proposed development contravenes the guidance of the Householder Development SPD as the enlarged dormer is not considered to feature a design which is in keeping with the dwelling. It is a prominently large dormer which

is considered to be excessively large to an extent that it dominates the roof slope and results in a dwelling which appears unbalanced. The SPD also instructs that the design should be sensitive and appropriate and should conserve the character of the original building and roofscape; which the proposed development would not be considered to comply with given the harmful design.

Furthermore, the SPD states that a dormer should normally be set back at least 1m from the main elevation it relates to, when measured on the horizontal line and 0.5m from the roof edge on either side (including the roof boundary line of terraced properties and semi-detached properties), to prevent it having an overbearing effect on the street scene and adjoining dwellings. This is a key policy requirement in determining the visual amenity impact of a dormer proposal. Given that the proposed development, when measured on the horizontal line, has a projection of 0.45m beyond main elevation it relates to (displays a significantly larger projection, which conflicts with the policy guidance.) it is not considered to be to an acceptable scale and is considered to have an overbearing effect on the street scene and adjoining dwellings.

To summarise, due regard should be awarded to the established character of the surrounding area, which is a corner plot, holds a prominent view and given where the proposed development is sited – is a readily visible feature, strict consideration to the design of the proposal is paramount and the design context should hold great weight in considering the proposal. The scale, design and appearance of the proposal and how it relates to the site and wider locality cause the proposal to be an overly prominent feature, which is incongruous and detrimental to the visual amenities of the area. The proposed development detracts from the established architectural style in the locality through its inappropriate design.

Given all of the points previously discussed and the conflict with the relevant policies, it means that the proposal is difficult to support. The proposal is considered to result in adverse harm through its design and would not be considered to accord with Saved Policy H8 or the Householder Development SPD.

Residential Amenity

250 Mackets Lane

No.250 Mackets Lane is the adjoined, paired semi-detached dwellinghouse, elevations of the two properties sit parallel to one another. No.250 also contains front and rear dormers which were previously uniform to the application property prior to the development.

The proposed development would not be considered to result in an unacceptable residential privacy impact on the occupants of No.250 given that the proposed development is sited to the rear of the property and would not create any greater view than previous.

It would, however, be considered to have an adverse impact on residential amenity through by virtue of its visual impact and would appear overbearing to the neighbours and would have a detrimental impact on the enjoyment of their rear private amenity area.

It is considered that the proposed development, due to the size and siting, represents a harmful form of development that does cause adverse harm on the amenities of these properties by reason of an overbearing effect. This should hold significant

weight in the determination of this application. It is considered that the proposal would not accord with Saved Policies H8 and the Householder Development SPD and would have a harmful impact on residential amenities for the occupants of No. 250 Mackets Lane.

Properties to the rear of the application site (No's 1, 3, 5)

No.1 Grassington Crescent is a detached dwelling; No's 3 & 5 are a set of paired semi-detached dwellings. The three properties' rear elevation faces the rear elevation of the application property at an approximate interface distance of 23m.

It would not be considered that the proposed development would result in any unacceptable harm to privacy to the occupants of these three properties.

It is, however, considered that the proposal does result in adverse harm on residential amenity by virtue of its visual impact and harm on outlook from the rear elevations of these properties. It is considered to appear overbearing to the occupants of these properties, given that is an incongruous feature and would have a detrimental impact on the enjoyment of their rear private amenity areas.

Overall, it is considered that the proposed development, due to the size and siting, represents a harmful form of development that does cause adverse harm on the amenities of these properties by reason of an overbearing effect. This should hold significant weight in the determination of this application. It is considered that the proposal would not accord with Saved Policies H8 and the Householder Development SPD and would have a harmful impact on residential amenities for the occupants of the properties of Grassington Crescent.

Highways

The proposed development is to the enlargement of the existing rear dormer and for the provision of bathroom renovations. It does not increase the number of bedrooms or create any issues with existing parking provisions within the curtilage of the dwelling and subsequently would not result in any adverse harm to highway safety.

Permitted Development Rights Considerations

Regard for Permitted Development Rights and the fallback position has also been considered for the determination of this application when considering what could otherwise have been built if the development had been constructed under Permitted Development.

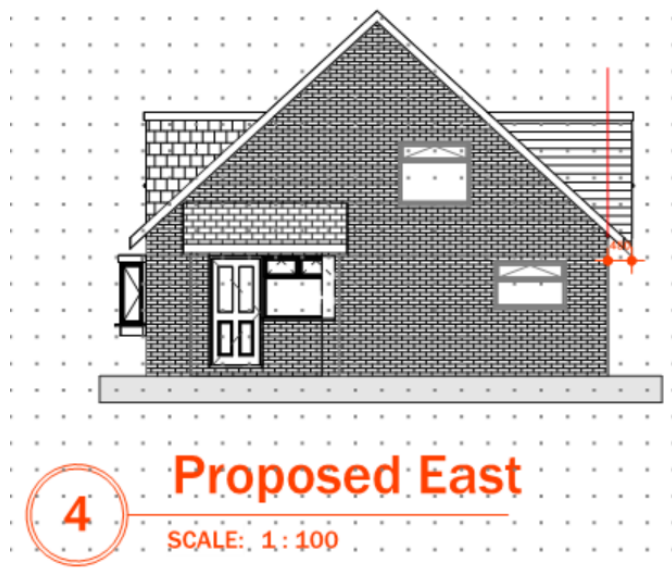
This would have to accord with the legislation contained within the Town & Country Planning (General Permitted Development) (England) Order 2015. The relevant section of the order is 'extensions/alterations under Schedule 2 Part 1 Class B Additions to the roof of a dwellinghouse'.

The proposed development would not comply with all the relevant criteria of Class B as it would conflict with the following reasons:

- (a) The enlargement shall be constructed so that –
 - (i) Other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension –
 - (aa) the eaves of the original roof are maintained or reinstated; and
 - (bb) the edge of the enlargement closest to the eaves of the original roof

- shall, so far as practicable, be not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and
- (ii) Other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse.

The proposed development as outlined previously, that when measured on the horizontal plan has a projection of 0.45m from the original rear wall of the dwelling and when measured from the plane of the roof slope, a projection of 0.62m. Therefore, demonstrating that the proposed development would not be within the parameters of the fallback position and the material difference between these parameters and what has been built would not be considered a marginal or incremental increase, to the detriment of the overall design. Consequently, the fallback position or an argument of a minor increase would not be appropriate or suitable on this occasion, as it is considered that the material increase would result in an unacceptable impact.



The red line on the plans demonstrate the extent of the projection which exceeds the parameters to accord with Permitted Development.

Conclusion

In conclusion, the proposed development is considered to result in a harmful, insubordinate addition to the dwelling, which is detrimental to the visual amenity and character of the locality. The proposal does not accord with local plan and its relevant policies or guidance contained in the SPD; consideration has also been given to the General Permitted Development Order as to whether there would be a material difference to what could be constructed under 'Permitted Development', to which it has been considered there would be a material difference. The decision has been made on the Planning balance, considering the proposal, relevant policy, the site context and the wider locality, the public interest and cumulative impact; it has been considered that the proposed development has little to ameliorate its impact or justify its retention. Subsequently, on this basis and its harmful design, it would be recommended that the application be refused.

*Consideration has also been given for the fact that the proposed development is already erected on site, but given the reasons listed above, this does not outweigh the level of harm caused or mean that significant leniency should be awarded.

Recommendation

That Planning Permission be refused for the following reason(s):-

- 1) The proposed development is detrimental to the visual amenity and character of the local area. it has resulted in a visually intrusive and overbearing feature in the street scene by reason of its location, form, and massing. It is detrimental to the visual amenities of the residential area and the building row of properties which contain uniform rear dormers, that are a characteristic feature. As a result, the proposed development is incongruous and out of character with the area generally. The proposal is contrary to Saved Policies H5 & H8 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, as well as Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and the Householder Development SPD.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
25/04/2024	101	REV A	LOCATION PLAN
25/04/2024	102	REV A	SITE PLANS
25/04/2024	202	REV A	PROPOSED PLANS & ELEVATIONS

Signed Case Officer¹: **Reece Black**

Signed Authorising Officer²: **Alan Kilroe**

Date: **29 October 2024**

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