

<u>APPLICATION NO:</u>	23/02385/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Roby	<u>PARISH:</u>	
<u>LOCATION:</u>	10 Court Hey Avenue, Roby, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF A TWO-STOREY SIDE EXTENSION, PART TWO-STOREY REAR EXTENSION WITH SINGLE STOREY REAR EXTENSION, LOFT CONVERSION WITH REAR AND SIDE DORMER EXTENSIONS, TOGETHER WITH THE ERECTION OF A SINGLE STOREY FRONT EXTENSION AND ERECTION OF A DETACHED OUTBUILDING TO THE REAR OF GARDEN.		

Site Description

The application site is located at 10 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 dwelling and is predominately white rendered facing (with a layer of red rendered brick on the bottom of the front elevation), on the front, side and rear elevations. It also features white UPVC openings and interlocking roof tiles.

The property benefits from an internal garage to the side of the dwelling. there is currently an outbuilding to the rear of the private amenity space, abutting the boundary of the curtilage. This has ceased its construction following the submission of this application and its determination.

The front garden area features slabbed paving for the majority of the garden to facilitate hardstanding. A section of the garden features gravel. The front garden area is enclosed by a low built brick wall, accompanied by white, metallic gates. There are two small trees and associated vegetation adjacent the front boundary wall.

The application property is South/South-East facing on the residential street and fronts the highway as well as the further M62 adjacent the highway and there is a railway line to the North of the application site.

The distance between the existing front elevation of the dwelling and the public highway is 11.71m. The private rear garden spans a depth of 27.74m.

Proposal

The application seeks permission for the erection of a two-storey side extension, part two-storey rear extension, part single storey extension, loft conversion with rear and side dormer extensions, together with the erection of a single storey front extension and erection of a detached outbuilding to the rear of the garden.

The proposed development has been amended to ensure that the proposed dormers would be in accord with policy in terms of setback, minor amendments to the proposed two-storey side extension and the submitted Proposed Site Plan has been amended to accurately reflect the outbuilding in the garden, as a previously submitted site plan was not accurate in terms of distance from the boundary.

The proposed two-storey side extension would project out 2.03m and would have a depth of 8.52m. This would be served by a hipped roof, which would measure 5.39m at the eaves and 8.90m at its highest point. The side elevation would be sited 0.76m away from the middle of the party boundary line.

The proposed ground floor rear extension would project 6.08m and would have a width of 8.65m. This section would be served by a flat roof and would measure at a height of 3.3m. This section would also feature a flat rooflight, at a height of 3.45m.

The proposed first floor rear extension would project 3.37m and would have a width of 8.65m.

The proposed front porch extension would project 0.89m and would have a width of 2.31m. The front extension would be served by a mono-pitched, canopy roof that would also cover the front of the two-storey side extension and garage door. The proposed roof for this section would measure 2.89m at the eaves and 3.53m at its highest point.

The proposed development would also see alterations to the roof, which would include the erection of two dormers, one at the rear, which is a flat-roofed dormer and the second, to the side elevation of the house and would project out of the hipped roof of the proposed two-storey side extension. These dormers have been amended to be in accord with policy. The proposal would see the insertion of 4 rooflights, two to the front roof and two on the rear roof.

The front elevation of the proposed alterations to the dwelling would see the installation of an access door, in the form of a small garage door at a width of 1.57m. The first-floor, front elevation of the two-storey side extension would see a window installed. The side elevation of the proposed two-storey side extension would see 2 windows and an access door on the ground floor and the first floor would see two windows installed. The proposed dormer to the side would see the inclusion of a small window. The rear elevations of the proposed development would see the installation of bi-fold doors and a window on the ground floor, a window on the first floor and the flat-roofed dormer to the rear.

The submission of the application has also included the erection of a detached outbuilding to the rear of the garden. This would be a South/South-East, have a width of 7.30m and a depth of 5.84m. The detached outbuilding would be served by a dual-pitched roof, that would measure 3.18m at the eaves and 5.64m at its highest point.

The proposed outbuilding would feature a small second storey, which on the submitted plans has been indicated for storage. The outbuilding would feature a flat-roofed dormer extension on the North facing elevation, which would measure at a width of 5.33m and would project 2.40m out. It would feature large windows and an access door to the front elevation and rooflights on the front roof, as well as other windows on the rear and side elevations. It has been stated on the Application Form this is to be intended to be used as a gym and for storage.

Upon the site visit being completed on 07.09.2023, it was observed that the proposed outbuilding was in the build phase, with significant progress having been made, which is evidenced in the site photos. It was advised that they pause with this until a Planning application had been submitted and Planning Permission granted.

Consultations

Network Rail – No comments received.

Representations

This application has been publicised by letters sent to 3 neighbours. No representations have been received.

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.

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
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 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 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. The SPD asserts that a single storey rear extension located on or immediately adjacent to the 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. A single storey extension beyond 4m will normally only be permitted if it does not breach the 45-degree rule.

The Householder Development SPD states that two-storey rear extensions of up to 3 metres will normally be acceptable. It also states that extensions beyond 3 metres will only be acceptable if they do not breach the 45-degree rule. In addition, where the properties are attached and the neighbouring dwelling has no extension adjacent the boundary, any first-floor element of an extension beyond 3 metres should be set in from the party boundary by a minimum of 1 metre.

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 white 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 predominately be served by pitched roofs.

The pitched roofs that would be employed would respond positively to where they are sited and what they would serve. The only flat roofed extension (other than the rear flat roofed dormer) would be the ground floor rear extension. The proposed roofs overall would be considered to demonstrate appropriate rooflines and would not be considered to harm the overall character of the area. The proposed flat roof would be acceptable, given that there would be no harm to the street scene or highway and or to motorists. There are also no dwellings behind the application property 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. The proposed development would not be deemed to result in an incongruous design and there is no strict uniformity to the building line of dwellings due to various alterations. 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 Householder Development SPD states that for dormers, these should normally be set back 1m from the main elevation it relates to, when measured on the horizontal line and 0.5m from the roof edge on either side, to prevent it having an overbearing effect on the street scene and adjoining dwellings.

The proposed dormers have been amended during the determination of the application, to ensure that they accord with policy. Both proposed dormers to the rear and the side have been set back to ensure that they are 1m from the main elevation they relate to. The proposed rear dormer measures as a distance of 0.48m. However, this is not considered to cause an unacceptable impact on amenities or result in an unacceptable design. Therefore, it is considered acceptable as it only a marginal difference and would not cause a significant material impact to the scheme.

It is considered that the proposed front projection of the proposal would be acceptable as it would retain the character of the residential area and feature an appropriate roof design that is in accord with the Householder Development SPD. In addition, there is account of the front building line, and the proposed development is not considered to significantly impact or harm the building line of the street scene.

The Householder Development SPD states that the size and projection of front extensions and porches that may be permitted depends on the type of dwelling and degree of set-back from the highway. It is considered that in the case of a semi-detached dwelling, with a substantial degree of set-back from the public highway of

Court Hey Avenue and the scale of the front projection, that the proposed development would be acceptable.

The proposed outbuilding would be considered to feature an appropriate design. It is notably a large structure for a garden outbuilding; however, it would not be considered a structure that would result in significant harm. It is considered to be incidental in scale to the original dwelling and sited within the most appropriate place available.

The Householder Development SPD states that garages, sheds and other detached buildings should normally be behind the building line or be well screened by hedging or similar landscape treatment. Therefore, it is considered that the proposed outbuilding would be situated in an area that results in the least amount of harm and would not be considered to cause any visual harmful impact to amenity views, given the range of other outbuildings erected in the locality.

It is a common feature of the properties on Court Hey Avenue that the majority of rear gardens have erected outbuildings adjacent to the rear curtilage of their boundaries; these range in their form and mass. However, in the context of the application property, it is considered that the proposed development would be appropriate given that the adjacent neighbours either side have erected outbuildings of significant width, depth, and height. The proposal would not be significantly incongruous to what currently exists.

The proposed outbuilding is deemed to have acceptable fenestration to facilitate views into the application sites garden. The front elevation of the outbuilding would feature large windows, given that this would be South/South-East facing this would facilitate the outbuilding to capture more heat and light from the sun.

The proposed dormer element on the outbuilding does not feature a set back from the elevation it relates to. However, this would be on the North facing, rear elevation of the outbuilding. This would not be readily visible and would be sited in a private location. The dormer is set in at the edges also by 1.14m either side and would not be readily visible. Therefore, given that the dormer element of the proposed outbuilding is not considered to cause any harm in design terms, it would be deemed acceptable.

The proposed four rooflights to the front and rear roofs, would not be considered to have an adverse impact on the amenities or privacy of the dwelling or those nearby and would therefore be considered acceptable. In addition, it would not exceed the parameters outlined in order to benefit from Permitted Development. Therefore, they are considered to feature an appropriate design and not cause any harm to residential amenity.

Overall, the proposed development would largely be in accord with the guidance of the Householder Development SPD and would feature an acceptable design.

Residential Amenity

The Householder Development SPD 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.

11 Court Hey Avenue

No.11 is the adjacent, semi-detached dwelling and is sited to the West of the application site. The two gable walls of the properties face one another. The front and rear original elevations sit in line with one another. The property benefits from a two-storey side extension, a front porch extension and a single storey rear extension, together with a rear dormer extension and an outbuilding to the rear of the garden. The proposed rear extensions are in excess with the prescribed projection parameters advised in the Householder Development SPD, but they are not in breach of the 45-degree rules when taken from the nearest habitable windows on the rear elevation of no.11, on both storeys. As addressed earlier in the report, the ground floor projection is marginally in breach of the 45-degree rule, but by such a small margin that it is not considered to result in a material difference and would be acceptable.

The proposed two-storey side extension would leave a minimum space of 0.76m between the extension and the party boundary between the application site and no.11. Although, this would fall short of the policy guidance of the Householder Development SPD when considering two-storey side extensions, this policy is prescribed to prevent the terracing effect from occurring between detached dwellings. As a result of the erection of the two-storey side extension in the application, there would remain an approximate separation distance of 1.66m between the two gable walls of these properties. No.11 have already extended at the side, leaving a separation distance of approximately 0.85 away from the party boundary. It is not unreasonable to assume that no.11 would not demolish and extend out by 0.85m out to the party boundary, now or in the future, and as a result, there would remain a separation distance of 1.66m between the two side elevations. Furthermore, it is highly unlikely that the granting of the proposal would result in the creation of any future or potential creation of a terracing effect. Therefore, it would be appropriate on this occasion to permit the two-storey side extension.

The gable wall of no.11 features one large window in the middle of the first-floor, which is obscurely glazed and, like the application property, assumed to serve the staircase; and subsequently not a habitable room. The ground floor contains two windows on the ground floor. These are assumed to serve the kitchen, given the rear elevation contains two windows, as well as a rear access door with a window in. The rear extension projection which extends this room out also features rooflights. The proposed development is not considered to cause any significant impact on the amenities or privacy of the occupants of no.11. The existing view from these windows on the ground floor side elevation look onto the party boundary wall between the two properties and the existing gable wall of these properties. The proposed two-storey side extension would not be considered to cause a materially significant change to these views. It would also not result in any unacceptable loss of light, as there are other windows that serve the room that would be unaffected and still allow daylight in.

The proposed two-storey side extension would feature two windows on the ground floor. This would be considered acceptable as they would serve a store and a utility room, which are not habitable rooms and would not permit any overlooking to any habitable rooms of no.11. The first-floor of the proposed development side elevation would also feature two windows inserted, this would serve the hallway landing and a

bathroom. It would not be necessary to condition that the glass for the bathroom would be obscure glazing as the window on the first-floor is frosted, obscured glazing. Therefore, this window would not result in any unacceptable overlooking or loss of privacy for the occupants of either the application property or no.11.

The proposed dormer to the side of the of the roof, would face the roof of no.11. This would not be considered to facilitate any overlooking between the properties however, as there are no habitable rooms with a readily available view through windows etc. The dormer would feature a small window that would serve the staircase for this storey. The dormers overall, would not be considered to cause any issues with privacy or overlooking and would not be considered to have an impact on the amenities of the occupants.

The other elements of the proposal include the front extension and the detached outbuilding to the rear of the garden. These would not be considered to cause any harm to amenities or privacy. The proposed outbuilding would be erected adjacent the rear of the garden and loosely in line that with the outbuildings erected in neighbouring rear gardens. In addition, to the boundary treatment of the brick wall between the two properties, there is also screening provided by tree and shrubs that would soften the appearance of the outbuilding. The side elevation of the proposal would be located approximately 1.43m from the part boundary. The outbuilding at no.11 contains no windows on the side elevation and therefore, there would be no views or overlooking into the outbuilding at no.11.

Overall, the proposed development would largely 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.11.

9 Court Hey Road

No.9 is the attached semi, paired with the application property. The original front and rear elevations sit parallel to those of the application site. No.9 benefits from a two-storey side extension, together with a single storey rear extension. No.9 also features a large outbuilding to the rear of the garden.

The proposed rear extensions are in excess with the prescribed projection parameters advised in the Householder Development SPD, but they are not in breach of the 45-degree rules when taken from the nearest habitable windows on the rear elevation of no.11, on both storeys. The proposed ground floor rear extension would not project further past the rear elevation of the existing rear extension at no.9. The proposed first-floor rear extension has been set in by approximately 3.63m to ensure it does not breach the 45-degree rule and would not result in a significantly harmful impact to the amenities of no.9.

The proposed two-storey side extension would not be readily visible to the occupants of no.9 and would therefore be acceptable, as it would cause no harm to amenities or privacy.

The proposed dormer projections are in accord with the parameters of the SPD following the amendments. As discussed in the design section of the report, the dormer is set in at the roof edge 0.48m. This has been considered acceptable as the material impact of 0.02m would not be considered to result in a significantly harmful impact on design and residential amenity. The dormers would not be considered to result in any significantly harmful impact on the occupants of no.9.

The proposed front extension would not be considered to result in any harmful impact to the amenity of the occupants of no.9.

The proposed outbuilding would not be considered to result in. The proposed outbuilding would be erected roughly in a building line that is consistent with the outbuildings erected in neighbouring rear gardens. In addition, there is a brick wall boundary between the two properties. The outbuilding at no.9 contains no windows on the side elevation and therefore, there would be no views or overlooking into the outbuilding at no.9. The outbuilding would be located 0.63m from the party boundary.

Overall, the proposed development would largely be in accord with the Householder Development SPD and would not be considered to cause any significant harm to the amenities or privacy of the occupants of no.9.

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 through slab paving. There is also a section of which features gravel stones.

It is considered that from the submitted Proposed Site Plan, it is shown that the hardstanding would cover a depth of approximately 11m by 4.13m

There is also ample street parking available, the locality of the area allows this and is used by other dwellings in the street. The proposed development would meet the minimum number of parking spaces required by highway standards and should any additional be required, this can be provided to the front of the dwelling, without compromising highway safety.

Overall, the proposed development would be in accord with the Householder Development SPD and would not result in any unacceptable impact to motorists or highway safety.

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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
11/09/2023	AE-02-20-001-P3	-	PROPOSED OUT-BUILDNG ELEVATIONS
11/09/2023	AL-00-001-P3	-	LOCATION PLAN
11/09/2023	AL-01-20-040-P5	-	PROPOSED ROOF PLAN
11/09/2023	AL-02-20-010-P3	-	PROPOSED OUT-BUILDING FLOOR PLAN
11/09/2023	AL-90-001-P4	-	PROPOSED SITE PLAN
05/12/2023	AL-90-001-P6	-	SITE PLAN PROPOSED
23/11/2023	AL-20-010-P7	-	PROPOSED GROUND FLOOR PLAN
23/11/2023	AL-20-020-P8	-	PROPOSED FIRST FLOOR PLAN
23/11/2023	AL-20-030-P7	-	PROPOSED ATTIC FLOOR PLAN
23/11/2023	AL-20-040-P7	-	PROPOSED ROOF PLAN

Signed Case Officer¹: Reece Black

Signed Authorising Officer²: K Foster

Date: 6 December 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