

<u>APPLICATION NO:</u>	24/00435/FUL	<u>CASE OFFICER:</u>	Kim Vo
<u>WARD:</u>	Shevington	<u>PARISH:</u>	
<u>LOCATION:</u>	9 Brett Close, Tower Hill, Kirkby		
<u>PROPOSAL:</u>	ERECTION OF SINGLE STOREY REAR EXTENSION AND CONVERSION OF GARAGE TO HABITABLE ROOM		

Site Description

The application relates to a two-storey semi-detached dwelling at no.9 Brett Close, which has an existing detached single garage. There is hard surfacing to the side, providing off-street parking provisions for at least 2no. vehicles. The application site is located within a Primarily Residential Area as defined by Saved Policy H5 of the Knowsley Replacement Unitary Development Plan (Adopted June 2006).

Proposal

The proposal seeks to erect a single storey rear extension which would project 2.935m from the original rear wall and measure 2.688m wide. A mono-pitch roof with one roof light is proposed and would measure 3.6m to the ridge. A window is proposed to the rear elevation. The proposed extension would also adjoin onto the existing detached garage which is also proposed for conversion into a habitable room. The proposed garage conversion would involve the installation of 2no. rooflights, the replacement of the existing garage door to the front with a window, and the installation of a patio door to the side elevation providing access into the rear garden. The proposal will be finished in matching brickwork to the exterior, matching concrete roof tiles, and matching white uPVC frames to the windows and doors.

Consultations

Environmental Health (03.09.2024): The application site is located within the vicinity of a former landfill which was investigated and monitored under planning approval ref: APP/98/00639. Conditions are therefore requested to provide an implementation plan prior to works being undertaken; a validation statement to be submitted upon completion of works; and for water suppression to be used to minimise dust emissions.

Representations

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

Planning History

None relevant.

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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 (UDP), 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 (January 2016)

Policy CS2: Development Principles

Policy CS19: Design Quality and Accessibility in New Development

Saved Policies - Knowsley Replacement UDP (June 2006)

Policy H5: Development within Primarily Residential Areas

Policy H8: Extensions and Alterations to Residential Properties

Policy ENV5: Contaminated Land

Supplementary Planning Documents (SPDs)

Householder Development (June 2016)

Ensuring a Choice of Travel (September 2010)

National Policies

The National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

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

The main considerations for this application are:

- Compliance with Householder Development SPD;
- Design and Visual Amenity;
- Neighbouring Amenity;
- Access, Parking and Highway Safety;
- Waste Management;
- Land Contamination;
- Other Matters.

Compliance with Householder Development SPD

Proposed Single Storey Rear Extension

The proposed single storey rear extension would project 2.935m from the original rear wall and would be below the 4m threshold. The single storey rear extension

would therefore accord with the guidelines under Part 7.4 of the Householder Development SPD.

Detached Buildings and Structures, Parking and Domestic Garages

The proposal will convert the existing detached garage which will result in the loss of a parking space. However, there is hard surfacing to the side which provides 2no. off-street parking provisions and the site itself is also sustainably located near to public transport links. The proposed conversion will also be to an existing garage and would therefore accord with the guidelines under Part 7.10 of the Householder Development SPD.

Neighbouring Amenity

No.10 Brett Close

No.10 Brett Close is the adjacent neighbour to the east. The proposed extension would be sufficiently distanced 3.3m away from the shared side boundary. Whilst new patio doors are proposed to the garage conversion which will face towards no.10, a distance of 6.1m will be available and the existing hedgerow will provide ample screening. Therefore, the impact in terms of loss of light and privacy is deemed to be minimal.

No.8 Brett Close

No.8 Brett Close is the adjacent neighbour to the west. The proposed extension would be distanced 3.9m away from the side elevation of no.8 and would be partially screened by the existing detached garage (to be converted). The proposed conversion to the garage would also be to an existing structure, with no alterations proposed to enlarge or include new openings to the side elevation facing towards no.8. The proposal's impact in terms of loss of light and privacy is therefore considered to be limited.

No.11 Brett Close

No.11 Brett Close is the adjacent neighbour to the rear. The proposed extension will feature a window to the rear which will face towards no.11. However, this window will be distanced 6.6m away from the shared boundary with this neighbour and the existing fence will provide a degree of screening, ensuring that any impact in terms of direct overlooking and loss of privacy will be limited. The proposed conversion of the garage to a habitable dining room is also not considered to result in any greater impact in terms of noise and disturbance than the current use as a garage.

In view of the above, it is considered that the proposal would be acceptable and would not have a significant, detrimental impact upon residential amenity to these neighbours, in accordance with Policy CS19 of the Local Plan, Saved Policy H5 and H8 of the Knowsley Replacement Unitary Development Plan, and the Householder Development SPD.

Design and Visual Amenity

The proposed extension is considered to appear proportional and subordinate to the main dwelling given that it is for a single storey development. It would also not appear highly visible from public vantage points due to its siting to the rear. The proposed extension will also be finished in matching materials, and this will be secured by a condition. The proposed conversion of the garage will also be to an already existing structure and whilst new openings are proposed to the front and side, these would appear similar to the existing openings to the main dwelling. The garage is also well set back towards the rear and would not appear dominating or overbearing upon the street scene. As such, the proposal is considered acceptable regarding its impact upon design, the street scene and visual amenity, in accordance

with Policy CS2 and CS19 of the Local Plan, Saved Policy H8 of the Knowsley Replacement UDP and the Householder Development SPD.

Access, Parking and Highway Safety

The proposal would result in the loss of a single garage space and the application property would remain as a 3no. bedroom dwelling. 2no. off-street parking spaces are therefore required for a 2/3no. bedroom property, as specified within Appendix A of the Ensuring a Choice of Travel SPD. The application site has existing hard surfacing to the side which provides off-street parking provisions for 2no. vehicles and is considered to meet the minimum dimensions of 2.75m width (as specified within the Householder Development SPD). As such, the proposal would achieve the parking standards. The application site is also sustainably located around a 15 minutes' walk to the Headbolt Lane railway station, and a 5 minutes' walk to bus stops along Bank Lane, with frequent services to the wider area. It is therefore considered that the proposal would have an acceptable impact upon access, highway safety and parking provision in accordance with Policy CS2 and CS19 of the Local Plan, Saved Policy H8 of the Knowsley Replacement UDP, the Householder Development SPD and the Ensuring a Choice of Travel SPD.

Waste Management

A gap of over 1m would remain available to the side which is considered to be sufficient for the storage of waste and recycling bins. The proposal is therefore deemed to be acceptable in terms of waste management and storage, in accordance with the Householder Development SPD.

Land Contamination

Environmental Health have been consulted and notes that the application site is located within the vicinity of a former landfill which was investigated and monitored under previous planning approval ref: 98/00639/APP. As part of the planning permission, earthworks were undertaken, and remediation measures were put into place to ensure that the site is suitable for a residential end use. This involved the installation of a gas/vapour protection membrane at each property. As such, there is potential that some contamination may still exist at the site. Conditions have therefore been requested by Environmental Health for the provision of an implementation plan; a validation statement; and for water suppression to be used to minimise dust emissions. These will be attached as pre-commencement conditions, along with an informative advising the applicant of their responsibilities with respect to contamination. Subject to these, the proposal is deemed to be acceptable in terms of land contamination, in accordance with Saved Policy ENV5 of the Knowsley Replacement UDP and the NPPF.

Conclusion

The application is for an extension to an existing dwellinghouse within a Primarily Residential Area and the principle of the proposal is considered acceptable. The proposed development would also have an acceptable impact upon neighbouring amenities; design and visual amenity; parking and highway safety; and waste management. Matters relating to land contamination will also be mitigated by conditions. On this basis, the proposal complies with all relevant local and national planning policies and guidance.

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 extensions 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) No development hereby approved shall commence until an implementation plan has been submitted to and approved in writing by the Local Planning Authority. The implementation plan must be carried out by a competent person and shall set out details in respect to the following matters:

Gas/vapour protection membrane

- i. The specific gas/vapour membrane to be used. The membrane specification must be at least equal to that already installed under the property.
- ii. How it will be installed and specifically how the new membrane will be integrated with the existing gas protection measures, including ventilation arrangements.
- iii. Confirmation of whether there is a gas membrane within the existing garage, if no gas membrane installed, then a membrane is required within this space if it is to be used as a living space and needs to be integrated with the gas protection measures proposed in the extension and that of the ones installed within the existing property.
- iv. The name of the competent persons / company installing the membrane.
- v. How the installation of the membrane will be validated.
- vi. The measures to be installed must comply with the British Standard BS 8485:2015 +A1:2019:

The development hereby approved shall then be carried out in accordance with the approved implementation plan. Thereafter, following the completion of the proposed works, a validation report to confirm that works have been carried out in accordance with the approved implementation plan shall be produced and submitted to and approved in writing by the Local Planning Authority.

Reason: Details are required prior to the commencement of development to ensure that any contamination is treated to the satisfaction of the Local Planning Authority in accordance with Saved Policy ENV5 of the Knowsley

Replacement Unitary Development Plan, adopted in June 2006, and the National Planning Policy Framework, which states that after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

- 5) No development hereby approved shall commence until details for the use of water suppression systems to minimise dust pollution from the excavated materials during site clearance and construction works has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: Details are required prior to the commencement of development to minimise and mitigate to acceptable levels any effects that the development may have in terms of dust pollution and to protect the amenities of the neighbouring occupiers, in accordance with Policy CS2 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
14.08.2024	-	-	Location Plan
14.08.2024	-	-	Site Plan
14.08.2024	01	-	Scheme Design - Proposed Single Storey Extension/Garage Conversion

Signed Case Officer¹: **Kim Vo**

Signed Authorising Officer²: **K Foster**

Date: **2 October 2024**

Informatives

1. The responsibility to properly address contaminated land issues lies with the owner/developer of the site, irrespective of any involvement by this Authority. The applicant/developer is requested to contact the Council's Environmental Protection Unit (Tel: 0151 443 4712) as soon as is practicable should contamination be encountered during the development of the site. If contaminated material is encountered the applicant/developer is required to dispose of the contaminated arisings appropriately. They should also be aware of their health and safety responsibilities to workers in respect of handling such materials. The developer should also ensure that no pathways are created by which any contamination may either migrate off-site or affect site users.

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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