

<u>APPLICATION NO:</u>	23/02691/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Stockbridge	<u>PARISH:</u>	Knowsley Parish Council
<u>LOCATION:</u>	137 Hillside Avenue, Huyton, Knowsley		
<u>PROPOSAL:</u>	CONVERSION OF GARAGE TO FORM HABITABLE ROOM		

Site Description

The application site is located at 137 Hillside Avenue and is located in an area which is allocated as a Primarily Residential Area in the Development Plan. The application property is a detached dwelling and is brick facing on its front, side and rear elevations. It features white UPVC openings and flat, interlocking roof tiles.

The property benefits from an adjoined garage to the side with hardstanding in front. There is an approximate distance of 5.6m from the front elevation of the existing garage to the public highway. The rest of the front curtilage of the dwelling is grassed.

Proposal

The application seeks permission for the conversion of the existing garage to form a habitable room. This would see the redevelopment of the internal garage space and the removal of the external garage door, and this would be replaced by fenestration and infill brickwork.

Consultations

Knowsley Parish Council - No Comments Received.

Representations

This application has been publicised by letters sent to 9 neighbours. No representations have been received.

Planning History

APP. NO: 11/00582/FUL
PROPOSAL: ERECTION OF 34 NO. DWELLINGS TOGETHER WITH CAR PARKING AND ASSOCIATED WORKS
DECISION: GRANTED
DECISION DATE: 20 June 2012

Under 11/00582/FUL select Permitted Development Rights have been removed from the application property.

Condition 8 of the Decision Notice states that, the garages hereby permitted shall not be converted into living accommodation (either in whole or part) and shall be retained for use by the dwellings hereby approved at all times, unless the written permission of the Local Planning Authority has been sought and obtained beforehand.

Reason: To ensure adequate garaging/off street parking provision is retained and thereby avoid the harm to residential amenity or highway safety caused by on street parking and to comply with Saved Policies T6 and DQ1 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006.

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 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 H5 in the Replacement Unitary Development Plan states that proposals for development within Primarily Residential Areas will be permitted provided that:

1. The Primarily Residential Areas are indicated on the Proposals Map
2. New development within the Primarily Residential Areas (or proposals for the change of use or redevelopment of existing buildings) which is for uses appropriate to a residential area will be permitted provided that the development (either by itself or in conjunction with other developments) would not:
 - a) Have an unacceptable impact on the amenity occupiers by reason of noise, disturbance, overlooking, visual intrusion, smells, fumes, on-street parking or other causes; or,
 - b) Adversely affect the character or street scene of the area.

Saved Policy H8 in the Replacement Unitary Development Plan states that proposals for extensions and alterations 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

Design

The existing dwelling is brick facing, with white UPVC windows and doors, and flat, roof tiles. The proposed development would also be brick facing and include materials and design to match the existing application property, this includes any brick detailing, such as the two differing brick types on the front elevation of the infill brickwork to emulate and the design of the original dwelling.

The white garage door on the property would be replaced by matching infill brickwork and fenestration. The proposed window would be in harmony and in keeping to the rest of the fenestration on the front elevation of the dwelling.

Therefore, it is considered that the proposed development has an acceptable design and does not conflict with any of the Saved Policies of H5 or H8.

Residential Amenity

The proposed development causes no issues to neighbouring amenities as the proposal is not considered to adversely impact amenities for local residents or severely detract from the established character of the street scene.

The proposal causes no significant material change to residential amenities or privacy to nearby residents.

Highways

The application site utilises parking by the associated hardstanding in front of the garage. The applicant shared on site that the existing garage is used for storage instead of parking.

The property has 3 bedrooms as existing; this was confirmed on site by the applicant. The submitted plans state the converted garage would be used as a dining room. However, on the basis of futureproofing development, it should still be considered that the proposal could be utilised to provide an additional bedroom to the dwelling, as the proposed converted habitable room would comply with the minimum space standards as the proposed floor space would measure at 15.31sqm.

The highway standards outlined in the Householder Development SPD state that for a dwelling with 4+ bedrooms should provide 3 parking spaces within the curtilage of the dwelling. These are maximum standards, however, and this must hold some weight during the determination of this application.

Furthermore, it is crucial to note that the existing garage has a width of 2.31m at its most narrow point (which is the existing garage door). The Householder Development SPD states that garages will normally count as contributing to the car parking provisions where their internal dimensions are sufficient to allow them to be satisfactorily used as sch. Minimum internal dimensions of 5.5m x 2.75m.

Subsequently, it is considered that the existing garage would not meet the minimum internal dimensions to be considered a sufficient parking space within the curtilage of the dwelling. Therefore, this must also hold weight and it is considered, that the proposed development would not see the loss of an existing parking space within the curtilage of the dwelling.

Alternatives were considered during the assessment of the proposal such as the construction of additional parking within the curtilage of the dwelling. However, the only potential area would be the grassed area to the front of the dwelling, but this would not achieve the required dimensions to be used as a satisfactory parking space.

It was observed during the site visit that there is some on-street parking and given the fact that Hillside Road is a wide road, with no on-street parking restrictions, it would be considered that the locality would not be adversely affected by the proposed development.

Overall, it is considered that on the whole, the proposed development would not lead to any unacceptable impact on highway safety and would therefore be adequate.

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
02/10/2023	-	-	LOCATION PLAN
02/10/2023	0137 - 23B	-	PROPOSED FLOOR PLAN
20/10/2023	0137 - 23C	-	PROPOSED ELEVATIONS

Signed Case Officer¹:

Reece Black

**Signed Authorising
Officer²:**

K Foster

Date:

9 February 2024

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

Informatives

- 1 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024