

<u>APPLICATION NO:</u>	24/00111/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Swanside	<u>PARISH:</u>	
<u>LOCATION:</u>	28 Holly Bank Avenue, Roby, Knowsley		
<u>PROPOSAL:</u>	PROPOSED GARAGE CONVERSION & SINGLE STOREY REAR EXTENSION		

Site Description

The application site is located at 28 Holly Bank Avenue, Roby and is situated within an area designated as a Primarily Residential Area in the Development Plan. The application property is a detached dwelling and is a combination of brick and white render facing on its front, side and rear elevation, together with white UPVC openings and flat, grey, interlocking roof tiles. The property features a built-in garage and faced by a red garage door on its front elevation.

The site displays an open-plan design to the front garden area and benefits from a hard standing that accommodates up to two vehicles and is bound by soft landscaping and hedging.

The front elevation of the dwelling is South-East facing and fronts the highway and tree lining beyond. The site features other residential properties around it and is located within a modern housing estate.

The application site is identified as a former waste tipping site.

Proposal

The application seeks permission for the erection of a single storey rear extension together with conversion of garage to habitable room.

The proposed rear extension would have a depth of 3.15m and a width of 6.06m. This would be served by a mono-pitched roof, which would measure 2.2m at the eaves and 3.54m at the tallest point.

The rear elevation would feature patio doors, one window and two rooflights.

The proposed garage conversion would see the removal of the external garage door and replacement fenestration and infill brickwork. This would be served by the existing small, hipped roof, which would be retained.

Consultations

Environmental Health – No objections, subject to suggested Conditions attached.

Representations

This application has been publicised by letters sent to 6 neighbours.

There have been 0 letters of objection, 1 letters of support and 0 letters of comment. The representations are summarised as follows:-

30 Holly Bank Avenue – Support – Stated that they have no issues or objections.

Planning History

APP. NO: 12/00132/REM
PROPOSAL: RESERVED MATTERS APPLICATION (PHASE 1) FOR
ERECTION OF 100 NO. DWELLINGS, LANDSCAPING, OPEN
SPACE AND INTERNAL ROAD - APPEARANCE,
LANDSCAPING, LAYOUT AND SCALE TO BE CONSIDERED
DECISION: GRANTED
DECISION DATE: 30 May 2012

Following the granting of the Reserved Matters application, Conditions were attached to the Decision Notice. Condition 5 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 dwelling(s) 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 amenity, safety or convenience 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.

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 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 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 single storey 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.

Design

The existing dwelling is brick facing, with white UPVC openings and tiled roof. The proposed development would also be brick facing and include materials which are keeping in with those found at the application property and would have a pitched roof.

The previous external garage door would be replaced by matching fenestration and infill brickwork below. The proposed window responds positively to the rest of the openings and would be in harmony. The submitted proposed elevations also indicate that brick detailing such as the ribbon banding brickwork would be incorporated to match the existing design.

Therefore, the extension would have an acceptable design and would be in keeping with the requirements of Policy H8 and the Householder Development SPD.

Residential Amenity

The Householder Development SPD states that extensions should not cause overshadowing, loss of outlook or loss of privacy to neighbours. It also states that a single storey rear extension located on or immediately adjacent 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.

26 Holly Bank Avenue

No.26 is the adjacent, detached dwellinghouse and is sited to the North-East from the application site. The front and rear elevations of No.26 sit parallel to the application property.

The proposal would not surpass the 4m parameter outlined in the Householder Development SPD.

The proposed development would also be situated approximately 0.96m away from the party boundary between No.26 and the application property.

There is also sufficient party boundary treatment between the rear gardens of No.26 and the application site in the form of 1.8m timber fencing.

Overall, it is considered that the proposed development would be in accord with the Householder Development SPD and would not be considered to cause any detrimental harm to the amenities or privacy on the occupants of No.26.

30 Holly Bank Avenue

No.30 is the adjacent, detached dwellinghouse and is sited to the South/South-East from the application site. The front and rear elevations of no.30 are positioned roughly around 1m closer to the highway in contrast to the application property.

The proposal would not surpass the 4m parameter outlined in the Householder Development SPD in the projection from the existing rear elevation of the application site, however, given that this is set beyond the rear elevation of No.30 by approximately 1m and the stepped nature of these properties it is important to consider whether the proposal would have any significant adverse harm on amenities.

Give, however, there are roughly 1.9m between the two gable walls of the properties and the fact that the proposed development would not project beyond the existing side elevation of the property and would be set-in by approximately 2.25m, it is considered there would be sufficient distance between the proposal and No.30 to mitigate any impact from the development due to overshadowing or appearing unduly dominant.

There is also sufficient party boundary treatment between the rear gardens of No.30 and the application site in the form of 1.8m timber fencing.

Overall, it is considered that the proposed development would be in accord with the Householder Development SPD and would not be considered to cause any detrimental harm to the amenities or privacy on the occupants of No.30.

Highways

The application site utilises parking from the hardstanding in front of the existing garage which measures approximately 8.9m in depth and 5.63m in width and has the capacity to accommodate 2 vehicles within the curtilage of the dwelling.

The existing internal garage measured approximately 5.41m in depth and 2.73m in width. 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 such. Minimum internal dimensions of 5.5m x 2.75m. It is considered likely that the internal dimensions do meet the requirements outlined and that the difference between these measurements is minimal. It is considered that the proposal would result in the loss of a parking space within the curtilage of the dwelling.

The highway standards outlined in the Householder Development SPD states that for a dwelling with 4 or 4+ bedrooms, it 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.

The submitted plans show that the existing tarmac hardstanding would be expanded to accommodate 3 vehicles. The plans show that this is to satisfy the measurements of parking to the front of a house which is 2.75m x 5m. Although, this would result in the loss of some of the existing soft landscaping, grass verges to either side where expanded. Given that the levels and gradient appear to slope towards the highway this would ensure that any increased surface run-off would be captured here given that it would be porous and permeable.

Overall, it is considered that the proposed development would be in accord with the Householder Development SPD as well as Saved Policies H5 and H8 and would not lead to any unacceptable impact on highway safety and would therefore be adequate.

Other Issues

Environmental Health

Gas Protection Measures

The property is located on a former landfill which was investigated and monitored under planning approval 09/00056/OUT. As part of the planning permission, earthworks were undertaken, and remediation measures were put into place to ensure that the site is suitable for residential end use.

Environmental Health have suggested Conditions to satisfy any concerns and subsequently, have no objections.

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.

- 4) Prior to the commencement of development hereby permitted an implementation plan shall be submitted to and approved in writing by the Local Planning Authority, setting out details in respect to the following matters:

A) Gas/vapour protection membrane;

- i. What specific gas/vapour membrane will be used? The membrane specification must be at least equal to that already installed under the property.
- ii. How will it be installed and specifically how will the new membrane be integrated with the existing gas protection measures.
- iii. The name of the competent persons / company installing the membrane?
- iv. How the installation of the membrane will be validated?

B) Cover system

- i. How material excavated for the foundations and other earthworks from beneath the existing garden/patio and/or beneath the high visibility membrane will be removed and disposed of offsite and will not impact the clean cover system in place at this property.

C) Water suppression shall be used, as required, to ensure there are no dust emissions from the excavated materials whilst being moved or being stored on site.

The agreed implementation plan must be carried out by competent person and the gas protection measures installed in accordance with the approved scheme.

Reason: In the interests of safety, to prevent pollution of the water environment and to comply with Saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 5) During the garage conversion works the integrity and functionality of the gas membrane must be maintained. Should the membrane system be damaged in any way during the works then the applicant must stop the work and notify the LPA immediately to discuss the next steps. Work can only re-start when permission has been given by the LPA.

Reason: To comply with Saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
01/03/2024	HB28/PD/01	-	LOCATION PLAN
01/03/2024	HB28/PD/02	-	EXISTING FLOOR PLANS AND ELEVATIONS
01/03/2024	HB28/PD/03	-	PROPOSED FLOOR PLANS AND ELEVATIONS
01/03/2024	HB28/PD/04	-	PROPOSED SITE PLAN

Signed Case Officer¹: Reece Black

Signed Authorising Officer²: K Foster

Date: 29 April 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

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