

<u>APPLICATION NO:</u>	23/02693/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	Roby	<u>PARISH:</u>	
<u>LOCATION:</u>	1 Huyton Hall Crescent, Huyton, Knowsley, L36 5RL		
<u>PROPOSAL:</u>	CONVERSION OF GARAGE TO HABITABLE ROOM		

Site Description

The application property is located within a private gated community located within The Orchard Conservation Area.

The application property is in an L shape arrangement with gates located at the side of the property which leads to the attached double garage located at the rear of the property.

Fronting the application property is a large pebbled drive beyond which is the circular roadway which contains the village green.

Proposal

The application proposals seek permission for the conversion of the integral double garage to provide an open plan kitchen and dining area.

The proposal would close the existing garage doors with replacement of 2no. sliding doors measuring 2.31m in width and 2.10m in height including with lintels sited above to match the design aesthetic of the application property.

Consultations

Design and Conservation Officer – No comments received.

Representations

This application has been publicised by letters sent to 10 neighbours and also been advertised via site notice. **No representations have been received.**

Planning History

Ref: 12/00394/FUL – Construction of garden wall and steel vehicle access gates to side elevations. Granted 21st August 2012.

Ref: 95/00330/APP – Outline application proposed residential development. Granted 28th February 1997.

Ref: 08/00746/FUL – Retention of existing 3.5m high steel gates and installation of timber cladding to front of gates. Granted 22nd January 2009.

Ref: 96/00622/APP – Erection of 1no. detached two storey residential dwelling. Granted 12th November 1997.

It should be noted that application 95/00330/APP included a condition which removed permitted development rights without further specific planning permission being sought beforehand.

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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

CS2 - Development Principles
CS19 - Design Quality and Accessibility in New Development
CS20 – Managing the Borough’s Historic Environment
DQ5 – Development in Conservation Areas
H5 – 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.

The site is identified as land located within a Primarily Residential Area and The Orchard Conservation Area. As such, the extension to a domestic 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, CS19 and CS20 of the adopted Local Plan Core Strategy (2016) and saved policies DQ5, H5, H8 and DQ5 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; that adequate parking and garden space would remain for use by residents of the extended property and that the borough’s historic assets are preserved

and/or enhanced.

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

Heritage

Policies CS19 and CS20 seek to preserve or enhance the Borough's historic and architectural assets and any archaeological remains. The impacts arising and therefore assessed is that of the 'setting' of the conservation area.

The NPPF (2023) makes clear, significance derives not only from a heritage asset's physical appearance, but also from its setting and regard must be had as to whether the proposal will cause 'substantial harm', 'less than substantial harm' or no harm to the asset.

Saved Policy DQ5 requires that new development within or close to a Conservation Area must preserve or enhance the character of the area.

The application is supported by a heritage statement which identifies that Huyton Hall Crescent has its own distinct area located off Blacklow Brow accessed via a stone archway behind a large stone wall with much of the private residential estate forming part of Huyton College.

The dwelling is estimated to be built around 1996 – 2002 so is of relatively modern construction in comparison to the setting around the dwelling associated with the former Huyton College. The proposal involves works to a dwelling house which does not contain any historic features. As such, the question is what harm if any will occur to the character of the conservation area.

In accordance with Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, there is a duty to pay special attention to the desirability of preserving or enhancing the character and appearance of conservation areas.

The Orchard Conservation Area Appraisal notes that the most significant boundary wall in the Conservation Area is that which surrounds Huyton Hall Crescent. This wall forms part of the common law boundary to the application property but does not fall within the scope of the application.

S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to show special regard to the desirability of preserving listed buildings and their settings in exercising their planning functions. The vast majority of the development would not be visible from the street scene and the only reason for the need for planning is due to the restriction placed on the original application concerning permitted development rights. The proposed development would not affect the character of their surroundings and not harm the setting and significance of listed buildings given its location and the relatively modern nature of the dwelling house.

The harm to designated heritage assets has been considered. It is considered that the development would have a no harm on the conservation area would not affect the setting of any nearby listed buildings. As such, the proposal is considered to comply with the requirements set out in the NPPF(2021), policies CS19 and CS20 of the Knowsley Local Plan (2016) and Saved Policy DQ5 of the Unitary Development Plan.

Design

Whilst the application property is located within The Orchard Conservation Area it is not a designated or non-designated heritage asset and therefore has no heritage significance in itself beyond that of the stone wall along its boundary

The application proposals are simple in their design and include 2no. double doors which will replace the existing garage doors. These are to be the same style and height as the existing opening found adjacent to the garage doors currently in situ and would also include features such as lintels which will help tie in the proposed development into the existing design features of the application property.

The proposals are located at the rear of the dwelling house and would not be readily visible from the street scene and are therefore considered appropriate in terms of design.

As such, the proposal complies with policies CS2, CS19 & CS20 of the Local Plan and saved Policies DQ5, H5 and H8 of the Unitary Development Plan together with the Householder Development SPD.

Residential Amenity

No. 2 Huyton Hall Crescent

No. 2 is the neighbouring detached property and is in effect a mirror image of the application property. As the proposals are located on the far side of the application property it would not face no. 2 and therefore there would be no adverse effects to residential amenity to existing and future occupiers.

Rooley Cottage, Blacklow Brow, Huyton, Knowsley, L36 5XG

Rooley Cottage is set in from the application property and located at the rear. It includes 1no. window at first floor level. It is unclear what this window serves however due to the juxtaposition of properties there would be no issue in terms of interface over what already exists. As such, no adverse effects to residential amenity would occur as a result of the proposed development.

No other properties would be affected.

Highways

The application property is a 5no. bedroom house and as such would require provision of 3no. vehicle parking spaces within the curtilage of the property boundary. Although the proposals would result in the loss of 2no. vehicle spaces the host property accommodates a significant drive capable of accommodating multiple vehicles. As such, the application proposals would not result in adverse effects to highway safety.

Conclusion

The proposal would be acceptable in terms of design, residential amenity highways and impacts on the conservation area (subject to condition attached). 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 will 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 exterior facing materials to be used on all walls, roofs, windows and doors shall match those used on the existing building in terms of colour, texture, profile and where applicable coursing details.

Reason: To preserve to preserve the character and appearance of The Orchard Conservation Area and to comply with Policies H8, and DQ5 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, Policies CS19 and CS20 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
21.11.2023	00		LOCATION PLAN
21.11.2023	05		PROPOSED BLOCK PLAN
21.11.2023	06	REV A	PROPOSED GROUND FLOOR PLAN
21.11.2023	07	REV A	PROPOSED FIRST FLOOR PLAN
21.11.2023	08	REV A	PROPOSED FRONT AND NORTH SIDE ELEVATION
21.11.2023	09	REV A	PROPOSED REAR AND SOUTH SIDE ELEVATION

Signed Case Officer: **John Fleming**

Signed Authorising Officer: **K Foster**

Date:

15 January 2024
