

<u>APPLICATION NO:</u>	23/02764/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	Prescot South	<u>PARISH:</u>	Whiston Town Council
<u>LOCATION:</u>	10 Middleton Drive, Prescot, Knowsley, L35 7AB		
<u>PROPOSAL:</u>	RETROSPECTIVE CONVERSION OF GARAGE TO HABITABLE ROOM AND EXTENSION OF EXISTING HARD-STANDING TO PROVIDE AN ADDITIONAL CAR PARKING SPACE		

Site Description

The application property is a detached dwelling located on a new build housing estate.

During the site visit the works had been completed with the exception of the driveway with the garage being replaced with UPVC window with brick to match the existing multi faced brick.

The property includes vehicle space for 2no. car parking on the existing tarmac drive together with a grass lawn which includes 1no tree. The tree is not considered to be of amenity value.

Proposal

The development seeks retrospective consent for the conversion of the garage to a habitable room.

The brick built wall attains a height of .82m and features the same brick work as the original dwelling house. A new window has been installed measuring 1.35m in height and spanning a width of 2.46m.

The development provides 1no. additional habitable room together with increased parking on the drive within the curtilage of the property boundary.

Consultations

Highways - No objections subject to condition.

Representations

This application has been publicised by letters sent to 5 neighbours. No representations have been received.

Planning History

Ref: 16/00778/FUL - Erection of 133 dwellings together with electric substation and other associated development. Granted 26th July 2017.

Ref: 16/00778/NMA - Application for a non-material amendment to planning permission 16/00778/FUL - erection of 133 dwellings together with electric substation and other associated development - amendment sought to approved plans including omission of electric substation, amendment to plot 92 and alteration of Byron house type. Granted 18th January 2018.

Ref: 16/00778/NMA1 - Non-material amendment to planning permission 16/00778/FUL - erection of 133 dwellings together with electric substation and other associated development - amendment sought to materials layout plan approved under 16/00778/NMA. Granted 20th August 2018.

Permitted development rights were removed as part of application 16/00778/FUL.

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
KPOS04 - Urban Green Space and Educational Land
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 allocated as Urban Green Space and Educational Land within the adopted Development Plan. However, since its allocation the land has been subject to the grant of planning permission for residential development. As such, the conversion of a garage serving 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 and CS19 of the adopted Local Plan Core Strategy (2016) and saved policy 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.

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

Design

The character of the street scene is predominantly residential properties located on a new build housing estate. The development undertaken is sympathetic to the host which uses the same multi faced brick and UPVC windows as the host dwelling. As such, the garage conversion does not look out of place within the residential setting and does not result in an incongruous feature which would adversely affect the character and appearance of the wider area.

The development is acceptable in terms of design.

Trees

One tree will be affected by the proposed development. It is not mature and therefore not valued for its amenity in its current state. The tree will be retained and transposed to accommodate the increased drive and is therefore supported.

Residential Amenity

No. 5 & 7 Middleton Drive

The development does not alter the mass of the existing dwelling house and only seeks to replace the existing garage door with window and wall. It would be inline with the existing bay window associated with the lounge. As such, the same interface distance will be retained with neighbours located at properties opposite the application site. It is not considered that these properties would be adversely affected in terms of residential amenity.

No. 8 & 12 Middleton Drive

These properties are located either side of the application property. The development has not increased the footprint of the dwelling house in terms of massing. As such, the existing and future occupiers of this property will not be adversely affected.

No other properties would be affected.

Highways

The development results in the loss of 1no. parking space. The Ensuring a Choice for Travel SPD states that 4no. bedroom properties shall provide a maximum of 3no. car parking spaces are required within the curtilage of the property boundary.

The Highways Authority initially raised objection to this application pending further information to be provided as the proposed parking plan was inadequate as originally submitted. Revised plans have been submitted which demonstrates that 3no. car parking spaces can be provided together with sufficient space to allow pedestrians to reach the principle dwelling entrance.

The Highways Authority has requested a condition relating to details to be provided associated with the footway crossing modifications which will need to be approved by the Local Planning Authority prior to occupation. This was considered impractical given that the room is currently in use and therefore extension to the drive should be completed within 6 months of the decision notice. This condition has been agreed with the applicant. Subject to this condition there would be no adverse effects on highways safety.

Conclusion

The proposal would be acceptable in terms of design, residential amenity and highways (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 hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

- 2) The proposed car parking layout and associated footway crossing modifications indicated on drawing no. MD/01 REV A shall be undertaken within 6 months of the date attached to the decision notice and details shall be provided to the satisfaction of the Local Planning Authority. The additional car parking area shall be made of porous materials or provision shall be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house. The agreed area shall be retained as such at all times thereafter.

Reason: To ensure that adequate off-street parking is available in accordance with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved policy H8 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
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03.11.2024	LOCPLAN		LOCATION PLAN
16.01.2024	MD.01	REV A	PLANS AND ELEVATIONS AS EXISTING & PROPOSED

Signed Case Officer¹: **John Fleming**

**Signed Authorising
Officer²:** **K Foster**

Date: **18 January 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.

Appendix 1 – site visit photographs



