

<u>APPLICATION NO:</u>	24/00032/FUL	<u>CASE OFFICER:</u>	Lee Osborne
<u>WARD:</u>	Roby	<u>PARISH:</u>	
<u>LOCATION:</u>	35 Lucas Avenue, Roby, Knowsley		
<u>PROPOSAL:</u>	CONVERSION OF GARAGE TO HABITABLE ROOM		

Site Description

The application relates to a modern detached house and associated garden curtilage on Lucas Avenue, Roby. The house was built with an integral garage. There are houses with gardens to the north, east and west of the application site. Opposite the application space is open space forming part of the approved overall housing estate.

Proposal

The application is to convert the garage to a living room/lounge. Usually planning permission is not required to convert a garage to a habitable room. However, when the housing development of which the application is part was granted planning permission conditions were imposed limiting development to dwellings not ordinarily requiring planning permission. Condition 9 of planning permission 18/00300/FUL relating to the housing development states:-

“The parking provision including garages and cycle storage shown within the curtilage of each dwelling on the approved plans shall be provided prior to first occupation of the dwelling to which it relates.

The parking provision shall not be used for any other purpose other than the parking of vehicles and shall be hard surfaced in accordance with details submitted and approved under the provisions of the landscaping condition.

The garages hereby permitted shall not be converted into living accommodation (either in whole or part) and shall be retained for parking by the dwelling to which it relates at all times.

Reason: In the interests of highway and pedestrian safety and to comply with Policy CS7 of the Core Strategy, adopted January 2016.”

Condition 13 part (i) states:-

“Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification):

- (i) no external alterations shall be carried out to the dwellings.....

Reason: To protect the residential and visual amenities of the area, safeguard the character of this residential development and to comply with the National Planning Policy Framework; Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and Saved Policy H5 of the Knowsley Replacement

Unitary Development Plan, adopted June 2006.”

Therefore under the auspices of Conditions 9 and 13 planning permission is required to convert the garage of the house to a living room/lounge.

Consultations

None Required

Representations

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

Planning History

18/00300/FUL - ERECTION OF 124 NO. DWELLINGS WITH PUBLIC OPEN SPACE AND ASSOCIATED WORKS. Granted: 17.01.2019.

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

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

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 application relates to works to a house within a residential development and therefore is acceptable in principle. The issues therefore relate to the appearance of the proposal and the impact on parking.

Visual Amenity Considerations

The proposed works would be in character with the existing dwelling and would not be detrimental to the visual appearance of the house or the visual amenity of the locality. Materials are to match the existing dwelling. The application complies with Policies CS2 and CS19 of the Core Strategy and Saved Policy H5 of the UDP.

Parking Considerations

The house currently has 3 in-curtilage parking spaces to accord with usual Council parking requirements for a 4 or more bedroomed house. The parking comprises 2 driveway spaces (side by side) and 1 garage space (5.6m x 2.7m), albeit due to the back of the garage housing the boxed stairwell of the house to the upper part of the garage the back of the garage can house the front bonnet of a car if such enters in forward gear. The parking, because of the proposal, would be reduced to the two driveway spaces. However, in this instance, as there is no housing on the opposite side of the road due to the required open space provision it is considered that the reduction of one parking space would not be problematic. As such the two driveway parking spaces is considered adequate, and a condition requiring the provision of a further in-curtilage parking space to the side of the existing driveway is considered to be unnecessary in this instance.

The Householder Development SPD states:-

“In most cases the existing level of provision for car parking should be retained within the curtilage of a dwelling. Where the extension would result in the need for additional or replacement parking, the number of spaces should be in line with the Council’s parking standards (See Table A below). Fewer spaces than set out in the parking standards will only be acceptable if the highway and environmental conditions in the locality allow, for example in areas with wider access roads and plots. Proposals that would result in an adverse impact on street parking conditions to the detriment of highway safety or the amenity of local residents would not be acceptable.”

As noted above in this instance it is considered that the highway and environmental conditions (due to the housing being on one side of the road only) are such to allow the in- curtilage parking to be 2 spaces rather than 3 spaces.

The application complies with Policies CS2 and CS19 of the Core Strategy and Saved Policy H5 of the UDP.

Conclusion

Whilst the proposal would result in a loss of a parking space thereby leaving 2 in-curtilage spaces for a 4-bedroom house due to the local environment of the house, with the open space opposite leading to housing on one side of the road and thereby removing road pressures from on-street parking on both sides of the road, it is considered that the proposal is acceptable. As such the proposal complies with planning policies and is recommended for approval.

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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
24/01/2024	2	A	LOCATION PLAN AND SITE PLANS
24/01/2024	1	A	EXISTING AND PROPOSED PLANS AND ELEVATIONS

Signed Case Officer¹: **Lee Osborne**

Signed Authorising Officer²: **K Foster**

Date: **3 April 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

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