

<u>APPLICATION NO:</u>	22/00396/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	Whitefield	<u>PARISH:</u>	
<u>LOCATION:</u>	5 Millbrook Drive, Kirkby Park, Kirkby, Knowsley, L32 1TE		
<u>PROPOSAL:</u>	ERECTION OF SIDE EXTENSION TO EXISTING GARDEN OUTBUILDING		

Site Description

The application property is a detached property within a Primarily Residential Area occupying a large plot. It has direct access to the rear garden located at the side property.

The rear garden is extensive and provides around 560m² of private amenity space. The site is bounded by 6ft close boarded fencing on all sides. To the rear of the garden is raised decking where an existing outbuilding is located beyond which is a group of mature trees.

Proposal

The application seeks permission for the extension of the existing outbuilding to span the full width of the rear garden. The existing outbuilding measures 4m in width by 5.5m in depth. The proposed outbuilding would measure 19m in width and 5.5m in depth in its entirety.

The principal elevation would include 3 windows and 2 sets of double doors and faced in cladding. The roof is pitched and measures 2.5m – 2.8m at the eaves and 3.2m at its highest point

Consultations

Tree Officer – No objections in principle.

Planning History

Ref: 11/00645/FUL – Conversion and extension of ground floor storeroom/wc to living accommodation together with first floor side extension. Granted 11th January 2012.

Ref: 12/00401/FUL – Conversion and extension of ground floor storeroom/wc to living accommodation together with first floor side extension & single storey extension to part of the front elevation (revised scheme to previously approved application 11/00645/FUL). Granted 12th September 2012.

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plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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

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.

The site is identified as land located within a Primarily Residential Area identified in the adopted Development Plan. As such, the erection of an outbuilding to serve 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 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

Principle of development

The proposed development would provide an extension to the existing outbuilding to provide a games room and storage facilities is considered incidental to the use of existing occupiers. Given the size of the development it should not be converted to an alternative use (i.e. independent living annexe) without prior notification of the local planning authority.

Design

The Householder Development SPD is a material consideration for the purposes of determining this planning application. It recommends that garages, sheds and other detached buildings should normally be behind the building line or be well screened by hedging or similar landscape treatment.

The proposed extension to the outbuilding would be located at the rear of the property and not visible from the street scene. As originally submitted, the applicant the outbuilding was proposed to be rendered in white to match the application property. Whilst the plot can readily accommodate the size of the outbuilding the use of white render would be highly visible. The Local Planning Authority has worked with the applicant to agree suitable finishes on the outbuilding. It is now proposed that the outbuilding be clad in dark stain to help assimilate the site more sympathetically with the trees located beyond the rear boundary.

Given the changes to the outwards appearance of the property it is considered that it is appropriate in terms of design. Furthermore, the outbuilding would not appear incongruous feature within the street scene due to its location at the rear of the property boundary.

Impact on Trees

Trees are located outside the property boundary at the side and rear. The Tree Officer raises no objections to the principle of development. However, the siting of the proposed extension may affect tree root structures. The applicant has confirmed that they intend to demolish the existing raised platform and construct the extension at ground floor level. It was not possible to discern the extent of root structures due to the raised platform. However, the tree officer has confirmed that if a new base will need to be constructed then it should be constructed using a pile and beam foundation. As such, a condition is required to ensure protection of root structures within the root protection zone and work should be undertaken under the supervision of a suitably qualified arboriculturist.

Residential Amenity

No. 3 Millibrook Drive

No. 3 is the adjacent detached dwelling. The outbuilding would be extended towards the property boundary shared with no. 3. During the site visit, it was noted that a raised platform is located adjacent to the existing outbuilding. The siting of the proposed extension would therefore sit in a more elevated position at the property boundary with no.3.

The applicant has since confirmed their intention remove the raise platform and build

at ground floor level. Accordingly, the proposed extension would sit lower than originally proposed and would be partially obscured by mature trees located within the curtilage of no. 3. The proposed development would therefore not result in adverse impacts to residential amenity in relation to this property.

No. 7 Millbrook Drive

No. 7 is the adjacent semi-detached bungalow. The existing outbuilding is located adjacent to the property boundary separating the two dwellings. As the outbuilding is being extended towards no.3 there would be no material impact to what is already perceived by the existing outbuilding to the property owners of no. 7. As such, it is not considered that adverse impacts to residential amenity would occur in relation to this property.

Highways

No highways impact would occur as a result of the proposed development as an outbuilding.

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 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 development hereby permitted shall be constructed entirely of materials details of which are shown on drawing no: MB-01 Rev A

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) The development hereby permitted shall be implemented in accordance with the submitted Arboricultural Method Statement under reference 221144/AIA/A2 unless otherwise agreed in writing by the Local Planning Authority.

If the current base is removed then the new base should be provided. The platform and foundations will need to be constructed using hand dug methods under arboricultural supervision and be placed on a pile and beam foundation.

Reason: To ensure that the proper protection of trees has been carried out in the interests of visual amenity and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016 and saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 5) The outbuilding hereby permitted shall not be converted to a separate independent dwelling without a further planning application being submitted to and approved in writing by the Local Planning Authority and should be used wholly in conjunction with, and incidental to, the use and enjoyment of no 5 Millbrook Road as an outbuilding.

Reason: In the interests of residential amenity and highways safety and to comply with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
18.01.2022	MB-01	REV A	LOCATION PLAN, EXISTING AND PROPOSED PLANS
22.10.2022	221144/AIA/A2		TREE SURVEY, ARBORICULTURAL IMPLICATIONS ASSESSMENT & METHOD STATEMENT
01.07.2022	MD-02		TREE PLAN

Signed Case Officer: **John Fleming**

Signed Authorising Officer: **Mark Quinn**

Date: **24/01/2023**

Appendix 1 – Site Photographs



