

<u>APPLICATION NO:</u>	22/00539/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	Roby	<u>PARISH:</u>	
<u>LOCATION:</u>	4 Derwent Way, Roby, Knowsley, L13 7AN		
<u>PROPOSAL:</u>	CONVERSION OF EXISTING GARAGE TO FORM HABITABLE ROOM TOGETHER WITH THE ERECTION OF A SINGLE STOREY REAR EXTENSION		

Site Description

The host property is a detached dwelling located on a modern housing estate. The property is brick facing on its principal, side and rear elevations and comprises white UPVC windows and grey doors.

The property current benefits from a tarmac drive which provides parking for two vehicles together with a double garage.

Proposal

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

The proposed single storey rear extension would project 3.2m in length from the rear elevation of the property and span 9.7m width. It would provide a family and dining room. It would include two double doors at the rear elevation and a pitched roof incorporating 4 roof lanterns measuring 2.3m at the eaves and 3.7m at its highest point.

It is proposed to convert the double garage into a habitable room. The existing garage door opening will be replaced with part brick wall constructed of a similar brick to match the existing together with two windows to match the existing.

Consultations

Highways – Raise no objection to the proposed development subject to condition.

Environmental Health – Raises no objection to the proposed development but informs the Local Planning Authority that the property is built on a former landfill site and as part of the original planning permission earthworks were undertaken, and remediation measures were put in to place to ensure it is suitable for residential use. Environmental Health request a condition be attached to this decision outlining the need for the submission of an implementation plan to be submitted to and approved in writing by the Local Planning Authority.

Representations

This application has been publicised by letters sent to 12 neighbours. No representations have been received.

Planning History

A number of applications have been submitted in respect of the construction of the wider housing estate. No specific applications have been submitted in respect of the individual property.

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
CS7 – Transport Networks
ENV5 – Contaminated Land
SHD04 – Sites Allocated for Housing Development
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 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.

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

Design

The Householder Development SPD is a material consideration for the purposes of determining this planning application.

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 neighbours and should not appear unduly dominate. The single storey rear extension would be facing brick with tiles, windows and openings to match the existing. It would be served by a pitched roof which is in keeping with the design aesthetic of the host property and is considered appropriate in scale.

The alterations relating to the garage conversion are considered in keeping with the appearance and design of the existing dwelling and will match the existing materials and finishes found at the host property. Given that there would be no additional built form, it is considered that the proposed works would not appear to be incongruous from the wider street scene and would respond positively to the appearance of the host property

The proposed development is therefore considered acceptable in terms of design.

Residential Amenity

No. 5 Derwent Way

No. 5 is the neighbouring property and is slightly set back than the host property. The Householder Development SPD states single storey rear extensions will generally be considered acceptable up to 4m. The single storey rear extension projects a depth of 3.2m and is therefore within the tolerance set by the SPD. Furthermore, no. 5 is further set back than the host property and the extension would only project 1.1m beyond no.5's rear elevation.

The proposed garage conversion would not result in overlooking due to the positioning of the existing garage and the orientation of the neighbouring property. As such, there would be no adverse effects to residential amenity in relation to this property.

No. 16 Oakvale Road

No. 16 is located to the side and rear of the host property. Its rear garden backs on to the rear garden of the host property. The side elevation of the extension would be

located 2m from the property boundary. It does not contain any windows and would be largely obscured by the existing close boarded fence. As such, it is not considered that the property would be adversely affected by the proposed development.

No. 11 and 15 Evercroft Road

These properties back on to the host dwelling. It was noted during the site visit that the boundary fence separating these properties is lower than the fencing at the side of the property although additional trellises have been added. This is due to a change in topography where these properties sit lower than the host property. However, the fence is 1.8m tall and would help to screen the development together with the fact that it would still provide sufficient amenity space between properties. As such, it is not considered that the proposed development would result in adverse effects to residential amenity.

Highways

The site plan indicates that the drive is 5.5m wide due to its irregular shape. The Highways Authority have advised they do not object to the proposed development subject to a modification to extend the drive to provide room for two cars to be parked. It should be noted that the standard minimum double width driveway should be 5.5m deep by 6m wide.

Although there will be a loss of parking provision through the conversion of the existing garage, this would be considered acceptable so long as the hardstanding was further widened to allow for sufficient parking standard for at least 2 vehicles and a condition is attached to this application to ensure this.

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 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 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) No development shall take place until a scheme to widen the driveway, sufficient to accommodate 2 cars, in accordance with the Council's current standards, has been submitted to and approved in writing by the Council as Local Planning Authority. The development shall not be brought into use until the areas identified have been hard surfaced, drained within the site and permanently marked out or demarcated in accordance with the details agreed. These areas shall be retained as such thereafter.

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

- 5) Prior to the works being undertaken an implementation plan shall be submitted to and approved in writing by the Local Planning Authority, setting out details in respect of the following matters:

- Gas/vapour protection membrane. The measures to be installed must comply with the British Standard BS 8485:2015 +a1:2019:

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, including ventilation arrangements.

iii. The name of the competent persons/company installing the membrane?

iv. How the installation of the membrane will be validated?

- Cover system:

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

The development shall be carried out in accordance with the approved implementation plan by a competent person.

Reason: To safeguard the amenities of existing and future occupants located in the host property in the interest of safety and to comply with saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 6) Upon completion of the works, a validation statement must be submitted to and approved in writing by the Local Planning Authority. The statement shall demonstrate that the works have been carried out in accordance with the agreed methodology detailed in condition 5 above.

Reason: To safeguard the amenities of existing and future occupants located in the host property in the interest of safety and to comply with saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 7) 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.

Reason: To safeguard the amenities of existing and future occupants located in the host property in the interest of safety and 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
31.08.2022	4DW/PD/01		LOCATION PLAN
31.08.2022	4DW/PD/02		EXISTING FLOOR PLAN & ELEVATIONS
31.08.2022	4DW/PD03		PROPOSED FLOOR PLAN & ELEVATIONS
31.08.2022	4DW/PD/04		PROPOSED SITE PLAN

Signed Case Officer: **John Fleming**

Signed Authorising Officer: **Mark Quinn**

Date: **15/11/22**

INFORMATIVES

HIGHWAYS

 Knowsley Council	Highway Observations Memo Transportation and Traffic Services
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Date:	28 th October 2022
To:	Planning Services
Planning App. No:	22/00539/FUL
Proposal:	CONVERSION OF EXISTING GARAGE TO FORM HABITABLE ROOM TOGETHER WITH THE ERECTION OF A SINGLE STOREY REAR EXTENSION
Location:	4 Derwent Way, Roby, Knowsley, L14 7AN

☒ No Highway Objection Subject to the Following Condition

Highways have no objection to the proposed development, subject to a modification to extend the drive to provide room for two cars to be parked. It should be noted that the standard minimum double width driveway should be 5.5m deep x 6m wide.

No development shall take place until a scheme to widen the driveway, sufficient to accommodate 2 cars, in accordance with the Council's current standards, has been submitted to and approved in writing by the Council as Local Planning Authority. The development shall not be brought into use until the areas identified have been hard surfaced, drained within the site and permanently marked out or demarcated in accordance with the details agreed. These areas shall be retained as such thereafter.

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

ENVIRONMENTAL HEALTH

 Knowsley Council	Planning Consultation Response Environmental Health and Consumer Protection Service
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To:	Planning Services (John Fleming)	
From:	Environmental Health & Consumer Protection (Ian Gaskell)	
Planning App. No:	22/00539/FUL	22/05015/PLANNI
Date:	28 October 2022	
Location:	4 Derwent Way, Roby, Knowsley, L14 7AN	
Proposal:	Erection of single storey side and rear extension	

No objections in principle

Background information

It should be noted that this property is located on a former landfill which was investigated and monitored under planning approval 09/00556/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 a residential end use. The condition suggested below details the information we require.

For information, at each property the following build phase remediation and validation was undertaken:

- Installation of a gas/vapour protection membrane (Visqueen GX). Following installation each plot was visually inspected for compliance with

the specification including the subfloor void and airbricks, protection membrane type and installation validation. Independent integrity testing of the membrane was undertaken at 1 in 3 properties.

- Provision of a 600mm clean cover soil system underlain by a high visibility geotextile membrane in all areas of soft landscaping including gardens.

Based on the information available to this division and the previous remediation undertaken at this site, in relation to contaminated land, there is the potential that some contamination may still exist below the hard standing of the patio area and beneath 600mm within the garden. The responsibility to properly address contaminated land issues lies with the owner/developer of the site, irrespective of any involvement by this Authority. The applicant/developer is requested to contact the Council's Environmental Protection Unit (Tel: 0151 443 4712) as soon as is practicable should contamination be encountered during the development of the site.

If contaminated material is encountered the applicant/developer is required to dispose of the contaminated arisings appropriately. They should also be aware of their health and safety responsibilities to workers in respect of handling such materials. The developer should also ensure that no pathways are created by which any contamination may either migrate off-site or affect site users. Therefore, we have also suggested a condition to control any dust during the excavation works.

Suggested Conditions

1. Prior to the works being undertaken an implementation plan shall be submitted to and approved in writing by the Local Planning Authority (LPA), setting out details in respect to the following matters:
 - Gas/vapour protection membrane. The measures to be installed must comply with the British Standard BS 8485:2015 +A1:2019:
 - 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, including ventilation arrangements.
 - iii. The name of the competent persons / company installing the membrane?

iv. How the installation of the membrane will be validated?

- Cover system

i. How material excavated for the foundations and other earthworks from beneath the existing 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.

The agreed implementation plan must be carried out by a competent person.

2. Upon completion of the works, a validation statement must be submitted to the LPA. The statement shall demonstrate that works have been carried out in accordance with the agreed methodology detailed in Point 1 above.
3. 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.

Appendix 1 – Site Photographs



