

<u>APPLICATION NO:</u>	23/00155/FUL	<u>CASE OFFICER:</u>	Lee Osborne
<u>WARD:</u>	Roby	<u>PARISH:</u>	
<u>LOCATION:</u>	76 Archway Road, Huyton, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF 1 NO. DETACHED GARAGE / WORKSHOP (DEMOLITION OF EXISTING GARAGE)		

Site Description

The site consists of a detached bungalow with large gardens. There is a high railway embankment heavily vegetated including with trees running along the southern boundary of the site. To the west and northeast are residential properties with Archway Road to the east. The properties to the rear appear to be on slightly elevated ground to the application site. In the southwest corner by the railway embankment and the party boundary with 57 Fernbank Avenue is a existing garage structure. Forward of the garage and adjacent the embankment is a row of evergreens.

Proposal

The proposal is to demolish the existing garage and to erect a larger garage incorporating a workshop/store in that corner. The new building would be L-shaped with the longer part of the L running along the southern boundary of the site. The building would be set off the boundary with 57 Fernbank Avenue approximately 0.9-3m.

The garage would have a maximum depth of 14.7m and a maximum width across the back of 8.75m; the projecting part of the building forming the car parking area would have a width of 6.1m. The roof would be hipped attaining a ridge height of 3.4m. The projecting part of the garage would have a pitched roof with ridge at 90 degrees to the hipped roof ridge and the roof would tie in with the hipped roof, attaining a ridge height of 3.7m. As a consequence of the works some trees within the row of evergreens adjacent the embankment would need to be removed.

Consultations

None Required

Representations

This application has been publicised by letters sent to 9 neighbours.

There has been 1 letters of objection. The representations are summarised as follows: -

1. Visual Amenity - The roof will be 1m above the objector's fence in the centre of the garden and the remainder of the building will also be above the fence. The building will therefore be in view of the objector's living area. As the objector's garden is 7m in depth and not wide the objector will feel boxed in.

2. Loss of light -the light to the rear of the objector's property, which they rely on, would be affected by the proposal.
3. Effect of Property Value - The proposal would have an effect on the objector's house value, and they would not have bought the property if there had been plans in place at the time.
4. Use - The plans are not clear about what this building will be. They refer to the dwelling as a detached garage/ workshop with w.c, however the plans also refer to the installation of electrics in the downstairs habitable rooms, bedrooms and kitchen. The objector has concerns with regards noise disturbance.

With regards point 3 impact on property value is not a material planning consideration and cannot be taken into account in the assessment of an application.

With regards to point 4 the application is for a garage with store/workshop area and if it is used for workshop purposes this is appropriate for such a building if used for domestic purposes. There are notes on electrics, which mention habitable rooms etc as the building notes are general and generic, applicable where appropriate to the proposal.

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
- CS21 - Greenspaces and Trees

SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

- H5 - Development within Primarily Residential Areas

H8 - Extensions and Alterations to Residential Properties
DQ4 - Trees and Development

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 proposal is to demolish an existing garage in the corner of the rear part of the garden and to build a larger garage incorporating a workshop / store for use by the occupiers the bungalow there. The proposed garage for the bungalow in a residential area is acceptable in principle subject to design and amenity considerations.

Design and Visual Amenity

The design of the garage building with hipped and pitched roofs is acceptable and would not be detrimental to the visual amenity of the area. The proposed building would be 2.4m to eaves with the hipped roof then sloping up to the ridge at 3.4m height away from the party boundary with the property to the rear. The property to the rear has a rear garden depth of approximately 7.2 - 8m and has a shed of approximately 3.3m width located in the rear corner of the garden. The embankment runs alongside the rear garden of the property as it does with the application property. Taking into account the depth of the rear garden at the rear of the site and the siting of the garage building it is considered that the impact on outlook on the property to the rear would be acceptable and would not cause significant loss of amenity.

As such the proposal complies with Policies CS2 and Cs19 of the Core Strategy and Saved Policies H5 and H8 of the UDP.

Residential Amenity

The proposal is for a building comprising garage and workshop / store for a bungalow in a residential area. If the workshop / store part is used as a workshop it would be for domestic use; if there was noise nuisance caused as a result this could be controlled through Environmental Health controls. The proposal would not raise any privacy or overlooking issues. As such it is considered that the proposal would not be detrimental to be residential amenity for neighbouring properties or the area in general.

The proposal complies with Policy CS2 of the Core Strategy and Saved Policies H5 and H8 of the UDP.

Tree Issues

The proposal would cause the loss of 2-3 leylandii of the row forward of the existing garage and adjacent the high vegetated embankment which includes trees adjacent the site. The remaining leylandii would be retained, and protected during construction works. The leylandii are not protected and do not have amenity value given that they

are within the side / rear garden area and adjacent the high embankment and trees. If replacement trees were planted the only places that would be suitable would be by the boundaries of the property which would impact on light to the adjoining gardens and properties. The loss of the evergreens is acceptable and would not be detrimental to the amenity of the area.

As such the proposal does not conflict with Policies CS2 and CS21 of the Core Strategy and Saved Policies H5 and DQ4 of the UDP and is in the spirit of Policy CS21 of the Core Strategy.

Highways Considerations

The access of Archway Road is existing and a driveway in excess of 25m would be retained. The proposal does not therefore cause any highways or parking issues.

As such the proposal complies with Policies CS2 of the Core Strategy and Saved Policies H5 and H8 of the UDP.

Conclusion

The proposal is to demolish the existing garage and to erect a larger building with a hipped and pitched roof to comprise a large garage and incorporating a store / workshop area. The proposal would not be significantly detrimental to the visual or residential amenities of neighbouring properties or the area in general. The loss of evergreens is acceptable given that they are adjacent the embankment and the embankment trees and as such replacement trees are not considered necessary or appropriate. The application does not conflict with/ is in the spirit of planning policies and is therefore 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.

- 3) The materials to be used on the external surfaces of the garage workshop 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 Policy CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006.

- 4) The garage workshop hereby permitted shall be retained for use by the dwelling at all times and used only for private and domestic purposes and no trade or business use shall be carried out therefrom.

Reason: To safeguard the amenities of occupants of existing dwellings located in the vicinity of the application site and to comply with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016.

- 5) The development shall be carried out only in accordance with the approved Arboriculture Assessment and Tree Protection Plan.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
12/05/2023	TQRQM23132080 251101	-	LOCATION PLAN (1:1250)
09/05/2023	-	-	ARBORICULTURAL REPORT
10/05/2023	-	-	TREE PROTECTION PLAN
17/03/2023	01	-	EXISTING AND PROPOSED PLAN AND ELEVATIONS TOGETHER WITH SITE LAYOUT

Signed Case Officer¹: **Lee Osborne**

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

Date: **25 October 2023**

Informatives

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

