

**APPLICATION
NO:**

24/00051/FUL

CASE OFFICER:

John Fleming

WARD:

Swanside

PARISH:

LOCATION:

11 Evercroft Road, Roby, Knowsley, L14 7AF

PROPOSAL:

ERECTION OF A SINGLE STOREY REAR EXTENSION
TOGETHER WITH CONVERSION OF GARAGE TO FORM
HABITABLE ROOM

Site Description

The application property is a detached dwelling and is of modern design accommodating a hipped roof. It is brick facing with white UPVC doors. The property benefits from 1no. integral garage together with hardstanding providing car parking space for 2no. vehicles.

Proposal

The application proposals seek to convert the existing garage to form a habitable room together with the erection of a single storey rear extension.

The garage conversion will consist of a partial brick wall to replace the existing opening and insertion of a new UPVC window.

The single storey rear extension would measure 8.35m in width and 3.59m in depth. It would accommodate a pitch roof measuring 2.18m at the eaves and 3.45m at its highest point. The roof would include 3no. velux windows. The rear elevation would include 1no. bifolding door.

The proposals would provide an open plan kitchen and living room together with a separate family room.

Consultations

Highways – No objection to the proposed development.

Environmental Health – No objections subject to conditions.

Representations

This application has been publicised following consultation with letters being sent to 6 neighbours. No representations were received.

Planning History

A number of applications have been submitted in respect of the wider housing estate. No

applications have been submitted with regards to the application property since its initial construction.

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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

H2 – Sites Allocated for Housing Development (SHD04)

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 within the adopted Development Plan with the housing estate having since been constructed. As such, the extension to 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

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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 proposed garage conversion would utilise the same materials of the existing dwelling house. A number of garage conversions have taken place locally similar to what is proposed and do not appear to be out of character with the local area. The garage conversion is acceptable in terms of design.

The Householder Development SPD states that rear extensions should be designed to avoid causing overshadowing, loss of outlook or loss of privacy and should not appear unduly dominate to neighbours. The rear extension would be constructed with materials to match the existing property and would feature a large opening restricted at the rear elevation together with pitch roof. Overall, the development is an acceptable addition to the property and would not result in an incongruous feature within the public realm. It is therefore considered acceptable in terms of design.

Ground Protection Measures

From the information available to the Local Planning Authority and the previous remediation undertaken at this site, there is potential that some contamination may exist below the hardstanding of the patio area and beneath the 600mm within the garden. The responsibility to properly address contaminated land lies with the owner of the property.

The application property is located on land which was previously used as a former landfill. As part of the previous application under application reference 09/00556/OUT, earthworks were undertaken and remediation measures were put into place to ensure the site is suitable for residential use.

The applicant has provided information to support this application and this has been reviewed by Environmental Health who has requested conditions be placed on this application to ensure risks concerning any potential contaminated land are minimised. Subject to these conditions there would not be a risk of contaminated land or gaseous emissions to escape from the application site.

Residential Amenity

No. 9 Evercroft Road

No. 9 is the neighbouring detached property. Its rear elevation is parallel to that of the application property. The Householder Development SPD states that single storey rear extensions up to 4m will generally be considered acceptable. Given that the proposed extension projects 3.69m and is well within the tolerance set by the SPD it is not considered that existing and future residents would be adversely affected by the proposed development.

No. 15 Evercroft Road

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No. 15 is the neighbouring detached property. It appears that the submitted site plan inaccurately depicts the relationship between no. 15 and no. 11s as it shows a distance of 1.25m between the rear elevation of no. 15 and the rear elevation of no. 11. Following the site visit the distance between the two rear elevations is 2.17m.

No. 15 has two openings consisting of 1no. bifolding door and 1no. small window serving the open plan kitchen and diner. Although the proposed extension is less than 4m in depth, due to the staggered arrangement of properties the proposed extension would breach the 45 degree rule when taken from the centre point of the nearest habitable window. However, in this instance, the window serving the kitchen is smaller than what would typically be seen and if it matched that window width at first floor level the proposed development would most likely not breach the 45 degree rule.

Notwithstanding this, the proposed extension would be 2m in distance from the gable end of no. 15 and there are examples found within the character of the street scene where outbuildings abut the boundary lines which is a consistent feature within this housing estate. As such, the proposed extension would result in a similar arrangement and no objections have been received from neighbouring occupiers. In addition, both properties benefit from south facing gardens meaning that there would be little loss of light.

Taking the above into consideration it is not considered that existing and future residents of no. 15 would be adversely affected by the proposed extension.

Highways

The proposed development would result in the loss of 1no parking space associated with the integral garage. However, as part of this submission it is the applicants intention to widen the existing tarmac drive to accommodate an additional parking space. The amount of parking is therefore in accordance with the standards set out in Ensuring a Choice for Travel SPD. As such, there would be no adverse impact to highways safety.

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.

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- 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) 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. Details of what specific gas/vapour membrane will be installed. The membrane specification must be at least equal to that already installed under the property.
- ii. Details of how the gas/vapour membrane will be installed and specifically how the new membrane will be integrated with the existing as 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 the property.

The agreed implementation plan must be carried out 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.

- 5) Upon completion of the works, a validation statement must be submitted to the Local Planning Authority. The statement shall demonstrate that the works have been carried out in accordance with the agreed methodology detailed in condition 4 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.

- 6) 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

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Date Received	Ref. No	Version	Drawing/Document Title
02.02.2024	ER11/PD/01		SITE LOCATION PLAN
02.02.2024	ER11/PD/04		SITE PLAN
05.03.2024	ER/11/PD/03	REV B	PROPOSED FLOOR PLANS AND ELEVATIONS
02.02.2024	--		BEAM & BLOCK – TYPICAL CS-3 GAS PROTECTION DETAILS

Signed Case Officer: **John Fleming**

Signed Authorising Officer: **K Foster**

Date: **3 May 2024**

Appendix 1: Site visit photographs



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INFORMATIVES

Environmental Health

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.