

<u>APPLICATION NO:</u>	25/00356/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Prescot South	<u>PARISH:</u>	Whiston Town Council
<u>LOCATION:</u>	93 Middleton Drive, Prescot, Knowsley		
<u>PROPOSAL:</u>	CONVERSION OF GARAGE TO FORM HABITABLE ROOM.		

Site Description

The application site is located at 93 Middleton Drive, Prescot and is situated within a Primarily Residential Area within the Local Plan Policies Map. The application property is a two-storey, detached dwellinghouse located the end of its building row. The property benefits from an integral garage with a black door.

The front garden area is surfaced with hard-standing (capable of accommodating 2 no. vehicles in plot) and soft landscaping (grass and shrubbery) adjacent the driveway.

The application property is situated within a modern housing estate with detached and semi-detached dwellings within the street scene. Immediately adjacent the side curtilage of the application property to the west and south-west of the application site lies a private vehicular access which serves four properties.

The application property has had Permitted Development Rights withdrawn by condition.

Proposal

The proposal is for the conversion of the existing integral garage to form a habitable room.

The proposal would involve the removal of the existing garage door with replacement fenestration and infill brickwork.

Consultations

Environmental Health – No objections, subject to suggested conditions.
Whiston Town Council - No comments received.

Representations

This application has been publicised by letters sent to 10 neighbours. No representations have been received.

Planning History

APP. NO: 16/00778/FUL

PROPOSAL: ERECTION OF 133 DWELLINGS TOGETHER WITH ELECTRIC SUBSTATION AND OTHER ASSOCIATED DEVELOPMENT

DECISION: GRANTED

DECISION DATE: 26 July 2017

Associated with the decision notice for the application, condition 12 stipulates that *the garages hereby permitted shall not be converted into living accommodation (either in whole or part) and shall be retained for use as garages by the dwellings hereby approved at all times. Reason: To ensure adequate garaging/off street parking provision is retained and thereby to avoid the harm to amenity, safety or convenience caused by on street parking and to comply with Policies CS7 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016.*

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.

Whilst the site is identified as being within an allocation for Urban Greenspace and Educational Land, the area has since been developed as a housing estate and the surrounding area is primarily residential. Therefore, the proposed conversion of the existing integral garage, comprising internal and limited external alterations, to the domestic property, is acceptable in principle, subject to compliance with relevant policy and guidance.

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.

The site is identified as a site 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.

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

H8 - Extensions and Alterations to Residential Properties

ENV6 - Landfill Gas

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 and design within Knowsley Borough.

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

Saved Policy H8 in the Replacement Unitary Development Plan states that proposals for extensions to dwellings will be permitted provided that:

- a) The proposals would not (due to their scale and massing) result in a disproportionate addition to the original dwelling
- b) The design and materials used would reflect those used on the original dwelling
- c) The proposal would not adversely affect the amenity or privacy of occupiers of adjacent dwellings
- d) The proposal would not create potential hazards for highway users by obstructing visibility for pedestrians or drivers of motor vehicles; and
- e) Adequate parking and garden space would remain in use by the residents of the extended property

DESIGN AND RESIDENTIAL AMENITY

The SPD stipulates (6.10) that normally the Council would require that materials for an extension should generally be the same or similar as on the main dwelling. Window styles should also generally match those on the main dwelling and echo the proportions of the original building. Any detailing on the original dwelling such as feature brickwork or window sills should be accurately reproduced where possible in the design of the extension.

The submitted plans have been amended to demonstrate that the proposed replacement window would emulate the proportions (particularly the width) of the other fenestration found on the front elevation of the property, which would ensure that the proposed development would reflect the design used on the original dwelling. The brick detailing underneath on the windowsill of the proposed window would also emulate the brick detailing found to the other openings elsewhere on the property. A

condition will be included to further secure the matching brickwork for the materials used as the application property utilises two slightly differing brick colours. Otherwise, the facing brick would match the existing dwelling.

Given the works are predominantly internal and any alterations to the exterior are cosmetic, with no external expansion or projection, the proposed development would not raise any residential amenity or privacy concerns.

HIGHWAYS

The application site contains hardstanding to the front of the dwelling, capable of accommodating 2 no. parked vehicles. The existing front drive measures 6.7m in width and 6.4m in depth. The proposal would not involve in any changes to the existing parking provisions.

The Householder Development SPD outlines that garages would count towards the parking provision when they meet the minimum internal dimensions to be considered a parking space (2.75m x 5.5m). In this instance, the existing garage measures at 2.4m in width and 5.3m in depth, therefore, does not meet the minimum internal dimensions and consequently would not be considered to result in the loss of an in-curtilage parking space.

The NPPF (Paragraph 116) outlines *development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.*

Consideration was given to the expansion of the existing hardstanding to increase the parking provisions, however, it is considered that the existing soft landscaping situated in between the existing driveway and private road to the south/south-west provides more effective delineation and may result in greater highway safety issues should the entirety of the front garden area of the application property be hard-surfaced.

Furthermore, given that the proposal would not increase the number of bedrooms at the property or remove any existing in-curtilage parking provisions, it would not be considered that the proposal would result in any unacceptable highway safety impact to the local highway network or generate an unacceptable degree of on-street parking that would warrant a refusal on highway safety grounds.

OTHER ISSUES:

ENVIRONMENTAL HEALTH

Environmental Health were consulted on the scheme as the Local Planning Authority's records identify a constraint of a former waste tipping site for the application site. Following review of the application, no objections have been received, subject to suggested conditions.

Saved Policy ENV6 states that development on former landfill sites, or within 250 metres of current or former landfill sites will only be permitted, where the applicant can clearly demonstrate that there is no risk from the generation or migration of landfill gas or other hazardous substances, or that satisfactory measures can be taken to counter any possible hazard either to the development site or other receptors.

The accompanying guidance of ENV6 (13.32) stipulates that planning conditions or legal agreements will be used to ensure that appropriate measures are incorporated into proposals to control the migration of gas or other mobile substances and to monitor and if necessary, remediate any potential problems following development.

COAL CONSTRAINT

The application site is identified as a Low-Risk Area for previous coal mining activity. An informative will be included on the decision notice for the attention of the applicant should the application be granted.

Conclusion

The proposal would be acceptable in terms of design, residential amenity, highways. The proposal also complies with relevant Core Strategy, Replacement UDP policies and guidance in the NPPF, and is therefore recommended for approval subject to conditions.

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 extension hereby permitted shall match those of the existing building in type, size, colour and texture. For the avoidance of doubt this will include the brick pattern detailing of the existing dwellinghouse being carried over and emulated to the infill brickwork for the proposed development, hereby permitted.

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) If gas protection measures are encountered at the property, then the Local Planning Authority shall be contacted, and the following information submitted for agreement in writing, before any further works take place:
 - 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.
 - iii. The name of the competent persons / company installing the membrane?
 - iv. How the installation of the membrane will be validated?

a) If gas protection measures are required, 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.

b) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use.

c) Water suppression shall be used to ensure there are no dust emissions during any excavation works, and if required water suppression shall also be used when moving and storing the material on site

Reason: In the interests of safety and to comply with Saved Policy ENV6 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
23/07/2025	REV A	-	PROPOSED FLOOR PLANS AND ELEVATIONS
09/06/2025	-	-	LOCATION PLAN

Signed Case Officer¹: Reece Black

Signed Authorising Officer²: Jo Sheridan

Date: 28/07/2025

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

Informatives

- 1 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Standing Advice valid from 1st January 2025 until 31st December 2026.