

Regeneration and Economic Development Department

APPLICATION NO: 22/00094/FUL

APPLICANT: Mr Barrie Hassell

WARD AFFECTED: Shevington

DEVELOPMENT: ERECTION OF TWO STOREY SIDE EXTENSION

LOCATION OF SITE: 38 Yoxall Drive, Tower Hill, Kirkby, Knowsley, L33 4HS

KNOWSLEY LOCAL PLAN ALLOCATION –

Primary Residential Area.

RELEVANT POLICIES

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS7 - Transport Networks

CS19 - Design Quality and Accessibility in New Development

Knowsley Replacement Unitary Development Plan

H8 – Extensions and Alterations to Residential Properties.

National Planning Policy Framework

TECHNICAL CONSULTATIONS:

Highway Authority - Raise an objection due to a lack of in-curtilage car parking.

Waste Management – Additional vehicles on the road could cause manoeuvring issues for refuse/recycling vehicles on collection days.

NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 5 neighbours.

There has been 1 letter of objection. The representation is summarised as follows:-

“No objection in principle to extension however occupier of No 40 believes the measurements are incorrect and the proposed extension would encroach by 32.5mm over half of the shared driveway. (i.e. onto the curtilage of 40 Yoxall Drive).

The internal measurements need to be reduced to prevent any encroachment onto the neighbours drive.”

ARTICLE 35

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason for the refusal, approval has not been possible.

PLANNING HISTORY

APP. NO: 98/00639/APP

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PROPOSAL: ERECTION OF 609 NO. TWO STOREY DWELLINGS,
CONSTRUCTION OF ACCESS ROADS AND PROVISION OF
PUBLIC OPEN SPACE

DECISION: GRANTED

DECISION DATE: 19 March 1999

APP. NO: 00/00602/FUL

PROPOSAL: SUBSTITUTION OF HOUSE TYPES TO PLOTS 1 - 111 (AREA
6) AND INCREASE IN NUMBER OF DWELLINGS FROM 83
TO 111

DECISION GRANTED

DECISION DATE: 19 January 2001

ISSUES AND ASSESSMENT:

SITE & PROPOSAL

This application relates to a semi-detached dwelling on the Melling Mount estate in Kirkby. The properties were built around 2000. It is proposed to erect a two-storey extension to the side of the dwelling.

The dwelling has a driveway to the side which can accommodate 2 cars. The neighbouring property, 40 Yoxall Drive, also has a drive immediately adjacent to the applicant's driveway. There is no delineation on site between the two drives, which is a common design feature throughout this estate.

The application property has a shallow front garden, which is of insufficient size to accommodate an additional parking space.

Immediately opposite the driveway to the application site is a road junction of Yoxall Drive and Campbell Crescent.

The owner of the neighbouring property has raised a concern, stating that the proposed extension would encroach onto their property. Amended drawings were requested from the applicant to clearly indicate the boundaries of the shared drive and the proposed extension. Nevertheless, these have not been forthcoming. Therefore, it is still possible that not all of the proposed extension would be within land owned by the applicant and part of the proposed extension (including the footings) may encroach onto the neighbouring property at No 40.

However, notwithstanding this the applicant has confirmed in writing that the proposed extension would not encroach onto any neighbouring property including footings/ overhang of gutters and the application is determined on this basis. And in the event that encroachment is required then the applicant will need to first obtain agreement from the neighbour separate from any planning requirements.

POLICY CONSIDERTAIONS

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

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

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Policy CS7 in the Core Strategy Local Plan states that new development will be required to be in compliance with adopted car parking standards.

Policy CS19 in the Core Strategy Local Plan states that to enhance local distinctiveness, identity and accessibility of places, new development in Knowsley will be expected to:

- Respond to and integrate positive characteristics of immediate surroundings, including local materials, scale, mass, form

Policy CS19 also states that to maintain a good standard of amenity for all existing and future occupants of land and buildings, development proposals will be expected to:

- Avoid unacceptable impacts on existing residents, business occupiers and future occupiers

The Householder Development SPD provided guidance on the implementation of Policies H8 and CS19.

In relation to car parking, the SPD states that in most cases the existing level of provision for car parking should be retained within the curtilage of a dwelling. Where the extension would result in the need for additional or replacement parking, the number of spaces should be in line with the Council's parking standards (which in the case of a 4-bed property is 3 spaces). Fewer spaces than set out in the parking standards will only be acceptable if the highway and environmental conditions in the locality allow; for example, in areas with wider access roads and plots. Proposals that would result in an adverse impact on street parking conditions to the detriment of highway safety or the amenity of local residents would be unacceptable.

In relation to two-storey side extensions the SPD states that:

- Either a minimum space of 1m should be preserved between the extension and the party boundary to the side of the dwelling, or the front wall of the extension should be set back at least 1m
- Windows in side elevations that serve main habitable rooms and overlook an adjacent dwelling are rarely acceptable
- Sufficient car parking spaces should be retained or provided

The design and appearance of the extension would be acceptable in accordance with saved UDP policy H8 and Local Plan Policy CS19.

However, due to insufficient in curtilage car parking the proposal would fail to comply with Local Plan policies CS7 and saved UDP policy H8.

Previous applications on this estate comprise 21/00109/FUL – Single storey side extension at 7 Curren Way. This extension did not propose any additional bedrooms and the proposal retained 1 space for a 3-bed dwelling.

16/00450/FUL – Conversion of garage and single storey side extension. This would create 1 additional bedroom making the property a 4-bed dwelling. 2 car spaces would be retained.

There are no proposals approved locally for an extension resulting in a 4-bed dwelling with only one parking space.

DESIGN ISSUES

The extension proposes a garage to the ground floor and two bedrooms to the first floor. The front wall to the first floor of the extension would be set back by 1m from the main wall of the original dwelling. The ridge line of the extension would be set at a lower level than the original dwelling. Therefore, no terracing effect would occur.

The design is considered acceptable and would complement the existing dwelling providing it was constructed using matching materials. The proposal would comply with Local Plan CS19 and Saved UDP policy H8 (in so far as they relate to design) .

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RESIDENTIAL AMENITY

The neighbouring dwelling (no 40) has a landing window in the gable wall. The proposed extension would project to within approximately 2.7m of this window but given that it does not serve a main habitable room this would not result any loss of amenity to the neighbour.

The rear elevation of applicant's dwelling is set 2.3m further back than the neighbouring dwelling at No 40. The proposed extension would not breach the 45-degree rule when drawn from the centre point in the nearest habitable window of No 40.

The proposed extension would not impact on any other neighbouring dwelling.

The proposal would comply with Local Plan CS19 and Saved UDP policy H8 (in respect of residential amenity)

HIGHWAY SAFETY

The proposed development would increase the size of the dwelling from 3 bedrooms to 4 bedrooms. In accordance with the 'Ensuring a Choice of Travel' SPD, and the Householder Developments SPD, 4 bedroom dwellings require a maximum of 3 car parking spaces. The existing 3 bed house currently has 2 spaces. (by way of the existing driveway) and accords with the SPD requirements.

The proposed extension would remove the second car parking space and replace it with a garage and add a further bedroom. The Householder Developments SPD identifies that garages will normally count as contributing to the car parking provision where their internal dimensions are sufficient to allow them to be satisfactorily used as such. Minimum internal dimensions of 5.5m x 2.75m. The garage proposed in this instance is substandard in width (at only 2.4m), which means that it is very unlikely to be a usable parking space. Therefore, it is reasonable to conclude that the proposal would result in a loss of 1 space, leading to just 1 car space remaining.

This would only be 33% of the maximum amount of car parking required for a 4-bedroom dwelling house. It is accepted that the parking standards are maximums, but as set out in the Householder Developments SPD fewer spaces than set out in the parking standards will only be acceptable if the highway and environmental conditions nearby allow, for example in areas with wider access roads and plots.

The Highways team object to the proposal. Problematic on-street car parking already occurs near to the property, which predominantly takes place partly on the footway and partly on the carriageway, thereby making it difficult for pedestrians to pass - particularly those with prams or in wheelchairs. Unacceptable parking is even more likely to occur at this location, given that it is situated opposite to the junction with Campbell Crescent, as drivers will be aware of the turning vehicles in the vicinity of their parked car. The full height kerb fronting numbers 36 and 38 Yoxhall Drive is insufficient to cater for two vehicles without blocking one or other of the driveways, and, therefore, if any more than two vehicles were present at the property, they would most likely be parked on the opposite side of Yoxall Drive. This is not desirable as they would sit within the visibility splay of that junction.

The Council's Waste Management section have also visited the site and have advised that given the local road configuration any proposal which resulted in vehicles having to park on the road could adversely impact on the manoeuvring and parking of waste/recycling vehicles to the detriment of highway safety.

The proposal would result in a demand for car parking that cannot be met within the application site, which would result in car parking on the adjacent roads to the detriment of pedestrians and highway safety including the safe manoeuvring & parking of refuse/ recycling vehicles. As

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such, the proposal would be contrary to Local Plan policies CS2, CS7 and Saved UDP policy H8.

CONCLUSION & REASON FOR DECISION

Impacts on design and residential amenity are considered acceptable.

The proposed extension would result in the provision of 1 car parking space and the number of bedrooms would increase from three to four. Given the site's surroundings, the proposal would result in a demand for parking that cannot be met within the application site and would have an adverse effect on pedestrians and highway safety. This would be contrary to Local Plan Policies C2, CS7 and saved UDP policy H8.

RECOMMENDATION:

That Planning Permission be refused for the following reason.

The proposed development would generate a significant demand for car parking which cannot be accommodated on this site in a satisfactory manner with the result that vehicles would be forced to park on surrounding highways to the detriment of residential amenity, the general amenity of the area, highway safety and the convenience of other users of the highway including pedestrians and the safe maneuvering & parking of the Council's refuse/ recycling collection vehicles. As such the proposal would be contrary to Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

Mark Quinn

22 August 2022

Mark Cawood
25 August 2022

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