

## **Regeneration and Economic Development Department**

**APPLICATION NO:** 22/00184/FUL

**APPLICANTS:** Mr Tristram

**WARD AFFECTED:** Prescott North

**DEVELOPMENT:** Conversion of garage to form habitable room

**LOCATION OF SITE:** 8 Speakman Way, Prescott, L34 5ND

### **KNOWSLEY LOCAL PLAN ALLOCATION:**

Primarily Residential Development

### **RELEVANT POLICIES:**

**Knowsley Local Plan Core Strategy (2016):**

- CS2 - Development Principles
- CS19 - Design Quality and Accessibility in New Development

**Knowsley Replacement Unitary Development Plan (2006):**

- H5 - Development within Primarily Residential Areas
- H8 - Extensions and Alterations to Residential Properties

### **TECHNICAL CONSULTATIONS:**

None.

### **NEIGHBOUR NOTIFICATION:**

This application has been publicised by letters sent to 18 neighbours. No representations have been received.

### **ARTICLE 35**

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.

### **ISSUES AND ASSESSMENT:**

#### **PROPOSAL**

The application relates to a 3 bedroom semi-detached property located in a modern residential development at no 8 Speakman Way. The application seeks the conversion of a garage to provide living accommodation.

The proposals seek to remove the existing garage door and replace it with brick wall measuring .9m in height and 1 no window.

#### **RELEVANT PLANNING HISTORY**

A number of applications have been submitted and approved relating to the wider construction of the housing estate. Of particular importance is the decision notice relating to application reference 07/00248/REM which placed a condition on the property relating to the conversion of internal garages

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and that these shall not be converted into living accommodation (either in whole or in part) without the prior written permission of the Local Planning Authority.

## **POLICY CONSIDERATIONS**

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires development proposals to be determined in accordance with the Development Plan unless material considerations indicate otherwise. Policies relevant to the development proposal consist of the following policies and guidance:

### Knowsley Core Strategy (2016)

- Policy CS2: Design principles; and
- Policy CS19: Design quality and accessibility in new development.

### Knowsley Replacement Unitary Development Plan (2006)

- Policy H5: Development within Primarily Residential Areas; and
- Policy H8: Extensions and alterations to residential properties.

### Other material considerations:

- National Planning Policy Framework (the "Framework") (2021); and
- Planning Practice Guidance (PPG); and
- Householder Development Supplementary Planning Document (SPD) (2016).

The proposed development is identified as land located within a Primarily Residential Area in the adopted Development Plan and a domestic extension is therefore considered to be acceptable in principle, subject to compliance with local planning policy and guidance listed above.

Regarding the adopted Development Plan policies, the proposed application complies with 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.

## **DESIGN**

The alterations to the principal elevation are in keeping with the appearance and design of the existing dwelling. The UPVC window is of a similar design and will match the existing windows. No details were submitted as part of the application concerning the proposed brick finishes, but the applicant has since confirmed that the brick will match that of the host property.

The design of the conversion is therefore considered to be appropriate and in compliance with the Development Plan policies listed above. It is considered that the proposed works would respond positively to the appearance of the host dwelling and neighbouring properties and is therefore in keeping with the design characteristics of the street scene.

## **RESIDENTIAL AMENITY**

There would be no additional massing that would extend beyond the built form of the existing property. Due to the design of the proposals these are considered in keeping with the host property there would be no adverse effects on residential amenity to neighbouring properties. .

It is not considered that the development results in having adverse impacts to residential amenity of neighbouring occupiers.

## **HIGHWAYS**

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The Householder Development SPD is a material consideration for the purposes of determining this planning application. It states 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 and minimum internal dimensions of 5.5m x 2.75m are required.

The internal measurements of the former garage measures 2.5m x 5.2m and therefore does not provide parking provision in line with what the Local Planning Authority considers an acceptable standard since the host property's construction. Notwithstanding this, the property benefits from hard standing within the curtilage of the property boundary spanning the full width of the drive. The current hardstanding is capable of accommodating two vehicles and as the property is a 3 bedroom property it is in accordance with the parking standards set out in the Ensuring a Choice for Travel SPD which requires a maximum of 2 car parking spaces for 3 bedroom properties.

As such, there would be no adverse effects to the public highway.

## **OTHER ISSUES**

None.

## **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.

## **SCHEDULE 1**

| <b>Date Received</b> | <b>Ref. No</b>                   | <b>Version</b> | <b>Drawing/Document Title</b>                             |
|----------------------|----------------------------------|----------------|-----------------------------------------------------------|
| <b>20.05.2022</b>    | <b>BAR-SPE-PL-DR-LP-01 REV A</b> |                | <b>LOCATION PLAN AND EXISTING AND PROPOSED SITE PLANS</b> |
| <b>26.03.2022</b>    | <b>BAR-SPE-PL-DR-FP-02 REV A</b> |                | <b>PROPOSED FLOOR PLANS</b>                               |
| <b>08.08.2022</b>    | <b>BAR-SPE-PL-DR-EL-02 REV A</b> |                | <b>PROPOSED ELEVATIONS</b>                                |

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J Fleming  
16.09.2022

Alan Kilroe  
16 September 2022

## **INFORMATIVE**

### **COAL INFORMATIVE**

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

[www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries](http://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

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