

APPLICATION **NO:** **CASE OFFICER:** John Fleming
23/00195/FUL

WARD: Northwood **PARISH:**

LOCATION: 7 Highbarn Road, Northwood, Kirkby, Knowsley, L32 1BS

PROPOSAL: DEMOLITION OF EXISTING BOUNDARY WALL AND
ERECTION OF NEW BOUNDARY WALL TOGETHER WITH
ADDITIONAL PARKING AND RETROSPECTIVE CONVERSION
OF GARAGE TO FORM HABITABLE ROOM AND RETENTION
OF BIN STALL

Site Description

The application site is a detached dwelling house of modern construction and features a dual aspect gable roof. The property is located on the corner junction where Limetree Road and Highbarn Road meet.

The private amenity space is contained by a brick built wall connecting to the detached outbuilding located at the rear. The outbuilding previously served as a garage and has been converted with the removal of the garage door and insertion of a UPVC window fronting the road and bi-folding doors facing the rear of the application property.

The application property benefits from a large turfed front garden which wraps around the dwelling house. Parking provision has been reduced to 2no. in-curtilage parking spaces located at the side of the property.

A timber bin stall has been erected at the rear of the property within close proximity to the common law boundary.

Proposal

The proposals have been altered since their original submission and now form the basis of consideration in this report. The proposals seek permission for the demolition of the existing brick built boundary wall fronting Highbarn Road and the erection of a new boundary wall located 2.74m closer to the public highway. The wall would extend from the rear elevation of the outbuilding by 1.86m turn 2.67m turn again by 2.76m where it would then span a width of 10.93m. The wall would measure 1.93m in height supported by 6no. columns fronting the highway measuring 2.12m in height.

Part of the application seeks retrospective permission for the conversion of the garage to a garden room. As such, revisions to the parking arrangement are also sought to retain 3no. parking spaces within the curtilage of the property boundary.

Retrospective permission is also sought for the retention of the existing bin stall which occupies a footprint of 1m in length by 8.03m in width and measures 2.48m at the eave and 3.4m at its highest point.

The proposals would allow for increased private amenity space, together with garden

room and bin stall.

Consultations

Network Rail – No objections.

Highways – No objections following amendments to the parking provision.

Tree Officer – No objections

Representations

This application has been publicised by letters sent to 5 neighbours and displayed by site notice. A further round of consultation was undertaken to include aspects of the proposals relating to the bin stall and changes to the scheme as originally submitted. No representations have been received.

Planning History

A number of applications have been submitted in respect of the development of the wider residential estate. That of relevance to the current application proposals relate to the conditions attached to application reference 17/00201/FUL which removed permitted development rights relating to gates, walls, fences and restricted the development of garages to be converted into living accommodation to ensure adequate off street parking is retained.

No application history is associated with the individual dwelling house.

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

KPOS04 – Urban Green space and Educational Land

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 as Urban Green Space and Educational Land. However, following the grant of planning in 2017 under application reference 17/00201/FUL the land is now subject to a residential housing estate of modern design. As such, the alterations proposed to a dwellinghouse are 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 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.

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

Design, access and crime prevention

As originally submitted, the proposals sought the erection of a new boundary fence consisting of brick work to match existing and timber infill panels. The proposed boundary wall would have been sited 1.33m from the public highway. The garage was converted to a garden room with UPVC window visible from the public highway.

The Householder Development SPD advises that the style and material of walls should match and be in existing style with the boundary treatment in the surrounding area and where the curtilage of a house adjoins the highway it should be expressed as 'semi-public space' i.e. clearly separated from the public highway with landscaping features.

The character of the surrounding area is predominantly brick built new build residential dwelling houses with corner plots accommodating brick walls which connect to the gable end of the dwelling house. The application proposals as originally submitted were considered out of character with the characteristics of the wider housing estate due to the selection of timber panelling together with the proximity of the boundary wall to the public highway which would have resulted in an incongruous feature within the street scene.

The Local Planning Authority raised the above concerns with the applicant together

with the need for retrospective permission relating to the bin store which was included within the proposals as it would not constitute permitted development on the basis of eaves height abutting the common law boundary.

The Local Planning Authority has worked positively to address these concerns with the applicant and revised proposals were submitted to set back the boundary wall by 2.5m from the public highway and for the wall to encompass the garage conversion which appeared an alien feature due to its design and was susceptible to crime and anti-social behaviour due to the lack of security.

With regards to this specific dwelling house, the proposals would allow sufficient landscaping treatment fronting the boundary wall and would not appear incongruous within the street scene.

The garden room conversion is of simple design and includes a bi-folding window and UPVC window which is now enclosed by the proposed boundary wall. As such, it is secure by virtue of the boundary treatment minimising the potential for crime and anti-social behaviour whilst also obscuring the window fronting the highway which would not be readily visible from the street scene.

The proposed bin stall was included as part of the discussions with the applicant as it did not meet permitted development rights owing to its height and proximity to the common law boundary. The bin stall is of simple timber design attached to the rear elevation of the dwelling house and is not readily visible within the street scene.

Overall, the development is considered acceptable in terms of design as proposed.

Residential Amenity

5 Highbarn Road

No. 5 is located at the side of the dwelling house. There would be no adverse impact to development associated with the conversion of the garage room as its footprint would remain the same and is currently used as storage space.

The brick built wall is sited along the common law boundary however due to the staggered nature of the walls it would not appear dominate in relation to this property and as such there would be no adverse impact to residential amenity in relation to the existing and future occupiers of no. 5.

28 Limetree Road

No. 28 is located at the rear of the dwelling house. The only aspect of the proposals relevant to no. 28 relates to the retention of the timber bin stall. The bin stall is sited along the common law boundary. Guttering has been removed so that it does not overhang the property boundary. The bin stall sits marginally forward from the principal elevation of no. 28. However, it would not breach the 45 degree rule and is a relatively small addition to the property. There would be no adverse impact to residential amenity associated with the simple timber clad structure.

Other issues

Highways

The Highways Authority were initially consulted as part of the application proposals and raised objection with the application as originally submitted due to the proposed use of the drop pedestrian crossing over the existing tactile paving for driveway access and the lack of replacement parking provision following the loss of 1no. parking space associated with the garage conversion.

Revised proposals were submitted to use the side garden for 2no. vehicles. However, this amounted to poor utilisation of space and would have constituted poor design due to the corner plot location which would appear prominent in the street scene. Subsequent amendments were made to address this and the revised arrangement consists of retention of 1no. existing space together with 2no. parking spaces sited either side the front facing gable together with landscaping treatment and retention of the existing trees. Accordingly, this allows for the required number of parking spaces to be provided in accordance with the Ensuring a Choice for Travel SPD and there would be no adverse impacts to highways safety due to the proposed new drop kerb access avoiding the current tactile paving.

Trees

Concerns were initially raised from the Council's Tree Officer due to the relocation of 2no. trees to accommodate parking provision on site. However, due to the revised parking arrangements as discussed above, the existing trees will be retained in situ and as such there would be no adverse impact on natural tree assets.

Conclusion

On balance, due to revised plans which have reduced the scale of development so that it is more appropriate in the context of the host property it is considered that the development would be acceptable in terms of design, residential amenity and highway safety and complies with the relevant Core Strategy, Replacement UDP and guidance in the NPPF and PPG 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 boundary wall hereby permitted shall match those of the existing wall 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) Notwithstanding the proposed car parking layout Dwg No 01702-sk-01 Rev D submitted, no part of the development hereby permitted shall be brought into use until an area of hard standing in addition to that already existing within the property has been laid out in accordance with details which have previously been submitted to and approved by the Local Planning Authority. The hard standing shall be laid out such that 3no. spaces are provided and 2no. drop kerb crossings are provided in accordance with the specification of the Local Planning Authority. The additional car parking area shall be made of porous materials, or provision shall be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house. The agreed area shall be retained as such at all times that the proposed development is in use.

Reason: To ensure that adequate off-street parking is available in accordance with 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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
31.03.2023	LOCPLAN		LOCATION PLAN
13.09.2023	01702/SK/01	REV D	PROPOSE PLANS AND ELEVATIONS
07.09.2023	SGHR/23	REV A	PROPOSED ELEVATIONS

Signed Case Officer¹: **John Fleming**

Signed Authorising Officer²: **K Foster**

Date: **5 October 2023**

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.

Appendix 1 – Site visit photographs



