

Regeneration and Economic Development Department

APPLICATION NO: 21/00939/FUL

APPLICANT: Mr Steven O'Brien

WARD AFFECTED: Swanside

DEVELOPMENT: CONVERSION OF GARAGE TO FORM HABITABLE ROOM

LOCATION OF SITE: 6 Bradfield Road, Roby, L14 7AQ

KNOWSLEY LOCAL PLAN ALLOCATION –

Sites for Housing Development - Sites Allocated for Housing Development

RELEVANT POLICIES

National Planning Policy Framework

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

ENV5 - Contaminated Land

TECHNICAL CONSULTATIONS:

Highway Authority - Raise objection on the grounds that the house is a 4-bedroom property and would not be in accordance with Knowsley Council standards, which requires the property to be able to provide space for 3 vehicles that conform to Knowsley Council specifications and a condition restricting commercial use.

Environmental Health - No objections subject to a condition in relation to ground gas protection.

NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 6 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.

RELEVANT PLANNING HISTORY

09/00556/OUT

OUTLINE APPLICATION FOR ERECTION OF 525 NO. DWELLINGS TOGETHER WITH REMEDIATION WORKS- MEANS OF ACCESS TO BE CONSIDERED AT THIS STAGE) TO ALLOW FOR THE ERECTION OF DWELLINGS TO BE SERVED BY THE MAIN SITE ACCESS FOLLOWING THE CONSTRUCTION OF THE MAIN ACCESS AND INTERNAL SPINE ROAD TO BASE COURSE LEVEL (AS DETAILED

Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02

IN DRAWINGS 08260/D300A AND 4070-TH-DLS-006 REV E) WHILST RESTRICTING THE OCCUPATION OF ANY DWELLING TO BE SERVED BY THE MAIN SITE ACCESS UNTIL THE JUNCTION WORKS AT THINGWALL HALL DRIVE/THOMAS DRIVE/THOMAS LANE HAVE BEEN FULLY IMPLMENTED AND BROUGHT INTO USE.

Granted by Secretary of State - February 2011

12/00542/REM

RESERVED MATTERS APPLICATION (PHASE 2) FOR THE ERECTION OF 94 NO. DWELLINGS, LANDSCAPING, OPEN SPACE, INTERNAL ROAD LAYOUT AND ASSOCIATED WORKS (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE TO BE CONSIDERED - ACCESS APPROVED AT OUTLINE STAGE)

Granted - December 2012

ISSUES AND ASSESSMENT:

PROPOSAL

The application relates to a detached dwelling with associated attached garage located on a residential development in Roby. The dwelling is located on the eastern side of Bradfield Road.

The garage is linked to the main dwelling by a single storey section containing a utility room and WC. There is currently no direct access into the garage from the main dwelling. It is proposed to make changes to the existing utility room and WC and to create internal access in association with the conversion of the garage to provide a gym room with shower room.

POLICY CONSIDERATIONS

The site is identified as a Site for Housing Development in the Local Plan Policies Map, that housing development has since been built out. The domestic works to convert the garage would therefore be acceptable in principle subject to compliance with all other relevant local planning policies and guidance.

The key policies for the determination of this application are Local Plan Policies CS2 and CS19 and Saved UDP policies H5 and H8. The Householder Development SPD and Ensuring a Choice of Travel SPD are also a material consideration.

DESIGN, ACCESS AND CRIME PREVENTION

The proposed garage conversion would involve the removal of the garage door, replacing it with a 2 no. uPVC double glazed mullioned tripartite windows with lead light glazing to match the existing dwelling and wall infill. The proposed windows reference the existing windows on the host dwelling and the finish materials would match those used on the existing dwelling, ensuring that the development harmonises with the general character and appearance of the host dwelling and surrounding area.

The proposed garage conversion is therefore considered compliant with Policy CS19 of the Knowsley Local Plan: Core Strategy, Saved Policies H5 and H8 of the Replacement UDP and the Householder Development SPD.

HIGHWAYS

The host dwelling is a 4-bedroom property with garage and hardstanding to the front it is accessed from a circular hardstanding off Bradfield Road which also serves another 2 properties.

Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02

The original reserved matters permission for the residential development on which the application site is located, reference 12/00542/REM removes the permitted development rights for conversions of garages.

The main consideration is how the parking provision for the property would be affected by the proposal. The Council's Highways Engineers have raised objection to the proposal and advise that in accordance with Knowsley Council standards, the property will need to be able to provide space for 3 vehicles which would need to conform to Knowsley Council specifications.

They have indicated that the driveway currently has appropriate space to accommodate 2 no. vehicles with the existing garage able to accommodate a 3rd vehicle. It is further stated that Bradfield Road is not particularly wide and instances of vehicles parking on the footway do occur. Highways cannot support an application which could result in the loss of a vehicular parking space (for either the current or future occupiers) which could then in turn result in further instances of on street parking and blocking of footways.

Although the application is accompanied by a layout plan that suggests that three parking spaces can be provided on the existing driveway, the Council's Highways Engineer contends that they are parked very tightly and the arrangement is not sustainable and is unlikely to be maintained.

Officers observe that the existing garage has dimensions of approximately 5.3 m by 5.3 m which falls short of the Council's requirements as set out in the Householder Development SPD. That 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 as such. Minimum internal dimensions of 5.5m x 2.75m.* Nevertheless, it is acknowledged that this minor shortfall would not necessarily preclude the garage from being used for housing one vehicle at present. The Council's Ensuring a Choice of Travel SPD requires that a 4 bedroom house should be served by 3 parking spaces.

However, Officers are mindful that the Council's parking requirements are based on maximum provision; it cannot be ensured that residents park a vehicle in a garage, if for example they chose to use it for storage, and this cannot be enforced against.

The Council's Highways Engineers have also indicated that if Officers are minded to approve this application, then a condition that ensures that the space is not used for commercial purposes and remain for the sole use of the occupier should be imposed. In that regard, the dwelling falls within Use Class C3 (dwellinghouses) and a further planning application would be required for a commercial use. National Planning Policy Framework makes clear that planning conditions should be kept to a minimum, and only used where they satisfy the necessary tests. In this instance it is not considered that the condition is necessary or relevant to the permission to be permitted and therefore fails the tests and should not be included in any planning permission.

Whilst it is acknowledged that the proposed level of parking is not strictly compliant with either of the SPDs, due to the nature of the proposal, it is considered that the two car parking spaces at the front of the garage would be acceptable. Given the above, it is considered that refusing the application based on highway safety would not be sustainable at appeal.

RESIDENTIAL AMENITY

There are three neighbouring properties which face onto the circular hardstanding access; two of which, nos. 4 and 8, share this access with the host dwelling.

Given the juxtaposition of the existing dwellings, the proposed removal of the garage door and replacement with a wall and 2 no. windows is not considered to result in overlooking and the development is not considered to be unneighbourly.

Therefore, the proposed development is considered to accord with Policy CS19 of the Local Plan and Saved Policies H5 and H8 of the UDP.

OTHER ISSUES

Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02

None.

CONCLUSION

The application proposal is acceptable and would not cause detriment to visual or residential amenity. It is not considered that refusing the application based on highway safety would be sustainable at appeal.

The application complies with the local planning policies and is recommended for approval.

RECOMMENDATION:

That planning permission be granted subject to the following conditions:

- 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 development shall not be brought into use until gas protection measures have been installed in the garage building to CS-3 gas protection levels. A verification report of these works shall be submitted to and agreed in writing by the Local Planning Authority prior to any works commencing on site. The scheme details shall include, but not be limited to:

- Specification details;
- Design plans;
- Installation, inspection; and
- Validation details

Reason: In the interests of human health and the pollution of the water environment and to comply with the National Planning Policy Framework (2021), Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and Saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
20/12/2021	BR/PD/01	-	Site Location Plan
20/12/2021	BR/PD/03	-	Proposed Floor Plans and Elevations

Informatives

- 1 NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments;
- 2 The comments of the Council's Environmental Health Team as detailed below:

Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02

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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 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.

If contaminated material is encountered the applicant/developer is required to dispose of the contaminated arisings appropriately. They should also be aware of their health and safety responsibilities to workers in respect of handling such materials. The developer should also ensure that no pathways are created by which any contamination may either migrate off-site or affect site users.

Maxine Wishart

7 February 2022

Alan Kilroe
9 February 2022

Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02