

1658

November 2022

PLANNING STATEMENT

8 SEDUM GROVE, KIRKBY



Planning permission was refused for the erection of a detached garage at the subject property on 03 November 2021 (21/00576/FUL) for the following reasons:

1. The garage by virtue of its size and mass is overdevelopment leaving insufficient private amenity space for the occupiers of the dwelling and due to its size and location has an unacceptable impact on the visual outlook of the occupiers of the dwelling. The application is therefore contrary to the National Planning Policy Framework, Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and saved Policy H5 and H8 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

2. The garage by virtue of its size, mass and proximity to neighbouring properties has a detrimental impact on the visual outlook of the occupiers of the neighbouring properties at 6 Sedum Grove and 11 Hosta Close. The application is therefore contrary to the National Planning Policy Framework, Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and saved Policy H5 and H8 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

The garage proposed measured:

Height 2.50m

Width 4.34m

Length 9.50m

A slightly larger garage was subject to an earlier planning application (16/00321/FUL). This was also refused and was the subject of a planning appeal. The appeal Inspector concluded:

Overdevelopment/effect on Existing Occupiers

"6. I consider that the garage building, having regard to its scale and height is disproportionate to the size of the rear garden and dominates the rear of the plot. It significantly reduces the available amenity space for the occupants of the dwelling. Furthermore the garage is sited around 1.3 metres from the rear elevation of the house. In this position I consider it adversely affects the outlook from the rear habitable room windows for the occupants of the dwelling. I accept that it is very common for garages or other outbuildings to be positioned at the end of a driveway in a rear garden. However such buildings are usually much smaller and appropriate to their residential context.

7. I consider therefore that the appeal proposal forms overdevelopment of the site causing harm to the living conditions of the existing occupiers of the dwelling. It conflicts with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy 2016 and Saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan (UDP) 2006. These policies amongst other things seek to ensure that development does not adversely affect amenity, does not result in a disproportionate addition to the original dwelling and provides adequate garden space for residents"

Neighbour Amenity

"9. The appeal building has a height of approximately 2.7 metres to the ridge and 2.4 metres to the eaves. The rear garden fence on the boundary of the appeal property and Nos. 5 and 7 Hyacinth Avenue, is approximately 1.8 metres high. The garage building is therefore significantly higher than the rear fence and results in a poor outlook from the rear windows and garden area for the occupiers of the properties to the rear.

10. The neighbouring property No. 6 Sedum Grove is set at a higher level than the appeal site. As a result of the different garden levels, the side boundary fence is over 2 metres in height when viewed from the garden to the appeal property. The appeal building projects above the side boundary fence by around half a metre. As the building extends along the majority of the side garden boundary to No. 6, it results in a poor visual outlook for the occupants of this property.

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11. I consider that the development causes harm to the living conditions of the occupants of neighbouring dwellings with regard to outlook. It is therefore contrary to Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy 2016 and saved Policies H5 and H8 of the Knowsley Replacement UDP 2006 which along with other objectives, aim to safeguard the amenities of adjoining occupiers”

The Planning Issues Raised by this New Planning Application

This planning history clearly shows that, taking into account relevant planning policy and guidance, the key planning issues to be addressed in a new planning application are:

1. The impact on the living conditions of the occupiers of 8 Sedum Grove.
2. The impact on neighbours at 6 Sedum Grove and Nos 5 and 7 Hyacinth Avenue.
3. The scale and appearance of the proposed garage.
4. The comparison with what would normally be allowed under permitted development.

The Proposed Garage

The scale and form of the proposed garage has been significantly changed to address the key planning issues. It is a building that is 5.5m in length and 4.3m in width. This is consistent with the dimensions of a single detached garage. The massing of the building has been moderated through the use of a mono pitch roof which slopes from the front to the back of the building and falls from 2.18m to 1.99m.

The building is set off the rear face of the house by around 4m, giving an area for manoeuvring to the front of the garage and reasonable space between the garage and habitable room windows.

Planning Appraisal

In relation to the key planning issues it can be concluded that:

1. The impact on the living conditions of the occupiers of 8 Sedum Grove.

The inter play between the garage and the house is greatly improved as space is created between the two and the garage is of a smaller, domestic scale. There will be no detrimental impact on the living conditions of the occupiers of 8 Sedum Grove in terms of overall outlook from habitable rooms and there is adequate outdoor open space around the house to meet the needs of the occupiers.

2. The impact on neighbours at 6 Sedum Grove and Nos 5 and 7 Hyacinth Avenue.

The fact that the footprint and massing of the garage has been significantly changed will minimise the degree of visual impact from these neighbouring properties. The height has also been reduced through the introduction of a mono pitched roof. At the rear face of the garage the height is less than 2m, only 200mm higher than a standard garden fence. This will reduce any impact markedly. In addition the ground level of 8 Sedum Grove is lower than that of the neighbouring property at 6 Sedum Grove. The height of the intervening fence experienced from 8 Sedum Grove is around 2m. The proposed garage for most of its length is around 2m.

3. The scale and appearance of the proposed garage.

The dimensions and the design of the garage have been revised with the express aim of reducing its visual presence. It is domestic in scale and appropriate to its residential setting.

4. The comparison with what would normally be allowed under permitted development.

This building (and a building that is much larger in footprint) would normally be permitted development. In this case, however, permitted development rights were removed when the housing development was first approved (APP/96/00584) and so planning permission is needed. Notwithstanding this, the fact that this would normally be permitted development is a material consideration which weighs in favour of this planning application.

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