

<u>APPLICATION NO:</u>	23/02432/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Swanside	<u>PARISH:</u>	
<u>LOCATION:</u>	17 Oakvale Road, Roby, Knowsley		
<u>PROPOSAL:</u>	CONVERSION OF GARAGE TO FORM HABITABLE ROOM		

Site Description

The application site is located at 17 Oakvale Road, Roby and is located in an area allocated as a Primarily Residential Area in the Development Plan. The application property is a detached dwelling and is brick facing on its front, side and rear elevations, along with white UPVC openings and grey, flat, interlocking roof tiles.

The property is situated at the head of a cul-de-sac, adjacent one of the turn heads. The distance from the front elevation to the highway is approximately 7m. The property benefits from an internal garage with a green garage door. The site is South-East facing, and located to the North-East is a line of trees and Thingwall Hall. The property is otherwise encircled by other residential properties. The application site features an open plan design.

The application site has been identified as land that was formally a waste tipping site, prior to the establishment of the Residential Estate.

Proposal

The application seeks permission for the conversion of the existing garage to form habitable room.

The conversion of the existing garage to form a habitable room, would see the refurbishment of the internal garage space and the removal of the existing garage door. This would be replaced by matching fenestration and brickwork.

Consultations

Environmental Health – No objections, subject to conditions.

Representations

This application has been publicised by letters sent to 8 neighbours. No representations have been received.

Planning History

No relevant recorded planning history.

Under 13/00621/OUT Permitted Development Rights have been removed from the application site. Condition 22 states that Notwithstanding the provisions of Classes A, D, E and F of Part 1 of the Schedule to the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that

Order with or without modification) there shall be no extensions to the dwellings, garages or car ports within the curtilages of the dwellings or buildings erected within the curtilages of the dwellings unless planning permission has been granted by the Local Planning Authority.

Reason: In the interests of public safety and to ensure the satisfactory development of the site and in the interests of protecting the amenity of occupiers of the dwellings and to comply with Saved Policies ENV5 and ENV6 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

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.

KNOWSLEY LOCAL PLAN: CORE STRATEGY SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

H5 - Development within Primarily Residential Areas

H8 - Extensions and Alterations to Residential Properties

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 a site allocated for housing development in the adopted Unitary Development Plan. As such, a domestic extension to the existing residential property is considered acceptable in principle, subject to compliance with local planning policy and guidance.

Article 35 Statement

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.

Assessment

Saved Policy H5 in the Replacement Unitary Development Plan states that proposals for development within Primarily Residential Areas will be permitted provided that:

1. The Primarily Residential Areas are indicated on the Proposals Map
2. New development within the Primarily Residential Areas (or proposals for the change of use or redevelopment of existing buildings) which is for uses appropriate to a residential area will be permitted provided that the development (either by itself or in conjunction with other developments) would not:
 - a) Have an unacceptable impact on the amenity occupiers by reason of noise, disturbance, overlooking, visual intrusion, smells, fumes, on-street parking or other causes; or,
 - b) Adversely affect the character or street scene of the area.

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

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

Design

The existing dwelling is brick facing, with white UPVC openings, and flat, interlocking roof tiles. The proposed development would be constructed with matching brickwork and include materials that match with those found on the application property. This includes any brick detailing, such as the contrasting colour, string of bricks on the front elevation of the dwelling to be being carried over and emulated to ensure that the proposal is in keeping with the design and character of the application property.

The fenestration for the proposal to replace the existing garage door would match the existing windows found on the front elevation of the dwelling. This would be the same width as the garage door and the section beneath would be infilled with matching brickwork of the dwelling.

Therefore, it is considered that the proposed development has an acceptable design and does not conflict with any of the Saved Policies of H5 and H8 and is in accord with the Householder Development SPD.

Residential Amenity

The proposed development would not be considered to cause any adverse harm to any nearby residential dwellings. It would not be considered to significantly detract from the character of the area or result in any overshadowing etc. Therefore, it is considered that the proposed development would be in accord with Saved Policy H5 and H8, as well as the Householder Development SPD and would be considered acceptable.

Highways

The application property currently benefits from hardstanding to the front of the dwelling, which is capable of accommodating 2 vehicles. The existing garage is within the dimensions of the Householder Development and would be considered as contributing to the parking provisions. Therefore, at present the site would be able to accommodate 3 parking spaces within the curtilage of the dwelling.

The proposed development would see the loss of the internal garage parking space. Therefore, the parking provision would decrease to two spaces within the curtilage of the dwelling. The property currently has 3 bedrooms, the internal dimensions of the converted garage to habitable room could be considered to be considered an additional habitable room.

The Householder Development SPD set out the Car Parking and Highway Safety standards. It states that, for dwellings with 4+ bedrooms should provide 3 parking spaces. It is not considered that the proposal would result in an unacceptable impact on the highways and parking provisions, two spaces would be retained and accessible through the hardstanding to the front and would be considered sufficient.

Overall, it is considered that the proposed development would not result in any unacceptable impact on highway safety and would therefore be considered acceptable.

Gas Protection Measures

The property is located on a former landfill site which was investigated and monitored under planning approval 09/00556/FUL. As part of the planning permission, earthworks were undertaken, and remediation measures were put into place to ensure that the site was suitable for residential use.

Environmental Health have reviewed the proposal submitted and have no objections, subject to the suggested condition being applied. This is addressed in Condition 4.

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 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.

- 4) 4a. Prior to the works being undertaken an implementation plan shall be submitted to and approved in writing by the Local Planning Authority (LPA), setting out details in respect to the following matters:

o Gas/vapour protection membrane:

- i. What specific gas/vapour membrane will be used? The membrane specification must be at least equal to that already installed under the property.
- ii. How will it be installed and specifically how will the new membrane be integrated with the existing gas protection measures, including consideration of ventilation arrangements.
- iii. The name of the competent persons / company installing the membrane?
- iv. How the installation of the membrane will be validated?

o Cover system

- i. How material excavated for the foundations and other earthworks from beneath the existing patio and/or beneath the high visibility membrane will be removed and disposed of offsite and will not impact the clean cover system in place at this property.

The agreed implementation plan must be carried out by competent person.

- 4b. Upon completion of the works, a validation statement must be submitted to the LPA. The statement shall demonstrate that works have been carried out in accordance with the agreed methodology detailed in Point 1 above.

4c. Water suppression shall be used, as required, to ensure there are no dust emissions from the excavated materials whilst being moved or being stored on site.

Reason: In the interests of safety, to prevent pollution of the water environment and to comply with Saved Policy ENV5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
21/08/2023	17OR/PD/03	-	PROPOSED FLOOR PLAN AND ELEVATIONS
21/08/2023	17OR/PD/01	-	LOCATION PLAN

Signed Case Officer¹: **Reece Black**

Signed Authorising Officer²: **K Foster**

Date: **7 November 2023**

Informatives

Not applicable.

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