

<u>APPLICATION NO:</u>	26/00200/FUL	<u>CASE OFFICER:</u>	Louise Robinson
<u>WARD:</u>	Stockbridge	<u>PARISH:</u>	Knowsley Parish Council
<u>LOCATION:</u>	47 Fernwood Avenue, Huyton, Knowsley, L36 8AL		
<u>PROPOSAL:</u>	RETENTION OF A GAZEBO		

Site Description

The application site comprises a two-storey detached dwelling located on Fernwood Avenue, Huyton. The dwelling is situated on the Gleeson Homes 'Safari' site. The dwelling is characterised by brick to all elevations and also has a gable tiled roof. The property benefits from a single storey garage to the side. There is off-street parking available to the front with a landscaped garden.

The rear garden has depths of 10.5m (when measured from the rear elevation of the main dwelling), 14.8m (when measured from the rear elevation of the garage) and is also 'L-shaped'. The application site is surrounded by similarly designed two-storey detached and semi-detached dwellings.

Proposal

Planning permission is sought for the retention of a gazebo within the rear garden of the application site.

The structure has a length of 6.0m, a width of 3.1m and occupies a footprint of 18.6m². The structure has a mono-pitched roof with heights of 3.1m (towards the front of the structure) and 2.9m (towards the rear of the structure) and also has a timber finish. Part of the front elevation is 'open-air' and there is also vertical glazing installed within the part-front and side elevations.

The structure is currently used as a BBQ area and a seating area.

Consultations

None required.

Representations

This application has been publicised by letters sent to 5 neighbours. No representations were received as a result of the publicity given to the application.

Planning History

20/00115/FUL	RESIDENTIAL DEVELOPMENT COMPRISING OF THE ERECTION OF 178 NO. DWELLINGS TOGETHER WITH ASSOCIATED INFRASTRUCTURE WORKS
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Granted (24 November 2021)

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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

Policy CS2 Development Principles

Policy CS19 Design Quality and Accessibility in New Development

SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

Policy H5 Primarily Residential Areas

Policy H8 Extensions and Alterations to Residential Properties

SUPPLEMENTARY PLANNING DOCUMENTS

Householder Development SPD

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

RESIDENTIAL AMENITY AND DESIGN

The Householder Development SPD outlines that the overall scale of the development should not look out of place in the street scene or other immediate environment. Moreover, the SPD states that garages sheds and other detached buildings should

normally be behind the building line or be well screened by hedging or similar landscape treatment.

The gazebo structure has a width of 3.1m, has a length of 6.0m, has heights of 3.1m (towards the front of the structure) and 2.9m (towards the rear of the structure) and has a footprint of 18.6m². The rear garden has a footprint of somewhat 112.3m². The structure covers 16.6% of the rear garden and retains a subordinate scale and proportion to the application property. Additionally, given the single storey nature of the structure, this minimises the form, scale and massing and reduced the visual impact of the structure. Other gardens in the locality benefit from detached setback garages, detached outbuildings and shed structures within their curtilage, which ensures that the gazebo does not look incongruous in the locality.

Considering any impacts on 45 Fernwood Avenue (to the north of the application site), there is an interface distance of 9.2m to the rear/side elevation of No.45. The neighbouring dwelling to the north has an unusual layout, as there are no windows within the rear elevation of the No.45, and the side elevation of the dwelling essentially becomes the rear elevation of the property, due to the orientation. Whilst it is noted that the gazebo structure may have some impact on the amenity of No.45, it is also noted by the LPA that a similar structure could be installed under Permitted Development provided that the structures height was 0.6m smaller, due to the structure being within 2m of the shared boundaries. As such, the proximity of the gazebo to the 'rear' elevation of No.45 is not enough to warrant a refusal of the application in this instance.

With regards to any impacts on the neighbouring dwelling to the south 49 Fernwood Avenue, the gazebo structure is set in from the shared boundary by 1.6m. No.49 benefits from a detached single storey garage which is set beyond the rear elevation of both No.49 and the application site. As such, this garage obscures any views to the gazebo and is only visible to No.49 when standing towards the bottom of the neighbouring dwellings garden. As such, it is unlikely that the structure has any impact on the amenity of No.49.

The structure is set in 0.3m from the rear boundary shared with 94 Hillside Avenue (to the southeast of the application site). The gazebo is situated next to No.94's detached garage. Whilst it is noted that there are four windows within the side elevation of No.94, these are all non-habitable (as confirmed by original planning permission 20/00115/FUL). As such, the gazebo does not have any impact on the amenity of No.94.

The structure is set away from the rear elevation of 43 Fernwood Avenue (to the northeast of the application site) by 7.1m. There is a change of orientation between the application site and No.43, and it is unlikely that the gazebo has a significant impact on the amenity of No.43.

Whilst there is vertical glazing installed within the part-front and side elevations of the gazebo, these fenestrations do not raise any overlooking concerns as they would not crease any additional views not already available from the rear of the applicants garden. The windows that are within each side elevation raise no overlooking concerns, as given their proximity to the side boundary treatments, any views are obscured by the boundary treatments.

The materials of the structure are considered to be acceptable, as the gazebo has been finished in timber with a mono-pitched roof. The materials used are commonly found within rear gardens, and many of the sheds and outbuildings within the wider

locality have a similar finish to that of the outbuilding located at the application site.

In summary, the outbuilding is considered to be acceptable in terms of any impacts on the residential and visual amenity of the host property and the surrounding area and complies with Policy CS19 of the Core Strategy, Policy H8 of the Replacement Knowsley UDP, and guidance provided by the Householder Development SPD.

Conclusion

The proposal is acceptable in terms of any impacts on the residential and visual amenity, and highway safety. The proposal also complies with the Knowsley Local Plan: Core Strategy, Replacement UDP Policies and guidance provided in the NPPF, and is therefore recommended for approval, subject to conditions.

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 gazebo structure hereby permitted shall be used only for purposes incidental and ancillary to the enjoyment of the dwellinghouse and shall not be used as a separate unit of accommodation.

Reason: To ensure that the outbuilding remains ancillary to the residential use of the site, to prevent the creation of a self-contained unit of accommodation 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

Date Received	Ref. No	Version	Drawing/Document Title
17.05.2026	12052025-03-001	P01	SITE LOCATION PLAN
17.05.2026	12052025-03-003	P01	PROPOSED SITE PLAN
17.05.2026	12052025-03-004	P01	PROPOSED FLOOR PLANS AND ELEVATIONS

<u>Signed Case Officer¹:</u>	<u>Louise Robinson</u>
<u>Signed Authorising Officer²:</u>	<u>Jo Sheridan</u>
<u>Date:</u>	<u>10/07/2026</u>

Informatives

Not applicable.

Site Photographs

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