

<u>APPLICATION NO:</u>	25/00159/FUL	<u>CASE OFFICER:</u>	Maxine Wishart
<u>WARD:</u>	Whiston & Cronton	<u>PARISH:</u>	Whiston Town Council
<u>LOCATION:</u>	7 Manorwood Drive, Whiston, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF A BOUNDARY WALL INCLUDING STEEL RAILINGS AND RETENTION OF TIMBER FENCE TO SIDE AND REAR BOUNDARIES		

KNOWSLEY LOCAL PLANS POLICY MAP ALLOCATION

Primarily Residential Area

Site Description

The application relates to a two-storey detached dwelling at No.7 Manorwood Drive, which has a detached garage, rear conservatory and outbuildings.

The application property is one of 4 dwellings located to the west of the entrance into the Fox's Meadow which are accessed from two private driveways set behind an existing entrance feature wall and railings together with landscaping at the entrance to the residential estate and which is replicated on the other side of Manorwood Drive.

The host property is sited end on to Manorwood Drive with the boundary running adjacent to a pedestrian footpath separated from the highway by a grass verge. No. 9 Manorwood Drive shares its side boundary with the rear of the application site. The application site is surrounded by other residential dwellings to the north, east and west. Further to the north-west of the site lies Southmead Children's Centre. To the south-east on Lickers Lane there is a children's day nursery. South of Lickers Lane lies Halshead Garden Village with development currently under construction.

Proposal

The application seeks permission for the erection of a new boundary wall and railings to the front of the dwelling and for the retention of a timber fence with access gate to the side and rear boundaries.

The proposed wall would be located along the eastern boundary of the application sit, sitting adjacent to the adjoining pavement and forward of the front elevation of the dwelling, extending 5.7 m in length. It would be set in 2.1 m from the existing driveway serving the host property and the adjacent property No. 5.

The wall would reach a maximum height of 1.77 m in height with the wall curving between the piers attaining a height of 875 mm. Atop of the brick wall and set in-

between the piers there would be metal railings with a height of up to 525 mm.

The existing fencing and gate for which its retention is sought is located to the side boundary with the main Manorwood Drive at the eastern boundary of the site and to the northern boundary at the rear which shares a common boundary with No. 9 Manorwood Drive. The gate is located within the fencing between the side of the dwelling and the adjacent footpath.

Consultations

Whiston Town Council - No Comments Received

Highway Authority - No objections in principle subject to condition and informative.

Representations

This application has been publicised by letters sent to 10 neighbours. It has also been advertised by Site Notice.

Two rounds of consultation have been carried out, the second round following amendments and the inclusion within the scheme of existing fencing to the side and rear boundary.

No representations have been received.

Planning History

APP. NO:	99/00764/FUL
PROPOSAL:	ERECTION OF EXTENSION TO REAR OF DWELLING TO FORM DINING AREA
DECISION:	Granted
DECISION DATE:	18 February 2000
APP. NO:	03/01154/FUL
PROPOSAL:	ERECTION OF CONSERVATORY AT REAR OF DWELLING.
DECISION:	Granted
DECISION DATE:	14 January 2004
APP. NO:	08/00065/FUL
PROPOSAL:	ERECTION OF TWO STOREY SIDE EXTENSION (EXISTING GARAGE TO BE DEMOLISHED)
DECISION:	Granted
DECISION DATE:	20 March 2008
APP. NO:	24/00512/FUL
PROPOSAL:	ERECTION OF A TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSION TOGETHER WITH THE REMOVAL OF THE REAR CONSERVATORY AND THE DEMOLITION OF THE EXISTING GARAGE.
DECISION:	Granted
DECISION DATE:	20 November 2024

APP. NO: 24/00639/FUL
PROPOSAL: ERECTION OF PART TWO STOREY AND PART SINGLE STOREY EXTENSION TO SIDE AND REAR (DEMOLITION OF CONSERVATORY AND GARAGE)
DECISION: Granted
DECISION DATE: 21 January 2025

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.

NATIONAL PLANNING POLICY FRAMEWORK

KNOWSLEY LOCAL PLAN: CORE STRATEGY

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

SUPPLEMENTARY PLANNING DOCUMENTS

Householder Development SPD (2016)

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 and Visual Amenity

The brick wall would take cues from the style of the estate entrance wall in that it would include brick piers with ornamental capping stones with a curved wall and railings in between the piers. It would be constructed of brickwork to match the host dwelling, Buff coloured capping stones and with red engineering brick at the base and soldier course, like the existing walls at the frontage of Manorwood Drive. The application does not identify the colour of the railing however, it is considered that they should be finished in black and this can be secured by way of a condition if planning permission is granted.

A timber fence and gate have been erected to the side boundary continuing around to the rear adjacent to the driveway with No. 9 Manorwood Drive. The fencing is 2.14 m high and finished in a dark stain.

The Householder Development SPD is clear that the design and detailing of boundary gates, walls and fences, particularly on highway frontages plays an important role in defining the character of places. It further requires that the style and materials should be in harmony with existing style of boundary treatment in the surrounding area or where appropriate the dwelling itself.

The proposed boundary wall is of a style that would harmonise with the detailing of existing walls nearby and would not have a detrimental impact on the visual amenity of the host dwelling or the street scene in general.

In terms of the fencing, the SPD specifically indicates that means of enclosure on highway boundaries would normally be expected to be constructed from bricks or stonework in keeping with the host dwelling or area. Timber fencing should be avoided and should only be used to rear and on less sensitive or prominent boundaries.

However, it is noted that previously there was timber fence along the side boundary, albeit set behind considerable planting, and that there are several areas along Manorwood Drive that exhibit the use of timber fencing to side boundaries facing onto the street. Whilst it is regrettable that the fencing as erected is closer to the front elevation of the dwelling and that planting has been removed and replaced with the timber fencing closer to the street, it is considered in this instance it would be very difficult to argue that timber fencing is not characteristic of the area and there is no clear justification to warrant a refusal in this particular case.

Overall, it is considered that the proposed development would not have an unacceptable impact of the visual amenities of the area and would not detract from the character of the streetscene. As such, the proposal would comply with Policies CS2 and CS19 of the Local Plan, Saved Policies H5 and H8 of the Knowsley Replacement UDP and the Householder Development SPD.

Access and Highway Safety

The application has been amended since first submission due to concerns raised by the Local Highway Authority in regard to visibility for vehicles leaving the driveway

and restricted visibility splay. Amendment to the layout has seen the wall being pulled back towards the host dwelling and further away from the driveway.

The Local Highway Authority has reviewed the revised proposals and advise that the visibility issue previously raised has been resolved. There is no objection to the revised height of the boundary wall to the south of the property. Highways note the foundation detail and the fact that the proposed wall is to be constructed directly adjacent to the footway boundary. This is supported by highways as it avoids a maintenance strip and is generally preferred.

However, this would require the applicant to contact the Highway Authority's Streetworks Team prior to any construction works to agree appropriate measures to ensure that if required, there would be full and proper reinstatement of the footway. This can be secured through an informative which on any planning permission if granted.

Turning to the retention of the boundary fencing, the Local Highway Authority have advised that the plans show that a visibility splay of 2 m x 2 m has been provided to the south of the driveway at the adjacent property number 9 Manorwood Drive, therefore highways have no objection to the retention of the boundary fence.

The Local Highway Authority recommend that a planning condition is included on any grant of planning permission requiring the applicant to contact the Local Highway Authority to agree method of working and any reinstatement specification for any part of the adopted highway affected by construction of the boundary wall, however, this would merely reiterate the requirement of set out in the suggested informative. In this instance it is considered that an informative would suffice and that no further condition would be required.

It is therefore considered that, on balance, the proposal would have an acceptable impact upon access, highway safety and parking provision in accordance with Policies CS2 and CS19 of the Local Plan, Saved Policies H5 and H8 of the Knowsley Replacement UDP, the Householder Development SPD and the Ensuring a Choice of Travel SPD.

Residential Amenity

Nos. 1 – 5 Manorwood Drive

These properties are set in a small cluster of dwellings set off private driveways accessed off Manorwood Drive at the entrance to the Fox's Meadow residential estate. Two private driveways serve these dwelling, one serving the semi-detached dwellings, Nos. 1-3 and the other serving the host property and the adjacent neighbour, No. 5.

Given that the Local Highway Authority is satisfied that the proposed layout would ensure that the development would allow adequate manoeuvring into and out of the driveway and would not result in detrimental impacts on highway safety, it is not considered that there would be any undue impacts on these neighbours as a consequence of the development.

No. 9 Manorwood Drive

The timber fencing is located along the side boundary of this property which is located behind the application site. The fence runs alongside the driveway of No. 9 and is chamfered where it meets the side boundary of No. 9. The fence replaces a

fence that has been located along this boundary since the houses were originally built. It is not considered that the fence would have any additional significant impacts on the neighbouring property from loss of outlook, loss of light or that the fence would appear overbearing from the ground floor windows of this property. The Council's Highways Authority are satisfied that the fence would not result in highway safety impacts.

In view of the above, it is considered that the proposal would be acceptable and would not have a significant, detrimental impact upon residential amenity to these neighbours, in accordance with Policy CS19 of the Local Plan, Saved Policy H5 and H8 of the Knowsley Replacement UDP, and the Householder Development SPD.

Other Matters

The application site is defined as being within a Development Low Risk Area by the Coal Authority. An informative will therefore be attached to provide the applicant further information regarding this.

Conclusion

The principle of the proposal is considered acceptable. The proposed development would have acceptable impact upon design and visual amenity; parking and highway safety and neighbouring amenities. On this basis, the proposal complies with relevant national and local planning policies and guidance.

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 materials to be used on the external surfaces of the wall hereby permitted shall match those of the existing dwelling in type, size, colour and texture and the railings shall be finished black prior to their installation.

Reason: In the interests of visual amenity and to comply with the National Planning Policy Framework (2024), Saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the Householder Development SPD (2016).

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
12/03/2025	0001-01	-	EXISTING SITE LOCATON PLAN / EXISTING BLOCK PLAN
22/04/2025	0001-02	Rev. B	PROPOSED BLOCK PLAN, BOUNDARY WALL PLAN, BOUNDARY WALL ELEVATION, BOUNDARY WALL SECTION

Signed Case Officer¹:

M Wishart

Signed Authorising Officer²:

Jo Sheridan

Date:

16/05/2025

Informatives

- 1 NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments;
- 2 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Standing Advice valid from 1st January 2025 until 31st December 2026

3 Local Highway Authority

It is an offence to carry out any works within the public highway without the permission of the Highway Authority. This grant of planning permission does not authorise such works. The applicant is advised to contact Austin McGowan, t: 0151 443 2234, email: AustinMcGowan@Knowsley.gov.uk to obtain the necessary permits and to agree appropriate reinstatement works for any disturbance to the adopted footway. Failure to obtain the necessary highway consents may result in enforcement action.

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

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