

APPLICATION NO: 25/00204/FUL **CASE OFFICER:** Reece Black

WARD: Whitefield **PARISH:**

LOCATION: 18 Pennine Way, Kirkby Park, Kirkby

PROPOSAL: ERECTION OF A SINGLE STOREY FRONT AND SIDE
EXTENSION TOGETHER WITH A SINGLE STOREY SIDE
EXTENSION. RETENTION OF EXISTING 1.8M TIMBER
FENCE (RETROSPECTIVE)

Site Description

The application site is located at 18 Pennine Way, Kirkby Park and is situated within an area allocated as a Primarily Residential Area in the Development Plan. The application property is a detached, single storey bungalow, within an irregularly rectangular shaped plot.

The site is located on a corner plot. The existing private amenity area associated with the property is located to the side and rear. The property contains a single detached garage to the rear of the plot. A 1.8m tall timber fence has recently been erected which predominately runs along the side plot boundary and situated adjacent the public footpath, which encloses the side and rear garden. The residential estate does not contain a uniform character in its layout with some properties being open-plan in design and layout with others displaying a variety of boundary treatments, which are different in design aspects such as their location, height and materials employed. The application site is bounded by residential properties to all directions.

The application site is identified as a coming within a 250m radius of a former waste tipping site.

Proposal

The proposal seeks permission for the erection of a single storey front and side extension, erection of a further single storey side extension and the retention of a recently erected 1.8m tall timber fence (retrospective).

The proposed front and side extension would project 1.2m from the existing front elevation, with a width of 5.1m (at its widest) with a depth of 6.9m; the proposed side extension would project 2m from the existing south-facing side elevation of the dwelling. The proposed front elevation would retain a distance of 4.8m from the public footpath. This proposed extension would be served by a hipped roof, which would attain a height of 2m at the eaves and 3.6m at the ridgeline.

The proposed side extension located to the north-facing side elevation, would project 2m into the side garden, sited 4.5m away from the plot boundary and would span a depth of 5.2m. This side extension would be served by a dual-pitched roof, which would attain a height of 2.5 at the eaves and 4.2m at the ridgeline.

The boundary treatment included within the application are included retrospectively to seek permission for their retention. The boundary treatment is erected to a height

of 1.8m. The submitted proposed plans show that the boundary treatment would not project beyond the original front elevation of the dwelling and would run adjacent the public footpath and adjoin the existing garage within the rear garden; the proposed fence would include 2m x 2m visibility splays to the boundary treatment adjacent the driveway to access the detached garage within the rear garden and the driveway within the front garden area.

Consultations

Highway Authority: – No objections, following amended plans received, which satisfied the original objection Highways raised on the original submitted plans. A condition is suggested to instruct the implementation of the visibility splays within a 1-month period (from the date of the determination of the application).

Environmental Health: – No objections received, subject to conditions pertaining to (potential) contaminated land and construction hours.

Representations

This application has been publicised by letters sent to 8 neighbours.

One letter of objection and one letter of support were received in response to the neighbour consultation; no letters of neutral representation were received.

The letter of support stipulates that *the changes will improve the appearance of the property*.

The letter of objection was summarised on issues pertaining to 'highway safety' and 'visual amenity'. A more detailed summary the objection discusses:

- *Issue with the fence, no issues with the brickwork extension(s) proposed. **The fence:***
 - *Presents a safety hazard.*
 - *Is built directly against the driveway, making it difficult and dangerous to reverse in and out.*
 - *Completely blocks our view of the road, we cannot see any oncoming traffic*
 - *It creates a daily risk trying to leave the driveway safely.*
 - *This estate includes children, elderly residents, disabled people and those using mobility scooters, a blind man with a guide dog; my husband is hard of hearing and relies on being able see approaching vehicles, the view is now obstructed due to the fence.*
 - *We are key carers for our disabled grandson, who visits regularly, the fence is a hazard for him too.*

Planning History

APP. NO: 25/00005/UNAUTH

PROPOSAL: Enforcement Enquiry

DECISION: Plans Received

DECISION DATE: N/A

The application was received following advice from Planning Enforcement to regularise and apply for the retention of the recently erected boundary treatment.

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

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

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.

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 H8 in the Replacement Unitary Development Plan states that proposals for extensions 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

The Householder Development SPD stipulates that *front extensions and porches can be particularly prominent in the street scene and should be particularly carefully designed to retain the character of residential areas.*

The Householder Development SPD states that *single storey side extensions should be designed so that they preserve the street scene, protect light and privacy of neighbours and ensure that they provide sufficient parking spaces.*

DESIGN AND RESIDENTIAL AMENITY

Front and side extension (south-facing side elevation)

The Householder Development SPD stipulates that *style, design, materials and scale of front extensions and porches should respect the character of the surrounding residential area* and furthers that *account should be taken of the building line, although, for example, small porches and canopies of a satisfactory design in materials projecting in front of the building line will normally be permitted.*

The proposed front extension would have a modest front projection at 1.2m in depth with a limited front projection. The proposed front projection would break beyond the existing building line, however, due to the size and scale of the projection, this projection would be acceptable. The SPD furthers that *a large, detached house, set a substantial distance from the highway, would normally be capable of accommodating a much larger front extension or porch, than, for example, a terraced dwelling with minimal set-back from the highway.* Therefore, the application property would be deemed to adequately be capable of accommodating the proposal, given its modest scale and the 4.8m set-back which would be retained from the public highway. The proposed front extension would not disrupt the uniformity of the nearby, similarly designed dwellings, to the south of the application site.

The proposed side extension would be erected 0.20m from the boundary shared with No.16. This extension would be a subordinate addition to the dwelling (at less than half the width of the original property) and would not cause any substantial harm within the street scene. Although the proposed side extension would come closer to the side elevation of No.16 and reduce the interface distance between the properties from the existing 4m to 2m, which would result in a partial reduction of daylight into the property, it would not be considered to significantly worsen existing levels of light. This side elevation of No.16 is north-facing and contains 3 no. windows and 1 no. access door; the window most prominently impacted is understood to serve a kitchen (and therefore considered a habitable room), however, the light that this room receives as existing, is already limited due to its north-facing orientation and whilst it is acknowledged that the proposed development may further reduce daylight to the north-facing side elevation, it would not be considered that the proposed side extension itself would result in any unacceptable overshadowing much greater than the relationship between these properties as existing. The proposed side extension would not be considered to result in any significant harm to outlook from No.16. The roof design employed is acceptable given its subordinate, pitched design.

Side extension (north-facing side elevation)

The Householder Development SPD outlines that *particular attention should be paid to the design of extensions on corner plots. This is because they can encroach over the building line on either highway frontage, and therefore be particularly prominent in the street scene and sometimes create undesirable pinch points at the entrance to side roads.* The guidance furthers that *sufficient distance should be retained to the side boundary to preserve the character of the surrounding area. Extensions should not be sited so close to the boundary that they would adversely impact on the street scene. Single storey extensions on corner plots should normally be set-in 2m from the side boundary and not exceed half the width of the existing dwelling.*

The proposed side extension would project into the side garden of the application site. This extension would also be a subordinate addition to the original dwelling as the width would be less than half the width of the original dwelling and would not come within 2m of the side boundary. For the consideration of the comprehensive proposed development, the scale would not cumulatively dominate the original dwelling in its built form and massing, given they are modest extensions in footprint and subservient roof designs. This proposed side extension would be set-back from the original front elevation of the property by 1m, which would further ensure the proposal presents as a subordinate addition. This side projection would be served by a dual-pitched roof, which would be acceptable and complimentary to the dual-pitched roof of the original dwelling.

Timber boundary fence

The Householder Development SPD stipulates 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. Residential estates that were designed on 'open plan' principles should retain this characteristic unless a suitable justification can be put forward for enclosing the front of a particular dwelling*

The SPD furthers that *the style and materials of all gates, walls and fences should match or be in harmony with the existing style of the boundary treatment in the surrounding area or, when this more appropriate the dwelling itself and that gates, walls or fences will not normally be permitted on open plan estates. 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.*

The application site was previously bounded by a 0.6m tall brick boundary wall with hedgerow slightly above the brick wall. The timber boundary fence has replaced the previous brick wall. The residential estate displays a myriad range in gates, walls, fences and boundary treatments etc. The application site was not previously open-plan in layout and is situated within an estate with a notable absence of any consistency in the boundary treatment. The erected timber fencing would conflict with the guidance of the SPD as it located on a prominent boundary and runs parallel with the public footpath. Whilst this conflicts with the guidance on design aspects, it is considered that the harm by design would not substantiate a reason for refusal. Given the lack of uniformity and consistency in boundary treatments within the locality and the high boundary treatments erected at No's 54 Pennine Way and 2 Chiltern Drive, which run adjacent the public footpath and enclose the side gardens of these properties, it would not be considered that the proposal would present as a significantly harmful boundary treatment in the street scene. Furthermore, given that the fencing does not project beyond the existing front elevation of the dwelling or

would enclose the front garden area of the property, it further reduces any harm.

The Householder Development SPD outlines that *where the curtilage of a house adjoins the highway it should usually be expressed as 'semi-public space'. In other words it is clearly separated from the public highway by a boundary feature or landscaping and readable as a private garden, but it should not be enclosed by high boundary features or screening that conceals the house from the street and vice versa*. As acknowledged, the residential estate does display several properties which have erected high boundary treatment to the side plots which adjoin the highway, the timber fencing erected is a tall fence, and whilst regrettable, it would not be considered a sufficient reason to warrant a refusal.

The Local Planning Authority have acknowledged areas of conflict with the policy guidance and the fence which forms the retrospective application, most notably on the selection of materials employed (timber) and the height of the boundary treatment, however, on the Planning balance the fencing would be considered acceptable. The proposal has been amended to incorporate visibility splays (discussed further in the Highways section), does not enclose the front garden area or original front elevation of the dwelling and would not appear significant incongruous in the wider locality by its design, given the lack of coherent boundary treatment designs and the presence of the high boundary treatments found at several, comparable contexts within the locality. It is for these reasons, that it is the opinion of the Local Planning Authority, that the application should not be refuse; the erected timber fence does not present a significantly harmful boundary treatment by way of design within the locality.

HIGHWAYS

The Householder Development SPD stipulates that *highway visibility should be preserved and solid walls or fenced above 0.6m adjacent to vehicular access should be avoided*.

The application would not increase the number of bedrooms at the application property or result in the removal or decline of any existing in-plot parking provisions and therefore no additional or replacement parking is necessary.

The Local Highway Authority were consulted on the application and originally objected to the application and identified that the timber fencing erected along the property boundary, neglected to include adequate pedestrian visibility splays at the access point to the driveway and vehicular access to the detached garage. The plans were amended to incorporate pedestrian visibility splays which measure 2m x 2m at each side of the driveway access. Following re-consultation of the amended plans, Highways agreed to withdraw their objection and have provided a condition to ensure that within one month of the date of the planning permission (should the application be granted) the visibility splays shown shall be implemented, this shall be included with any decision issued. Following the compliance with this condition, this will ensure adequate highway visibility and ensure compliance with the Saved Policy H5 and H8 and the Householder Development SPD.

No further issues were raised by Highways and subject to the condition provided being included, Highways would be in support of the application. The application to retain the existing boundary treatment, following its implemented amendments, would not pose any unacceptable risk to highway or pedestrian safety, or adversely impact on off-street parking provisions.

OTHER ISSUES

ENVIRONMENTAL HEALTH

The Local Planning Authority holds records that the application site is situated within a 250m radius to a historic waste tipping site. Therefore, Environmental Health were consulted on the application and have raised no objections, subject to conditions relating to gas protection measures (if necessary) and hours of construction.

Environmental Health have suggested that if any gas protection measures are encountered at the property, then the local planning authority shall be contacted with further information submitted for agreement in writing to finalise adequate gas protection measures for the proposed development. This would ensure that the proposed development would comply with Saved Policy ENV5.

A second condition pertaining to hours of construction was also suggested from Environmental Health to protect the amenity of surrounding residents, however, given that the application is for a householder application, which is relatively small in scale, it would not be considered proportionate, necessary or reasonable to include this condition and subsequently, would not be included with any decision.

Conclusion

The proposal would be acceptable in terms of design, residential amenity, highways. The proposal is in accordance 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) Within one month of the date of this permission, the visibility splays, as shown indicated within the submitted and approved plan, Ref: 'PROPOSED FLOOR PLANS AND ELEVATIONS' Dwg. No. 02 (28.07.2025), measuring 2 metres by 2 metres access with the depth measured from the back of the

footway / verge into the site and the width measured outward from the edges of the access, shall be provided at each shall be implemented in full accordance with the aforementioned approved plan. For the avoidance of doubt. These splays shall be kept clear of any obstruction above 0.6 metres in height, measured from footway / verge level. Once provided, the visibility splays shall be retained at all times and maintained free of obstruction thereafter.

Reason: To provide the driver of a vehicle using the access and other users of the public highway with adequate inter-visibility and to comply with Policies CS2, CS7 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016 and the National Planning Policy Framework (2024).

5) If gas protection measures are encountered at the property, then the Local Planning Authority shall be contacted, and the following information submitted for agreement in writing, before any further works take place:

- a)
 - 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 ventilation arrangements.
 - iii. The name of the competent persons / company installing the membrane?
 - iv. How the installation of the membrane will be validated?
- b) If gas protection measures are required, 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.
- c) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use.

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

Date Received	Ref. No	Version	Drawing/Document Title
28/07/2025	02 (28.07.2025)	-	PROPOSED FLOOR PLANS AND ELEVATIONS
12/07/2025	01 (10.07.2025)	-	EXISTING FLOOR PLANS AND ELEVATIONS
12/07/2025	03 (10.07.2025)	-	AS-BUILT PLANS
19/03/2025	-	-	LOCATION PLAN

Signed Case Officer¹:

Reece Black

Signed Authorising Officer²:

Alan Kilroe

Date:

7 August 2025

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