

Regeneration and Economic Development Department

APPLICATION NO: 21/00964/FUL

APPLICANT: Mr Neil Walsh

WARD AFFECTED: Whiston & Cronton

DEVELOPMENT: RETENTION OF TIMBER FENCE TO SIDE BOUNDARY ADJACENT TO 370A CRONTON ROAD

LOCATION OF SITE: Land To Rear Of 372-378 & 370A Cronton Road, Cronton, Knowsley, ,

KNOWSLEY LOCAL PLAN ALLOCATION –

Green Belt - Tarbock

Strategic Road Network - Strategic Road Network

RELEVANT POLICIES

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS5 - Green Belt

CS19 - Design Quality and Accessibility in New Development

TECHNICAL CONSULTATIONS:

Cronton Parish Council - No Comments Received

None Required

NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 6 neighbours. It has also been advertised by Site Notice

As a result three letters of objection have been received. The representations are summarised as follows:-

- There is no need for a fence there
- The fence has been constructed poorly and is unsafe
- It blocks the views of the Green Belt, sunlight and casts a huge shadow
- The fence is an eyesore and not in keeping with the green belt status
- It is not suitable or congruent with the character /historical context of the area
- The correct people have not been notified under the application
- The fence is over 2.2m, not the stated 2.1m

The stability/safety of the structure would not form a planning consideration, nor would the specific need for the boundary treatment. All the properties boarding the site have been notified via a neighbouring letter, plus a site notice has been displayed. Therefor the appropriate notification process has been following in compliance with the Statement of Community Involvement.

The height of the fencing has been queried. However, during a site visit with one of the council's enforcement officers, several measurements of the fence were taken at various points along the boundary treatment, which displayed 2.1m from the applicant's side of the boundary. Given the nature of the land, the ground level is not entirely even, but the average height of the fence is believed to be 2.1m.

The impact on the visual/residential amenity, plus impact on the Green Belt will be considered below.

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ARTICLE 35

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.

ISSUES AND ASSESSMENT:

PROPOSAL

The application relates to an area of land accessed off Cronton Road. It is located to the rear of 372-378 Cronton Road and adjoins the side boundary of 370a Cronton Road.

The application seeks permission for the retention of a timber fence along the section of the boundary shared with 370a Cronton Road. It is 2.1m in height and would span a length of 79m.

POLICY CONSIDERATION

New buildings within the Green Belt are generally considered to be inappropriate development, subject to certain exceptions which are set out in national guidance and local planning policy. The development proposed does not fall within one of the exception categories and consequently, it is inappropriate development in the Green Belt.

Core Strategy Policy CS5 states that inappropriate development will not be permitted in the Green Belt except in very special circumstances:

“Inappropriate development will not be permitted in the Green Belt except in very special circumstances in which it has been demonstrated that the harm to the Green Belt (including any harm to its openness, purposes to its visual and recreational amenities) would be clearly outweighed by other considerations”

The key issue in relation to the principle of the development is whether the application has demonstrated “very special circumstances”.

A relevant consideration is that given the location, a 2m high fence would be considered permitted development in this position. The fence proposed for retention measures 2.1m in height. It is acknowledged that there is some impact on the openness of the Green Belt. However, the level of harm, over and above what could be carried out under permitted development, is not considered to be material.

Overall, the scale of the impact would be limited due to the small scale of the development and the applicant's fallback position regarding the ability to erect a 2m high fence without planning permission, represents very special circumstances which are considered sufficient to outweigh the harm caused to the Green Belt. As such the development would not conflict with Policy CS5 and the aims of the NPPF.

DESIGN

The fence spans part of the side boundary of the site, which adjoins the side boundary of 370 a Cronton Road. The timber fence is of a close boarded design, with concrete supporting posts. The design of the fence and its location means that it would appear somewhat incongruous in its setting. However, as stated above the applicant could erect a 2m high fence without the need for planning permission and given that the fence would only be slightly higher than 2m it would not be reasonable to refuse planning permission because of its appearance.

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AMENITY

Fencing is positioned along the boundary line which forms the side boundary to 370A Cronton Road. At the closets point the fence is located approximately 18m from the corner of this property. Given this distance it is not considered that the fencing would unduly affect the outlook or cause any overshadowing in relation to the rear of this dwelling. The dwelling sits within a large plot, with a substantial garden to the rear, therefore any overshadowing to the private amenity space would represent a very small portion toward the boundary line and would impact on the overall use of the space.

Concern has been raised that the fencing blocks the views of the open Green Belt. However, there is no entitlement to a view, and it would not be considered a reason to resist a development. Furthermore, a 2m fence in this location would be considered permitted development and the additional height over this would have negligible effect on views.

As such it is not considered that the retention of the fence would unduly affect the amenity values of any of the neighbouring occupiers.

CONCLUSION

The proposal is acceptable in principle, although harm would be caused to the Green Belt and the character and appearance of the area, the ability of the applicant to erect a 2m high fence as a fall back means that the harm cause would not warrant refusal of the application.

RECOMMENDATION:

That Planning Permission be granted subject to the following condition(s):-

- 1) 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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
21/12/2021	PL_01 DHF	-	Location Plan, Site Layout Plan & Fencing Details

Informatives

Louise Everard

11 February 2022

Alan Kilroe

14 February 2022

Document Reference PS/DC/OP04/05	Document Issue Number 003	Document Issue Date 23/9/02
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