

<u>APPLICATION NO:</u>	25/000345/FUL	<u>CASE OFFICER:</u>	Louise Robinson
<u>WARD:</u>	St Gabriels	<u>PARISH:</u>	N/A
<u>LOCATION:</u>	8 St Marys Road, Huyton, Knowsley, L36 5SS		
<u>PROPOSAL:</u>	ERECTION OF A BOUNDARY WALL WITH FENCE TO THE PERIMETER		

Site Description

The application site comprises a two-storey dwellinghouse, situated on a corner plot of the junction of St Marys Road and The Park. The dwelling is characterised by a mixture of brick and render to its elevations, a hipped tiled roof and brown UPVC windows. It has off-street parking available to the front.

The current boundary treatment to the property is as followed:

- A small brick wall with railings fronting onto St Marys Road.
- A brick wall measuring 2.5m to the corner and adjacent to 'The Park'

There are various trees and vegetation along the boundary of the dwellinghouse, however, the site is not covered by a Conservation Area nor a Tree Preservation Order.

Proposal

Planning permission is sought to erect a boundary wall with fence to the perimeter of the dwelling. The new wall would replace the existing boundary treatment.

The proposed wall would be located along the boundary of the application site, to the junction of The Park and St Marys Road. The base of the wall would have a height of 1.3m, and the pillars would give the wall a maximum height of 2.5m. The brick pillars would be every 1.5 – 1.7m, with composite fencing installed in-between each pillar.

The planning application has been received by the LPA, as the applicant has concerns that the existing boundary treatment is in a state of disrepair and that it may fall down.

Consultations

Highways – No objections – subject to conditions / modification.

Highways raise no objections in principle to the erection of the boundary fence. However, it must be ensured that visibility for vehicles existing the resident driveway is not restricted by boundary walls, fencing, or hedges. An unobstructed visibility splay of 2.0m x 2.0m must be provided, measured from the back of the footway into the site and then outward from the edge of the access. Within this splay, there should be no obstruction above 0.9m in height. Solid boundary treatments adjacent to vehicle accesses must not obstruct these splays.

Representations

This application has been publicised by letters sent to 7 neighbours. No comments or objections were received during the consultation period.

Planning History

18/00084/FUL	Erection of first floor rear / side extension Granted (04.04.2018)
17/000589/FUL	Erection of first floor rear extension Granted (15.11.2017)
74/07671/FUL	Bathroom extension over existing kitchen extension and conversion of garage to study Granted (14.07.1983)

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
Policy CS21 Greenspaces and Trees

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

Policy H5	Development Within 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

Saved Policy H8 in the Replacement Unitary Development Plan (2006) 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 to be 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 to highway users by obstructing visibility for pedestrians or drivers of motor vehicles
- e) Adequate parking and garden space would remain for use by the residents of the extended property.

The Householder Development SPD outlines that the design and detailing of boundary walls and fences, particularly on highway frontages, plays an important role in defining the character of places. In more traditional areas, the character of the townscape, village, rural landscape or estate is often determined by existing attractive hedging, sandstone walls or brick walls, where the existing character of the boundaries should be preserved.

Principle of Development

The application site is identified as a Primarily Residential Area in the Knowsley Local Plan: Core Strategy.

As such, the proposed boundary treatment to the domestic dwelling is considered to be acceptable in principle, subject to compliance with local planning policy and guidance.

Residential Amenity

No.6 St Marys Road and No.82 The Park

The proposed boundary treatment would be located away from both neighbouring

dwelling and therefore would have no impact on the amenity of either properties.

Overall, it is considered that the proposal would be acceptable and would not have a detrimental impact upon the residential amenity to the neighbouring dwellings, and would be in accordance with Policy CS19 of the Knowsley Local Plan: Core Strategy, Saved Policies H5 and H8 of the Knowsley Replacement UDP and the Householder Development SPD.

Design

The Householder Development SPD outlines 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 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 proposed boundary treatment would consist of a base brick wall with a height of 1.3, and brick pillars every 1.5m – 1.7m. The pillars would give the wall a maximum height of 2.5m. In between each brick pillar would be composite fencing installed. The application does not specify the finished colour of the composite fencing.

At present, the existing boundary treatment is a mixture of brick and railings to the front of the dwelling, which curves to be a brick wall. After looking at historical images for the site, these revealed that there is timber fencing situated above the brick wall to the side of the property, however this is no longer visible due to overgrown vegetation. Additionally, there is a 'flower-like' pattern within the existing boundary treatment wall which has not been shown on the existing side elevation drawing (Drg No.002).

Throughout the duration of the planning application, there have been concerns raised by the applicant that the existing boundary treatment is in a state of disrepair and that it will fall down. When carrying out a site visit, some of the brickwork does look like it is beginning to bulge due to the weight of the vegetation growing against it.

Whilst the proposed boundary wall would not include the 'flower-like' detailing within it, the wall would still be of a style that would harmonise with the existing walls nearby and would not have a detrimental impact on the visual amenity of the host dwelling or the street scene in general.

As for the proposed composite fencing, the Householder Development SPD advises that timber fencing should be avoided and should only be used to rear and on less sensitive or prominent boundaries. However, it is noted that there is currently timber fencing to the side boundary of the application site which is no longer visible due to overgrown vegetation. Additionally, the adjacent dwelling No.82 The Park also has timber fencing above its brick boundary wall. Therefore, in this instance, it is difficult to argue that timber fencing is not characteristic of the area and there is no clear justification for a refusal in this case.

Whilst no details have been provided for the colour finish of the fencing panels, it is suggested that they be finished in a dark brown colour or similar, rather than being left as untreated timber. A condition will be placed on the granting of this permission for confirmation of the colour finish of the fence panels prior to the erection of the wall.

Similarly, whilst the application form states that the wall would be finished in a red

brick, it does not state if the materials would match that of the existing dwellinghouse. As such, a condition will be included to request a sample of the bricks to be submitted, to ensure that the proposal protects the visual amenity of the host property and wider area.

Overall, the proposed boundary treatment would not have an unacceptable impact on the visual amenity of the area and would not detract from the character of the street scene. As such, the proposal would comply with Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, Saved Policies H5 and H8 of the Knowsley Replacement UDP and the Householder Development SPD.

Trees

There is a variety of trees and other vegetation located along the perimeter of the application site. These are to be removed to allow for the erection of the new boundary treatment. As the trees are not protected by a Tree Preservation Order or a Conservation Area, the removal does not raise any concerns.

Whilst the trees are slightly characteristic to the area, due to the trees not being protected, they could be removed without the requirement of planning permission. Therefore, the removal of the trees and vegetation is considered to be acceptable and would comply with Policy CS21 of the Knowsley Local Plan: Core Strategy.

Highways

The Householder Development SPD outlines that highway visibility should be preserved and solid walls or fences above 0.9m adjacent to vehicular access should be avoided.

The proposed front elevation indicated that the boundary treatment adjacent to the vehicular access would have a height of 2.5m; due to the brick pillars, which would exceed the Householder Development SPD's guidance.

Highways have raised no objections in principle to the erection of the boundary fence, provided that modifications are made to the boundary treatment. They have stated that it must be ensured that visibility for vehicles exiting the resident driveway is not restricted by the boundary wall and fencing. As such, an unobstructed pedestrian visibility splay of 2.0m x 2.0m must be provided, measured from the back of the footway into the site and then outward from the edge of the access. Within this splay, there should be no obstruction above 0.9m in height (see Appendix A; at the end of this report). The solid boundary treatments adjacent to the vehicle access must not obstruct these splays.

Highways have requested that these modifications be included as a condition within the granting of planning permission. Therefore, the boundary treatment is considered to be acceptable as long as this condition requested by Highways are complied with, to ensure that the driver of the vehicle using the access and other used of the public highway have adequate inter-visibility and to comply with Policy CS19 of the Knowsley Local Plan: Core Strategy.

Conclusion

The proposal would be acceptable in terms of any impacts on the visual and residential amenity, as well as trees. 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 materials to be used on the external surfaces of the boundary wall hereby permitted shall match those of the existing dwelling in type, size, colour and texture. A sample of the bricks to be used in the construction of the boundary wall should be submitted to and approved in writing by the Local Planning Authority, prior to the erection of the wall.

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) The colour finish of the fencing panels should be a dark brown colour or similar. Confirmation of the proposed colour finish should be submitted to and approved in writing by the Local Planning Authority, prior to the installation of the fencing panels.

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.

- 5) Notwithstanding the submitted proposed site layout plan ref no 003 visibility splays of 2 metres by 2 metres shall be provided at either side of the vehicular access. The depth shall be measured from the back of the footway / verge into the site and the width measured outward from the edges of the access. The splays shall be provided clear of obstructions to visibility above the height of 0.9 metres measured from the footway / verge level. Once created, the visibility splays shall be maintained clear of any obstruction and shall be retained at all times.

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 Policy CS19 of the Core Strategy, adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
12.06.2025	002	-	Existing and Proposed Elevations
12.06.2025	003	-	Site Location Plans

Signed Case Officer¹: **Louise Robinson**

Signed Authorising Officer²: **Mark Quinn**

Date: **01.08.2025**

Informatives

- 1) 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.

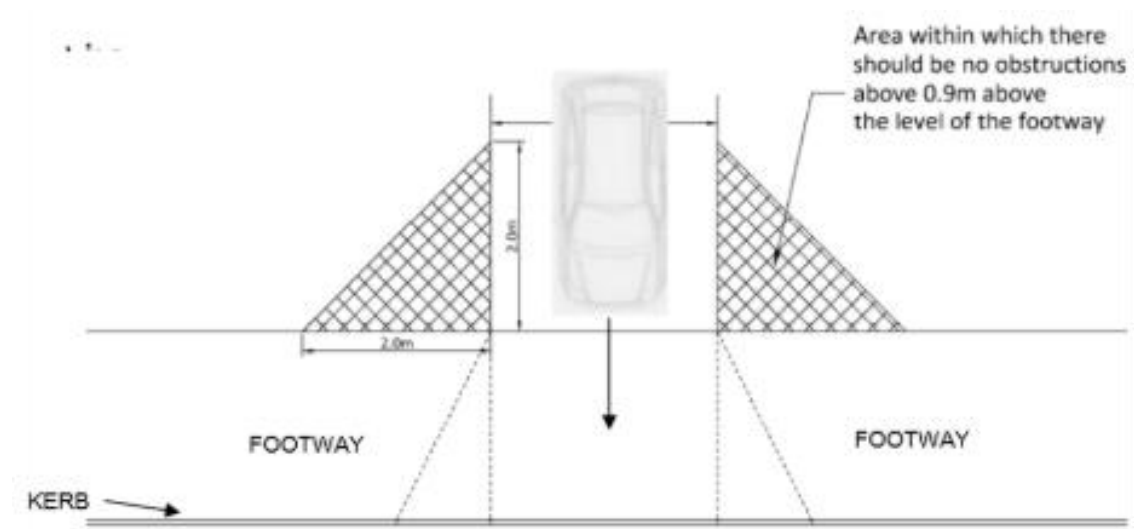
Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

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

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

Appendix A



Site Photographs





Historical Images – Showing Fencing



June 2022 – Google Maps



April 2015 – Google Maps