

Regeneration and Economic Development Department

APPLICATION NO: 21/00664/FUL

APPLICANT: Mr Steve Smith

WARD AFFECTED: Stockbridge

DEVELOPMENT: RETENTION OF BOUNDARY FENCE

LOCATION OF SITE: 8 St Anthonys Close, Huyton, L36 8JG

KNOWSLEY LOCAL PLAN ALLOCATION –

Coal Consultation Zone - Coal - Low Risk - Standing Advice Area

Primary Residential Development - Primary Residential Development

RELEVANT POLICIES

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS19 - Design Quality and Accessibility in New Development

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

H5 - Development within Primarily Residential Areas

DQ2 - Security in the Built Environment

TECHNICAL CONSULTATIONS:

Knowsley Parish Council - No comments received.

NEIGHBOUR NOTIFICATION:

This application has been publicised by letters sent to 12 neighbours.

There have been 1 objection and 1 letters of support. The representations are summarised as follows: -

1. The fence is too far over as when reversing my car out I have to go backwards and forwards whereas before there was no problem reversing. It should be taken from the side off the house by the side gate, not over the boundary line. There is no problem with the fence if it was moved back and didn't obstruct. The first panel of the fence causes a blind spot also.

2. Going to be getting some work done on the house and can no longer get a skip on our path as the wagon hasn't got the room to swing around now.

The support notes that the fence is not unsightly, if anything it's an improvement of what was originally there.

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

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

The application relates to a modern detached house situated at the head of St Anthony's Close, a cul-de-sac. To the side of the property there is an access way that leads to properties set at right angles to the application house and facing that property. The application seeks planning permission to retain a fence of around 0.9m/1m height comprising a concrete base and post with timber panels which runs from the front corner of the front garden at the boundary with the access to the side properties and then along the side boundary of the property up to a point in line with the gate at the side of the house giving rear garden access. In total the length of fencing is approximately 11.7m, running for approximately 7.3m at an angle to the house, following the front garden boundary, and then turning to run parallel with the gable for approximately 4.4m.

POLICY CONSIDERATIONS

The application complies with the above noted planning policies. This fencing would normally be permitted by the General Permitted Development Order, however, in this case permitted development rights have been removed.

DESIGN, ACCESS AND CRIME PREVENTION

The design of the fencing is acceptable and is not detrimental to the visual amenities of neighbouring properties or the street scene. The fencing has been erected to prevent vehicles accessing the properties to the side of the house from going over the front garden, and partially parking on it. No crime or anti-social behaviour issues are raised.

HIGHWAYS

The fence runs along the boundary of the property and the access to the properties to the side of the application site is not impeded.

The objector states that the fence is too far over as when they reverse their car they have to go back and forth; however, the fence has not encroached upon the access as approved as such it is not considered that the objection holds sufficient weight to warrant refusal as the access is still as the estate was designed. The objector states that the fence should not be over the boundary line; but the fencing appears to the case officer to not be encroaching upon the access and Certificate A has also been served. The objector also considers that the first panel of the fence causes a blind spot; however, the fencing would normally be permitted development and it is not considered that harm would be caused to highway safety in this instance.

The objector also states that they propose having work done to their house, but they can no longer get a skip on their path as the wagon has not got the room to swing around now. However, it should be noted that the fencing runs along the garden boundary and from the objector's comment the lorry/wagon was to have swung around on the application site, which it has no right to do. As such it is considered that this objection carries little weight.

RESIDENTIAL AMENITY

The proposal is to retain 0.9m/1m high fencing along the front garden side boundary of a detached house in a residential area and as such it is considered that the proposal is not detrimental to the residential amenities of the neighbouring properties and the area in general. The objections to the fencing from an occupier of a neighbouring property have been considered above.

CONCLUSION

The fencing was erected to prevent cars going over the front garden area as they accessed the adjacent drive and to prevent partial parking on the garden, and ordinarily would be permitted development but such rights have been removed. The fencing is acceptable in terms of appearance and visual amenity and does not encroach upon the adjacent drive. It is considered that the fencing is acceptable and complies with planning policies; as such the application is recommended for approval.

RECOMMENDATION:

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

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
04/10/2021	1165-02-01-001	-	Location Plan
04/10/2021	1165-02-02-002	-	Site Layout
17/08/2021	PHOTO	-	Fence Right View
17/08/2021	PHOTO	-	Fence Left View

Lee Osborne

5 January 2022

Alan Kilroe

5 January 2022

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