

Knowsley Council
Regeneration and Economic Development Directorate.
Delegated Planning Report

APPLICATION NO: 22/00630/NMA1 **CASE OFFICER:** Andrew Hunt

WARD: Whiston & Cronton **PARISH:** Whiston
Town Council

LOCATION: Land At Mp Foods, Lyneham, Whiston, Knowsley, L35 3TN

PROPOSAL: NON MATERIAL AMENDMENT FOLLOWING THE GRANT OF PLANNING PERMISSION 22/00630/FUL (RESIDENTIAL DEVELOPMENT FOR THE ERECTION OF 19NO DWELLINGS TOGETHER WITH OTHER ASSOCIATED WORKS INCLUDING 1NO VEHICULAR ACCESS TO LYNEHAM) AMENDMENT SOUGHT FOR CHANGES TO BOUNDARY TREATMENTS TO REPLACE BRICK AND RAILINGS WITH WOODEN FENCES

Site Description

The application site consists of a car park serving a shop and grassed areas surrounding this. There are trees located in the eastern part of the site on the northern and southern boundaries. The site is bounded by a road to the east (Haslemere) which leads to the entrance and exit of the estate and by existing houses to the north and west. Lyneham form the southern boundary of the site and residential properties are located on the opposite side of Lyneham.

Proposal

The proposal is for a non - material amendment to the approved planning permission To change the approved plans. (22/00630/FUL – RESIDENTIAL DEVELOPMENT FOR THE ERECTION OF 19NO DWELLINGS TOGETHER WITH OTHER ASSOCIATED WORKS INCLUDING 1NO VEHICULAR ACCESS TO LYNEHAM).

The previous approved brick and railing boundary treatments are to be replaced with wooden fences.

The main changes are:

- The replacement of brick walls/metal railings to the south of plot 4 with a 1 metre /1.8 metre timber boarded fence.
- The replacement of the brick wall at the rear of plots 1-4 with timber 1.8 metre high fence.
- The replacement of the brick wall at the rear and side of no 7 with a 1.8 metre high timber boarded fence.

Consultations

N/A

Representations

N/A

Planning History

22/00630/FUL: Residential development for the erection of 19 no dwellings together with other associated works including 1no vehicular access to Lyneham. Planning permission granted 22/09/2023.

22/00630/NMA: Non-material amendment to the approved planning permission to change the point in time the condition (14) needs to be discharged. NMA granted 29/01/2024.

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)

N/A

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

Changes

The following are the main changes from the original approved plans:

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New Residential Development SPD

The use of timber in areas facing roads is contrary to B9 of the New Residential SPD which specifically states that for anywhere that faces a road, fencing will not be supported and that walls or railings are required.

“B9 e) Where residential curtilages adjoin public spaces (i.e. public footpaths, cycle ways, public open space, etc), use of walls and/or railings will be required to provide robust and durable boundary treatments. Fencing in such locations will not be supported”.

However, the above document is guidance only and not planning policy, in addition, most of the fences would be located internally within the site with limited visual impact from outside the site. The only part facing an external area would be 1 metre in height which reduces any visual impact.

The visual effects of the change would be minor with no harm to the street scene. Therefore, the change is considered non material.

Conclusion

The proposal would be acceptable in relation to appearance and would be a non material change. The application is recommended for approval.

Recommendation

The non material amendment application be granted subject to the following conditions:

1. The development shall be carried out in accordance with the approved Drawing No. 418-1-PLN-003 Rev H Proposed Boundary Plan (received 25/02/2025).

Signed Case Officer¹:

Jo Sheridan

**Signed Authorising
Officer²:**

Alan Kilroe

Date:

12/3/25

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