

<u>APPLICATION NO:</u>	26/00176/FUL	<u>CASE OFFICER:</u>	Louise Robinson
<u>WARD:</u>	Whiston & Cronton	<u>PARISH:</u>	Whiston Town Council
<u>LOCATION:</u>	47 Pottery Close, Whiston, Knowsley, L35 3RW		
<u>PROPOSAL:</u>	ERECTION OF 1NO. OUTBUILDING (RETROSPECTIVE)		

Site Description

The application site comprises a two-storey semi-detached dwelling located on Pottery Close, Whiston. The dwelling is characterised by white render to the front elevation, brick to the rear elevation and also has a hipped tiled roof, which becomes a pitched roof above the existing extension. The property benefits from a two-storey extension to the side, a single storey extension to the rear and an outbuilding to the rear of the garden. There is off-street parking available to the front.

The rear garden has a depth of 25.8m and is rectangular in shape. The application site is surrounded by two-storey semi-detached dwellings to the south, east and west. To the north, the application site shares a rear boundary with Stadt Moers Park.

Site Constraints:

- Coal (High Risk)

Proposal

Planning permission is sought for the retention of an outbuilding within the rear garden of the application site.

The outbuilding has a length of 5.4m, a width of 4.2m and occupies a footprint of 22.7m². The outbuilding also has a pitched roof with a ridge height of 3.0m and has a timber finish, like most outbuildings and sheds within the locality.

The outbuilding is to be used as a hobby and rest room for incidental domestic use, with no commercial activity or residential involved.

Consultations

Environmental Health – No objections.

Representations

This application has been publicised by letters sent to 5 neighbours and a site notice displayed near to the site. One objection was received as a result of the publicity given to the application.

The objection received outlined the following issues:

- Severe visual dominance and topographic impact.

- Overshadowing and loss of natural light.
- Actual loss of privacy and overlooking.
- Fire safety breach.
- Immediate drainage and flooding issues.

Planning History

02/00522/FUL ERECTION OF SINGLE STOREY EXTENSION TO REAR OF DWELLING AND CONSTRUCTION OF PITCHED ROOF TO EXISTING SINGLE STOREY EXTENSION

Granted (05 August 2002)

74/05566/HIST 2 STOREY EXTENSION FOR GARAGE WITH BEDROOM OVER

Granted (15 August 1980)

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

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

Policy H5 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

RESIDENTIAL AMENITY AND DESIGN

The Householder Development SPD outlines that the overall scale of the development should not look out of place in the street scene or other immediate environment. Moreover, the SPD states that garages sheds and other detached buildings should normally be behind the building line or be well screened by hedging or similar landscape treatment.

The outbuilding has a width of 4.2m, has a length of 5.4m and has a height of 3.0m, with a footprint of 22.7m². As the existing dwellinghouse has been extended to the side and rear, the outbuilding retains a subordinate scale and proportion to the application property. Additionally, given the single storey nature of the outbuilding, this minimises the form, scale and massing and reduced the visual impact of the structure. Other gardens in the locality benefit from detached outbuildings, shed structures and extensions within their curtilage which ensures that the outbuilding does not look incongruous. As the structure is confined within the rear garden, the proposal does not have any negative visual amenity impacts to the street scene and does not disrupt the building line.

The outbuilding retains a significant amount of garden space between the structure and the application property, with an interface distance of 19.8m.

Considering any impacts on the neighbouring dwellings 46 and 48 Pottery Close, there is an interface distance of 19.1m to the rear elevation of No.48's rear extension and an interface distance of 18.4m to the rear elevation of No.47's rear extension. The outbuilding is predominantly screened by the existing 1.8m tall boundary treatment with the top part of the walls and roof being visible to the neighbouring properties. As the outbuilding is situated to the rear of the applicants garden, the outbuilding does not significantly impact any outlook in comparison to that of the rear boundary treatment and trees. Additionally, the outbuilding is found in a common location for such structures within rear gardens, to which the location towards the rear of the garden helps to protect the amenity of the neighbouring dwellings.

Whilst there are double doors and two windows within the front elevation of the outbuilding, these fenestrations do not raise any overlooking concerns as they would not create any additional views not already available from the rear of the applicants garden. The windows that are within each side elevation raise no overlooking concerns, as given their proximity to the side boundary treatments, any views are obscured by the boundary treatments.

The outbuilding has no impact on the rear boundary, as Stadt Moers Park is located to the north of the application site.

The materials of the outbuilding are considered to be acceptable, as the outbuilding has been finished in timber with a pitched roof that has been finished in a grey-coloured felt. The materials used are commonly found within rear gardens, and many of the sheds and outbuildings within the wider locality have a similar finish to that of the outbuilding located at the application site.

In summary, the outbuilding is considered to be acceptable in terms of any impacts on the residential and visual amenity of the host property and the surrounding area and complies with Policy CS19 of the Core Strategy, Policy H8 of the Replacement Knowsley UDP, and guidance provided by the Householder Development SPD.

OTHER MATTERS

NEIGHBOUR OBJECTION

One objection was received as a result of publicity given to the application. The issues raised within the objection have been assessed within the residential and visual amenity sub-section of this report, however, for clarity, the issues raised have been outlined and discussed within this sub-section of the report.

Severe visual dominance and topographic impact

- Due to a change in land levels, the applicants land sits higher than the objectors rear garden by 30cm.
- The structure presents a 3.3m high wall directly on the boundary, and due to its overbearing nature dominates the objectors garden and creates a permanent, unwelcome sense of enclosure.

With regards to the change in land levels, this change is minimal and is a natural small slope within the garden. The outbuilding is set away from the rear boundary by 2.1m and set away from the side boundaries by 1.2m (to the side of No.48) and 1.1m (to the side of No.46). As the outbuilding has been positioned to the rear of the application sites garden, there is a distance of 18 – 19m to the rear elevations of the neighbouring dwellings rear extensions, which is considered to be a sufficient interface distance to not have a negative impact on the amenity of either neighbouring dwelling.

Overshadowing and loss of natural light

- The height and positioning of the structure have significantly reduced the natural light reaching the objectors garden.
- A portion of outdoor space is now in total shade from sunrise throughout the morning and afternoon and is unsuitable for the growth of existing plants and shrubs.

The points raised regarding overshadowing have been discussed above, and the LPA believe that the outbuilding has been designed in a nature that would not significantly overshadow the neighbouring gardens. Additionally, the location of the outbuilding is in a similar location to many outbuildings and sheds within the locality, so it is not unusual to find an outbuilding in this area of the garden.

Actual loss of privacy and overlooking

- The side window provides an elevated, direct line of sight into private garden and seating area.
- Outdoor living space feels overlooked and public.

Whilst it is noted that there are windows within the side elevation of the outbuilding that slightly appear above the existing boundary treatment, the vast majority of the views available from these windows are obscured by the boundary treatments and some vegetation and are unlikely to provide any additional views into the neighbouring gardens. Additionally, in the case of the outbuilding being slightly raised, the structure creates no greater views than if decking of up to 0.3m was to be installed at the rear of the applicants garden.

Fire safety breach (Building Regulations Part B)

- The structure is constructed entirely of wood and lacks permanent foundations, creating a significant fire hazard.
- This risk is further increased due to the rear boundary consisting of wooden fencing and mature trees within Stadt Moers Park.

With regards to the materials that the outbuilding has been constructed in, these are typical materials found within rear gardens when erecting buildings such as sheds and outbuildings. The outbuilding found at the application site creates no greater fire risk than the existing boundary treatments and sheds / outbuildings found within the wider locality. This is further supported by the lack of any comments by Merseyside Fire and Rescue Service, who would have provided comments to the LPA if they had any concerns regarding the outbuilding.

Immediate drainage and flooding issues

- Since the outbuilding has been completed, there has been an increased water run-off from the building.
- Due to the land being 'raised', the water is migrating onto the objectors land.
- Lack of managed drainage system is causing flooding.

At the time of carrying out the site visit to the application site, there seemed to be some water puddles within the applicants rear garden. However, the rear garden seems to be under construction, with new paving slabs to be laid. The re-designed garden should ensure that any run-off water be directed from a hard surface to a permeable or porous area or surface within the curtilage. Whilst the outbuilding does not have features such as 'gutters', the outbuilding has been set in from the side boundaries by 1.2m (to the side of No.48) and 1.1m (to the side of No.46), to ensure that any surface water run-off does not impact either neighbouring dwelling.

Conclusion

The proposal is acceptable in terms of any impacts on the residential and visual amenity, and highway safety. 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 outbuilding hereby permitted shall be used only for purposes incidental and ancillary to the enjoyment of the dwellinghouse and shall not be used as a separate unit of accommodation.

Reason: To ensure that the outbuilding remains ancillary to the residential use of the site, to prevent the creation of a self-contained unit of accommodation 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.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
15.04.2026	-	-	LOCATION PLAN
28.04.2026	KRJR0034	REV A	PROPOSED OUTBUILDING PLANS AND ELEVATIONS

Signed Case Officer¹: **Louise Robinson**

Signed Authorising Officer²: **Jo Sheridan**

Date: **18/06/2026**

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

Informatives

Not Applicable.