

<u>APPLICATION NO:</u>	24/00419/FUL	<u>CASE OFFICER:</u>	Kim Vo
<u>WARD:</u>	Halewood South	<u>PARISH:</u>	Halewood Town Council
<u>LOCATION:</u>	4 The Cottages, Greensbridge Lane, Halewood		
<u>PROPOSAL:</u>	CREATION OF A NEW FRONT DRIVEWAY TOGETHER WITH THE ERECTION OF A NEW TIMBER FENCE AND STONE WALL TO THE FRONT.		

Site Description

The application relates to a two-storey end terraced dwelling at no.4 The Cottages, Greensbridge Lane, which currently features a 1.8m high timber boundary fence to the front and side. The application site is located within a Primarily Residential Area as defined by Saved Policy H5 of the Knowsley Replacement Unitary Development Plan (UDP) (Adopted June 2006).

Proposal

The proposal seeks to remove part of the existing 1.8m high timber boundary fence for a length of 11.5m. A replacement 0.45m high stone wall is proposed and would include a 3.8m wide opening to form a new vehicular entrance. A 1.8m high timber fence is also proposed which will separate the side garden areas with the proposed new driveway, which will provide off-street parking provisions for 2no. vehicles. 2no. mirrors are also proposed to be installed to each side of the driveway, as well as to an opposing lamppost.

Consultations

Highway Authority (02.10.2024): Objects to the proposal. Plans do not show that the required visibility splay of 2.4m (x distance) x 43m (Y distance) in both directions can be achieved. The splays should also be clear of obstructions to visibility above the height of 0.6m measured from the footway/verge level. Highways cannot support an access at this location as it is situated on a bend and between two priority junctions where multiple turning manoeuvres are taking place.

Halewood Town Council: No comments received.

Representations

This application has been publicised by letters sent to 10no. neighbours. No representations have been received.

Planning History

08/00672/FUL - Erection of conservatory to side of dwelling - (revised scheme to previously refused application 08/00452/FUL). Granted, 13.01.2009.

08/00452/FUL - Erection of conservatory to side of dwelling. Refused, 21.08.2008.

05/00372/FUL - Erection of two storey side extension together with part two/part single storey rear extension. Granted, 17.06.2005.

05/00084/FUL - Erection of two storey side extension together with part two storey/part single storey rear extension. Withdrawn, 04.04.2005.

96/00053/APP - Retention of existing 1.8m. high fencing to front of dwelling.
Withdrawn, 10.05.1996.

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 (UDP), 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 (January 2016)

Policy CS2: Development Principles

Policy CS7: Transport Networks

Policy CS19: Design Quality and Accessibility in New Development

Saved Policies - Knowsley Replacement UDP (June 2006)

Policy H5: Development within Primarily Residential Areas

Supplementary Planning Documents (SPDs)

Householder Development (June 2016)

Ensuring a Choice of Travel (September 2010)

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm, which has been clearly identified within the reason for the refusal, approval has not been possible.

Assessment

The main considerations for this application are:

- Compliance with Householder Development SPD;
- Access, Parking and Highway Safety;
- Design and Visual Amenity;
- Neighbouring Amenity;

Compliance with Householder Development SPD

The height, style and materials of the proposed 1.8m high timber fence and 0.45m stone wall would match and appear in harmony with the existing boundary treatments of the application site and the surrounding area. However, the highway visibility for the proposed new vehicular access would be unacceptable. The proposal therefore fails to accord with the guidelines under Part 7.12 of the Householder Development SPD and is discussed in further detail below.

Access, Parking and Highway Safety

Currently, the application site does not have any off-street parking provisions, and the proposed new vehicular access and driveway would create 2no. parking spaces. However, the immediate surrounding area includes the highway of Greensbridge Lane, which includes two junctions in close proximity to each other at Lower Road and Church Road. The application site is also situated on a bend on Greensbridge Lane, where visibility is limited of vehicles approaching from Church Road. As such, Highways have raised an objection as the proposed plans do not show that the required visibility splay of 2.4m (x distance) x 43m (Y distance) in both directions can be achieved. Moreover, Highways cannot support an access at this location as it is situated on a bend and in between two priority junctions, where multiple turning manoeuvres are taking place. The proposed new vehicular access is therefore deemed to be dangerous and would have a significant, harmful impact upon access and highway safety. The proposal would therefore fail to comply with Policy CS2, CS7 and CS19 of the Local Plan, the Householder Development SPD and the Ensuring a Choice of Travel SPD.

Design and Visual Amenity

The proposed new boundary wall and timber fencing will be highly visible from Greensbridge Lane. However, the application dwelling has an existing stone wall to the front, which the proposed stone wall would appear similar to. The proposed 1.8m high timber fencing is also deemed to appear in keeping with the existing neighbouring fences, which are also of a similar height and material. As such, the proposal is considered acceptable regarding its impact upon design, the street scene and visual amenity, in accordance with Policy CS19 of the Local Plan, Saved Policy H5 of the Knowsley Replacement UDP and the Householder Development SPD.

Neighbouring Amenity

The surrounding neighbours to the application site which will be most affected by the proposal includes no.2 Church Road to the west and no.2 Lower Road, which is the opposing neighbour to the front. The proposed 1.8m high fence will adjoin along the shared boundary with no.2 Church Road. However, this will be of a similar height to this neighbour's existing boundary treatment and their existing trees will provide a degree of screening. The proposed stone wall will also be distanced over 11m away from no.2 Lower Road which would maintain the existing separation distances. As such, the impact in terms of loss of light or overshadowing upon these neighbours is deemed to be minimal and the proposal would not have a significant impact upon residential amenity, in accordance with Policy CS19 of the Local Plan, Saved Policy H5 of the Knowsley Replacement UDP, and the Householder Development SPD.

Conclusion

The proposed new vehicular access would fail to achieve the required visibility splays and will be dangerous, due to the application site being situated on a bend on Greensbridge Lane, in between two priority junctions at Lower Road and Church Road. The proposal would therefore have a significant, harmful impact upon access and highway safety and would fail to comply with Policy CS2, CS7 and CS19 of the Local Plan, the Householder Development SPD and the Ensuring a Choice of Travel SPD.

Recommendation

That Planning Permission be refused for the following reason(s):-

1. The proposed new vehicular access would fail to achieve the required visibility splays and will be dangerous, due to the application site being situated on a bend on Greensbridge Lane, in between two priority junctions at Lower Road and Church Road. The proposal would therefore have a significant, harmful impact upon access and highway safety and would fail to comply with Policy CS2, CS7 and CS19 of the Local Plan, the Householder Development SPD and the Ensuring a Choice of Travel SPD.

Informatives

1. This decision is based on the plans and documents listed in Schedule 1.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
19/09/2024	101	-	Location Plan
19/09/2024	102	-	Site Plan
19/09/2024	401	-	Proposed Front Elevation

Signed Case Officer¹: **Kim Vo**

**Signed Authorising
Officer²:**

Alan Kilroe

Date:

11 November 2024

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