



ERECTION OF AN ANCILLARY ANNEXE

Planning, Design & Access Statement (incl. Heritage Statement)

The Smithy
Greensbridge Lane
Tarbock Green
Knowsley
L35 1QH

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Introduction

This statement has been prepared by NAPC Ltd to support the householder planning application for the demolition of an existing detached outbuilding and the erection of a single-storey timber prefabricated annexe, for ancillary residential use associated with the dwelling *The Smithy*.

The annexe is intended to accommodate the applicant's parents, Val and Peter Hester, enabling the family to live as a single multigenerational household, with support close at hand, while allowing them to maintain their independence.

The following documents have been submitted as part of this application:

- Location plan
- Existing block plan
- Proposed block plan
- Proposed elevations
- Proposed floor plan

Proposal

This application seeks approval for the demolition of an existing single-storey detached outbuilding (approximately 45 sqm) and the erection of a single-storey timber pre-fabricated annexe within the residential curtilage of an established Class C3 dwellinghouse. The annexe would stand on, and immediately adjacent to, the footprint of the outbuilding to be removed.

For the avoidance of doubt, this application is intended to authorise both the erection of the annexe and the demolition of the existing outbuilding. As the site lies within a conservation area, the demolition of that building constitutes relevant demolition for which planning permission is required, and the description of development therefore expressly includes it.

The purpose of the annexe is to serve as an ancillary space to the main dwellinghouse, fostering strong functional connections between the two. The occupants will regularly engage in activities within the main dwelling, including preparing and consuming meals, relaxing, socialising with family, and using existing household facilities.

The annexe will feature the following high-quality materials:

- **Foundations** – Screw pile foundation system (ground screws)
- **Roof** – Pitched roof with a tiled finish
- **External cladding** – Natural timber cladding
- **Fenestration** – Anthracite grey windows and doors

The use of the annexe is heavily reliant on the main dwellinghouse. This proposal does **not** constitute a separate, standalone unit of accommodation and it could not operate as such, given the site constraints and reliance on the main dwellinghouse.

The annexe will therefore **not** have any separate or independent:

- Address or post box

- Utility metres or services (such as internet, phone line, and television)
- Access or parking area
- Garden area or residential curtilage

Site Context

Application Site

The application site is located on the eastern side of Greensbridge Lane, at its junction with Netherley Road, within the rural settlement of Tarbock Green to the south-east of Huyton, within the administrative boundaries of Knowsley Metropolitan Borough Council. The property comprises a two-storey semi-detached Class C3 dwelling house of brick construction beneath a pitched tiled roof. The site benefits from ample private amenity space to the north of the dwelling and off-street parking to the side of the dwelling.

The plot is bordered by neighbouring gardens to the west. The residential curtilage is clearly defined with domestic fencing and mature vegetation, serving as an effective screen to minimise any potential impact on neighbouring amenity and on the street scene. The surrounding area is residential in nature, meaning it is therefore not out of character to find ancillary outbuildings located in gardens.

Site Designations

As per the adopted Knowsley Local Plan Policies Map, the application site lies within the Merseyside and Greater Manchester Green Belt and the Tarbock Village Conservation Area, the boundary of which adjoins the separate Tarbock Green Conservation Area. There are no listed buildings within the application site; the nearest listed building is Rose Cottage, Greensbridge Lane (Grade II, National Heritage List entry 1253248), which stands close to the site on the same lane, and the site is not subject to an Article 4 Direction.



Figure 1: Proposed site block plan, showing the position of the annexe within the residential curtilage of The Smithy.

Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that decisions must be made in accordance the Local Development Plan unless material considerations indicate otherwise.

The relevant policies for assessing this proposal are outlined in the adopted Knowsley Local Plan Core Strategy (2016), the National Planning Policy Framework (NPPF) (2024), and any relevant Supplementary Planning Documents and Guidance (SPDs/SPGs).

Local Plan

- Policy CS1 – Knowsley’s Spatial Strategy
- Policy CS5 – Green Belt
- Policy CS7 – Transport Networks
- Policy CS17 – Housing Sizes and Design Standards
- Policy CS19 – Design Quality and Accessibility in New Development
- Policy CS20 – Managing the Borough’s Historic Environment
- Policy CS22 – Sustainable and Low Carbon Development
- Policy CS24 – Managing Flood Risk

SPDs/SPGs

- Householder Development SPD (2016)
- Design Quality in New Development SPD (2023)
- Trees and Development SPD (2016)
- Ensuring a Choice of Travel SPD (2010)
- Tarbock Village and Tarbock Green Conservation Area Appraisal (2005)

NPPF (2024)

- Paragraph 8 – Achieving sustainable development
- Paragraph 11 – Presumption in favour of sustainable development
- Paragraph 39 – Approaching decision making in a positive and creative way
- Paragraph 63 – Creating homes for older people

- Paragraph 96 – Achieving healthy, inclusive and safe places
- Paragraph 124 – Making effective use of land
- Paragraph 131 – Creating high quality, beautiful and sustainable buildings and places

Planning Assessment

Principle of Development

This proposal seeks to erect an annexe to provide ancillary accommodation for the applicant's parents, Val and Peter Hester, who wish to live close to their family as part of a single multigenerational household.

Regarding its relationship with the main dwelling, although the annexe won't be physically attached, it will have a clear dependence on the dwelling for essential services. The clear functional relationship between the dwelling and the annexe, along with the site layout, clearly indicate that independent use would be challenging and undesirable.

The above points carry notable significance considering the *Uttlesford v SoS (Environment & White)* landmark case. In that case, the Inspector acknowledged that the annexe, while equipped with all the facilities for day-to-day domestic life, had the potential to function as a separate dwelling.

However, the Inspector emphasised that the capability for independent use did not necessarily imply that it had been used as such. Notable factors in this determination included the lack of separate utility meters, a distinct postal address, and a dedicated telephone line. Additionally, the Inspector highlighted the absence of any separate curtilage or distinct access arrangements as relevant considerations in assessing the independent nature of the annexe.

This is further supported by the case of *R. (on the application of Fuller) v London Borough of Bromley [2012] EWHC 191 (Admin)*, where the High Court held that the Planning Inspector had correctly identified that an annexe was designed to be used ancillary to the main dwelling, even if it was capable of independent occupation.

The applicant would be happy to agree to an appropriate condition to restrict the use of the annexe solely for ancillary purposes. Whilst the National Planning Practice Guidance published on 6th March 2014 and Circular 11/95 was cancelled, Appendix A of the Circular is currently retained. Therefore, such a condition continues to be promoted by the Government. As such, the applicant will accept the following condition, derived from model condition 47 (Circular 11/95):

'The proposed building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwellinghouse.'

Considering the above, the principle of development can therefore be considered acceptable.

Green Belt

The application site is washed over by the Merseyside and Greater Manchester Green Belt and the proposal must therefore be assessed against Policy CS5 of the Knowsley Local Plan Core Strategy (2016) and Chapter 13 of the National Planning Policy Framework (NPPF). Policy CS5 confirms that inappropriate development will not be permitted in the Green Belt except in very special

circumstances, in which it has been demonstrated that the harm to the Green Belt, including any harm to its openness, purposes or visual amenities, would be clearly outweighed by other considerations.

Paragraph 153 of the NPPF confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances, and that substantial weight should be given to any harm to the Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, with openness and permanence being the essential characteristics of the Green Belt. The NPPF identifies the five purposes of the Green Belt as: checking the unrestricted sprawl of large built-up areas; preventing neighbouring towns from merging into one another; assisting in safeguarding the countryside from encroachment; preserving the setting and special character of historic towns; and assisting in urban regeneration by encouraging the recycling of derelict and other urban land.

Paragraph 154 of the NPPF sets out the forms of development which are not inappropriate in the Green Belt. These include, at criterion (c), the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; at criterion (d), the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; and, at criterion (g), limited infilling or the partial or complete redevelopment of previously developed land which would not cause substantial harm to the openness of the Green Belt.

It is relevant in this case that the existing detached garage and ancillary structures currently within the garden of The Smithy are to be removed and that the proposed annexe would be erected in broadly the same part of the curtilage. The proposal therefore involves a substantial element of replacement and redevelopment of existing built form, rather than the introduction of an entirely new and previously undeveloped parcel of the Green Belt to development. The annexe would be single-storey, modest in scale, and its overall height has deliberately been limited to 4.5 metres. Taking into account the removal of the existing structures, the proposal would have a very limited effect on the openness of the Green Belt in both spatial and visual terms.

In any event, even if the Council were to regard the detached annexe as inappropriate development, it is submitted that the harm to the Green Belt would be limited and clearly outweighed by other considerations, such that very special circumstances exist. The annexe would be contained entirely within the established residential curtilage of an existing dwellinghouse and would not extend the built form of the settlement into the open countryside in any unrestricted manner. It would not contribute to the merging of settlements, would not undermine the setting or special character of a historic town, and would not prejudice urban regeneration. The development would not therefore conflict with any of the five purposes of including land within the Green Belt.

The considerations weighing in favour of the proposal include the family's wish to provide safe, single-storey accommodation for the applicants' parents, Val and Peter Hester, within a single multigenerational household; the limited and contained nature of the development; the removal of existing structures; the absence of any other planning harm; and the applicants' willingness to accept robust planning conditions, including a condition restricting the use of the annexe to purposes ancillary to the main dwellinghouse and, if required, the removal of permitted development rights to prevent further built form within the Green Belt. These considerations are addressed further in the Personal Need section below and, taken together, clearly outweigh the limited harm to the Green Belt by reason of inappropriateness and any other harm.

Given the modest scale of the development, its containment within an existing residential curtilage and the removal of existing structures, the proposal would preserve the openness of the Green Belt and would accord with Policy CS5 of the Knowsley Local Plan Core Strategy and Chapter 13 of the NPPF. Where the Council considers it necessary, the applicants would welcome the opportunity to provide

a separate, more detailed Green Belt and Very Special Circumstances Statement in support of the application.

Design & Character

Policy CS19 of the Knowsley Local Plan Core Strategy requires new development to enhance local distinctiveness, identity and accessibility, and to respond to and integrate the positive characteristics of its immediate surroundings, including local materials, scale, mass, form, layout, alignment and density. The Design Quality in New Development SPD and the Householder Development SPD provide further detailed guidance against which householder proposals are assessed, including character, scale, overbearing impact, overshadowing, overlooking and the use of appropriate materials.

The proposed annexe has been carefully designed to sit comfortably within the established curtilage of The Smithy and the wider rural village setting of Tarbock Green. It adopts a simple single-storey form beneath a pitched roof, with horizontal cladding, modest domestic fenestration and a restrained appearance. Its overall height has been limited to 4.5 metres, and it would be read as a modest ancillary garden building rather than as a separate dwelling or a prominent standalone structure. The annexe would be clearly subordinate to, and read as ancillary to, the host dwelling.

The proposed palette of materials is appropriate for a high-quality ancillary building in this setting. The natural timber weatherboard cladding would provide a soft, recessive external finish that sits well within a domestic garden surrounded by mature vegetation, while the pitched, tiled roof would provide a traditional roof form and texture that reflects the character of the surrounding rural buildings and avoids the harsher appearance that can arise from flat-roofed or overtly contemporary garden buildings. The anthracite grey windows and doors would provide a simple, consistent detailing across the elevations.

The annexe would be sited away from the principal street frontage and would be substantially screened by the existing boundary treatments and mature planting within the plot, ensuring that it would not compete visually with the main dwelling or detract from the established character and rhythm of Greensbridge Lane. The development would preserve the domestic character of the plot and would not introduce any urbanising features such as new hardstanding, separate parking areas, external lighting columns, or the subdivision of the garden.

For these reasons, the scale, form, siting and material palette of the proposed annexe ensure that it would be in keeping with the established character of the area. The proposal therefore complies with Policy CS19 of the Knowsley Local Plan Core Strategy, the Design Quality in New Development SPD, the Householder Development SPD, and Paragraph 131 of the NPPF, which emphasises the importance of achieving high-quality, beautiful and sustainable buildings and places.

Neighbouring Amenity

Policy CS19 of the Knowsley Local Plan Core Strategy requires that development should maintain a good standard of amenity for existing and future occupiers of land and buildings and should avoid unacceptable impacts, including the generation of noise, light and air pollution and harmful overbearing or overshadowing impacts and loss of privacy through overlooking. The Householder Development SPD similarly identifies overbearing impact, overshadowing and overlooking as key considerations for domestic development.

The proposed annexe is single-storey and modest in scale, and its siting within the generous garden of The Smithy ensures that it would maintain a substantial separation from neighbouring dwellings and boundaries. Given its limited height and pitched roof form, the structure would not give rise to an

overbearing relationship with neighbouring properties, nor would it result in any material loss of light or overshadowing to adjoining occupiers.

The fenestration has been designed to serve the internal rooms of the annexe and is domestic in scale; given the orientation of the building, the separation distances available within the plot and the intervening boundary treatments and planting, the proposal would not give rise to any harmful overlooking or loss of privacy to neighbouring private amenity areas.

As the annexe would be used solely for purposes ancillary to the main dwellinghouse, activity levels would remain comparable to those of a single household, and there would be no commercial use, no separate residential occupation and no intensification of use beyond that which would reasonably be expected within a residential curtilage. The proposal would therefore safeguard the living conditions of neighbouring occupiers and complies with Policy CS19 of the Knowsley Local Plan Core Strategy and the Householder Development SPD.

Access, Highways & Parking

Policy CS7 of the Knowsley Local Plan Core Strategy and the Ensuring a Choice of Travel SPD seek to ensure that development provides appropriate access and parking provision and does not compromise highway safety.

The proposed annexe is ancillary to the main dwelling and would not function as a separate planning unit. It would not create an additional independent household and would not generate material additional vehicle movements. Consequently, there is no requirement for the creation of a new access or additional dedicated parking provision.

The site already benefits from established vehicular access and off-street parking serving the main dwelling, taken from Greensbridge Lane. These existing arrangements are more than sufficient to accommodate the limited additional demand associated with ancillary occupation. The proposal would not alter the existing relationship between the property and the highway. As such, the proposal complies with Policy CS7 of the Knowsley Local Plan Core Strategy and would not give rise to any highway safety concerns.

Flood Risk & Trees

The application site is located within Flood Zone 1 and is therefore at the lowest risk of flooding from rivers and the sea. The proposed annexe is modest in scale and well below the one-hectare threshold at which a site-specific Flood Risk Assessment would be required under Policy CS24 of the Knowsley Local Plan Core Strategy. The use of a screw pile foundation system would limit ground disturbance, and surface water would be managed within the site through appropriate domestic drainage measures. The proposal would not increase flood risk elsewhere and accords with Policy CS24 and the flood risk provisions of the NPPF.

With regard to trees and landscaping, the proposal has been sited so as to retain the existing mature vegetation that screens the plot, which makes a positive contribution to the rural and Conservation Area setting. No tree removal is proposed and the development would not intrude into the root protection area of any tree. The use of screw pile foundations would further reduce ground disturbance when compared with conventional trench foundations. The proposal would therefore preserve existing tree cover and accords with the Trees and Development SPD and Policy CS21 of the Knowsley Local Plan Core Strategy.

Biodiversity Net Gain

As the application was submitted before 6 August 2026, mandatory biodiversity net gain (that is, the statutory requirement for development to deliver a measurable 10 per cent improvement in biodiversity) applies to the proposal, and a completed Small Sites Metric accompanies this application. The site comprises predominantly private garden land, with the built development confined to the footprint of the existing outbuilding and the immediately adjacent area. The metric records a baseline of 0.4492 habitat units, with habitat loss limited to approximately 49 sqm of vegetated garden, and demonstrates a post-development position of 0.5017 habitat units, a net gain of 11.7 per cent, achieved through the retention of the established garden and mature trees and the planting of five new small native trees within the retained garden. The trading rules of the metric are satisfied and no hedgerows or watercourses are affected.

Heritage Statement

The application site is located within the Tarbock Village Conservation Area. An assessment is therefore required to consider whether the proposed annexe would preserve or enhance the character and appearance of the Conservation Area, in accordance with the statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CS20 of the Knowsley Local Plan Core Strategy and Chapter 16 of the NPPF. There are no listed buildings within the application site. Regard has also been had to the duty under Section 66 of the same Act to have special regard to the desirability of preserving the setting of nearby listed buildings, of which the closest is Rose Cottage (Grade II) on Greensbridge Lane.

Policy CS20 of the Knowsley Local Plan Core Strategy requires development proposals to preserve or enhance the borough's historic and architectural assets, including Conservation Areas, through the sensitive design of new development and appropriate integration with their setting and immediate landscape. The general presumption is in favour of the preservation of buildings or structures that make a positive contribution to the character or appearance of a Conservation Area.

The significance of the Tarbock Village Conservation Area derives from its historic rural village character, including a number of traditional cottages and farm buildings, the relationship between buildings and their plots, the use of characteristic materials, and the contribution that mature trees, hedgerows and garden land make to the verdant, open and rural character of the settlement. The Smithy and its plot contribute to this character as part of the established grain of the village.

The proposed annexe would be located within the established residential curtilage of The Smithy, set back from the principal frontage to Greensbridge Lane and substantially screened by existing boundary treatments and mature planting. It would be read as a modest, single-storey domestic outbuilding associated with the existing residential use of the site, rather than as a prominent or incongruous new building. The annexe would not interrupt any important views into or within the Conservation Area, would not alter the historic plot pattern or street layout, and would replace existing structures within the curtilage.

The design is modest and recessive. The single-storey form, pitched and tiled roof, natural timber weatherboard cladding and simple anthracite grey fenestration would give the annexe a restrained, traditional and domestic character that is sympathetic to the rural setting. It would not compete with the historic buildings of the village in scale, massing or appearance, and it would not introduce a visually harsh or suburbanising form of development into the Conservation Area. No tree removal is proposed, which is important because trees and garden planting make a positive contribution to the character and appearance of the Conservation Area.

Turning to the demolition, the outbuilding to be removed is a detached, utilitarian garage building of no identified architectural or historic interest. For clarity, it is not the historic smithy from which the

property takes its name: the late nineteenth-century Ordnance Survey mapping labels the smithy against the range of buildings fronting Greensbridge Lane, which survives as part of the present dwelling group and is unaffected by this proposal, and the garage additionally incorporates a later flat-roofed extension. It is not identified in the Tarbock Village and Tarbock Green Conservation Area Appraisal (2005) as making a positive contribution to the character or appearance of the conservation area, and its removal would not result in the loss of any fabric of heritage significance. Its replacement with a purpose-designed annexe of traditional form and materials, on broadly the same footprint, would represent a modest enhancement of this part of the site. In respect of Rose Cottage, the annexe would stand within the rear garden of The Smithy, separated from the cottage by the existing dwelling and mature planting, and would remain subordinate in scale and largely screened from view; the setting of that listed building would therefore be preserved.

Considering the above, the proposed development, including the removal of the existing outbuilding, would preserve the character and appearance of the Tarbock Village Conservation Area. Any impact on the significance of this designated heritage asset would, at most, amount to less than substantial harm, which in this case is at the lowest end of the scale and is outweighed by the public benefits of the proposal, including the provision of much-needed family care accommodation. The proposal is therefore acceptable in heritage terms and complies with Policy CS20 of the Knowsley Local Plan Core Strategy and Chapter 16 of the NPPF.

Sustainability

Chapter 2 of the NPPF states that: *'the purpose of the planning system is to contribute to the achievement of sustainable development.'* This planning statement has clearly demonstrated how the proposed annexe is compliant with the social objective of sustainability; the environmental and economic objectives will be discussed further in this section.

Off-Site Manufacturing

Most of the annexe is pre-constructed in the iHus factory, including floor cassettes, wall panels, and roof trusses, which are transported to the site. Off-site construction offers several advantages over traditional methods, including:

- **Reduced environmental impact:** Construction waste and emissions can be halved, by virtue of production efficiencies and increased recycling.
- **Reduced waste:** Factory production brings about design consistencies to minimise the waste of components. WRAP believes this to be as much as 70-90% waste savings.
- **Environmentally friendly:** The reduced time on actual building sites provides a less intrusive environment for surrounding businesses, households, and road networks.
- **Safety:** The factory is a far more predictable setting than the physical construction site, which eliminates the variables of weather and visibility. Having the conditions be the same every time makes errors much less likely. Most of on-site construction's most dangerous hazards: like fall from height and equipment accidents, are not an issue in the factory.
- **Less greenhouse gas:** As well as the solid waste that goes to landfill, the machinery used in construction can't avoid pumping various pollutants into the atmosphere. However, if air pollution can't be avoided, it can at least be minimised. Reducing works traffic reduces noxious nitrates, which limits local air pollution but greenhouse gases like carbon dioxide are a more global problem that are already causing significant climate change around the world.

Materials

Sustainably sourced or environmentally friendly materials are used for proposed annexe:

Foundations

The foundations used are a screw pile foundation system (ground screws). This creates virtually zero mess, removing the need for skips or other transport requirements for waste spoil a traditional foundation system would produce. Screw piles are helping drive down carbon emissions against conventional methods. Concrete is now the second most consumed substance on Earth after water. On average, each year 3 tonnes of concrete are consumed for every person on the planet, with 10% of all global carbon emissions because of cement production.

Timber Frame

95% of the timber used in the construction of the annexe is FSC grade certificate wood. FSC controlled wood is defined as virgin wood or wood fibre, which has been verified as having a low probability of including wood from any of the following categories:

1. *Illegally harvested wood.*

2. *Wood harvested in violation of traditional and civil rights.*
3. *Wood harvested in forests in which high conservation values are threatened by management activities.*
4. *Wood harvested in forests being converted from natural and semi natural forest to plantations or non-forest use.*
5. *Wood from forests in which genetically modified trees are planted.*

Forest management certification is awarded to forest managers or owners whose management practices meet the requirements of the FSC Principles and Criteria and the applicable FSC national forest stewardship standard.

OSB

OSB3 is an engineered, load-bearing wood-based panel product used to create the wall panels, free of knots and voids, and suitable for structural use in humid situations.

FSC certified OSB3 is a safe and sound choice for the construction industry and is used extensively in timber frame housing and for flooring, wall sheathing, roofing. OSB3 is sourced from locally managed forests that are independently certified to Forest Stewardship Council (FSC) criteria. Logs used to manufacture OSB3 are a natural bi-product of the thinning process that takes place in managed woodlands to help it thrive. Only the smaller trees are selected to make OSB3, leaving the larger, stronger trees to grow on for years and provide suitable raw material for the saw milling industry.

Electric Heating and Waste

Electric heating is environmentally friendly because it does not create emissions and leaves the inside and surrounding outdoor air clear. Electric heating does not produce dangerous carbon monoxide and leaves no build-up of debris like other heating sources. Government figures released in 2018 show that electric heating is better for the environment than gas. This revelation is due to investments in renewable energy, plus a reduced reliance on coal-fired power stations. Another big influence is a re-think on how carbon emissions for new houses are measured.

Lighting

All LED used in the annexe is A+ rated and 90% energy saving vs Halogen with a 25,000-hour life.

Economic Objectives

This objective seeks to build a strong, responsive, and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation, and improved productivity; and by identifying and coordinating the provision of infrastructure. The proposal provides affordable ancillary accommodation for the applicant, and in many cases releases a family home into the housing stock.

Multigenerational living also has great financial savings because households share common resources, such as food, childcare, eldercare, heat, electricity, transportation, and mortgage/rent, thereby reducing the cost of living relative to individual or single-family living arrangement. The family will care for each other this will reduce the use of state funded social health services therefore reducing the burden on such provisions.

Material Considerations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that decisions must be made in accordance with the Local Development Plan unless material considerations suggest otherwise. In the case of the proposed annexe, several material considerations are deemed relevant in the decision-making process.

Appeal Precedents

Appeal Ref: APP/Q5300/D/16/3147827 (Appendix A)

The appeal, challenging the refusal of an annexe application by the London Borough of Enfield, was allowed. Despite concerns that the proposal might create a separate dwelling, the Inspector disagreed, noting the importance of a model condition to restrict use to ancillary purposes.

This appeal highlights the Inspector's view that the inclusion of facilities for independent occupation does not mean that an annexe would be used as such, highlighting the enforceability of a condition restricting the annexe to remain in ancillary use.

Appeal Ref: APP/B3438/A/12/2188171 (Appendix B)

The appeal against the decision of Staffordshire Moorlands District Council resulted in permission being granted. The Inspector acknowledged that while the proposed annexe could contain independent facilities, its small size and basic amenities were indicative of ancillary use. The Inspector also recognised the enforceability of a model condition to maintain ancillary occupation.

This case reinforces the notion that certain characteristics, such as size and amenities, support the ancillary nature of the proposed unit. It emphasises the enforceability of conditions outlined in the National Planning Practice Guidance.

Consistency in Decision-Making

Planning law emphasises consistency in decision-making to ensure fairness in the determination of planning applications. This principle has been reinforced through case law, where courts have repeatedly stressed that decision-makers should aim for consistency to uphold fairness, equality, and the rule of law in planning decisions.

A key case that reinforces this point is *North Wiltshire District Council v Secretary of State for the Environment* [1992] 3 PLR 113, which highlights the importance of consistency in decision-making. In this case, it was held that local planning authorities should not depart from their previous decisions unless there are good reasons to do so, and if they do depart, they must clearly justify why. This judgment has often been cited to underscore that fairness requires similar cases to be decided in a similar manner unless there is a significant material difference in circumstances.

While recognising the uniqueness of each application, consistency in decision-making is crucial for instilling confidence in the planning system. This principle aligns with legal precedents and decisions by appeal Inspectors. Consistency is not only paramount for public confidence but has legal weight, as evidenced in High Court decisions and appeal Inspector statements.

Considering the above, the proposed annexe aligns with established principles, emphasising the enforceability of conditions to restrict usage. These considerations should carry weight in the decision-making process to ensure a fair and consistent application of planning principles.

Personal Need

The personal circumstances surrounding the personal need for the proposed annexe hold significant weight in the planning decision-making process.

Lord Scarman's commentary in *Westminster City Council v Great Portland Estates plc [1985]* emphasises that personal circumstances, including personal hardship, are essential factors in the administration of planning control, as excluding the human factor would be inhuman pedantry. The legal precedent set by *Great Portland Estates plc v Westminster City Council [1985] A.C. 661* further supports the acknowledgment of personal circumstances as exceptional or special circumstances in the context of development control.

We strongly consider that the personal circumstances of the applicants' parents constitute a material consideration that warrants due weight in the decision-making process.

The proposed annexe would allow the applicants' parents to live immediately alongside their family, with support readily available should they need it, while retaining their independence.

Considering the above, it is respectfully asked that the council recognises these personal circumstances, giving them due consideration in the decision-making process.

Local Planning Precedents

Whilst we note that all planning applications should be judged on their individual merit, it is important to consider the successful approvals of applications in the same local area as the application site, or those of a comparable nature to this proposal. This ensures fairness and consistency in the decision-making process. Therefore, it should be noted that the below comparable applications were granted planning permission by Knowsley Metropolitan Borough Council:

- 25/00434/FUL | Erection of detached building in rear garden to form annex ancillary to the main dwelling house. | 103 Hayes Avenue, Prescot, Knowsley, L35 5BH. This application was granted planning permission on 6th March 2026.
- 23/00048/FUL | Demolition of garage and erection of garden annexe to provide living accommodation. | 28 North Park Road, Kirkby, Knowsley, L32 2AS. This application was granted planning permission on 15th May 2023.
- 18/00198/FUL | Erection of detached building to rear garden area to form 'granny annexe'. | 50 Lakenheath Road, Halewood, Knowsley, L26 1UQ. This application was granted planning permission on 2nd May 2018.
- 19/00344/FUL | Erection of single storey detached rear annexe. | 37 Fairfield Avenue, Roby, Knowsley, L36 4JE. This application was granted planning permission on 9th August 2019.
- 19/00229/FUL | Erection of single storey detached rear annexe. | 4 George Hale Avenue, Huyton, Knowsley, L34 4AJ. This application was granted planning permission on 12th July 2019.

Conclusion

This statement has demonstrated that the proposed annexe at The Smithy is a modest, single-storey ancillary building within the established residential curtilage of an existing Class C3 dwellinghouse. It would remain functionally connected to, and clearly subordinate to, the main dwelling, would not create a separate planning unit, and would not require separate access or parking provision.

The site lies within the Green Belt and the Tarbock Village Conservation Area; for the reasons set out in this statement, including in respect of the demolition of the existing outbuilding, any harm to the Green Belt or the Conservation Area would be limited and clearly outweighed by the family circumstances and the other considerations identified, such that very special circumstances exist.

We therefore politely request that this application is granted planning permission without delay.

Positive and Proactive Decision-Making

NPPF Paragraph 39 states that local planning authorities should approach decisions on proposed development in a positive and creative way; should work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area; and should at every level should seek to approve applications for sustainable development where possible.

Should the council require any further information or any clarification on any aspects of the application, we ask that this is requested from NAPC Ltd before a decision is issued, to ensure that a positive outcome can be reached on the application.

Appendices

Appendix A – Appeal Ref: APP/Q5300/D/16/3147827

Appendix B – Appeal Ref: APP/B3438/A/12/2188171