
Appeal Decision

Site visit made on 20 September 2016

by Elizabeth Pleasant DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4 October 2016

Appeal Ref: APP/Z4310/D/3156648

113 Childwall Park Avenue, Liverpool L16 0JF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Tania Southern & Miss Natasha Pierce against the decision of Liverpool City Council.
 - The application Ref 16H/1474, dated 3 June 2016, was refused by notice dated 29 July 2016.
 - The development proposed is first floor addition over garage and part kitchen single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for first floor addition over garage and part kitchen single storey rear extension at 113 Childwall Park Avenue, Liverpool L16 0JF in accordance with the terms of the application, Ref 16H/1474, dated 3 June 2016 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan, Scale 1:1250; Plans & Elevations as Existing, Drawing 01; Plans & Elevations as Proposed, Drawing 02.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows, other than those expressly authorised by this permission, shall be constructed in the north elevation of the first floor extension.

Main Issue

2. The main issue in this case is the effect of the proposal on the character and appearance of the dwelling and the area generally.
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Reasons

3. Childwall Park Avenue is characterised by a mix of semi-detached and detached properties with frontage gardens and driveways enclosed by low brick walls. The properties are evenly spaced and generally display hipped roofs. They are positioned well back from the road behind its wide open verge and collectively these elements contribute to the attractive and spacious character of the street.
4. Policies H8 and HD18 of The City of Liverpool Unitary Development Plan, Adopted 2002 (UDP) seek to ensure, amongst other things, that new development and house extensions respect the character of the existing dwelling and adjacent properties. More detailed advice on house extensions is provided in the UDP, Supplementary Planning Guidance Note 1 (SPG) which requires extensions to harmonise visually with existing dwellings by being subordinate in scale to the building which is to be extended. Furthermore, to protect the street scene and prevent the linking of non terraced houses it advises that first floor extensions should be set back from the front wall of the original dwelling by 1 metre and the extension's ridge should also be lower to emphasise a reduced scale. The guidance does however advise that a full 1 metre set back may not be required in a number of instances, including where the proposed extension is 1m or more off the common boundary.
5. It is clear that the proposed extension would have its front elevation flush with that of the host property and the ridge height would also align. However, the extension would be clearly subordinate in scale to the original dwelling as its front and rear roof slopes would be set well back from those of the host property, whilst its lower eaves would also provide a clear visual break between the proposal and the original dwelling. The extension would not be within 1m of the common boundary of the site with its neighbour No.111 and there would be over 2m between their respective facing flank walls. Furthermore the space between these properties and their hipped roof design would ensure that there would be no terracing effect.
6. I noted on my visit to the site that many of the existing properties on Childwall Park Avenue have been extended. The form and design of these extensions differ widely and many display continuous ridgelines and some also have flush front elevations. However, the overall character of the street is preserved by the consistent spacing between the flank walls of the properties and the retention of their original hipped roof design. Overall the street retains a harmonious rhythm, the visual qualities of which would not be diminished by the appeal proposal.
7. The proposed development also includes a front dormer and an element of tile hanging. Despite there being no other examples of such dormer windows within the street, I do not consider that it would appear incongruous. It is small and simple in its design and its pitched roof would reflect the character of the roof above the existing double height bay window, which is also clad with hung tiles. Consequently the proposal would not detract from the original design characteristics of the host property or appear unduly dominant within street scene as a whole.
8. The Council does not raise any objections to the single storey rear extension and not other adverse comments regarding this aspect of the proposal have been received. I see no reason to disagree.

9. I conclude that the appeal proposal would not cause harm to the character or appearance of the dwelling and the area generally. I therefore find no conflict with Policies H8 and HD18 of the UDP or SPG1, the aims of which are set out above.

Conditions

10. The Council has suggested a number of conditions which I have considered against advice in the Framework and Planning Practice Guidance. As a result I have amended some of them for clarity.
11. I have attached a condition specifying compliance with the approved plans as this provides certainty, and a condition is necessary to ensure matching materials to safeguard the character and appearance of the area.
12. A condition preventing the construction of additional windows into the north elevation of the first floor extension is necessary to safeguard the living conditions of the occupiers of 111 Childwall Park Avenue.

Conclusion

13. For the reasons give above and taking into account all other matters raised, I conclude that the appeal should be allowed.

Elizabeth Pleasant

INSPECTOR