

Appeal Decision

Site visit made on 15 May 2017

by F Rafiq BSc (Hons), MCD, MRTPI

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

Decision date: 02 June 2017

Appeal Ref: APP/Z4310/D/17/3170990

103 Ye Priory Court, Woolton, Liverpool, L25 7BS

- 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 Mr Greg Williams against the decision of Liverpool City Council.
 - The application Ref 16H/2880 dated 14 October 2016 was refused by notice dated 19 January 2017.
 - The development proposed is a dormer window to rear.
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Decision

1. The appeal is allowed and planning permission is granted for a dormer window to rear at 103 Ye Priory Court, Woolton, Liverpool, L25 7BS in accordance with the terms of the application, Ref 16H/2880, dated 14 October and the plans submitted with it.

Procedural Matters

2. I have utilised and shortened the description of development employed by the Council on the decision notice, as this more succinctly describes the appeal proposal.
3. The development had already been undertaken at the time of my visit. For clarity, I have considered the appeal on the basis of the submitted plans.
4. The appellant has stated that he does not consider that the dormer requires planning permission as it is Permitted Development (PD) and that a condition restricting PD rights is meaningless as it relates to an extinguished Order. Whether or not planning permission is required is not a matter for me to determine in the context of an appeal made under S78 of the above Act. It is open to the appellant to apply for a determination under sections 191/192 of the above Act to determine this matter. My determination of this appeal under section 78 of the above Act does not affect such a determination.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the host building and the area.
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Reasons

6. The appeal property forms part of a courtyard development that comprises of linked 2.5 and 3 storey properties that are set around a central parking area. The courtyard is surrounded on a number of sides by dense woodland, which can be seen from parts of the car park, and which give the largely enclosed area, a spacious feel. The courtyard buildings are located within the estate of a Grade II* listed building, although they sit separated from it to the north-east. There is variation in the building lines, in the roof form and in the fenestration detailing of buildings around the courtyard, although the use of a limited palette of materials gives the development a planned and unified appearance.
7. The appeal development is for a dormer window on the rear elevation which has replaced two previous smaller dormers. From the information before me, the previous dormers were of a narrow vertical form, with pitched roofs, that were broadly aligned with the first-floor windows on the host property. I recognise that the appeal development has resulted in a dormer with a horizontal emphasis, which differs from others on the courtyard. However, I do not consider that this in itself results in harm, as the appeal property has wide glazed doors on its rear elevation and brick banding which has a horizontal style. The dormer also does not extend beyond the side extent of the two dormers it replaced and filled the space between them. It is also of a reduced height in comparison to the dormers it replaced, and I for these reasons, do not consider that it appears bulky.
8. The dormer is visible from the rear gardens of neighbouring properties and my attention has also been drawn to a public footpath through the woods. In such views however, the appeal proposal is seen to be contained within the existing roofspace and from the latter public footpath, these views are partially screened by trees. I do not therefore consider the dormer appears dominant or gives rise to an undesirable focus in the outlook from the public footpath.
9. For the reasons set out above, I conclude that the proposal does not harm the character and appearance of the host building or the area. Of the policies quoted, I have been provided with details of Policies HD18 and H8 of The City of Liverpool Unitary Development Plan. There would be no conflict with these policies or with the Supplementary Planning Guidance Note 1 *House Extensions*, which seek, amongst other matters, high quality design.

Conclusion

10. For the reasons given above and having taken into account all other matters raised, including the nearby listed building, I conclude the appeal should be allowed.

Conditions

11. The Council have suggested a number of conditions. As the development has already been completed and has an acceptable appearance, I do not consider it necessary to impose the standard time condition, the plans conditions or the condition relating to materials.

F Rafiq INSPECTOR