
Appeal Decision

Site visit made on 27 June 2017

by Thomas Hatfield BA (Hons) MA MRTPI

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

Decision date: 13th July 2017

Appeal Ref: APP/Z4310/D/17/3172818
103 Druids Cross Road, Liverpool, L18 3HN

- 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 Isabel Edwards against the decision of Liverpool City Council.
 - The application Ref 16H/1865, dated 14 July 2016, was refused by notice dated 25 January 2017.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 103 Druids Cross Road, Liverpool, L18 3HN in accordance with the terms of the application, Ref 16H/1865, dated 14 July 2016, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Floor Plans and Elevations 1 of 2; Floor Plans and Elevations 2 of 2.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) No windows, except those detailed on the approved plans, shall be inserted in the side elevations of the extension.

Main Issue

2. The main issue is the effect of the development on the living conditions of the occupiers of No 101 Druids Cross Road with regard to loss of outlook.

Reasons

3. The appeal property is a large detached house on the northern side of Druids Cross Road. It is slightly elevated above the adjoining dwelling at No 101, which is set at an angle to the appeal property.
4. The proposed extension would have a combined depth of 4.5 metres when added to the existing rear extension. It would be positioned close to the boundary, and near to a ground floor window in No 101 that serves a

kitchen/dining room. The kitchen/dining room contains a number of windows, the largest of which are French doors that provide light and an open aspect to the dining/sitting part of the room. In contrast, the window that is closest to the proposed extension is smaller and primarily serves the kitchen area, being positioned above the sink. In this regard, it is a secondary source of light and outlook to the room. This window also has a restricted outlook at present and looks onto a boundary fence and hedge that are around 2 metres in height. The additional height of the extension above the hedge would not represent a significant deterioration in outlook in this regard. Whilst there is a small change in levels between the properties, this has only a limited bearing on the impact of the extension in my view.

5. The Council's Supplementary Planning Guidance (SPG) Note 1: House Extensions states that single storey rear extensions should not normally project in excess of 3 metres from the original rear main wall. However, that document was published some time ago, and current permitted development rights would allow for a single storey rear extension of up to 4 metres in depth. I therefore attach only limited weight to this specification in the SPG.
6. For the above reasons, I conclude that the development would not significantly harm the living conditions of the occupiers of No 101 Druids Cross Road with regard to loss of outlook. It would therefore accord with saved Policy H8 of the Liverpool Unitary Development Plan (2002). This policy seeks to ensure, amongst other things, that residential extensions preserve the amenity of neighbouring occupiers.

Conditions

7. The Council suggested a number of conditions, some of which I have edited for clarity and enforceability. In addition to the standard time limit condition, I have imposed a condition that requires the development to accord with the approved plans. This is necessary for clarity and to ensure a satisfactory development. I have also imposed a condition that requires the external materials to match those in the host property, which is necessary to preserve the character and appearance of the host property and the surrounding area. Finally, I have imposed a condition that restricts the insertion of windows in the side elevations of the extension. This is necessary to protect the privacy of adjacent occupiers.

Conclusion

8. For the reasons given above I conclude that the appeal should be allowed.

Thomas Hatfield

INSPECTOR