



Appeal Decision

Site visit made on 7 October 2019

by A Parkin BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 November 2019

Appeal Ref: APP/Z4310/D/19/3234085

6 Watergate Way, Woolton, Liverpool, Merseyside, England L25 8TP

- 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 Miss Claire Potter against the decision of Liverpool City Council.
 - The application Ref 19H/0032, dated 10 December 2018, was refused by notice dated 8 July 2019.
 - The development proposed is the retention of part two storey/part single storey side extension and the application of render to existing dwelling and extension.
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Decision

1. The appeal is allowed and planning permission is granted for a part two storey/part single storey side extension and the application of render to existing dwelling and extension at 6 Watergate Way, Woolton, Liverpool, Merseyside, England L25 8TP in accordance with the terms of the application, Ref 19H/0032, dated 10 December 2018, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved documents:

A photograph with the render annotation – K rend scraped texture;
Proposed Work at: 6 Watergate Way, Woolton. L25 8TP, dated 01/12/2017 Rev 2; Proposed work at: 6 Watergate Way, Woolton. L25 8TP, dated 19/08/2017 (with render annotation).
 - 2) Details of the colour of the render hereby approved shall be submitted to and approved in writing by the local planning authority prior to its application. The render shall be applied in accordance with the approved details.

Preliminary Matters

2. Planning permission was granted by the Council in 2017 for a part 2-storey / part single-storey side extension¹, subject to conditions. One condition required the materials to be used in the approved extension to match the existing brick building. However, the appellant constructed the extension using breeze blocks with the intention of applying a render finish to both the extension and the original dwelling.
3. A subsequent planning application was made which sought permission to retain the breeze block extension and apply a render finish to both it and the original building. This application was refused and is the subject of this appeal. On the

¹ LPA Ref. 17H/2297

appeal form the appellant indicated that the appeal was against the refusal to remove or vary a condition (the aforementioned materials condition) rather than against a refusal of planning permission.

4. I raised this matter with the parties and based on the responses received I am satisfied that this is a section 78 appeal against the refusal of planning permission, rather than a section 73A appeal against the refusal to remove or vary a condition attached to a development that has commenced. I have made minor changes to the description of the development taken from the Council's decision notice to improve clarity and with regard to the appeal development.
5. There was some further uncertainty regarding the drawings which the Council considered in refusing planning permission. Following correspondence with both main parties this matter has also now been resolved to my satisfaction.

Main Issue

6. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

7. The appeal concerns a modern, 2-storey, semi-detached dwelling on the northern side of Watergate Way, a residential street containing various similar-sized, semi-detached dwellings.
8. The Council's description of Watergate Way as '...a very uniform residential street characterised by dwellings of a very uniform design and appearance...' is not one that I recognised when I visited the area.
9. Watergate Way was built as part of an estate, but there is considerable variety in the appearance of the dwellings there. This variety includes different coloured painted timber-type panels on the front elevations of some dwellings; brick front elevations without panelling on other dwellings, including Nos 6 and 8; different coloured bricks, e.g. Nos 4 and 6; side extensions to some dwellings; and various sized front porches / extensions on some dwellings – some with different coloured tiles.
10. When I visited the site, I also observed further variety in the appearance of similar 2-storey dwellings on nearby streets, including on the western side of Priorsfield Road where a semi-detached dwelling (No 18) had been rendered in a manner similar to that proposed at the appeal dwelling. This dwelling, whilst visually distinct from its neighbours, was not out of keeping with the mixed character or appearance of that street.
11. The height, design and massing of the appeal extension is characteristic of other side extensions to be found on Watergate Way and adjoining streets. The proposed rendering of the appeal dwelling and side extension would not be typical of dwellings along Watergate Way. However, the rendering of both the extension and the original building would provide a visual coherence to the dwelling, and it would not be out of keeping with the diverse appearances of other dwellings on the street, or in the wider area.
12. For these reasons the appeal development would have an acceptable impact upon the character and appearance of the area and would not conflict with Policies H8 (house extensions) and HD18 (general design requirements)

contained in the Liverpool Unitary Development Plan 2002, Policy H8 (house extensions) of the draft Liverpool Local Plan 2013-2033, with guidance contained in the House Extensions Supplementary Planning Guidance Note 1 and with the National Planning Policy Framework 2019 (the Framework).

Other Matters

13. The Council's officer report refers to paragraph 130 of the Framework which states that '...Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used)'.
14. This appeal is a standalone proposal separate from the previously approved scheme on the same site². Consequently, this reference is not relevant to my determination of this appeal.

Conditions and Conclusion

15. The Council has suggested that a single condition be attached to the grant of planning permission should the appeal be allowed, which I have considered in light of Government guidance.
16. The proposed development has already commenced and so the standard commencement condition is not necessary, and no pre-commencement conditions can be attached. However, a condition specifying the approved drawings / information would be necessary for reasons of certainty.
17. Furthermore, whilst the Council states that the colour of the render would be white in its officer report, this is not apparent from the submitted evidence. Consequently, a condition requiring the colour of the proposed render to be approved by the Council prior to its application would be necessary for reasons of certainty and to protect the character and appearance of the area.
18. For the reasons given above, and taking into account all matters raised, I conclude that the appeal is allowed.

Andrew Parkin

INSPECTOR

² LPA Ref. 17H/2297