The Planning Inspectorate

Appeal Decision

Site visit made on 19 May 2020

by Sarah Manchester BSc MSc PhD MIEnvSc

an Inspector appointed by the Secretary of State

Decision date: 29th May 2020

Appeal Ref: APP/Z4310/D/20/3246019
27 Manor Way, Liverpool L25 8QY

- 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 Anthony Campbell against the decision of Liverpool City Council.
- The application Ref 19H/2349, dated 23 August 2019, was refused by notice dated 04 December 2019.
- The development proposed is the erection of two storey side extension and single storey extensions to front and rear following demolition of existing garage.

Decision

1. The appeal is allowed. Planning permission is granted for the erection of two storey side extension and single storey extensions to front and rear following demolition of existing garage at 27 Manor Way, Liverpool L25 8QY, in accordance with the terms of the application, Ref 19H/2349, dated 23 August 2019, subject to the following conditions:

   1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.

   2) The development hereby permitted shall be carried out in strict accordance with the following approved plans: Scheme Drawing, drawing no. 02 rev. B, dated 12/08/2018; and Plan showing part of site of application for planning permission, drawing no. 3, dated 08/08/2018.

   3) The external surfaces of the extensions hereby permitted shall match those used in the construction of the existing building.

Procedural matter

2. In its decision notice, the Council cited Policy H8 of the emerging Liverpool Local Plan 2013-2033 (the emerging LP). The emerging LP has been submitted for examination. However, there are unresolved objections to the policies relevant to this appeal. Therefore, as advised by the National Planning Policy Framework (the Framework), the emerging policy carries limited weight in my determination of this appeal.

3. The application is a re-submission of a previously refused application (ref 18H/2818) for a 2 storey side extension with single storey extensions at front and rear and additional hardstanding. No amendments or revisions have been made to the scheme.

4. The Council's evidence indicates that it has no concerns in relation to the proposed single storey extensions to the rear and front elevations. Having reviewed the proposal, I see no reason to disagree.

Main Issue

5. Therefore, the main issue is the effect of the proposed 2 storey side extension on the character and appearance of the area.

Reasons

6. No 27 is a 2 storey semi-detached property that has been previously extended at ground floor level. It is on a corner plot at the junction of Manor Way and Malton Road, in a residential area characterised by similar semi-detached properties finished in brick and render with tiled hipped roofs. The area has an irregular street pattern resulting in varied siting and orientation of properties and groups of properties. Nevertheless, the similar styles of property and the regular separation and set back from the street within groups of properties results in a relatively consistent and harmonious character and appearance.

7. The parties agree that the single storey extensions are acceptable. The first floor side extension would be set back from the front elevation of No 27 by approximately 500mm. The 2 storey extension would have a hipped roof set below the ridge height of the host property. Consequently, the proposal would be subservient to, and it would respect the original front elevation and hipped roof form of, the host property.

8. By virtue of its corner location and the curve of the road at this point, the appeal property is prominent when viewed from the direction of Manor Road. In this context, although it would be similarly prominent, the proposal would nevertheless be seen as a subservient extension to No 27. The proposal would not be conspicuous on the approach from Hunts Cross Avenue. Therefore, it would not be detrimental to the character and appearance of Manor Way.

9. As a result of the relative alignment of Malton Road and Manor Way, No 27 is not on the same building line and it is angled away from the neighbouring properties to the rear. Although part of the proposal would extend forward of the Malton Road building line, by virtue of the orientation of the property this would primarily be the corner of the single storey rear extension, which the Council considers acceptable.

10. The evidence before me indicates that the smaller footprint of the first floor extension would not encroach significantly beyond the return building line. No 27 is in any case widely separated from No 2 Malton Road. The appeal property does not form part of the group of properties on Malton Road and it would not be seen in close juxtaposition with them. Therefore, the proposal would not be an incongruous or discordant feature and it would not disrupt the Malton Road street scene.

11. The retention of trees and shrubs in the garden of No 27 would soften and screen the appearance of the proposal. However, landscape planting is not permanent and it should not be relied upon to hide inappropriate development from public view. Consequently, I have not taken account of the garden planting in my assessment. I have found that the proposal would not be harmful even in the absence of planting.

12. Therefore, the proposal would not result in unacceptable harm to the character and appearance of the area. It would not conflict with saved Policy H8 of the Liverpool Unitary Development Plan Adopted November 2002. It would accord with the aims of the Liverpool Unitary Development Plan House Extensions Supplementary Planning Guidance Note 1 (Adopted 2001). These require, among other things, that extensions respect the character of the host and adjacent properties and, on corner plots, that they do not detract from the street scene.

Other matters

13. The proposal would not result in adverse effects on the living conditions of neighbouring or future occupiers. Notwithstanding the loss of the garage parking space, the plans indicate that an adequate extent of hardstanding and off street parking to the front of the appeal property would be retained. The proposal would not therefore result in adverse highways impacts.

14. On the basis of the evidence, including what I saw during my visit, there are 2 storey extensions on corner plots elsewhere in the area that extend beyond the building line of the return street frontage. In the absence of full details, I cannot be certain that any of them is directly comparable to the appeal scheme or that they provide a justification for it. Nevertheless, they demonstrate the importance of assessing each case on its own merits and that slight deviations from the guidance in the SPG will not be harmful in every case.

Conditions

15. In the event that the appeal was allowed, the Council has suggested planning conditions. I have assessed these against the tests set out in paragraph 55 of the Framework.

16. In addition to the standard condition limiting the lifespan of the planning permission, I have also specified the approved plans in the interests of certainty. A condition securing matching materials is necessary to protect the character and appearance of the appeal property and the area.

17. On the basis that the proposal would not result in overlooking or loss of privacy, a condition requiring obscure glazing in first floor rear facing windows is not necessary. Given that an adequate area to the front of the property, which is already in use for off street parking, would be retained, a condition requiring further details of the extent of hardstanding is not necessary.

Conclusion

18. For the reasons set out above, the appeal should be allowed and planning permission should be granted, subject to conditions, for the erection of two storey side extension and single storey extensions to front and rear following demolition of existing garage.

Sarah Manchester

INSPECTOR