

Appeal Decision

Site visit made on 10 June 2020

by Mr W Johnson BA(Hons) DipTP DipUDR MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 June 2020

Appeal Ref: APP/Z4310/D/20/3245989

36 Beechfield Road, Liverpool L18 3EH

- 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 Jennifer McMahon against the decision of Liverpool City Council.
 - The application Ref 19H/2345, dated 20 August 2019, was refused by notice dated 10 December 2019.
 - The development proposed is described as: 'Two storey rear extension, single storey rear extension, pitched roof over existing flat roof loft conversion'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. For clarity and precision, I have taken the name of the appellant from the appeal form.
3. It is common ground between the main parties that the only element of the appeal scheme in dispute is the single storey rear extension. I have therefore dealt with the appeal on this basis.

Main Issue

4. The main issue of this appeal is the effect of the proposed development, in particular the single storey rear extension, on the living conditions of the adjoining occupiers at No 38 Beechfield Road.

Reasons

5. The host dwelling is a semi-detached house, which is sited in a northerly direction to No 38, which is the adjoining house. My attention has been drawn by the appellant to an existing conservatory and reference to a large tree. At the time of my visit the large tree had recently been removed and only the brick base of the conservatory was present, as its frame had also been removed.
 6. On the shared boundary in the rear garden of the host dwelling a concrete post/panel fence with closed boarded timber panel infills was present from the rear wall of the house, which then slightly stepped down to close boarded timber fencing that extended a notable length on this shared boundary. The adjoining property, No 38 appears handed when compared to the host dwelling, thus having a similar set of patio doors to those that serve the dining room in the host dwelling.
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7. The Council's Supplementary Planning Guidance Note One 2001 (SPG) advises that planning permission will not normally be granted for extensions which project in excess of 3 metres from the original rear main wall of the dwelling where it abuts the party boundary. The appellant asserts that the proposed development will project less than what was originally there. Nonetheless, I find that the proposed development will project further than the previous conservatory and the guidance stipulated in the SPG. Whilst I do not consider that the proposed development would give rise to unacceptable loss of day/sun light, I do consider that the outlook from the closest habitable room windows at No 38 would be significantly harmed to the detriment of its occupiers.
8. For all of these reasons, I therefore conclude that the proposed development would unacceptably harm the living conditions of the occupiers at No 38. This would be contrary to the living condition and amenity aims of 'saved' Policy H8 of the Council's Unitary Development Plan 2002, the SPG, and the requirements of the National Planning Policy Framework.

Other Matters

9. I acknowledge that the occupiers from No 38 have withdrawn their objection to the planning application. However, local support is not sufficient in itself to make the development acceptable and does not outweigh the policy conflict in this instance.
10. I have also noted the appellant's suggestion regarding the possibility of her erecting a single storey extension and then a first-floor extension above and/or incorporating a chamfered edge, but the likelihood and merits of such proposals are not before this appeal. I have considered this appeal proposal on its own merits and concluded that it would cause harm for the reasons set out above.

Conclusion

11. Taking all matters into consideration, I conclude that the appeal should be dismissed.

W Johnson

INSPECTOR