



Appeal Decision

Site visit made on 24 July 2020

by D Hartley BA (Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th July 2020

Appeal Ref: APP/Z4310/D/20/3253152

24 Hillbrook, Liverpool L9 6GA

- 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 Bruns against the decision of Liverpool City Council.
 - The application Ref 20H/0695, dated 29 January 2020, was refused by notice dated 15 April 2020.
 - The development proposed is described as a two storey rear extension, ground floor front extensions and a slight increase in roof height including a rear dormer to convert the loft.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on (i) the character and appearance of the area and (ii) the living conditions of the occupiers of No 22 Hillbrook in respect of outlook.

Reasons

Character and appearance

3. The appeal property is detached and falls within part of a modern housing estate which comprises a mixture of mainly two storey detached dwellings and three storey apartments. Whilst there is a mix of styles and sizes of property in this part of the estate, the position of the properties is such that they generally follow a deliberately planned building line and to the front and rear there is sense of open and undeveloped space. Furthermore, whilst some of the properties have existing pitched roof dormers, these are small in scale and account for a very small proportion of each roof space. In the main, the main roof slopes of each of the residential properties are flat and unbroken. Collectively, these attributes add positively and distinctively to the character and appearance of the area.
4. I do not disagree with the Council that the front extension, garage conversion and front rooflights would be acceptable in planning terms. However, whilst the rear dormer would accord with the Council's SPG Note 1 'House Extensions' (SPG) in so far that it would comply with the minimum 1 metre set back from the main wall of the house, it would nonetheless take up a very large proportion of the roof space of the property. The dormer would appear top

- heavy and dominant on the rear of the appeal property and would be particularly conspicuous when viewed from Carlake Grove and Charnook Road.
5. The above harm would be compounded by the fact that the dominant dormer would represent a significant departure from the rear design symmetry which exists across the three detached dwellings of Nos 20, 22 and 24 Hillbrook in terms of the existing unbroken rooflines. There would therefore be conflict with the SPG which states that the design of dormer extensions should ensure that they are not over-dominant.
 6. The two storey rear extension, including the raising of the roof, would be highly visible in the street-scene and in particular when viewed from Carlake Grove and Charnook Road. In this part of the estate, there is a very distinctive sense of open space between buildings, as well as a common building line which exists along the three detached dwellings and the closely aligned apartment building at Carlake. Owing to the size and position of the two storey extension, it would materially detract from these positive design characteristics and it would therefore appear incongruous in the street-scene. The raising of the roof would add to this harm in so far that the three detached dwellings are currently very similar in height.
 7. For the collective reasons outlined above, I therefore conclude that the proposal would not accord with the design aims of saved policies H8 and HD18 of the City of Liverpool Unitary Development Plan 2002 (UDP) and the SPG. Reference has been made by the Council to policies UD1 and UD2 of the emerging Liverpool Local Plan (ELP). As the ELP is not yet adopted, I afford these policies only limited weight as a material planning consideration. Nonetheless, the proposal also fails to accord with the design aims of such policies for the same reasons as outlined above.
 8. In reaching the above conclusion, I have taken into account the appellant's comments relating to required additional space, the existence of three storey apartment buildings nearby and the potential to alter and extend the appeal property utilising permitted development rights. I have not been provided with specific details of what could be done to the property utilising permitted development rights and, in any event, I have determined this appeal on its individual planning merits. None of the aforementioned matters alter or outweigh the very significant harm that would be caused to the character and appearance of the area if this appeal were to be allowed.

Living Conditions

9. As part of my site visit, I was able to consider the position and scale of the two storey rear extension with No 22 Hillbrook. This property does not have a particularly large garden. I consider that owing to the height, massing and proximity of the two storey rear extension to the garden area of this property, it would appear dominant and enclosing particularly when viewed from the neighbouring patio area and glazed patio doors.
10. Whilst the proposal would be compliant with the SPG in terms of the extent to which the two storey rear extension would project into the rear garden (i.e. it would not exceed the maximum 3 metre projection), in this case I consider that there would be harm to the living conditions of the occupiers of No 22 Hillbrook who would be subjected to poor levels of outlook if this appeal were to be allowed. Consequently, the proposal would not accord with the SPG which

states that two storey rear extensions should be considered in terms of the '*potential detriment to residential amenity through overshadowing or creating a poor outlook*'.

11. I therefore conclude that the proposal would not accord with the amenity requirements of policy H8 of the UDP and the SPG.

Conclusion

12. For the collective reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

D Hartley

INSPECTOR