
Appeal Decision

Site visit made on 20 July 2020 by Hilary Senior BA (Hons) MCD MRTPI

by Susan Ashworth BA (Hons) BPL MRTPI

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

Decision date: 19 August 2020

Appeal Ref: APP/M4320/D/3251874

81 Liverpool Rd North, Maghull, Merseyside L31 2HG

- 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 Mark Bromilow against the decision of Sefton Metropolitan Borough Council.
 - The application Ref DC/2020/00090, dated 22 January 2020, was refused by notice dated 23 March 2020.
 - The development proposed is to add a single storey extension to the rear and wrap partly into alley way at side of house.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of the occupiers of 83 Liverpool Road North with particular regard to outlook and daylight.

Reasons

4. 81 Liverpool Road North is a previously extended semi-detached dwelling, set in a long narrow plot in an established residential area. It is set back from the main road via an access road and constructed from render, typical of the character of the area.
5. The appeal proposal seeks to increase the depth of the existing single storey extension to wrap around both the rear and the side of the dwelling. The extension would have a flat roof incorporating a roof lantern.
6. The adjoining dwelling, 83 Liverpool Road North, was extended some time ago with a two-storey rear extension which has resulted in a side kitchen window facing the appeal property. The dwelling also has a habitable room window on the ground floor of the original rear elevation. The main issue in this case relates to the effect of the proposal on those windows.

7. The appellant has submitted a significant amount of evidence to demonstrate that as a result of the orientation of the buildings and height of the boundary wall and existing extension to number 81, the kitchen window receives direct sunlight for most of the day. The window to the rear elevation also receives a good amount of direct sunlight although at the time of my visit, on a sunny day, it was partially in shadow.
8. However, there is no evidence before me about the amount of general daylight the rooms receive. It seems to me that the room on the rear elevation will already have restricted daylight as a result of the narrow gap between the houses and the high boundary wall. The height and proximity of the proposed development would further reduce the amount of daylight reaching this room. In addition to that, the increase in the height of the built development along the common boundary, for a significant distance, would further reduce the outlook from the kitchen and rear windows. Furthermore, it would significantly exacerbate the tunnelling effect caused by the existing extensions and thereby increase the sense of enclosure to the rear room by an unacceptable degree. As a consequence of the further restriction in daylight coupled with the increased sense of enclosure the room to the rear of the property would be a gloomier and less pleasant place to be.
9. I conclude therefore that the proposed development would cause harm to the living conditions of the occupiers of 83 Liverpool Road North with particular regard to outlook and daylight. The proposal therefore fails to comply with Policy HC4 of the Sefton Local Plan 2017 which amongst other things, seeks to ensure that extension would not significantly reduce the living conditions of occupiers of neighbouring properties, and paragraph 127 of the National Planning Policy Framework (the Framework).

Other Matters

10. I acknowledge the personal circumstances of the appellant and the need for additional family space within the house. I also note the limited width of the host dwelling and as a result of that, the limited options for an extension, although I am not convinced that a less harmful solution could not be achieved. Whilst this attracts limited weight in favour of the proposal it does not overcome the harm I have found to the living conditions of the occupiers of the neighbouring property.
11. Whilst there are no formal objections from the current neighbours, the Framework requires that development creates places that provide a high standard of amenity for both existing and future users.
12. I note that similar extensions have been built at other properties locally. However, the specific details of these cases are not before this appeal. I am not therefore aware of the relationship of these extended properties with the properties closest to them or the planning policy context in which planning permission was granted. In any event, I have determined this appeal on the site specific circumstances of this case.

Conclusion and Recommendation

13. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Susan Ashworth

INSPECTOR