



Appeal Decision

Site visit made on 22 September 2020

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 September 2020

Appeal Ref: APP/Z4310/D/20/3256017

2 Dinglebrook Road, Liverpool L9 6GE

- 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 Colin Tedford against the decision of Liverpool City Council.
 - The application Ref 20H/0667, dated 30 January 2020, was refused by notice dated 8 July 2020.
 - The development proposed is a first floor extension to side elevation.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on: a) the living conditions of the occupants of 22 and 24 Hillbrook Drive, with regards to sunlight, daylight and privacy; and b) the character and appearance of the area.

Reasons

Living conditions

3. The appeal property is a two-storey semi-detached dwelling with a single storey element to the side that has been converted from a garage to living accommodation. The flank elevation of the appeal property faces the north facing rear elevations of Nos 22 and 24 which have habitable room windows at ground and first floors facing the appeal property. An outbuilding lies in the rear garden of No 22.
4. The proposed extension would not be any closer to the rear of Nos 22 and 24 than the existing dwelling which is already below the standard outlined in Supplementary Planning Guidance Note 10 (SPG10) for a window to wall relationship. The aim of the standard is to prevent overshadowing. The proposal would not cause a loss of sunlight in the rear facing habitable rooms in Nos 22 and 24. This is due to the orientation of the properties, the siting of the proposed extension and the arc of the sun.
5. Even so, the proposal would be above the existing single storey and it would alter the existing relationship by introducing a blank brick façade facing the habitable room windows of Nos 22 and 24. It would, as a result, reduce the natural light received in these rooms and compound the existing relationship leading to an overbearing impact for the occupants of Nos 22 and 24. As such, the proposal would cause overshadowing and thus would not preserve existing

levels of amenity for the occupants of these neighbouring properties.

6. Planning permission has been granted at 4 Harbreck Grove for a two-storey extension, but No 4 is next to a three-storey terrace and is side onto the row of three detached dwellings which Nos 22 and 24 form part of. Hence, the relationship is not directly comparable. The effects are also likely to differ.
7. Despite the neighbouring occupants concerns about privacy, the proposal would not result in undue overlooking due to position of the proposed windows and the relationship between the appeal property and Nos 22 and 24.
8. While the proposal would not cause harm in respect of sunlight or privacy, my findings on these matters are outweighed by my conclusion, on this issue, that the proposal would harm the living conditions of the occupants of Nos 22 and 24, with regards to daylight. The proposal would not accord with saved Policy H8 of The City of Liverpool Unitary Development Plan (UDP) and SPG10 which are both supportive of house extensions that preserve levels of amenity for neighbours and other local residents.

Character and appearance

9. The proposed extension would not accord with Supplementary Planning Guidance Note 1 (SPG1) 'House Extensions' as the extension would not be set back from the front wall of the original house or subordinate in scale by having a ridge height below that of the original house. While the proposal would seem to be more than a metre from the common boundary to the side, this would not change my view that the proposal would not harmonise visually with the host dwelling or the character of the surrounding area.
10. I conclude that the proposal would harm the character and appearance of the area and conflict would arise with saved UDP Policy H8 and SPG1 which seek the scale and design of house extensions to respect the character of the existing dwelling.

Conclusion

11. For the reasons set out above, I conclude that the appeal is dismissed.

Andrew McGlone

INSPECTOR