



---

## Appeal Decision

Site Visit made on 21 July 2021

**by F Rafiq BSc (Hons) MCD MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 6<sup>th</sup> August 2021**

---

**Appeal Ref: APP/Z4310/D/21/3273912**

**168 Finch Lane, Liverpool L14 9QD**

- 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 Andrew McGilley (LS Property Services) against the decision of Liverpool City Council.
  - The application Ref 20H/0191, dated 4 January 2020, was refused by notice dated 31 March 2021.
  - The development proposed is described as a side extension.
- 

### Decision

1. The appeal is allowed and planning permission is granted for a side extension at 168 Finch Lane, Liverpool, L14 9QD in accordance with the terms of the application, Ref 20H/0191, dated 4 January 2020 subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Existing Plans (01.20 – 01), Proposed Plans (01.20 – 02), Existing Elevations (01.20 – 03) and Proposed Elevations (including Location Plan) (01.20 – 04).
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

### Preliminary Matters

2. Since the appeal was submitted, the revised National Planning Policy Framework (Framework) came into force on 20 July 2021. I have taken this into consideration in determining this appeal.
3. The Council has made reference to a number of policies in the emerging Liverpool Local Plan 2013-2033 (LLP). The Framework allows decision-makers to give weight to relevant policies in emerging plans, depending on a number of factors including the stage the plan has reached. From the information before me, this emerging plan is at an advanced stage, with the policy referenced in the decision notice, LLP Policy H8, having limited representations. I have had regard to this policy in my decision.

## **Main Issue**

4. The main issue is the effect of the proposal on the character and appearance of the host property and the area.

## **Reasons**

5. The appeal property is an end terrace dwelling, which is situated on the corner of Finch Lane and Fincham Road. The area comprises of similar terraces and semi-detached dwellings with regular features such as bay windows and hipped roofs, which along with regular building lines, bring a consistency and uniformity to the character of the area. Although the buildings are generally closely spaced together, the presence of street trees, in some instances combined with grass verges, as well as the width of the road, gives the character of the area a spacious quality.
6. The guidance within the Supplementary Planning Guidance Note 1 House Extensions (2001) (SPG) states that single storey extensions on corner plots should not exceed half the width of the existing house. The proposed extension would be wider than that. However, it seeks to replace an existing garage and would not project further from the dwelling's side elevation than this garage.
7. The Council has stated that the garage is of a much smaller scale and not physically appended to the main house. Whilst the garage is smaller, it is closely positioned to the main property. The additional mass would also be largely limited to this area between the garage and the side of the dwelling. Furthermore, the extension would not project beyond the rear elevation or front elevation with the bay window of the existing dwelling.
8. The maximum height of the extension as referenced by the main parties would extend to 4m, but this would reduce towards the eaves to a height of 2m and also be significantly lower than the overall maximum height of the dwelling. As a single storey addition, I consider the proposal would not appear to be excessive in size and it would have a subservient appearance to the larger two storey host property. Although the site is in a prominent corner location, it would retain a large garden beyond the side of the extension and it would not thereby be seen to have a visually incongruous projection, particularly given the overall length of the terrace.
9. I therefore conclude that the proposal would not have an unacceptable adverse impact on the character and appearance of the host property or the area. As such, it would not be contrary to saved Policies H8 and HD18 of The City of Liverpool Unitary Development Plan (2002) (UDP), which require, amongst other matters, high quality design and for extensions to respect the character of the existing dwelling and adjacent properties. It would also not conflict with Paragraph 130 of the recently revised Framework, which seeks, amongst other matters, development that is sympathetic to local character. Although the proposal would not comply with certain specific guidance within the SPG, it would not conflict with its aims, which amongst other matters, seeks to ensure that extensions are subordinate in scale. It would also accord with emerging LLP Policy H8, which in relation to character and appearance is similar to saved Policy H8 of the UDP.

### **Conditions**

10. I have considered the conditions suggested by the Council, having regard to the six tests set out in the Framework.
11. It is necessary for a condition to require compliance with the approved plans in the interests of clarity and for a condition requiring matching materials in the interests of the character and appearance of the host property and the area.

### **Conclusion**

12. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, the appeal is allowed.

*F Rafiq*

INSPECTOR