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# Appeal Decision

Site Visit made on 28 September 2021

**by R Hitchcock BSc(Hons) DipCD MRTPI**

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

**Decision date: 04 October 2021**

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**Appeal Ref: APP/Z4310/D/21/3274198**

**164 Turriff Road, Liverpool L14 2HA**

- 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 Sean Kelly against the decision of Liverpool City Council.
- The application Ref 20H/3302, dated 20 December 2020, was refused by notice dated 1 April 2021.
- The development proposed is a single storey wrap around extension to dwelling house.

## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. During the course of the Council's consideration of the planning application revised proposals were submitted by the appellant showing a reduced width to the extension. It is unclear from the information before me as to whether the Council re-notified nearby residents on the amended scheme. However, as the nature of concerns of those who would normally have been consulted would be clear from consultation on the original set of plans, I do not consider that their interests would be prejudiced if I take this amended plan into account.
3. The Council's Decision Notice refers to Policies H8 and UD2 of the Liverpool Local Plan (LLP) which is yet to be adopted. The plan has been considered at examination and found to be consistent with the National Planning Policy Framework (the Framework) but remains subject to modifications. The proposed policies relate to the detailed design approach to the consideration of development. However, both policies are broadly consistent with the Framework's aims to achieve well-designed places. Accordingly, pursuant to Paragraph 48 of the Framework, in addition to saved Policies in the Liverpool City Council Unitary Development Plan (UDP) [2002], emerging Policies H8 and UD2 are entitled to significant weight in the determination of this appeal.

## Main Issues

4. The main issues are the effect of the proposed development on:
  - the character and appearance of the building and Turriff Road streetscene
  - the living conditions of neighbouring residents at 108 Fincham Road with particular regard to outlook and light.

## Reasons

*Character and appearance*

5. The site consists of a 2-storey semi-detached dwelling located at the end of a residential cul-de-sac. The road forms part of a wider estate of modern detached, semi-detached and terraced properties set behind open front gardens with private amenity spaces to the rear. Within the estate are a limited number of house types showing common design features including gabled elements, canopies, curved head windows, banding courses and bays. The buildings have common height and styling and they are constructed in a limited palette of materials which results in a strong identity and consistent character to the locality.
6. The proposal includes a single-storey wrap-around extension. The side element would be contiguous with an extension across much of the width of the rear of the property following the demolition of the existing rear conservatory. To the front, the extension would project some 1.25m forward of the main elevation. This would wrap across the main entrance to form a new integrated porch in lieu of an existing open dual-pitched canopy. A linear canopy would extend from the porch to the building's centre line to over-sail the existing bracketed front bay.
7. Much of the proposed extension would be contained to the rear and side of the dwelling such that it would play little active part in views along the road. However, the extensions forward of the principal elevation, would be prominent along the cul-de-sac. The building's skewed position close to the turning head forms part of the closing vista of the road and acts as a focal point from the main estate drive.
8. The design of the combined front extension would introduce a number of incongruous elements which together would conflict with the design and proportioning of the existing building and its features. The continuous front face of the porch and side extension would create a significant width of projecting development at ground floor level. Although this would be subordinate in scale, it would dominate the original part of the building and show little of the detailed refinement of the existing projecting elements across the building's frontage.
9. The width and low roof pitch would have little reference to the proportioning and roof angles of the existing building and would appear conspicuous by their contrasting form in the streetscene. A small pike detail above the front door would lack the height of the existing canopy and be vertically mis-aligned with the upper window. Additionally, the introduction of a mono-pitched roof across the bay would displace the existing curved bay roof with detailed stepped flashings.
10. The forward alignment of the extension would make it prominent. I acknowledge that the proposal would align with the Council's policy to permit front extensions up to a projection of 1.25m. Furthermore, it could be built in matching materials. However, the removal of the original features and lack of reference to them, and the introduction of incongruous new elements, would appear discordant.
11. The frontage elements would significantly undermine the strong sense of symmetry between the appeal property and the adjoining building at 162 Turriff Road. The loss of the original bay roof and proportioning of the door canopy would most certainly unbalance the appearance of the combined frontage, which are notable features of the estate.

12. In support of the development the appellant refers me to an example of a similar extension to a property elsewhere on Turriff Road and I saw this during my site visit. However, the type of extension is very much in the minority and, in any case, the existence of development elsewhere does not represent an appropriate reason to find in favour of a proposal that would cause harm or lead me to alter my findings on this issue.
13. It is the appellant's contention that a side and porch extension could be built under permitted development rights attached to the property. On the basis of the evidence provided, I have little doubt that that is the case, and a fallback position may exist in that regard. However, there is little before me to make any direct comparisons between the proposal and an extension built under those rights. Moreover, extensions forward of the principal elevation of the building would be largely restricted. Therefore, I do not consider that the extent of the combined effects I have identified would arise from an alternative development and I have considered the proposal on the basis of its own merits.
14. For the above reasons, I find the proposal would relate poorly to the existing building and would fail to reflect the character and appearance of development in the locality. It would therefore conflict with saved Policies H8 and H18 of the UDP and Policies H8 and UD2 of the LLP as they seek the scale and design of development to respect the character of the existing dwelling, the distinctiveness of the locality, and the character of surrounding development.

#### *Living Conditions*

15. The proposed side extension would be close to a boundary forming the rear fence line of some properties fronting on to Fincham Road. The boundary is marked by high close board fencing and there is established intermittent vegetation visible over the fence within some of the neighbouring properties.
16. The submitted plans indicate that the side extension would lie some 2.2m from the common boundary between the appeal site and the Fincham Road properties. According to the Council, the forward element of the side extension would be about 8.5m from a conservatory sited to the rear of 108 Fincham Road.
17. The height of the extension would be such that the upper part of the side elevation and roof would be visible over the fence line from within the neighbouring properties and their rear gardens. However, much of the development would be screened such that, taken with the intervening distance, the modest eaves height and the low roof pitching away from the boundary, the effect of the extension would be minor. Although a change to the outlook would result, I find that the scale of development would prevent it from appearing overbearing against the backdrop of the existing building from the neighbouring properties.
18. The appeal site lies to the south-west of the rear garden of No108. Although some overshadowing of land to the north and east of the development would arise, for the majority of the day this occurs as a consequence of the existing building. Accordingly, any additional overshadowing would be minor and, accounting for the intervening panel fence and vegetation, would have a negligible effect on the neighbouring occupier's living conditions.

19. For the above reasons, I find that the proposal would not cause undue harm to the living conditions of neighbouring residents. It would thereby align with saved Policy H8 of the UDP and emerging Policy H8 of the LLP as they seek to ensure development would not have an overbearing or overshadowing effect on adjoining properties.

### **Other Matters**

20. I note that the appellant suggests that they may have to move to a new house if the appeal is unsuccessful. However, an unfavourable decision does not necessary prevent an alternative form or arrangement of development at the site to achieve additional accommodation. It is not therefore a strong argument in favour of the development.

### **Conclusion**

21. Whilst I have found in favour of the appellant with regard to the effects of the proposed development on neighbouring living conditions and criteria in emerging Policy H8 of the LLP, this does not outweigh the harm arising from the effects of the design of the proposal on the character and appearance of the building and the Turriff Road streetscene. Consequently, the appeal proposal conflicts with the majority of the applicable development plan policies and it would be contrary to the development plan taken as a whole. For the reasons given above, I conclude that the appeal should be dismissed.

*R Hitchcock*

INSPECTOR