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# Appeal Decision

Site visit made on 3 March 2022

**by David Fitzsimon MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 18<sup>th</sup> March 2022**

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## **Appeal Ref: APP/M4320/D/21/3288465**

### **31 Harbord Road, Waterloo L22 8QG**

- 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 Kris Paton against the decision of Sefton Council.
  - The application Ref DC/2021/01455, dated 25 May 2021, was refused by notice dated 14 September 2021.
  - The development proposed is a single storey rear extension.
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### **Decision**

1. The appeal is dismissed.

### **Main Issue**

2. The main issue in this case is the effect of the proposed extension on the living conditions of the occupier(s) of No. 33 Harbord Road with particular regard to outlook and access to natural light.

### **Reasons**

3. The appeal relates to a traditional semi-detached dwelling. The pair of attached dwellings each have an outrigger projecting a modest distance from the outer sections of their rear elevations. I understand that a conservatory has recently been removed from inner section of the rear elevation of the appeal dwelling.
4. The submitted plans show the previous conservatory replaced with a single storey extension which would span almost the full width of the dwelling, set off the common boundary with the attached dwelling, No. 33 Harbord Road, by some 250mm. At about 6 metres deep, the proposed extension would project much further along this boundary. The level of projection proposed would exceed the '45 degree plus 3 metres' standard endorsed the Council's adopted Supplementary Planning Document titled '*House Extensions*' (SPD).
5. Although the roof of the proposed extension would rise away from the shared boundary, the eaves would sit well above the existing fence. Given the overall height of the extension and the considerable projection from the main rear elevation of No. 33, I consider that the effect would be overly dominant and oppressive when seen from the nearest ground floor room at the back of this property and also from the closest part of its rear amenity area.
6. I am mindful that planning permission has been granted for an alternative single storey rear extension at the appeal property since this proposal was rejected by the Council. However, the approved scheme essentially cuts off

the corner of the extension closest to the boundary with No. 33 in order to comply with the design guidance outlined within the SPD. As a result, the effect would be less overbearing on this property than the scheme before me.

7. The Council has also raised concern that the proposed extension would unacceptably impact on the levels of natural light available to the rear of No. 33 Harbord Road. However, bearing in mind the fact that the rear amenity spaces of these attached dwellings face north-west, I am satisfied that the effect in such terms would not be materially greater than that of the previous conservatory, even accounting for the fact that it was not as deep, or indeed, the approved scheme that I have referred to above.
8. I note the occupier of No. 33 Harbord Road has expressed support and I am satisfied that the proposed extension would not lead to an unacceptable reduction in the levels of natural light available to this attached property. Nevertheless, I conclude that proposed extension would unacceptably harm the outlook from it. In such terms, the proposal conflicts with policy HC4 of the adopted Sefton Local Plan and the SPD, which seek to safeguard appropriate levels of residential amenity.
9. In light of the above factors, and having considered all other matters raised, the appeal does not succeed.

*David Fitzsimon*

INSPECTOR