



Appeal Decision

Site visit made on 2 August 2022 by N Unwin BSc (Hons) MSc

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 August 2022

Appeal Ref: APP/Z4310/D/22/3300342

16 Leagate, Liverpool L10 1NH

- 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 Miss Allison Makin against the decision of Liverpool City Council.
- The application ref. 21H/2139, dated 27 June 2021, was refused by notice dated 6 January 2022.
- The development proposed is a single storey extension at side and rear.

Decision

1. The appeal is allowed and planning permission is granted for a single storey extension at side and rear at 16 Leagate, Liverpool L10 1NH in accordance with the terms of the application, ref. 21H/2139, dated 7 June 2021, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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: Location Plan ref: TQRQM21159082609485; and the Proposed Plan ref: DRAWING NO1.
 - 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 host dwelling.

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.

Preliminary Matters

3. Since the determination of this application, the Liverpool Local Plan 2013 – 2033 (2022) (LLP) has been adopted and therefore its policies carry full weight in the determination of this appeal. The delegated report and decision notice make reference to the relevant Policies of the LLP which were clearly a consideration in the determination of the application.

Main Issue

4. The main issue is the effect of the proposal on the living conditions of the occupiers of no. 17 Leagate, with particular regard to outlook.

Reasons for the Recommendation

5. The appeal site comprises a semi-detached two storey dwelling within a residential location. No. 17 Leagate is set back slightly from the boundary with

the appeal site and is set further forward than the appeal property. As a result of this relationship, the rear elevation of the appeal property extends beyond the rear elevation of no. 17. A single storey lean-to extends from the appeal property to the boundary with no. 17.

6. The proposal would involve a single storey extension which would wrap around the side and rear elevations of the house, replacing the existing lean-to and incorporating a sloped roof. The proposal would extend approximately 3 metres beyond the existing rear building line of the host dwelling and adjoin the boundary with no. 17.
7. Due to the proposal's single storey nature and modest scale with its roof sloping away from the boundary, I do not consider that the proposal would result in an excessively overbearing impact on the occupiers of no. 17.
8. The Council consider that the proposal would fail to accord with the guidance contained in the House Extensions Supplementary Guidance Note 1. This seeks to avoid an overbearing effect on neighbouring properties and indicates that normally extensions should not project more than 3 metres by a party boundary. In this case, as the extension would not result in any undue overbearing effect there would not be any conflict with the overarching aims of the guidance.
9. For the above reasons, I consider that the proposed development would be acceptable in terms of its effect on the living conditions of no. 17, with particular regard to outlook. The proposal would therefore comply with Policy H8 of the Liverpool Local Plan 2013 – 2033 (2022) which requires the consideration of the scale of proposals, including to ensure there is no significant reduction in the living conditions of the occupiers of neighbouring properties.

Conditions

10. In addition to the standard time limit condition, I recommend a condition to require that the development is carried out in accordance with the approved plans and a condition requiring the external materials used match that of the existing dwelling. These conditions are required to protect the character and appearance of the host building and wider area.

Conclusion and Recommendation

11. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

N Unwin

APPEAL PLANNING OFFICER

Inspector's Decision

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

K Taylor

INSPECTOR