



Appeal Decision

Site visit made on 11 October 2022

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th November 2022

Appeal Ref: APP/V4305/D/22/3302230

42 Stanford Crescent, Halewood L25 9PN

- 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 Cowley against the decision of Knowsley Metropolitan Borough Council.
 - The application Ref 22/00005/FUL, dated 5 January 2022, was refused by notice dated 13 May 2022.
 - The development proposed is two storey side extension to the existing property.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The name of the applicant given on the planning application form is Cowley. The name given on the appeal form is Mr Joseph Crossland. The appellant's agent, Mr Joseph Crossland, of JRCHITECTS, has confirmed that Miss Cowley is the appellant.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the area, and
 - the effect of the proposal on the living conditions of occupiers of the existing property number 44 Stanford Crescent.

Reasons

Character and appearance

4. The appeal property is a two-storey, end of terrace dwelling, designed with a dual-pitched roof and gable end, constructed mainly of red brick under a grey/brown tiled roof. There is a hard-standing area to the front of the dwelling, garden to the rear, and a gap of around 3.2 m at the side of the dwelling between the gable end and the southern side boundary of the site.
5. The site is in a residential area comprised primarily of two-storey terraced properties very similar in size, form, design, and appearance to the appeal property.
6. The block of dwellings within/around Stamford Crescent and a section of Arncliffe Road are arranged such that the layout includes several small, public open spaces set back from the road's edge. One of these public spaces, a

paved strip extending west from the edge of the pavement, is located between the southern, side boundary of the appeal property and the front boundaries of properties numbered 44-54 Stanford Crescent. These latter dwellings are arranged around the southern and western edges of the public space in a 'L' shaped terrace, with their front garden boundaries abutting the southern and western edges of the public space. The fence along the southern boundary of the appeal site abuts the northern edge of the public open space.

7. I consider the public open spaces described to make an important contribution to the character and appearance of the area, providing some relief between the rows of terraced properties.
8. The proposed two-storey side extension would be sited such that it would fill the existing gap between the side gable end of the property and its southern boundary. The proposed extension would therefore enclose the small area of public open space, significantly reduce the gap between the side elevation of the appeal dwelling and the front elevation of No. 54 to around 15.8 m, and extend across part of the front elevation of No. 44. I therefore consider the proposed extension would erode the already limited public open space to the south of No. 44 in a manner, and to an extent, that would significantly harm the character and appearance of the area.
9. Additionally, the proposed extension would have a hipped roof, which would be in total contrast to the gable end design of all the surrounding terraced properties. As such, the roof design of the proposal would also harm the character and appearance of the area.
10. The appellant suggests that other properties in the area have obtained planning permission for two-storey side extensions. However, I have not been provided with any details, nor did I observe any during my visit, within proximity of the site.
11. I therefore conclude that the proposal would significantly harm the character and appearance of the area. As such, it does not accord with policies CS2 and CS19 of the Knowsley Local Plan Core Strategy (2016), (LPCS) or saved policies H5 and H8 of the Knowsley Replacement Unitary Development Plan (2006), (UDP), which I consider to be broadly consistent with design policies in the National Planning Policy Framework (the Framework). Nor does the proposal adhere to guidance in the Knowsley Householder Development Supplementary Planning Document (June 2016), (SPD). Collectively, and among other things, these policies and guidance require development to be of good quality design, reflect the design of the original dwelling, respect the character of places, enhance local distinctiveness, and not adversely affect the character of an area.

Living conditions

12. I accept that the rear elevation of the proposed extension would barely be any closer to the closest part of the front elevation of No. 44 than the existing rear elevation due to the south-western corner of the appeal property and the north-eastern corner of No. 44 being currently almost opposite each other. However, the rear elevation of the proposed extension would be sited directly in front of around half of the front elevation of No. 44. Moreover, it would be sited directly in front of habitable room windows located on the front elevation of No. 44, at both ground and first floor levels.

13. The distance between habitable room windows on the front elevation of No. 44 and the rear elevation of the proposed extension would be around 12.8 m. At such a close distance I consider the proposed extension would substantially harm the outlook from, in particular, the bedroom window on the first floor of No. 44 that would be directly opposite the rear elevation of the proposed extension.
14. Additionally, the rear elevation of the proposed extension would have habitable room windows at both ground and first floor levels serving a kitchen/dining and bedroom respectively. The proposed first floor bedroom window would be directly opposite the first floor bedroom window at No. 44, with only around 12.8 m between them.
15. The appellant contends that as there is already a habitable room window on the first floor of the existing rear elevation of the appeal property, the level of privacy between the 2 properties would remain the same. However, at present the habitable room window on the first floor of the rear elevation of the appeal property that is closest to the front bedroom window on the first floor elevation of No. 44 is off-set from it. Although the current situation affords a limited degree of privacy to the occupants of No. 44 in respect of the bedroom window, the proposal would make the current situation worse, and moreover, result in a relationship between the 2 properties that would unacceptably harm the privacy enjoyed by occupiers of No. 44 in respect of the bedroom.
16. To overcome this concern, the appellant suggests removing the first floor bedroom window from the proposal. However, the plans before me are the ones on which I must make my decision, and they include the first floor bedroom window referred to. I consider the harm identified in respect of privacy could not be overcome by a condition which would meet the relevant tests.
17. Due to the presence of a boundary fence between the appeal property and No. 44, I consider the effect of the proposal on the ground floor habitable room window on the front elevation of No. 44 would be of a limited and acceptable degree. Notwithstanding this, for the reasons outlined, I conclude that the proposal would have an unacceptable impact on the living conditions of occupiers of the existing property No. 44 Stanford Crescent.
18. Consequently, the proposal does not accord with Policy CS19 of the LPCS or saved policies H5 and H8 of the UDP, which I consider to be broadly consistent with policies in the Framework that seek to protect the living conditions of occupiers of existing properties. Collectively, and among other things, these policies require development not to have an unacceptable impact on the living conditions of occupiers of existing properties.

Conclusion

19. For the reasons outlined above, I conclude that the appeal is dismissed.

J Williamson

INSPECTOR