

Appeal Decision

Site visit made on 17 January 2023

by S R G Baird BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 January 2023

Appeal Ref: APP/Z4310/D/22/3306431

113 Dunbabin Road, Childwall, Liverpool, Merseyside L16 7QQ

- 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 C McDaid against the decision of Liverpool City Council.
 - The application Ref 22H/1065, dated 7 July 2022, was refused by notice dated 12 April 2022
 - The development proposed is a single-storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single-storey rear extension at No. 113 Dunbabin Road, Childwall, Liverpool, Merseyside L16 7QQ in accordance with the terms of the application, Ref 22H/1065, dated 7 July 2022, 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 materials used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans, 903.L01 OS Location Plan, 904.P01 Existing Block Plan, Ground Floor Plan, Existing Roof Plan; 904.P02 Existing Elevations, 904.P03b Proposed Block Plan and Proposed Plans and 904.P04b Proposed Elevations.

Main Issue

2. The implications for neighbours' living condition with reference to outlook and privacy.

Reasons

3. The Liverpool Local Plan 2013-2033 (Policy H8) and Supplementary Planning Guidance Note 1 (SPG) seek to ensure that, amongst other things, domestic extensions do not have an overbearing effect on neighbouring properties or result in a significant loss of privacy. The SPG indicates that permission will not normally be granted for extensions which project beyond of 3m from the original rear main wall of the dwelling where it abuts the common boundary.
4. No 113 has an existing single-storey rear extension that abuts the common boundary with No.115. The proposed extension would project some 6.8m from the existing extension using, what is referred to as the footprint of a former detached garage. The extension would have a pitched, hipped roof with a

height of some 3.1m to the eaves and 3.9m to the ridge. No. 115 has a small detached pitched roof, brick built building abutting the boundary with No. 113 that projects just beyond the rear elevation of the existing extension at No. 113. This detached building would partially screen the proposed extension from the and ground floor door and windows of No. 115. The extensive open aspect to the rear of Nos. 113 and 115, coupled with the design of the proposed extension would ensure that the extension would not appear overbearing when viewed from the rear habitable rooms and garden of No. 115. In this context, although the rear projection would be greater than 3m, the extension would not conflict with the objectives of the SPG

5. Facing the common boundary with No. 111, the extension would have 2 windows in the side elevation and a rooflight in the rear roof plane. Given the degree of separation to and the height of the fence on the common boundary, the proposal would not result in a loss of privacy through overlooking by the residents of No. 111.
6. For the above reasons, the extension would not have an unacceptable effect on neighbours living conditions through a loss of outlook and privacy. As such the proposal would not conflict with the development plan or Supplementary Guidance. Accordingly, having taken all other matters into consideration the appeal is allowed.

Conditions

7. The permission is subject to the standard conditions relating to, in the interests of appearance, the use of matching materials and, in the interests of clarity, a condition listing the approved plans.

George Baird

Inspector