



Appeal Decision

Site visit made on 7 March 2023

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 10 March 2023

Appeal Ref: APP/Z4310/D/22/3312793

79 Bentham Drive, Liverpool L16 1JE

- 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 Michael Carlisle against the decision of Liverpool City Council.
 - The application Ref 22H/2439, dated 6 September 2022, was refused by notice dated 2 December 2022.
 - The development proposed is described as 'proposed two storey side extension with single storey rear extension, together with new entrance and driveway'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application form describes the development proposed as provided in the final bullet header above. However, this was subsequently altered by the Council 'To erect two storey extension to side and rear incorporating bay window to front with porch canopy, single storey extension to rear, to apply render to property and to install 3m gated opening to side so as to allow for 2no. parking spaces with associated works'. I have determined the appeal on this basis as it more accurately describes the proposal.

Main Issue

3. The main issue is the effect of the proposed development on the street scene.

Reasons

4. The appeal relates to a 2 storey semi-detached dwelling that is situated in a prominent location, with its gable elevation perpendicular to Bentham Drive. The surrounding area is residential in character, with the neighbouring dwellings on the northern side of Bentham Drive fronting this highway. They have broadly linear building lines that follow the curved alignment of the road, which presents a well-ordered spacious layout and appearance.
5. The proposal would be constructed in materials to match those found on the existing dwelling and the proposed 2 storey side and rear extension elements would have a ridge height lower than that of the main building. Nonetheless, these elements of the proposal would project outwardly from the gable elevation of the dwelling towards, and in proximity to the back edge of the Bentham Drive footpath. They would provide significant additional visual scale and dominance to the existing building to the extent that it would substantially break the building line of the properties along the northern side of Bentham

Drive and appear jarring and unduly dominant. This would intrude upon the spacious layout that is maintained by the set backs and the relatively open garden frontages to the neighbouring properties.

6. In combination with the proposed single storey rear extension and the projecting ground floor front porch extension, the proposal would also introduce a bulky, oversized and obtrusive feature into what is already a prominent location. The discordant effect of the proposal would be plainly visible from Bentham Drive and the windows of neighbouring properties.
7. I therefore find that the proposed development would have a harmful effect on the street scene. As such it would conflict with Policy H8 of the Liverpool Local Plan 2013-2033 (2022). This seeks, amongst other things, to ensure that house extensions and alterations are of a high quality of design and are of a size and scale that are in keeping with the original dwelling and the surrounding area.

Other Matters

8. In reaching my findings I have had regard to the submitted photographs and the location plan with annotated visibility splays. However, the Council Highways and Transportation Section did not raise any objections to the scheme on parking or highway safety grounds, subject to planning conditions, and I have no substantive reason to disagree with this view. I also recognise that the proposal would not have a detrimental effect on the health of nearby trees. However, the absence of harm in these respects does not weigh in favour of the proposed scheme.
9. Reference has briefly been made to a refused planning application (Ref: 20H/2029) that was submitted by the previous owners. The Council's lack of communication, and the reasons for submitting a further planning application by the new owners, rather than a prior approval, have also been put to me. However, these factors have not had any bearing on my decision as I have only had regard to the planning merits of the appeal proposal that is before me.

Conclusion

10. For the reasons given above, having taken account of the development plan as a whole, along with all other relevant material considerations, the appeal should therefore be dismissed.

Mark Caine

INSPECTOR