
Appeal Decision

Site visit made on 25 April 2023

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th May 2023

Appeal Ref: APP/Z4310/D/23/3318331
10 Ambleside Road, Liverpool L18 9US

- 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 Alan Bennett against the decision of Liverpool City Council.
 - The application Ref 22H/2913, dated 24 October 2022, was refused by notice dated 2 February 2023.
 - The development is described as resubmission of application 20H/2367 to retain existing front, side, and rear extensions, including rear dormer, following implementation of planning permission reference 17H/2956.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of front, side, and rear extensions, including rear dormer at 10 Ambleside Road, Liverpool L18 9US in accordance with the terms of the application Ref 22H/2913, dated 24 October 2022 and the plans submitted with it.

Procedural matters

2. The proposed development is complete. It appears to have been constructed broadly in accordance with the plans.
3. Retention is not an act of development under the above Planning Act. I have therefore assessed the proposal as one that seeks planning permission for the erection of front, side, and rear extensions including a rear dormer, retrospectively. For clarity, the description of development in my decision also omits reference to other planning applications.

Main issues

4. The main issues are the effect of the development firstly, on the character and appearance of the host building and the local area; secondly, on the living conditions of the occupiers of 8 Ambleside Road with regard to visual impact and sense of enclosure and the occupiers of 12 Ambleside Road with reference to privacy; and thirdly, on highway safety for users of Ambleside Road.

Reasons

Character and appearance

5. The appeal property is a semi-detached dwelling within a mainly residential area wherein dwellings are similar in age and style although often vary in size and general appearance partly due to various extensions and alterations that

- have been carried out. Therefore, there is some variety to the existing built form in the street scene and the local area to which No 10 belongs.
6. Part single storey, part 2-storey extensions have been introduced on all 3 sides of No 10 with a single flat roof dormer placed onto a rear roof slope. The walls of the enlarged dwelling have been rendered and painted. The main roof is tiled with hipped ends. It is this development for which planning permission is sought. It follows the Council's decision to refuse planning permission¹ for the same development and an earlier approval² of a different scheme that for brevity is referred to hereafter as the 'approved scheme'.
 7. From the submitted plans, the development has resulted in a far larger building with extended 2-storey front and rear elevations across almost the full width of the plot. The new side addition includes a very small set back from the main front wall and the new hipped roof is carried from the host building with the ridge set slightly lower than that of the main house. This arrangement conflicts with some of the advice within the Council's Supplementary Planning Guidance Note 1: *House Extensions* (SPG). The SPG notes that residential extensions should be subordinate in scale to ensure visual harmony with the existing building. To emphasise the reduced scale of the extension, the SPG advises that the ridgeline of the extension must be correspondingly lowered in conjunction with a setback of at least 1-metre from the front wall of the original house.
 8. Nevertheless, the proposal has been designed to complement the form, scale, and design of the original house. Although sizeable, it is a proportionate addition to the host building with a hipped roof reflecting the style of the existing house with the walls of the completed dwelling rendered and painted to unify the overall design. The slightly varied front build lines and ridge lines of the dwelling still visually 'break up' the scale and mass of the front façade to some extent.
 9. The attached counterpart to the appeal dwelling, which is 12 Ambleside Road, has been extended and finished in a similar way to No 10 at the side with a noticeable set back at first floor level from the main front wall. Even so, there is no significant visual disharmony between this pair or an imbalance in their principal elevations. I saw that the front build lines of other properties along Ambleside Road slightly varies and that several dwellings near to the site include 2-storey or first floor side extensions with little or no set back from their main front wall. As such, the side extension at No 10 is not a visually discordant or an uncharacteristic feature of properties within the local area. Given that finding, a conflict with some of the guidance within the SPG is insufficient reason to withhold planning permission in this instance.
 10. On the first main issue, I conclude that the development does not cause significant harm to the character and appearance of the host building or the local area. As such, it does not conflict with Policies H8, UD1 and UD7 of the Liverpool Local Plan (LP). These policies aim to ensure that house extensions achieve a high quality of design that matches or complements the style, scale and proportion of the dwelling and the character of the local area.

¹ Reference 20H/2367 dated 13 July 2022

² Reference 17H/2956 dated 26 January 2018

Living conditions

11. The new side wall runs broadly parallel with the common boundary with No 8 and the new extension projects noticeably beyond the main rear elevation of this adjacent property. As a result, the appeal extension partly encloses the external patio of No 8 and is likely to present a substantial feature in views from some rear windows and back garden of this neighbouring property. Even so, the new first floor element is set back from the shared boundary between the site and No 8 with a tall timber fence and planting that largely shields the lower section of the ground floor component in views from this direction. Given this visual separation and partial screening, I doubt that the presence of the side extension is so imposing as to overbear, overshadow or unduly heighten a sense of enclosure as it would be experienced by the occupiers of No 8.
12. From what I saw, the elevated position of the full-length windows that serve the rear dormer and a first-floor bedroom window allow the back garden of No 12 to be overlooked at a close range. The rear dormer, as built, would also be evident from the rear garden of No 12 and its presence would lead to a perception of being overlooked for the occupiers of this attached property.
13. In my experience, some overlooking of this type is often a characteristic of dwellings that stand side-by-side within main built-up areas such as this. From the submitted evidence, it is likely that the intervisibility between the new dormer and first floor rear bedroom window under the approved scheme with the back garden of No 12 would be very similar to the development sought. In those circumstances, it seems to me that the additional overlooking possible, and the perception of being overlooked, as a result of the development would have no significant effect on the living conditions of the occupiers of No 12.
14. On the second main issue, I therefore conclude that the development does not cause significant harm to the living conditions of the occupiers of Nos 8 and 12. Accordingly, it is not contrary to LP Policies H8, UD1 and UD7 insofar as they aim to safeguard residential amenity.

Highway safety

15. The Council raises concern that there is insufficient space at the front of the completed dwelling for a car parking space that is 5.5m in length at a right angle to the road. While that may be the case, I saw that there is ample space to park at least one family sized vehicle perpendicular to the road immediately in front of the house. The remaining length of driveway may also allow a second vehicle to be parked within the site. There is nothing before me to indicate that either arrangement should not count towards the provision of off-road parking. Furthermore, the appellant states that the parking arrangements do not differ to those under the approved scheme, which the Council previously found to be acceptable.
16. For these reasons, I conclude on the third main issue that the development is not detrimental to highway safety and that it does not conflict with LP Policies UD1, UD7 and TP8. Together, these policies aim to ensure that new development meets the demand for parking on site, which should be usable, safe, and secure, and also has regard to road safety considerations and the Council's standards.

Other matters

17. Both main parties have referred to other planning decisions on application and at appeal, and provided some background details, which I have carefully considered. Although I understand the parallels drawn, there are also some differences between each of these cases and the development sought notably in the scale and design of the proposal and in the remit of the planning appeal at 19 The Croft, Liverpool. As a result, I attach limited weight to these planning decisions in my assessment of the appeal scheme which has, in any event, been evaluated on its own merits.

Conclusion

18. There are no material considerations that indicate the proposal should be determined other than in accordance with the development plan. For the reasons set out above, I therefore conclude that the appeal should be allowed.
19. No conditions have been suggested by the Council and, as the development is complete, none are necessary.

Gary Deane

INSPECTOR