



Appeal Decision

Site visit made on 04 July 2024

by D Cleary MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th August 2024

Appeal Ref: APP/V4305/D/24/3343942

95 Arncliffe Road, Halewood, Knowsley L25 9QE

- 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 Toni Dillon against the decision of Knowsley Metropolitan Borough Council.
 - The application Ref is 23/02718/FUL.
 - The development proposed is described as a two storey extension to side, single storey extension to rear, dormer loft conversion.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Toni Dillon against Knowsley Metropolitan Borough Council and this is the subject of a separate Decision.

Main Issues

3. The main issues are:
 - i) the effect of the development on the character and appearance of the area; and,
 - ii) the effect on highway and pedestrian safety due to insufficient parking.

Reasons

Character and Appearance

4. No.95 Arncliffe Road is a two-storey end terraced property, located in an L-shaped row of similarly designed dwellings. The dwelling has a single storey lean-to projection to its side, which is constructed up to the side boundary of the site. The dwelling occupies a corner plot at the junction of Arncliffe Road and Elder Place. The Elder Place boundary comprises a palisade fence, beyond which is a tall brick wall. This is set behind a small, landscaped, triangular strip of land located adjacent to the Elder Place pavement. The surrounding area is predominantly residential in character. The dwellings on Elder Place, and those fronting Arncliffe Road on the opposite side of the entrance to Elder Place, are of more recent construction. No.93i Arncliffe Road (No.93i) is a two-storey dwelling which is located on the opposite side of the junction, and is set away from its side boundary behind a low-level wall and railings. The set back of

two-storey development from the side boundaries provides a degree of openness within the street and a balanced entrance into Elder Place.

5. The Householder Development Supplementary Planning Document (the HDSPD) sets out design guidance for extensions on corner plots¹. This advises that a sufficient distance be retained to the side boundary to preserve the character of the surrounding area and that they should not be sited so close to the boundary that they would adversely impact the street scene. The SPD sets no specific distance for two-storey extensions although it suggests that single storey extensions should be set in from the boundary by 2m. The HDSPD identifies that presence of substantial verges or boundaries could allow for a relaxation of the standards. I am mindful that the HDSPD is guidance only. Nonetheless, it is a useful tool for informing acceptable forms of development.
6. The appellant indicates that the side extension could be set in by 250mm from the side boundary. However, the site plan² appears to indicate that the proposed two-storey side extension would be constructed up to the site boundary. Therefore, based on the information before me, I cannot be satisfied that the development would be set in from the Elder Place boundary in any way.
7. The side extension would fill the width of the plot eroding the remaining space between the dwelling and the side boundary across two storeys. The extension would have a tall gable roof with a side elevation comprising a solid blank wall. The positioning and scale of the extension up to the site boundary would result in a development which would be visually prominent within the street. The proximity of the extension to the plot boundary, along with its scale, would contrast markedly with the spacing of development set away from Elder Place. Furthermore, this would significantly erode the existing visual balance and openness of built form on the entrance to Elder Place that is created by the existing two-storey set back of the appeal dwelling and No.93i. The prominence of the development would be further exacerbated by the large expanse of unbroken flank elevation.
8. There is a retained area of informal open space located between the appeal site and the pavement of Elder Place. Clearly, the presence of this strip of land forms part of the site context. Nonetheless, this land is modest in width and has limited landscaping to create any meaningful visual buffer to the appeal site. Therefore, the presence of this land would not soften the prominence of the development created by the construction of a two-storey gable built up to the site boundary.
9. While the HDSPD³ states that side extensions should be set in by 1m from the side boundary, or set back at first floor, this relates to avoiding a terracing effect which I do not consider to be directly relevant on this corner plot location.
10. The single storey rear extension would be full width and would be constructed flush with the flank elevation of the side extension. The rear extension would have a lean-to roof with its maximum height terminating just below the eaves

¹ At 7.6

² Submitted plan "Sheet 3"

³ At 7.4

- height of the first floor windows. While the extension is modest in rearward projection, the additional expanse of mass constructed up to the site boundary would only serve to add further to the visual prominence of the development.
11. I acknowledge that single storey rear extensions could be constructed under permitted development rights⁴. However, I have no evidence to persuade me that the single storey rear extension, in isolation, which projects beyond the two-storey side elevation of the dwelling would be permitted development. In any event, as it forms part of the proposals, it needs to be considered cumulatively with the other development proposed and, therefore, against the policies of the development plan.
 12. To the roof, a large box dormer is proposed. The dormer would have very little off set from the ridge, eaves, or sides of the existing roof. As such, the dormer would occupy almost the entirety of the existing rear roof slope. This would be a bulky and dominant addition to the dwelling. The scale of the dormer, would add greater vertical emphasis to the property, and would be visually prominent from Elder Place when viewed from the rear. Cumulatively, with the side and rear extensions, the proposals would visually overwhelm the size and character of the existing dwelling. This would result in a visually prominent dwelling which would be of a scale and design that would appear at odds with the surrounding properties.
 13. Again, I acknowledge that permitted development rights exist for additions to the rear roof slope⁵. However, the dormer is large and constructed very close to the outer edges of the roof slope. As before, there is nothing before me to conclusively demonstrate that the dormer proposed would meet all of the conditions and limitations set out in the relevant parts of the GPDO. Therefore, based on the evidence before me, I cannot be certain that a genuine fall-back position exists with respect to the proposed dormer.
 14. It is suggested that appropriate materials could be used, and that the proposals could be amended to provide a window within the flank elevation. The use of appropriate materials to match the existing dwelling would be expected for a development of this nature, which could be secured by condition. Notwithstanding this, the use of different materials to those proposed would do little to lessen the prominence of the development arising from its scale. The provision of a window within the side elevation does not form part of the scheme. While a window may help to break up the expanse of the flank elevation, again it would not address the concern arising from the scale and proximity of the development to the site boundary. Finally, even if the extension were to be set in from the side boundary by 250mm, the extension would remain very close to the edge of the plot. Therefore, I am not persuaded that any of these measures individually or cumulatively would address the concerns that I have identified.
 15. For the above reasons, the development would have a harmful effect on the character and appearance of the area. Therefore, the development is contrary to Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan

⁴ Under Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

⁵ Under Schedule 2, Part 1, Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

2006 (the UDP), the HDSPD, and the National Planning Policy Framework 2023 (the Framework). Together, amongst other things, these seek to achieve high quality design in development which reflect the original dwelling and do not adversely affect the character of the area.

Highway and Pedestrian Safety

16. Parking standards⁶ indicate that, in this location, a dwelling with 4 or more bedrooms should provide a maximum of 3 off street parking spaces. The existing dwelling is a 4-bedroom property. The dwelling has an existing area of hardstanding to the front which could be used as parking for a single vehicle. However, I do not consider that the existing single storey lean-to can be considered to be an existing parking space. The lean-to has a pedestrian door to the front and there is no means for a vehicle to access this space. Therefore, there is an existing under provision of off-street parking at the site.
17. The development would result in an uplift of bedrooms within the property from four to six. The proposed plans show that two vehicles could park to the front, albeit the frontage depth would not allow for vehicles to park perpendicular to the street. The proposed garage would also be narrow and would not appear to be of appropriate dimensions to provide an off-street parking space. Therefore, the scheme would only deliver parking for two vehicles. Nonetheless, while there would remain an under provision of off-street parking, the development would result in an additional off-street parking space. This would improve the off-street parking provision for the site.
18. The parking standards are identified as being maximum requirements. The majority of dwellings within this row of terraced properties do not benefit from any off-street parking and, therefore, their occupiers would rely on parking on the street. While an increase in off-street parking would be provided it is possible that the development would result in further pressure for parking on street. At the time of my site visit, I did not find on-street parking along Arncliffe Road or Elder Place to be overly saturated. However, I appreciate that this is just a snapshot in time. Nonetheless, Elder Place has no parking restrictions and its initial stretch from Arncliffe Road, close to the appeal site, has no driveways exiting onto it. Given the apparent availability of on-street parking in the area, I am not persuaded that additional vehicles parked on-street, arising from the development alone, would result in such hazardous conditions that would lead to an unacceptable level of harm to highway or pedestrian safety.
19. For these reasons, I find that the proposed development would not have an unacceptable effect on highway and pedestrian safety due to insufficient parking. Therefore, with regard to the second main issue, the proposed development accords with saved Policies H5 and H8 of the UDP; Policies CS2, CS7 and CS19 of Knowsley Local Plan: Core Strategy 2016; the Ensuring a Choice of Travel SPD 2010; the HDSPD; and the Framework. Together, amongst other things, these require developments to provide sufficient off-street parking to ensure safe and sustainable access and routes, and to enhance road safety.

⁶ Set out in Appendix A of Ensuring a Choice of Travel Supplementary Planning Document (2010)

Other Matters

20. Much is made of the redevelopment of the land adjacent to the appeal site (now known as Elder Place). While it is appreciated that before this development, the appeal site was not located at a junction, the assessment of any development ought to be considered against the existing context and not what existed previously. Furthermore, the ownership of the verge land to the side of the appeal site is not material to my assessment. As I have observed above, I have identified it as forming the context of the site but do not consider that its presence mitigates against the harmful effects of the development.
21. I do not consider that the lack of any objections from neighbouring properties is demonstrative of the acceptability of the proposals, which needs to be considered against the provisions of the development plan. Furthermore, the manner in which the application has been handled is a matter for the main parties and is not material to my overall assessment of the appeal.

Conclusion

22. For the above reasons the appeal is dismissed.

D Cleary

INSPECTOR