



Appeal Decision

Site visit made on 3 December 2024

by R Major BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th December 2024

Appeal Ref: APP/Z4310/D/24/3347346

15 Garthowen Road, Liverpool L7 9LA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Niall McGuigan against the decision of Liverpool City Council.
 - The application Ref is 24H/0684.
 - The development proposed is hip to gable loft conversion.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has stated that a Certificate of Lawful Development (CLD) has been submitted to the Council to demonstrate that the hip-to-gable extension, without the rear dormer, represents permitted development. The appellant contends that subject to the CLD being issued the hip-to-gable extension element of the proposal would benefit from a fall-back position which could be implemented regardless of the outcome of the appeal.
3. I have however not been provided with any details of this CLD application or confirmation that it has been found to be lawful. As such, whether the hip-to-gable extension could be undertaken under permitted development rights has not been demonstrated and it is not for me to determine this matter in the context of an appeal made under section 78 of the Town and Country Planning Act 1990. I have therefore determined this appeal based on the development proposed as shown on the submitted drawings.
4. Notwithstanding the above however, any CLD application would be unaffected by my determination of this appeal.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

6. Garthowen Road is a residential street characterised by semi-detached dwellings on both sides. I observed that all properties on this street have retained their original hipped roof design which provides a high level of symmetry, creating a balanced and pleasant character to the street scene.
7. The proposed hip-to-gable roof enlargement would result in the erosion of the original hipped roof design, which is a fundamental aspect of the roofscape

character on Garthowen Road. The resulting lack of uniformity in the shape this alteration would cause between the appeal dwelling and the adjoining property would appear awkward and incongruous, harming the character and appearance of this pair of semi-detached dwellings and the street scene in general.

8. Additionally, the proposed hip-to-gable enlargement would also reduce the existing gap at roof level between the appeal property and the neighbouring dwelling at no. 17 Garthowen Road, causing further visual harm to the existing symmetry and balance on this street.
9. In coming to this view, I acknowledge the dwellings are sited close to the back of the footway and this, along with the relatively narrow gaps between each pair of properties, limits the viewpoints from which the proposed hip-to-gable enlargement would be visible along Garthowen Road. Nevertheless, the unbalancing effect of the change to the roof would still be visible when observed from directly in front of the appeal property and from properties on the opposite side of the street, as well as views from the rear on Laurel Road.
10. The proposal also includes a rear dormer extension which would sit within the plane of both the original roof and proposed extended roof. The dormer would be set slightly below ridge height, set close to both side walls and set back slightly from the original rear wall. The dormer would not therefore fully comply with the requirements of the Council's House Extensions Supplementary Planning Guidance Note 1 which states that dormers should be set a minimum of 1m from the main wall of the dwelling.
11. I find that as a result of its overall size, scale, bulk and design, the proposed dormer would represent an incongruous, excessive and disproportionate feature that would dominate the rear roof plane of the host property. The proposed dormer would therefore, in combination with the hip-to-gable enlargement, have a harmful visual impact upon the rear elevation of the appeal dwelling, which is visible from Laurel Road over an existing car parking area.
12. I note the appellant's comments that the distance from Laurel Road to the rear of the appeal dwelling reduces the prominence of the appeal proposal when viewed from this location. However, I observed on site that the rear of the appeal site is clearly visible from Laurel Road and the gap that is created by the car parking area affords uninterrupted views towards the rear of the appeal property from this highway.
13. Furthermore, Laurel Road contains traffic lights at its junction with Edge Lane and I saw on site that vehicles waiting at these lights frequently back up to a point where they are provided with clear views towards the rear of the appeal property. As such, I find that the proposed alterations to the roof of the appeal dwelling would be prominently viewed from public vantage points along Laurel Road, either on foot or from within vehicles.
14. In view of the above, I conclude that the proposal would be visually harmful to the host property, its adjoining dwelling and the surrounding area in general. The appeal scheme is therefore contrary to the objectives of Policies UD1, UD7, H7 and H8 of the Liverpool Local Plan 2013 – 2033 (2022). These policies together seek to ensure, amongst other things, that development proposals are of a high-quality design that protects and takes account of the

character, scale, form and roofscapes of existing buildings and streets, and that the overall character of the area is retained.

Other Matters

15. The appellant states that the proposal forms part of a complete retro fit of the property to make it more energy efficient. I have limited evidence that the appeal proposal is the only means to improve the energy efficiency level of the building and this therefore limits the weight I can attribute this matter in favour of the appeal scheme.

Conclusion

16. The proposal conflicts with the development plan taken as a whole and there are no material considerations, including the Framework, to suggest the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, the appeal is dismissed.

R Major

INSPECTOR