



Appeal Decision

Site visit made on 6 December 2024

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 December 2024

Appeal Ref: APP/Z4310/D/24/3349572

2 Paley Close, Liverpool L4 4QZ

- 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 Joseph Grady against the decision of Liverpool City Council.
 - The application reference is 24H/1373.
 - The development is the erection of a double storey side extension and single storey rear extension.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of a double storey side extension and single storey rear extension at 2 Paley Close, Liverpool L4 4QZ in accordance with the terms of the application Ref 24H/1373 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. On 12 December 2024, a revised National Planning Policy Framework (the Framework 2024) was published. The Framework does not raise any new matters that are determinative to the outcome of this appeal.

Main Issue

4. The main issue is the effect of the development on the living conditions of the occupiers of 23 Sleepers Hill with regard to outlook and visual impact.

Reasons

5. This appeal relates to a part single storey, part 2-storey side extension and a single storey rear addition that have been introduced to the appeal property, which is a 2-storey, semi-detached house within a mainly residential area. The new flank wall is up to the shared boundary between the site and 23 Sleepers Hill, which is a 2-storey dwelling that backs onto the side of the site. There are several windows in the rear elevation of No 23 and a conservatory that projects beyond its main wall from which the new side extension would be evident.
6. According to the Council, the separation distance between the side extension and the rear conservatory of No 23 would fall short of the minimum gap that is stated in the Council's Supplementary Planning Guidance Note 10, *New Residential Development* (SPG10). Even so, SPG10 notes that each development will be assessed on its merits, which I have done in this instance.

7. When seen from the conservatory and rear windows of No 23, the lower section of the new flank wall would be screened by the existing timber fence that marks the boundary with the site. The upper part of the new gable wall would be clearly visible albeit at a reasonable distance and from an elevated position due to the gently sloping ground. The main direction of outlook from the rear of No 23 would remain across the good-sized garden and include partly open views above and beyond the new flank wall. Having viewed the relationship 'on the ground' between the new side extension and the rear of No 23, neither the scale, bulk nor height of the development sought is so great as to visually dominate nor overbear on the occupiers of this nearby residential property.
8. On the main issue, I conclude that the development does not materially harm the living conditions of the occupiers of No 23. As such, there is no conflict with Policies H7, H8, UD1, UD2, UD7 of the Liverpool Local Plan 2013-2033 insofar as they aim to safeguard residential amenity.
9. As the development sought would meet one of the key objectives of SPG10, which is to ensure that all new residential development achieve a reasonable level of amenity, a conflict with some of its guidance is insufficient reason to withhold planning permission. For the same reason, the development is also consistent with the objectives set out in the Council's Supplementary Planning Guidance Note 1, *House Extensions*.

Conditions

10. The Council has put forward suggested conditions if planning permission were to be granted, which I have considered in the light of national policy and the circumstances in this case. As the development is complete, the standard time limit condition is unnecessary.
11. The completed development is broadly consistent with the submitted plans and the materials used appear to generally match those of the host building. As such, conditions requiring that the scheme is implemented in compliance with the approved plans and the use of matching materials, as suggested by the Council, are also unnecessary. No other conditions are required.

Conclusion

12. 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.

Gary Deane

INSPECTOR