



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: 18 December 2024

Appeal Ref: APP/Z4310/D/24/3353154

11 Spur Close, Liverpool L11 4TT

- 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 Mrs Christine Connolly against the decision of Liverpool City Council.
 - The application reference is 24H/0658.
 - The development proposed is the erection of a 2-storey extension to side and rear, further single storey extension to side and rear, associated landscaping and dormer extension to rear.
-

Decision

1. The appeal is dismissed.

Procedural matters

2. Revised drawings with alternative forms of development were submitted to the Council during the application process. It is unclear from the evidence whether the Council formally considered these amended plans or consulted others on them. Consequently, the interests of others could be prejudiced if I were to consider these additional drawings. Therefore, in the interests of fairness, I have not done so. For the avoidance of doubt, I have assessed the proposal in the light of the drawings that accompanied the original application because it was on that basis that the Council decided to withhold planning permission.
3. On 12 December 2024, a revised National Planning Policy Framework (the Framework 2024) was published. The Framework 2024 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 proposed development on the character and appearance of the host building and the local area.

Reasons

5. The appeal property is a 2-storey end terrace house within a residential estate, wherein dwellings are similar in age, style and type. It stands within a plot at the end of a cul-de-sac with a footway and an area of grassland beyond the side and rear of the site.
6. The new ground floor rear extension would extend across the full width of the plot and therefore exceed the width of the main 2-storey house. It would also project outwards from the main rear wall mostly by 3-metres into the back

garden of No 11. The proposed 2-storey element would also be a sizeable addition. Although noticeably set back from the main front wall, it would project well beyond the full depth of the host building. Taken together, these extensions would elongate the built form of No 11, significantly enlarge its footprint and noticeably add to its size and mass.

7. Given their considerable scale and bulk, the new rear and side extensions would be disproportionate additions to the host building. The main outcome would be that the side and rear elevations of the main dwelling would be overwhelmed by the new built form. In other words, new additions that would be wider and longer than the host building would be so large that the intrinsic character of the existing dwelling would be spoiled.
8. At the rear, 3 new flat roof dormer extensions would be placed onto the extended roof slope. While each new dormer would be set in from the edges of the roof, these features would also collectively add to the scale and mass of the building. With a row of 3 dormers in a high-level position, these would be highly conspicuous and repetitive features of the completed dwelling. This arrangement would markedly contrast with the simple design and unfussy rear roofscape of the existing building and the wider terrace, which appears to a characteristic feature of properties in the residential estate. That the windows of the new dormers would neither align with nor successfully relate to the windows below would also conflict unsatisfactorily with the pattern of fenestration in the rear façade of No 11.
9. A reasonable gap would continue to separate No 11 and the properties beyond the rear of the site with the new built form in place. Consequently, the finished dwelling would not visually dominate nor overbear on the occupiers of these nearby buildings. The effect on the local street scene would also be modest given the position of the new extensions to the side and rear of the appeal property. The proposed materials would also be appropriate. A good-sized garden would also remain with the built form in place.
10. However, the awkward relationship between the proposal and the host building would draw the eye from the footway and grassland beyond the side and rear of the site. Views from these public vantage points equally form part of the character of the area as it is experienced by others whether the land concerned is unkempt or is situated beyond a road with no through traffic. From the footway and grassland adjacent to the site, the scale and bulk of the proposed extensions would appear to be uncharacteristically large and obtrusive. The appeal scheme would, therefore, be an unwelcome addition to the local area.
11. Although the appellant considers that the Council's policies and design guidelines have been followed and met, the proposal would constitute overdevelopment of the host building, for the reasons given. To my mind, it could not reasonably be described as subordinate in scale to the host dwelling, which is expected of residential extensions in the Council's Supplementary Planning Guidance No 1 (SPG1), *House Extensions*.
12. On the main issue, I conclude that the proposed development would cause significant harm to the character and appearance of the host building and the local area. As such, it conflicts with Policies H8 and UD1 of the Liverpool Local Plan 2013-2033 (LP) and SPG1. These policies and guidance aim to ensure that the scale of development is in keeping with the original dwelling and that

- residential extensions and alterations match or complement the style of the dwelling and the surrounding area.
13. From the Officer's report, the Council appears to have found elements of the appeal scheme acceptable given that no objection is raised to the single storey side and rear extensions. However, from my inspection of the plans, these parts of the scheme are not clearly severable from the rest of the scheme and planning permission is sought for the development, as a whole.
 14. Several appeal decisions for extensions to residential properties have been drawn to my attention, with some background details and photographs provided. In my experience, it is rare that direct parallels can be drawn between one site, and another given that local circumstances often vary. In this instance, there are significant differences in terms of location, proposals and characteristics between the various sites quoted such that preclude any meaningful comparisons between them. Therefore, I am unable to attach more than limited weight to these decisions in support of the appellant's case.
 15. Once complete, the additional accommodation provided would meet the pressing needs of the appellant and her family. I have some sympathy for this desire and note that the proposal would improve access and the useability of the living space. However, personal circumstances rarely outweigh more general planning considerations.
 16. I note that the proposal was refined in the light of advice provided by the Council particularly at the pre-application stage and, as far as the appellant is concerned, the changes made largely resolved the concerns that were raised. I acknowledge that the proposal would make efficient use of the space available at roof level and within the site. The living conditions of others would not be adversely affected, nor would road safety, vehicle parking arrangements or the hard landscaped area at the front of the site. No landmarks, gateways, protected views or heritage assets would be impacted by the proposal. However, these considerations do not outweigh the significant harm that I have identified in relation to the main issue.
 17. The appellant is critical of the Council partly on the grounds that its objections are based on a subjective judgment. Matters of character and appearance inevitably are. The appellant has also referred to the Council's handling of the application, the time taken to reach a decision and the lack of clear feedback particularly on the changes that it considers would be required to make the proposal acceptable. I understand that the associated uncertainty and delay have caused distress to the appellant. However, my remit is solely to determine this appeal.

Conclusion

18. Overall, the development conflicts with the development plan, when read as a whole. There are no material considerations, including the policies of the Framework 2024, which indicate that the decision should be taken other than in accordance with the development plan. For the reasons set out above, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR