



Appeal Decision

Site visit made on 13 June 2025

By K Winnard LLB Hons Solicitor

an Inspector appointed by the Secretary of State

Decision date: 27 June 2025

Appeal Ref: APP/M4320/D/25/3364426

The Paddock, 1A Blundell Grove, Hightown, Sefton L38 9EA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mrs Hannah Blakey against the decision of Sefton Council.
 - The application is Ref. DC/2024/02123
 - The application sought planning permission for the alterations to roof from hipped to gable end including installation of rooflights to side and erection of dormer extension to side and rear elevations of the dwellinghouse without complying with a condition attached to planning permission Ref DC/2023/01136 dated 30 November 2023.
 - The condition in dispute is No 2 which states that: The development shall be in accordance with the following approved plans and documents: 175-P-02 Rev C Proposed plans and site plan.
 - The reason given for the condition is: For the avoidance of doubt.
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Decision

1. The appeal is allowed and planning permission is granted for the alterations to roof from hipped to gable end including installation of rooflights to the side and erection of dormer extension to the side and rear elevations of the dwellinghouse at The Paddock, 1A Blundell Grove, Hightown, Sefton L38 9EA granted on 30 November 2023 by Sefton Council, in accordance with the application DC/2024/02123 without compliance with condition number 2 previously imposed on planning permission Ref DC/2023/01136 granted on 30 November 2023 but subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 175_P-01_Existing Plans _ Location Plan and 175_P02_Proposed Plans Rev D.
 - 2) The dormer window on the east elevation shall be glazed with obscure glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard) and shall have a restricted opening system allowing a maximum opening of 10cm. The window shall be retained in that form thereafter.

Main Issue

2. Planning permission was granted under reference DC/2023/01136 on 30 November 2023 for alterations to the roof from a hipped to gable end including installation of rooflights to side and erection of dormer extension to side and

rear elevations of the dwellinghouse. Condition 2 of the permission required the development to be implemented in accordance with the submitted drawings (the plans condition).

3. The extensions and alterations, the subject of the 2023 consent appear to have been largely completed. Part of these works have not been undertaken in accordance with the plans condition. The appellant seeks to vary the approved plan reference 175-P-02 Rev C which shows the rear dormer set in from the gable, the side dormer having two windows, three rooflights in the west side elevation and the side and rear dormers faced in vertical hung tiles. The Council's main concern relates to the rear dormer being built to be in line with the west gable and render finish.
4. In the light of the above the main issue is the effect of varying the approved plan and thus the affected condition on the character and appearance of the host dwelling and the area.

Reasons

5. The Paddock. No 1A Blundell Grove, (The Paddock) is a detached dwelling situated in a residential area where the predominant form is of predominantly detached dwellings laid out in a regular pattern set back from the road. Whilst there is a variation in the style and design of the dwellings there is a consistency in the use of materials, namely a mix of brick and render or render only. This contributes to the character and appearance of the area.
6. The works, which have been completed to the rear of the Paddock are significant in size and it is difficult to discern the original form of the rear of the property in what is a substantially extended modern dwelling with the appearance of a 3 storey dwelling. The construction of the rear dormer to align with the gable and ridge of the dwelling extends the built form to the full width of the dwelling and whilst minor in itself, adds to its bulk. However, the Paddock and its associated plot is of a scale and width able to accommodate the alteration and its scale at the rear facing onto a large rear garden does not appear out of keeping with the property itself. Whilst the flat roof and flank wall of the dwelling are visible in views from the west, they are viewed in the context of the large detached dwelling at No 1 Blundell Grove (No 1) and as such do not appear unduly incongruous.
7. The gable wall may be more prominent from the garden of No 3 Blundell Grove (No 3) to that previously approved but due to the relative alignment of both properties to each other and the gap between them is not in itself unacceptably harmful to the outlook which would be enjoyed from the garden of No 3. Nor does the use of render, whilst failing to provide a contrasting detail between the various elements of the development, unacceptably harm the character and appearance of the property or the area. It echoes the use of render on the front of the dwelling and that of other properties in the vicinity. Further given the relative exposure of the flank wall to the elements it provides a robust and resilient external treatment.
8. The Council raise no objection to the change in the number of windows sought subject to a condition in relation to obscure glazing and opening restrictions in the dormer window in the east side of the dwelling. Given this means of control together with the degree to which the windows look towards adjoining gardens and having regard to the separation distances I would concur with their assessment.

9. Overall, I find that the changes as detailed in the revised plan before me do not cause material harm to the character and appearance of the host dwelling and the area. As such the development is not contrary to Policy HC4 of A Local Plan for Sefton and the Council's Supplementary Planning Document on House Extensions which together require development to compliment and respond to the local character and distinctiveness of its surroundings.

Conditions

10. The guidance in the Planning Practice Guidance (PPG) makes clear that decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission unless they have already been discharged. However, as the development has been completed there is no need for the standard implementation condition. I impose a plans condition reflecting the amended plan in the interests of certainty. I note the Council in its officer report suggests a condition in relation to the east side elevation window as to opening restrictions and glazing. I have imposed a condition in relation to obscure glazing and opening restrictions to ensure the privacy of neighbours is maintained.

Conclusion

11. For the reasons stated above, the appeal is allowed and condition 2 should be varied.

K Winnard

INSPECTOR