



Appeal Decision

Site visit made on 9 September 2025

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 September 2025

Appeal Ref: APP/Z4310/D/25/3369619
35 Mossgate Road, Liverpool, L14 0JN

- 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 Lisa Senior-Farrell against the decision of Liverpool City Council.
 - The application Ref is 25H/0771.
 - The development proposed is the construction of a part two-/part single-storey side extension and single-storey rear extension with roof lantern.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a part two-/part single-storey side extension and single-storey rear extension with roof lantern at 35 Mossgate Road, Liverpool, L14 0JN, in accordance with the terms of the application, Ref 25H/0771, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing 01 – Existing and Proposed Plans and Elevations dated March 2025.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issue

2. The Council acknowledges that the appearance of the proposed extensions and the materials to be used would be in keeping with the main dwelling and the character of the street scene. I concur with that view, and the main issue, therefore, is the effect of the proposed extensions on the living conditions of the occupiers of No 33 Mossgate Road, by way of light and outlook.

Reasons

3. No 35 is a semi-detached house situated on the southern side of Mossgate Road. It has an L-shaped single-storey rear extension projecting some 3.7 metres along the boundary with the attached No 37 on its western side, but less on its eastern side. The side elevation of No 35, including the side of the rear extension, is a little less than 3 metres from the boundary with the neighbouring No 33. The proposed side extension would be two-storey along the boundary, reducing to single-storey beyond the existing main rear elevation.

4. Policy H7 of the Council's Local Plan (LP) indicates that planning permission will be granted for new housing development, provided the living conditions of existing residents is protected. Policy H8 of the LP indicates that extensions and alterations to houses should be designed so that there would be no significant reduction in the living conditions of the occupiers of neighbouring properties. In particular, extensions must not result in overshadowing for neighbours, a significant loss of light, or an overbearing or over-dominant effect on the habitable rooms or outdoor amenity space of neighbouring properties. Policy UD2 of the LP indicates that there should be sufficient sunlight/daylight to penetrate into and between buildings, and ensure that adjoining properties are protected from unacceptable overshadowing.
5. In the light of the above, the main issue under consideration relates to the effect of the two-storey side extension on the light received by, and the outlook from, the side kitchen window in the adjacent No 33. It would appear that this window is a primary window to the kitchen, although there is also light provided by a glazed element in the rear kitchen door. The side window is a little under 3 metres from the boundary with No 35, while the proposed two-storey side extension at the appeal property would not project beyond the existing main rear elevation of the house.
6. With regard to light, I have no sunlight or daylight assessments to refer to, but I note that No 35 is sited to the north-west of No 33, such that the two-storey side extension would have little or no impact on light received at the side kitchen window in No 33. On this basis, I consider that the proposal would not result in overshadowing at the adjacent No 33. With regard to outlook, I note that the proposed two-storey side extension would be almost 3 metres distant from the side elevation of No 33, and that the side window in the adjacent property is close to the rear corner of the house. It would appear that both houses have rear gardens of a good length. On this basis, I do not consider that the proposed two-storey side extension at No 35 would have any significant impact on outlook from the window in No 33, and would not appear overbearing or over dominant.
7. The appellant has made reference to examples of two-storey side extensions on the same side of the road at Nos 5 and 15 that have been permitted by the Council. That at No 15 would appear to be very similar to that of the current proposal, although that at No 5 is built up against a garage at No 3 and is not, therefore, comparable. In any case, I have considered this proposal on its own merits.
8. In the light of the above, I find that the proposal would not be harmful to the living conditions of the occupiers of No 33 by way of light or outlook and would not conflict with Policies H7, H8 or UD2 of the LP. Accordingly, I allow the appeal.

Conditions

9. I have attached a condition relating to plans because it is necessary that the development shall be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning. I have attached a further condition relating to materials in the interests of the visual amenities of the area

J D Westbrook

INSPECTOR