

Appeal Decision

Site visit made on 26 April 2024

by S. Hartley BA (Hons) Dist.TP(Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 13 May 2024

Appeal Ref: APP/V4305/D/24/3336522

33 Beattock Close, Tower Hill, Kirkby, Knowsley L33 1ER

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Phil and Rachael Hutton against the refusal by Knowsley Council.
 - The application ref 23/02478/FUL, dated 21 August 2023, was refused by notice dated 20 October 2023.
 - The development proposed is a first floor side extension.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development upon the character and appearance of the area.

Reasons

3. The appeal property is a two storey, brick, semi-detached dwelling set within a residential area and occupying a corner position at the junction of Beattock Close and Melrose Road. It has a single storey side extension facing the junction and the proposed development is for a first floor extension above it.
4. The residential area consists of an overall, common design, with houses with small front amenity spaces with small boundary walls or fences. Dwellings are located close together with only limited room between them, but there are larger corner amenity spaces around the dwellings at estate road junctions. While some have single storey side extensions within such corner spaces, including the appeal property, it is not the norm for such side areas to include two storey additions. This gives the area a spacious and distinctive character.
5. The side boundary to the host property is a fence which is approximately 1 metre high facing Melrose Street. It steps up to approximately twice this size when facing Beattock Close. The proposed extension would add approximately 3 metres to the side of the host property, bringing it close to the fence line.
6. The Knowsley Householder Development Supplementary Planning Document 2016 (SPD) states that particular attention should be paid to the design of

extensions on corner plots and that *'sufficient distance should be retained to the side boundary to preserve the character of the surrounding area. Extensions should not be sited so close to the boundary that they would impact on the street scene'*.

7. The proposed development would extend the host property at first floor level close to its corner boundary, and, in so doing, would adversely affect the spaciousness of the site and its surroundings. It would lead to an unacceptable visual 'pinch point' detracting from the otherwise more spacious character to the side of the dwelling.
8. I have no landscaping details before me and, in any event, I do not consider that any landscaping in any available space between the extended property and the boundary would be able sufficiently to ameliorate the adverse impact of the first floor development.
9. The host property is semi-detached. The design symmetry between the two dwellings has been somewhat eroded by extensions, though the proposed development would lead to cumulative harm in this regard.
10. The appellant has referred to examples of other extensions in the area, though these are not directly comparable to the proposed development as, for example, they are not on corner plots, or they do not relate to first floor development. In any event, I have determined this appeal upon its individual planning merits.
11. The appellant has also referred to the fact that there are no objections from neighbours. However, I have determined this appeal based upon the harm caused to character and appearance of the area as a whole and exercising my own planning judgement.
12. Therefore, I conclude that the proposed development would not accord with the design, character, and appearance requirements of policies CS2 and SCS19 of the Knowsley Local Plan Core Strategy (2016), saved policies H5 and H8 of the Unitary Development Plan (2006) or the SPD.

Other Considerations

13. The appellants have referred to an occupier of the property who has a disability and who needs a suitable permanent living space, but which is not possible at the moment as the lounge is having to be used as a bedroom.
14. In this regard, I have had due regard to the Public Sector Equality Duty contained in section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it.
15. However, the need for the proposed additional space is tempered by the fact that I have little evidence about whether such requirements might be capable of being provided within the property as it currently exists or by means of an alternative addition which would not be as harmful in planning terms. This

reduces the weight that I afford to the identified personal circumstances in this case.

16. On balance, I find that my decision to dismiss the appeal is a necessary and proportionate approach to the legitimate aim of protecting the character and appearance of the area in the public interest. This outweighs the personal circumstances outlined above.

Conclusion

17. For the above reasons, I conclude that the development should be dismissed.

S. Hartley

INSPECTOR