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## Appeal Decision

Site visit made on 25 March 2025

by **P Barton BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2 May 2025

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**Appeal Ref: APP/V4305/D/25/3359264**

**1 Felstead Avenue, Liverpool L25 9RX**

- 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 Ian Stuart against the decision of Knowsley Metropolitan Borough Council.
  - The application Ref is 24/00184/FUL.
  - The development proposed is for the enlargement of an existing rear dormer.
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### Decision

1. The appeal is allowed and planning permission is granted for the enlargement of an existing rear dormer at 1 Felstead Avenue, Liverpool L25 9RX in accordance with the terms of the application, Ref 24/00184/FUL, dated 9 April 2024 and plan 202 Revision A Proposed Plans and Elevations.

### Preliminary Matters

2. The Council altered the description of the development during the consideration of the application to read "*Retrospective application for the enlargement of an existing rear dormer*". This is a more concise description of the proposal and removes superfluous text from that set out in the application form. I have amended the description further in the banner heading above to omit the wording *retrospective application*, as it is not a description of development.
3. The Government published a minor revision to the National Planning Policy Framework (the Framework) on 7 February 2025. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I have not sought comments on the minor revision to the Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.
4. The dormer extension has been constructed. It is not wholly consistent with the details shown on the submitted plans. Therefore, whilst the dormer as constructed has helped to inform my assessment, I have based my decision on the submitted plans.

### Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the area.

### Reasons

6. The appeal property is a semi-detached house at the junction of Macket's Lane and Felstead Avenue. The property forms part of three pairs of dormer bungalows in a row, with modest box dormer windows clad in hanging tiles to both the front

and rear elevations. These offer symmetry and harmony to the roof design of these semi-detached houses in terms of size as well as the positioning and proportions of the windows. The surrounding houses on the eastern side of Macket's Lane appear to date from a similar period and consist of either the same style dormer bungalow or a detached or semi-detached 2-storey house. There is variety to these houses where extensions have been added and different materials and colour finishes have been applied. However, there remains an overall consistency to the properties that contribute to the character and appearance of this suburban location.

7. From what I could see, this proposal represents the only extension to a dormer on this style of property in the immediate vicinity. It is visible from Felstead Road and neighbouring properties. The increase in size is modest and affects only part of the rear dormer. The dormer also projects forward of the main ground floor elevation, giving it a slight overhanging appearance. However, the visual impact of this overhanging arrangement is limited as it is contained within the roof slope. Consequently, the dormer extension does not dominate the existing rear dormer or the rear roof slope. Moreover, as proposed it would not unbalance the symmetry to the pair of semi-detached properties to an unacceptable degree or detract from the general harmony of the dormers in the area.
8. The use of external cladding differs to the hanging tiles used elsewhere on the house and the adjoining property. The visual impact of this contrast is limited due to the modest size of the dormer extension and its positioning on the rear elevation and not the principal elevation facing Macket's Lane. I also note that the dormer has been given a dark colour treatment, which assists it blend in with the dark colour of the roof tiles.
9. For the above reasons I conclude that as proposed, the dormer extension would not have a harmful effect on the character and appearance of the area. Accordingly, I find no conflict with saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan, CS2 and CS19 of the Knowsley Local Plan Core Strategy and the Householder Development Supplementary Planning Document. These policies seek good quality design that understands and respects the character or street scene of an area.

### **Other Matters**

10. Concerns raised regarding the overbearing impact of the proposal on neighbour amenity are noted. Considering the size and positioning of the proposal, the depth of the gardens at the appeal site and neighbouring properties, and the interfacing distances, I find no harm on this matter.
11. I note concerns that allowing this appeal could set an undesirable precedent. Whilst I recognise that consistency in the planning process is important and like cases should be determined in a like manner, it is also important to emphasise that each case should be decided on its own merits and on the basis of the evidence, particularly in relation to matters of character and appearance.
12. Concerns have been raised about the proposal being compliant with Building Regulations, that the structural support provided is inadequate, the design is defective, and the removal and reinstatement of the works is required. These matters are outside my jurisdiction in determining this appeal, so have not influenced my decision.

### **Conditions**

13. As the proposed works have been carried out, a time limit condition relating to construction is not necessary. I have referred to the approved plan within my decision for the avoidance of doubt and in the interests of certainty.

### **Conclusion**

14. For the reasons given above, I conclude that the appeal should be allowed.

*P Barton*

INSPECTOR