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## Appeal Decision

Site visit made on 10 February 2020 by Hilary Senior BA (Hons) MCD MRTPI

**by K Taylor BSc (Hons) PGDip MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 17<sup>th</sup> March 2020**

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**Appeal Ref: APP/Z4310/W/19/3241622**

**20 Childwall Priory Road, Liverpool L16 7PE**

- 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 Matthew McNally against the decision of Liverpool City Council.
  - The application Ref 18F/2495, dated 22 May 2018, was refused by notice dated 23 May 2019.
  - The development proposed is erection of 1 bed studio house.
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### Decision

1. The appeal is dismissed.

### Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Procedural Matter

3. During the determination of the planning application the proposal was amended from a two storey to single story one bed studio dwelling. The revised plans<sup>1</sup> were the subject of stakeholder consultation and used by the Council in determining the application. I have therefore had regard to the revised plans in considering this appeal.
4. The description of development set out in the Council's decision notice differs from that in the banner heading above, which is taken from the application form. I am not aware that the appellant has agreed to the Council's change therefore I have used the original description.

### Main Issues

5. The main issues are the effect of the proposal on
  - the character and appearance of the area, and
  - the living conditions of the future occupiers.

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<sup>1</sup> Drawing number 200 Rev G

## Reasons

### *Character and appearance*

6. The appeal site is an existing garage in the garden of 20 Childwall Priory Road but with vehicular access onto Corbridge Road. The area is one of established residential properties in relatively large plots and characterised by a mix of detached and semi-detached two storey properties.
7. The proposal includes the subdivision of the existing garden of 20 Childwall Priory Road to form two separate plots. The existing garage would be converted and extended, and a separate garden area created. The proposal also includes changes to the host property to reduce the possibility of overlooking and to provide a separate off-road parking area.
8. Although there is a single story building currently in situ, and used as a garage, this type of building is expected in a residential area and is designed as an ancillary building. A single storey dwelling would however be incongruous with surrounding properties. In addition the proposal would create a small, narrow plot orientated towards the highway and at the same time reduce the plot size of the host property to be out of scale with the surrounding area.
9. Due to the plot sizes, the proposal would harm the character and appearance of the area and would therefore conflict with Policy H5- New Residential Development and Policy HD18 – General Design Requirements of the City of Liverpool Unitary Development Plan which together seek to ensure that new development reflects and responds to the character and distinctiveness of the area.

### *Living Conditions*

10. The proposal would include alterations to the host property to reduce the possibility of overlooking of the proposed dwelling. The proposed dwelling would also have obscure glazed overhanging eaves to reduce overlooking from the host dwelling. A high close boarded fence would be installed to separate the plots.
11. The necessity of including measures to prevent overlooking, such as overhanging eaves and obscure glazing, demonstrates that the proposal would result in a cramped and overdeveloped site. The resultant 1 bed dwelling would be enclosed by a high boarded fence in order to allow privacy for occupiers. However, this would give the property a cramped and oppressive feel, due to the limited size of the resultant outdoor space. This would be compounded by the parking of a vehicle close to the front window of the proposed dwelling as the outlook from this window would be limited adding to the sense of enclosure. Even if any landscaping were of a modest height, a harmful sense of enclosure would remain.
12. The proposal would harm the living conditions of future occupiers of the dwelling and would therefore conflict with Policy H5- New Residential Development of the City of Liverpool Unitary Development Plan which amongst other things seeks to ensure that new development protects the residential amenity of residents.

13. Although conflict with Policy HD18 has been cited, it does not deal with the living conditions of future occupiers of new development. However, any lack of conflict with this Policy would not mitigate or outweigh the harm identified.

*Other Matters*

14. I note the appellant wishes to downsize and to add to the housing mix of the area through the construction of the 1 bedroom dwelling. One dwelling would have a limited impact on the housing mix of the area, and in any event would not outweigh the harm I have found to the character and appearance of the area and living conditions of future residents. Other factors, such as the adequate provision of bin and cycle storage and DDA compliance, are neutral matters which do not positively weigh in favour of the development.

**Conclusion and Recommendation**

15. For the reasons given above, and having regard to all other matters raised, I recommend that the appeal is dismissed.

*Hilary Senior*

APPEAL PLANNING OFFICER

**Inspector's Decision**

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

*K Taylor*

INSPECTOR