



Appeal Decision

Site Visit made on 25 May 2021

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 June 2021

Appeal Ref: APP/M4320/W/21/3267600

Meadowcroft, 2 Old Rectory Green, Sefton Village, Liverpool, L29 6YD

- 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 Mrs Deborah Daley against the decision of Sefton Metropolitan Borough Council.
 - The application Ref DC/2020/02082, dated 9 October 2020, was refused by notice dated 16 December 2020.
 - The development proposed is the change of use from garden room to office for administration only.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The garden room is already in situ at the appeal property and is being used for the purpose for which planning permission is sought. I have determined the appeal on that basis.

Main Issue

3. The main issue is the effect of the development on the living conditions of the occupiers of nearby dwellings, with particular reference to noise and disturbance.

Reasons

4. The business employs three people who do not reside at the appeal property. In addition, it is advised that the occupier of the property attends to the business as and when needed. The officer report further suggests that deliveries are expected on up to two occasions per week. Whilst home working is not an unusual occurrence, in particular in the circumstances of recent times, the level of activity associated with the appeal property exceeds that which could usually be expected at a residential dwellinghouse.
5. The appeal property is located within a residential area and is accessed by a road and driveway which leads past several other dwellings on Old Rectory Green. Brickwall Lane is a busy main road leading into Sefton Village and the settlements beyond it, and traffic movements along it contribute to the noise environment in the surrounding area. However, a number of the properties within Old Rectory Green that the movements would be close to are set back from Brickwall Lane and are screened to some degree from its noise and movements by the presence of other dwellings.

6. Vehicles arriving at and leaving the appeal property pass close to the front elevations of 3 and 4 Old Rectory Green and alongside the rear garden area of 1 Old Rectory Green. With three employees arriving and leaving on a daily basis, possibly on multiple occasions, in addition to deliveries and the non-business activity that will be associated with the dwelling, there is the potential for a great number of movements to take place, resulting in significant harm to the living conditions of the occupiers of nearby dwellings through noise and disturbance.
7. Even if hours of working were to be restricted by way of a planning condition, the number of movements to and from the appeal site, the method of transport used and the number of deliveries made during those times could not reasonably be controlled or enforced through a planning condition.
8. I note the representation made by the occupier of No 1 with respect to the impact on their property, however this does not overcome the matters of concern identified above or the impact upon those dwellings which share the driveway with the appeal property.
9. The development therefore has the potential to cause significant harm to the living conditions of the occupiers of the nearby dwellings through the noise and disturbance caused by movements to and from the appeal property in close proximity to the existing dwellings on Old Rectory Green. In conclusion, the proposal fails to accord with Policy HC3 of the Sefton Local Plan 2017, where it seeks to protect living conditions.

Conclusion

10. For the reasons given above, I conclude that the appeal should be dismissed.

Graham Wraight

INSPECTOR