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## Appeal Decision

Site visit made on 17 June 2024

**by A.Graham BA(hons) MAued IHBC**

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

**Decision date: 17<sup>th</sup> July 2024**

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**Appeal Ref: APP/P4320/W/24/3338031**  
**26 Stanly Park, Liverpool L21 9JT**

- 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 Sean Coulton against the decision of Sefton Council.
  - The application Ref: DC/2023/01611 dated 27 September 2023 was refused by notice dated 22 November 2023.
  - The application is for erection of a dwelling with additional parking following the demolition of existing garage and wall within the curtilage of 26 Stanley Park.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. Since the determination of this application a revised National Planning Policy Framework (The Framework) was published in December 2023. I have therefore determined this appeal in accordance with the revised provisions within the Framework.
3. The Appellant's Statement of Case has gone into some great detail with regards the use of the proposed building as an annexe for elderly relatives. The original application however was concerned with seeking approval for the erection of a new dwelling and no supporting evidence was provided with regards any associated use such as the proposed building being a Granny Flat. As such, I am obliged to assess this appeal with regards the description used within the original application form.

### Main Issues

4. The main issue is the effect of the proposal upon the character and appearance of the area and upon the living conditions of neighbours.

### Reasons

5. The appeal property is a two storey semi detached house that I consider would date to around the later part of the 19<sup>th</sup> century. The building, although seemingly having been extended, exhibits high quality architectural features typical of a building of this age. These include a protruding partial bay window, quoined corners and attractive arched architraves around windows. To the rear the building diminishes in size as an outshot extension extends into a decent sized rear garden.

6. The building is one of a collection of more historic properties within this part of Stanley Park that are set back from the road's edge within fairly sizeable plots, more often than not with front gardens and attractive boundary treatments that both soften and enhance the quality of the streetscene here. In the case of the appeal site this manifests itself as a low wall and railings with stone conical gateposts and lawn to the front. Existing on site and street trees also have a highly positive effect upon the character and appearance of the area here.
7. I consider that, because of the quality of the original building and its associated boundary treatment and landscape, that the property and its site makes a generally positive contribution to the locality as a whole.
8. To the side of the main house is a driveway and more landscape trees that terminate at a white coloured wall and single garage that effectively divide the plot from front to rear garden. The proposal intends to remove this single garage and construct a single storey dwellinghouse in this location that would extend somewhat further into the rear garden area.
9. Notwithstanding any proposed particular use, the proposed building would consist of two bedrooms and living kitchen area to the rear. Access to the main entrance would be from the side elevation alongside the parent property. The building would be a simple brick pitched roof bungalow with an asymmetrical and horizontal window to the front elevation and bi-fold doors to the rear. To the side two further horizontal windows would face onto number 26 itself.
10. To the front of the main house the existing lawned garden would be changed to hardstanding so as to accommodate up to five vehicles. It is not clear what would happen to existing vegetation and trees although presumably most would be felled to make way for the bungalow and parking.
11. Policy EQ2 Part 1 of the Council's Local Plan reflects The Framework in its approach to ensuring development proposals are of a high quality design, and that responds positively to local character and distinctiveness. Part 2 of this policy also reflects these aspirations for the way new development functions in its role in protecting the living conditions of neighbours.
12. Although the scheme before me would replace an existing garage, this structure is visibly ancillary to the main dwellinghouse and is generally unassuming in the streetscene. However the proposed bungalow would introduce a form of development that would be much larger than this existing garage and would not reflect the local character nor the quality and distinctive architectural qualities such as there are both to the rear of the appeal site and within the wider streetscene.
13. The asymmetrical horizontal window and generic design for instance would fail to take the opportunities to reflect this distinctive and high quality character that is formed by the both the appeal property and many of its neighbours. This impact would be made much worse through the proposed paving over of the front lawn area to be replaced by parking. This would result in vehicles being highly visible within the streetscene and would significantly undermine the positive qualities of the area as I have identified above. As a result the design of the proposed bungalow would introduce a poor architectural response that would cause significant harm to the character and appearance of the area.

14. In terms of the effect of the proposal upon the living conditions of neighbours, were this to be a separate dwelling then there would be a significant impact with regards overlooking and the access requirements to that of the proposed dwelling and the main house. Were the building to be interlinked in use (such as a granny annexe) then such issues may not be relevant, however in assessing this appeal as that originally applied for, I conclude that there would be harm to the living conditions of both residents at number 26 as well as those prospective occupants of the proposed bungalow.
15. As such the main harm caused through this proposal would be to the character and appearance of the streetscene caused through both the poor design of the proposed bungalow and the harm caused through the parking and dominance of vehicles to the frontage of the appeal property. Such harm would be compounded by the effect of the proposal upon the living conditions of neighbours were this proposal to be a separate dwelling as originally applied for and as assessed by the Council.
16. As such the proposal would not meet the overriding policy requirements of Parts 1a and Part 2b of Policy EQ2 of the Sefton Local Plan nor would it be in conformity with the Framework and its continued emphasis upon the importance of good design. As such the appeal must fail.

### **Conclusion**

17. For the reasons given above, and taking into account of all other matters raised, I dismiss the appeal.

*A Graham*

INSPECTOR