



Appeal Decision

Site visit made on 26 November 2024

by L C Hughes BA (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2024

Appeal Ref: APP/Z4310/W/24/3348987

97 Allerton Road, Mossley Hill, Liverpool L18 2DD

- 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 Mr Sam Henley, Baltic Bakehouse, against the decision of Liverpool City Council.
 - The application Ref is 21F/1306.
 - The development proposed is retention of shed for outdoor pizza oven/store.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have not included the full description of development from the appellant's planning application form as it makes reference to the proposal being retrospective and that is not in itself development. I was able to see on my site visit that the development has taken place and I have determined the appeal on that basis.

Main Issue

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

Reasons

4. The appeal property is located within the vibrant Allerton Road district centre, in a prominent corner position at the junction of Allerton Road and Henley Road. The next door property along Henley Road, and the adjacent corner property have commercial uses, and Allerton Road comprises a variety of local services, retail and commercial uses.
5. Henley Road largely comprises semi-detached residential dwellings, which are set back from the pavement behind small front gardens which are generally landscaped or used for parking. The timber shed is positioned adjacent to the property's boundary along Henley Road, partially screened behind a high close boarded fence, which has been erected behind another smaller fence.
6. When viewed in relation to the surrounding residential properties and their short front gardens, the shed appears as a disproportionately large structure unusually located to the front of the established building line and in front of one of the property's ground floor windows. The shed looks out of place in this context and despite its positioning behind a fence it draws the eye. Due to its position at the corner of Allerton Road and Henley Road, the shed is visible

from nearby buildings, passing vehicles and pedestrians. It is also prominent when approaching Allerton Road from Henley Road, obscuring views to the district centre.

7. The appellant has indicated that he would be willing to accept a condition requiring further soft landscaping. However, the shed is too large and prominently located for landscaping to provide sufficient mitigation to overcome its visual impact and enable it to assimilate into the street scene. Due to its siting and scale, the shed is therefore incongruous in its setting, causing visual harm and relating poorly to the character and appearance of the surrounding area.
8. There are other eateries nearby which have various structures in their outdoor areas. However, I do not know the planning status of these structures, and I observed that a number aren't fixed, and integrate well with their host property and the surrounding buildings. There are a wide range of buildings of various types, uses, materials, styles and age in the local area, many of which are larger than the appeal proposal, and which together contribute to the character of the area. Moreover, there are elements of street furniture which, like the shed, are constructed from timber. However, the wide range of building styles and materials do not justify the harm to the character and appearance of the area which is caused by the untypically sited and prominently positioned shed. The examples of other buildings and structures do not persuade me that the appeal proposal is acceptable.
9. The proposed development would harm the character and appearance of the area. As such, it would not comply with Policies SP3, UD1 and UD5 of the Liverpool Local Plan (2013–2033) (2022) which seek to ensure that developments enhance the overall quality of district centres, take account of the characteristics of the local area and are of a high standard of design.

Other Matters

10. The appellant has highlighted that whilst the shed may have been constructed in response to the pandemic, trading and stability for small businesses remains precarious and the shed remains part of their business strategy. In line with the National Planning Policy Framework (the Framework) I have given significant weight to the need to support economic growth and productivity taking into account local business needs. However, the Framework sets out that good design is a key aspect of sustainable development. I have found that the proposal would be harmful to the character and appearance of the area. This harm would be contrary to the design aims of the Framework. The benefits of the proposal, in this instance, do not outweigh the harm that I have identified.

Conclusion

11. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

L C Hughes

INSPECTOR