



Appeal Decision

Site visit made on 6 December 2024

by **Gary Deane BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 January 2025

Appeal Ref: APP/Z4310/W/24/3349017

66 Victoria Road, Aigburth, Liverpool L17 6DJ

- 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 Alan Ross against the decision of Liverpool City Council.
 - The application reference is 23F/2973.
 - The development proposed is to rebuild an existing outbuilding to create additional family amenity space at ground floor and an additional first floor mezzanine to provide working from home office facility post covid.
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Decision

1. The appeal is dismissed.

Procedural matter

2. On 12 December 2024, a revised National Planning Policy Framework (the Framework 2024) was published. The Framework 2024 does not raise any new matters that are determinative to the outcome of this appeal.

Main Issues

3. The main issues are the effect of the proposed development firstly, on the character and appearance of the local area; and secondly, on the living conditions of the occupiers of 68 Victoria Road with regard to outlook and visual impact.

Reasons

Character and appearance

4. The proposal is to reconstruct the existing single storey detached outbuilding to the rear of the appeal property, which is a detached 2-storey house within a predominantly residential area, to provide additional accommodation on 2 levels. A new timber gate would also be introduced to one side of the completed outbuilding to provide pedestrian access to the site from Hollywood Road.
5. Although largely contained within the rear courtyard of No 66, the completed outbuilding would also address Hollywood Road, standing alongside No 1A, which is a detached dwelling with a gable facing the street. In this position, the new addition would be visible mainly from Hollywood Road, in both directions, a short section of Victoria Road and through the windows of some nearby properties.
6. In these views, the completed outbuilding would be seen primarily with the side elevation of No 66 on one side, and No 1A and a long 2-storey residential terrace

on the other. These existing properties have no acknowledged architectural or historical merit nor does the site fall within a conservation area. Nevertheless, there is a broad consistency in their simple vernacular style and construction from a limited palette of materials including brick albeit painted in different colours, render, slate and tiles. No single architectural typology prevails and there is variety to the existing built form. Even so, collectively, these features still give this part of the local townscape a broad consistency, which is notable. While I saw a wide range of buildings within the wider area, including those to which the appellant has cited, it is within this context that the appeal scheme would be visually 'read'.

7. Unlike the traditional style of the buildings on either side of the site, and further along Hollywood Road, the new addition would be modern in design. The use of reclaimed pressed brick and common brick, as proposed, would be consistent with other nearby buildings, including No 66, and, I understand, effectively reinstate the highway frontage of the outbuilding before the existing timber gates were installed. However, the use of standing seam zinc and vertical timber cladding, as sought, would set the general appearance of the upper part of the new outbuilding clearly apart from any other building that I saw within the local area.
8. To my mind, a building prominently clad in these materials would relate uneasily to the buildings with which it would be seen, which tend to be largely of brick and render. While I observed that timber and metal are evident in the local area, these materials tend to form street level boundary features such as gates, which, in my experience, is a common feature within tightly knit built up areas such as this. In contrast, zinc and timber cladding on the upper part of a substantive building would be an unfamiliar characteristic of the area to which the site belongs. Given the abrupt and unsympathetic contrast with the appearance of the buildings with which the proposal would be seen, I consider that the finished outbuilding would draw the eye from Hollywood Road as a discordant and incongruous feature. As a result, the appeal scheme would be an unwelcome addition to the local area.
9. I acknowledge that great thought has been given to the proposed design and note the professional expertise of the appellant and his partner. To my mind, creating a building that makes a visual statement would not in principle look out of place given that ancillary structures often differ to the main dwelling in their materials and general appearance. Developments that contrast in style and materials can contribute to the diversity of an area and add visual interest to the street scene to which they belong. The historic uses of the outbuilding and No 1A as an ancillary store and shop has also been distinct from residential properties nearby.
10. However, like its predecessor, the Framework 2024 reaffirms the policies of its predecessor that developments should, amongst other things, be sympathetic to local character and add to the overall quality of the area. While planning policies do not preclude a design that does not repeat local architectural styles and materials, new development should still be interwoven into its context by, for instance, using complementary materials.
11. From what I saw, the existing outbuilding with timber doors is in a poor condition and in my view, it contributes little positively to the visual character of the streetscape. However, I am not persuaded that the visual improvements that may result from its removal justifies an unsympathetic outbuilding, as proposed.

12. On the first main issue, I conclude that the proposed development would cause significant harm to the character and appearance of the local area. As such, it conflicts with Policies H8, UD1 and UD7 of the Liverpool Local Plan 2013-2033 (LP). These policies broadly aim to ensure that development proposals include materials that are appropriate to the characteristics of the local area.

Living conditions

13. A wall of the new outbuilding would be close to an existing brick wall that partly marks the boundary of the site, beyond which is the side and rear of 68 Victoria Road. Part of the outdoor space of this adjacent property would therefore be partly enclosed by the new wall, and the proposal would be visible from here and possibly at a tight oblique angle through one or more of its windows. Nevertheless, the height of the new addition would be modest close to the common boundary with the site and there is already a tall brick wall in place that would be evident from No 68.
14. The proposal would be close to the neighbouring property and the new wall would be taller and appear more substantial in-built form than the existing boundary feature. However, neither its scale nor height would be so great as to cause it to overbear or unduly dominate outlook when seen from No 68. Hence, the living conditions of the occupiers of this adjacent dwelling would not be materially reduced. On that basis, the proposal does not conflict with LP Policy H8 or the Framework 2024 insofar as they aim to safeguard residential amenity. This favourable finding does not outweigh the significant harm that I have identified.

Other matters

15. The proposed outbuilding is urgently needed to help accommodate a close elderly family member for whom additional living space that is not overlooked is critical for their well-being. This family member has a worsening health condition and can no longer live in a semi-independent manner. By providing accommodation that is close, safe and suitable, the appellant and others can therefore be on hand to provide appropriate care and so reduce a need to call on NHS local services. I am sympathetic to this desire and have carefully considered all the benefits to which the appellant has referred. Several interested parties also express strong support for the proposal. However, personal circumstances seldom outweigh more general planning considerations.
16. The proposal makes efficient use of the space available to the rear of the dwelling. It would also provide essential extra space for the appellant and his family to work from home and study. The timber cladding would be of a type that would support climbing plants that in turn could encourage biodiversity. I share the appellant's analysis that the occupiers of No 68 would not be adversely affected in terms of light or privacy. Every effort would be made by the appellant to minimise potential disturbance to others during the construction phase. That the appellant and his family regularly contribute to and are valued members of the local community is also noted. However, on balance, these considerations, taken individually and together, do not outweigh the harm that I have identified.

Conclusion

17. Overall, the development conflicts with the development plan, when read as a whole. There are no material considerations, including the policies of the Framework 2024, which indicate that the decision should be taken other than in

accordance with the development plan. For the reasons set out above, I therefore conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR