



Appeal Decision

Site visit made on 13 January 2025

by A Hartley LLB (Hons) Solicitor MBA

an Inspector appointed by the Secretary of State

Decision date: 27 January 2025

Appeal Ref: APP/Z4310/D/24/3350706

18 Blackfield Street, Liverpool L5 2AA

- 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 Yongkang Chen against the decision of Liverpool City Council.
 - The application Ref is 24H/0478.
 - The appeal development is “a timber structure with perspex sheets as walls”.
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Decision

1. The appeal is dismissed

Preliminary Issue

2. At the site visit I noted that a timber structure with perspex sheets as walls and roof had already been constructed.
3. The National Planning Policy Framework (the Framework) has been updated since the appeal representations were made. However, as the revisions do not affect the matters under consideration in this appeal, (other than paragraph references) it was not considered necessary to seek further comment.

Main Issues

4. The main issues are the effect of the appeal development on (i) the character and appearance of the host dwelling and surrounding area and (ii) the living conditions of neighbouring occupiers at No. 20 Blackfield Street with particular regard to outlook.

Reasons

Character and Appearance

5. The appeal property is a modest two-storey terraced dwelling of modern construction, within a group of dwellings all with matching cream render with red brick detail and pitched tiled roofs. In common with the group of dwellings the appeal property has a small rear garden. It is within a housing estate characterised predominantly by terraced housing.

6. The appeal development comprises a single storey structure attached to the rear of the property, to be used for storage. It has a width of approximately 4.4 metres and ridge height of approximately 3 metres and therefore appears as a subservient addition to the host dwelling.
7. However, I observed the structure to be crudely constructed from timber and perspex and, in comparison to other built form in the residential estate, reads as being of very poor design. The materials maximise the internal natural light of the proposal. Nevertheless, they read as an out of place addition to the surrounds, such that the appeal development fails to reflect or respect the prevailing character and high-quality design of surrounding built form.
8. At the site visit I observed that the roof of the structure is within public view from the highway as it is above the boundary fencing to the rear of the group of terraced properties and is visible to neighbouring occupiers. It is closest to the shared boundary with No. 20. As such, its incongruous nature is readily experienced in the vicinity.
9. Overall, therefore I find that if allowed, the appeal development would cause harm to the character and appearance of the host dwelling and the area as it fails to take account of the identified design and materials of the existing host building or that of built development in the immediate surrounding area. Consequently, the appeal development conflicts with Policies H8 and UD1 of the Liverpool Local Plan (2022) (LP), the Supplementary Planning Guidance – House Extensions (2002) (SPG), and the Framework, all of which seek high quality design appropriate to its context.

Living Conditions

10. The appeal development sits close to the shared boundary with No. 20 Blackfield Street, and measures approximately 3.6 metres in depth. From my observations on site, due to the small gardens, I find that the proximity to the boundary with No. 20 and the depth of the extension, if allowed, would result in an undue sense of overbearing for the occupiers of No. 20. The proximity of this built form would result in the already modest rear garden feeling unduly enclosed, reducing the enjoyment of this space by its occupiers.
11. My findings in this regard are supported by the guidance of the SPG, which cites a depth of 3 metres as the maximum considered acceptable in these circumstances. While the appellant argues that this is a negligible difference, I nevertheless observed that the depth and placement of the appeal development, if allowed, would adversely affect the outlook of residents of No. 20.
12. Consequently, the appeal development conflicts with Policy H8 of the LP and the SPG as it would result in an overbearing effect on the outdoor amenity space of No. 20 and thus cause a significant reduction in the quality of living conditions for the occupiers of No. 20.

Conclusion

13. In conclusion, having regard to all representations made, I find that the appeal development conflicts with the development plan as a whole and with the

provisions of the Framework. There are no material considerations that would justify a decision other than one in accordance with the development plan. Therefore, the appeal should be dismissed.

A Hartley

INSPECTOR