



Appeal Decision

Site visit made on 16 May 2025

by **J D Westbrook BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 May 2025

Appeal Ref: APP/Z4310/W/25/3359320

5 Shelmore Drive, Liverpool, L8 4YL

- 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 N Sawan (LiverGo Properties Investments Ltd) against the decision of Liverpool City Council.
 - The application Ref is 24F/1358.
 - The development proposed is to erect a first-floor extension to front and rear and an external stair to the side connecting to basement, and to alter fenestration to front and side.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The original proposal apparently also included a side extension, but this was withdrawn before the application was determined. Accordingly, I have amended the description of the development from the Council's decision notice as most accurate regarding the proposal as decided.

Main Issue

3. The main issues in this case are the effect of the proposed extensions and alterations on:
 - the character and appearance of the area around Shelmore Drive and Bessemer Street, and
 - the living conditions of the occupiers of nearby dwellings by way of overshadowing, overlooking and noise.

Reasons

4. The appeal property is a part single-, part two-storey brick building, with flat roofs throughout. The proposal would involve the construction of two first-floor extensions, one to the front and one to the rear of existing two-storey elements; alterations to the fenestration; the construction of an external staircase to serve the basement, and other changes including the application of external render. The current established use is as a Learning Centre, and the proposal would enable the reconfiguration of the space within the building together with a net increase of one classroom.

Character and appearance

5. From the information before me, it would appear that the building has already undergone some significant alterations. The original appearance as a brick, or buff-painted brick, building now appears as a fully rendered structure, painted white. In addition, original security type railings around much of the single-storey elements have been replaced by modern glazed balustrades, and the large window in the ground-floor front elevation now has a full sized roller shutter in place. The signage at the front of the building which originally identified it as the Dingle Community Learning Programme has been removed and there is now no evidence of its current use, if any.
6. The area surrounding the appeal property is characterised by two-storey houses, mainly terraced though with some linked semi-detached houses. The houses on Bessemer Street, to the north of the appeal site are red brick, while those on Shelmore Drive are pebble-dash rendered with a light grey colour. The existing appeal property has a low profile, with flat roofs throughout and appears as lower than the ridge heights of the surrounding houses. Furthermore, the single storey elements at the front and rear are substantial, while the two-storey elements occupy only a small part of the footprint of the building, and are not prominent features.
7. The proposal would involve the construction of two extensions at first-floor level, one at the front and one at the rear. They would be set back from the main elevations but would be around 1 metre higher than the existing first-floor elements. By reason of their position and height, they would become prominent features in their own right and would turn the building into a more dominant structure in the context of its surroundings. Moreover, the building is currently visible from further east on Mill Street. By reason of its colour it appears as prominent and uncharacteristic in its context. It would become more so if raised in height and bulk.
8. Policy UD1 of the Council's Local Plan (LP) indicates that development proposals should take into account a number of design factors including the form, scale, proportion, frontages, storey and absolute heights, rooflines and roofscape, as well as materials, colours, tones and textures, which should be appropriate to the characteristics of the local area. Policy UD7 of the LP indicates that alterations and extensions to existing buildings should ensure that the scale, proportion, form, materials and character of the existing building are considered in the proposals.
9. In this case, the proposed extensions would be higher than the existing flat roofs of the existing building and would result in a complex and incongruous set of structures and roofline at first-floor level. The smooth render would be uncharacteristic and the modern balustrades would result in what would appear as balconies at the front and rear, which would again be somewhat incongruous in the context of the use of the building.
10. In conclusion on this issue, I find that, by reason of the complex arrangement of structures at first-floor level; the variety of roof heights; the overall increase in height and bulk; and the uncharacteristic smooth rendered facades and glazed balustrades, the proposal would be harmful to the character and appearance of the area around Shelmore Drive and Bessemer Street, and would conflict with policies UD1 and UD7 of the LP.

Living conditions

11. Policy UD7 of the LP indicates that alterations and extensions to existing buildings should ensure that the impact is minimised on neighbouring properties in terms of overshadowing, overlooking and noise. In this case, the scale of the learning centre would be increased, but only by a limited amount, and it is unlikely that there would be a significant increase in noise generated over that that would, in any case, occur with the existing scale of use. The building itself is sited to the north and north-west of properties on Bessemer Street and Paulton Close, and would not overshadow dwellings on those roads. It would be south and east of some properties on Shelmore Drive, but would be separated from those properties across the road and sufficiently distant for there to be no significant overshadowing issues.
12. With regard to overlooking and privacy, the extensions would bring the front and rear elevations of the first-floor closer to residential properties, and there would be large windows in those elevations. There could, therefore, potentially be the possibility of greater perceived overlooking to the occupiers of Nos 1-9 Bessemer Street at the front and No 6 Shelmore Drive at the rear. There could also be some increased overlooking of the rear garden of No 27 Shelmore Drive from the proposed window in the side elevation of the proposed rear extension. However, the distance between the front elevations of the appeal property and dwellings on Bessemer Street would be over 20 metres, and overlooking of rear gardens of properties on Shelmore Drive, would be at oblique angles .
13. On the basis of the above, I find that there would not be significant harm to the living conditions of the occupiers of nearby residential properties relating to overshadowing, overlooking or noise. In the light of this, the proposal would not conflict with Policy UD7 of the LP.

Other Matters

14. A number of objections have been made to the proposal by local residents. I note that many of these relate to building works undertaken while the application was still being considered by the Council. I have based my decision on the details of the proposal and not on the impact of any earlier ongoing works, which are not a matter before me. Objections also related to the effect of the proposal on living conditions, which I have considered above, and on issues relating to parking. The Highway Authority has not raised any objections to the proposal with regard to increased traffic and parking and, given the limited operational nature of the extensions, I concur with this opinion.

Conclusion

15. In conclusion, I find that the proposal would not result in significant harm to the living conditions of the occupiers of nearby dwellings, but that it would be significantly harmful to the character and appearance of the area around Shelmore Drive and Bessemer Street. Accordingly, I dismiss the appeal.

J D Westbrook

INSPECTOR