



Appeal Decision

Site visit made on 22 July 2025

by **David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 August 2025

Appeal Ref: APP/M4320/D/25/3361843

Brookside Farm, Church Lane, Lydiate, Liverpool L31 4HL

- 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 Ross Baigent against the decision of Sefton Metropolitan Borough Council.
 - The application Ref is DC/2024/01910.
 - The development proposed is erection of a two-storey outbuilding containing a garage, home office & storage area in place of a former outbuilding that has already been demolished. The building will be built using similar colours and materials used on the existing dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development in the heading above has been taken from the planning application form which differs from that on the Council's decision notice. In Part E of the appeal form it is stated that the description of development has not changed and neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issues

3. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt, with due regard to openness; and
 - The effect on the character and appearance of the host property and the area.

Reasons

Whether Inappropriate Development

4. The appeal site is within the Green Belt. Paragraph 154 of the National Planning Policy Framework (the Framework) sets out that development within the Green Belt is inappropriate, subject to a number of exceptions.
5. The Council has assessed the proposal against paragraph 154(c) of the Framework which relates to the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; and paragraph 154(d) which relates to the replacement of a building,

provided the new building is in the same use and not materially larger than the one it replaces.

6. However, the appellant submits that the proposal should be assessed against paragraph 154(g) which relates to the “limited infilling...of previously developed land... which would not cause substantial harm to the openness of the Green Belt”. The proposal would be located in the garden of the existing dwelling, and residential gardens which are not in ‘built-up areas’ are not excluded from the general definition of previously developed land given in the Framework. Although the appeal site is part of a cluster of dwellings and outbuildings, this has the character of being sporadic development in the countryside rather than being a built-up area. On that basis, I consider that the appeal site represents previously developed land.
7. In respect of openness, although some images have been provided of the outbuilding previously located on the site, these do not show its full scale and massing. However, even if the proposal were to lead to a building where none previously existed, the impact on openness would only be limited. The proposal would therefore not lead to substantial harm to the openness of the Green Belt, and would therefore not be inappropriate development in the Green belt as it would meet the exception of paragraph 154(g) of the Framework.
8. I therefore conclude that the proposal would not be inappropriate development in the Green Belt, and would therefore not conflict with the Framework in respect of protecting Green Belt land. The proposal would therefore not conflict with Policy MN7 of the Sefton Local Plan as it would meet an exception set out in national planning policy. I have had regard to the criteria of Policy MN7(3) of the Local Plan in respect of extensions and replacement buildings, but this does not override the compliance with the Framework and therefore Policy MN7 as a whole.
9. The Council refers to the House Extensions Supplementary Planning Document 2023 (SPD) which states that outbuildings in the Green Belt will normally be considered inappropriate. However, this does not negate the compliance with paragraph 154(g) of the Framework.

Character and Appearance

10. The proposal consists of a 2-storey outbuilding located within the curtilage of the host dwelling. Although it would be located to the rear of the site away from Church Lane, the scale and form of this 2-storey outbuilding would be apparent.
11. The main dwelling within the appeal site is a dormer bungalow which is part of a small cluster of dwellings. Although these include a variety of outbuildings, based on what I have seen and read these outbuildings are not of a 2-storey design or a similar scale and massing as the appeal proposal. Within that context, the 2-storey form of the outbuilding would be an incongruous feature that would jar with the understated character of the host property and neighbouring residential plots. The first floor windows would be an uncharacteristic feature of outbuildings in this area. The height of the roof, including an excessive eaves height, would also give the proposal an obtrusive top-heavy appearance.
12. Although the proposal would have a lower ridge height and much smaller footprint compared to the main dwelling, this would not be sufficient to mitigate for the harm arising from the incongruous 2-storey design of the outbuilding and its clumsy

appearance. The use of matching materials and a roof form similar to the main dwelling would also not be sufficient to overcome the harm arising from the design and scale of the proposal.

13. I have had regard to the images of a previous structure on the site provided by the appellant. However, these do not demonstrate that the structure was of a scale or design similar to the appeal proposal.
14. I therefore conclude that due to its design and scale, the proposal would lead to significant harm to the character and appearance of the host property and the area. The proposal would therefore be contrary to the design and character requirements of Policy LNP DEV1 of the Lydiate Neighbourhood Plan and Policies HC4 and EQ2 of the Local Plan. The proposal would also conflict with the Framework with regard to achieving well-designed places. The proposal would also be contrary to the advice of the SPD in respect of the height, bulk and proportionality of outbuildings.

Conclusion

15. Notwithstanding my conclusions in respect of inappropriate development in the Green Belt, I have concluded that the proposal would lead to significant harm to character and appearance. Although the proposal would not harm the amenities of neighbouring residents with regard to light or have an overbearing impact, this does not negate my conclusions in respect of character and appearance. The proposal would therefore be contrary to the development plan when read as a whole in respect of design and character.
16. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be dismissed.

David Cross

INSPECTOR