



Appeal Decision

Site visit made on 8 October 2025

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 October 2025

Appeal Ref: APP/Z4310/W/25/3367029

6 Sefton Road, Liverpool L9 2BP

- 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 Bolden Construction against the decision of Liverpool City Council.
 - The application Ref is 25F/0045.
 - The development proposed is a single storey extension, rear dormer extension, alterations to the fenestration and creation of two additional lower ground rooms to existing C4 6 bed HMO to form a house of multiple occupation for 8 persons.
-

Decision

1. The appeal is allowed and planning permission is granted for a single storey extension, rear dormer extension, alterations to the fenestration and creation of two additional lower ground rooms to existing C4 6 bed HMO to form a house of multiple occupation for 8 persons at 6 Sefton Road, Liverpool L9 2BP in accordance with the terms of the application, Ref 25F/0045, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: A001a Location Plan, A102b Proposed Floor Plans and Elevations, and A110b Proposed Block Plan.
 - 3) The external finishes of the development hereby permitted shall match in materials, colour, style, bonding and texture those of the existing building.
 - 4) Prior to the first occupation of the property as an 8-bedroom HMO, and notwithstanding the approved plans, bin storage facilities and cycle parking that satisfy the Council's current standards shall be provided in accordance with details that shall have been submitted to and approved in writing by the local planning authority beforehand. Such bin storage and cycle parking shall be retained thereafter.
 - 5) The number of persons in residence at the premises shall not exceed 8 at any one time.
 - 6) Prior to the first occupation of the property as an 8-bedroom HMO, the premises shall be acoustically insulated in accordance with a scheme that shall have been submitted to and approved in writing by the local planning authority beforehand. Such acoustic insulation shall be retained thereafter.

Preliminary Matters

2. The appellant states that it did not agree to the change of description that the Council has adopted in its decision notice. I have, therefore, taken the description set out above from the application form, but have added in, at the appellants suggestion, 'rear dormer extension' and 'alterations to the fenestration' to reflect all the elements of the proposed development.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of the occupiers of nearby residential properties with particular regard to noise and disturbance.

Reasons

4. The appeal site contains a mid-terrace property on a predominantly residential cul-de-sac. The adjoining property, 8 Sefton Road (No 8), is in use as an 8-bedroom HMO, with the other residential properties in the street occupied as single dwellings or subdivided into flats. The appeal property is close to the busy Rice Lane and the Rice Lane local centre.
5. The proposal would lead to up to eight unrelated individuals living at the appeal property, which would generate additional noise and activity, including comings and goings to the property. In addition, it is likely to mean that its occupation is more transient in nature than when it was occupied as a single dwelling. However, the property is already in use as an HMO for up to six people following the granting of a lawful development certificate for that purpose. Taking into consideration the existing background noise levels from traffic on Rice Lane and the location of the appeal site in a densely developed residential area not solely characterised by single dwellings, I find that any increase in activity and associated noise, over and above that generated by the occupation of the property as a six person HMO, would not be significant.
6. It is reasonable to consider that the level of noise and disturbance that would be generated by the appeal proposal would be comparable to the occupation of No 8, a similarly sized HMO. I have been presented with no evidence of complaints regarding noise and disturbance associated with No 8. This suggests that the appeal proposal could take place without causing unacceptable harm to the living conditions of neighbouring occupiers, either individually or in combination with No 8.
7. My attention has been drawn to a quote from an appeal decision¹ in which the Inspector states that the use of a property as an 8-bedroom HMO was likely to have a materially greater impact on the living conditions of adjacent residents due to noise and disturbance than a 6 person HMO. However, the full appeal decision has not been provided, and details of that case are not before me. It is unclear, therefore, as to whether the proposal in that case was in a quieter location than the appeal before me, where the further activity generated by additional bedrooms would be more noticeable and harmful. As such, that decision does not alter my findings on this appeal.

¹ Appeal Ref. APP/Z4310/W/17/3183336

8. Accordingly, I conclude that the development would not unacceptably harm the living conditions of the occupiers of nearby properties in respect of noise and disturbance. The proposal would accord with policies H7 and H10 of the Liverpool Local Plan, adopted January 2022, which seek to ensure no adverse impact on residential amenity or the character of the area. The proposed development would also accord with the similar aims set out in the National Planning Policy Framework (the Framework).

Other Matters

9. I have had regard to the other matters raised by interested parties, including the decline of the area due to family homes becoming HMOs, criminal or anti-social behaviour, public resources being over stretched, and vermin attracted by excessive litter. However, I have been presented with no substantive evidence that would lead me to disagree with the Council's conclusions on these matters and determine that the proposal would result in material harm sufficient to justify dismissing this appeal.

Conditions

10. The Council has suggested several conditions which I have considered against the Framework and Planning Practice Guidance. As a result, I have made some amendments for clarity and consistency.
11. I have, in the interests of certainty, attached a condition specifying that the development is carried out in accordance with approved plans. Conditions relating to matching materials, and the provision of bin storage and cycle parking are also imposed as they are necessary to ensure that the appearance of the new development would be satisfactory. Cycle parking is additionally necessary to promote a sustainable form of transport and to ensure an appropriate level of provision.
12. It is necessary to limit the number of residents to 8 to regulate the overall effect of the proposal on the living conditions of neighbouring occupants. For the same reason and to ensure appropriate living conditions for the occupants of the appeal property, I have imposed a condition requiring the approval and implementation of acoustic insulation.
13. I have amended the wording of the conditions relating to bin and cycle storage and acoustic insulation from that suggested by the Council to reflect that the property is already an HMO.
14. The Council has also set out, within the list of recommended conditions, several informatives. These would have no legal effect, and I have not, therefore, included them in the decision. Nonetheless, the appellant has had sight of the Council's conditions list and should be aware of the contents of such informatives.

Conclusion

15. For the reasons given above I conclude that the appeal should be allowed.

Elaine Moulton

INSPECTOR