



Appeal Decision

Site visit made on 6 August 2025 by S Jamieson BA(Hons) MPlan

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 November 2025

Appeal Ref: APP/Z4310/D/25/3367988

9 Sandstone Road East, Liverpool L13 6QX

- 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 Colin Hagan against the decision of Liverpool City Council.
 - The application Ref is 25H/0932.
 - The development proposed is conversion and extension of existing basement, including installation of structural glazed floorlights.
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Decision

1. The appeal is allowed and planning permission is granted for conversion and extension of existing basement, including installation of structural glazed floorlights at 9 Sandstone Road East, Liverpool L13 6QX in accordance with the terms of the application, Ref 25H/0932, 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: ABF-1155-XX-XX-DR-A-005 A ('Proposed Site Plan'); ABF-1155-XX-ZZ-DR-A-003 B ('Proposed Ground and First Floor Plans'); and ABF-1155-XX-ZZ-DR-A-004 B ('Proposed Elevations').

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Derwent Square Conservation Area (DSCA).

Reasons for the Recommendation

4. The appeal relates to a two-storey, mid-terrace property with a sandstone façade that lies within the DSCA. The significance of the DSCA derives from its distinct historic layout including its planned square and period architecture, which comprises a mix of sandstone cottages and stucco terraces and villas that reflect the rapid growth of Liverpool during the 1800s.
5. Whilst most of the residential properties in the vicinity of the appeal site are of sandstone construction, alterations have occurred to some of the properties

including removal of original details such as windows and doors as well as various changes to facade and boundary treatments. Nevertheless, the appeal site and the terraced row it sits within largely reflects the original distinctive elements of the built environment and so positively contributes the character and appearance of the DSCA.

6. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
7. The basement would be below ground level and the glazed floorlights serving it would only occupy a small part of the front garden, on an area which is currently paved. They would also be sited close to the host dwelling and set well back from the road. Therefore, the extension including the floorlights would have a discreet presence, particularly when experienced from the public realm. This is particularly the case given that the floorlights would be flush to the ground and so the property would retain its long frontage that is characteristic of this row of terraces. Furthermore, intervening vegetation and the front boundary wall would further screen the proposal from the street.
8. Consequently, even though glazed floorlights are not a typical feature of front gardens in the DSCA, the factors described would ensure that they would acceptably assimilate with their surroundings in this particular instance. Given the appeal site's location in an established urban area where there are multiple sources of illumination in the street scene, including basement lightwells and streetlights, lighting from within the dwelling would not give rise to an undue visual presence.
9. Despite the Council validating the planning application, Policy HD1 of the Liverpool Local Plan (LLP) (2022) requires that it should have been accompanied by a 'Statement of Significance' 'and/or a Heritage Impact Assessment'. Nonetheless, the appellant's statement of case reflects on the significance of the DSCA. The Council's Heritage Team have also provided detailed information on the significance of the DSCA. I am satisfied that in accordance with paragraph 207 of the National Planning Policy Framework (the Framework) the level of detail before me is proportionate to the heritage asset's importance and is sufficient to understand the potential impact of the proposal on the character and appearance of the DSCA.
10. I conclude, the proposed development would preserve the character and appearance of the DSCA. In that regard, it would comply with the requirements for high quality design and to conserve the historic environment in Policies H8 and HD1 of the LLP. For the same reasons, it would also accord with the conservation requirements in Chapter 16 of the Framework.

Other Matters

11. The Council's report raises concerns in respect of a Basement Impact Assessment not having been provided. However, it did not refuse planning permission on such grounds. Moreover, the policies before me do not require the provision of such an assessment and there is no objective evidence before me to suggest that the basement would have an adverse effect in terms of flood risk, drainage or the structural integrity of the building. In the circumstances, there is nothing to suggest that this should be a reason to refuse planning permission.

12. I acknowledge the Council's concerns regarding the accuracy of the proposed plans. However, these concerns appear to relate to structural matters falling outside the remit of this appeal. In any event, the Council has separate mechanisms for the regulation of construction related matters.

Conditions

13. Other than the standard time limit condition, it is necessary for certainty to ensure that the development is carried out in accordance with the approved plans. The proposed glazed floorlights are shown thereon; and given these are the only external materials proposed they would be acceptable. A further condition is not therefore be required.

Conclusion and Recommendation

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

S Jamieson

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed.

M Russell

INSPECTOR