



Appeal Decision

Site visit made on 12 December 2025

by N Unwin BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 January 2026

Appeal Ref: APP/Z4310/W/25/3374190

61 Egerton Road, Liverpool L15 2HN

- 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 A&I Property against the decision of Liverpool City Council.
 - The application ref is 24F/3095.
 - The development proposed is described as the proposed change of use from 6no. bed to 7no. bed HMO with external rear dormer and alterations.
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Decision

1. The appeal is allowed and planning permission is granted for the proposed change of use from 6no. bed to 7no. bed HMO with external rear dormer and alterations at 61 Egerton Road, Liverpool L15 2HN in accordance with the terms of the application, ref 24F/3095, 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 drawings: 24.035 001; 24.035 002 Rev B; 24.035 004 Rev E; 24.035 005 Rev A; 24.035 007 Rev C; 24.035 008; and SNOWDON SEMI VERTICAL CYCLE RACK.
 - 3) The external materials of the development hereby permitted shall match those used in the existing building.
 - 4) The number of persons in residence at the premises shall not exceed seven at any one time.

Applications for costs

2. An application for costs was made by A&I Property against Liverpool City Council. This application is the subject of a separate decision.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of neighbouring occupiers with specific regard to noise.

Reasons

4. The appeal property is a mid-terrace, two-storey building, which is being used as a six-person house in multiple occupation (HMO). The surrounding area is predominately residential in nature. The appeal property is located within an Article 4 direction that removes the right to convert C3 dwelling houses into C4 HMOs

without planning permission. Nevertheless, the evidence indicates that a number of properties within the area are utilised as HMO's, with the Council stating that the concentration of HMOs within the area as of 2024 equates to 22% of all dwellings. As such, HMO's form part of the existing character of the area.

5. From the evidence before me it appears that the appeal property has been operating as a six person HMO for some time. The Council refer to a noise complaint received in recent years with respect of the occupants of the appeal property, however this does not appear to have been pursued, and no action taken. There is little evidence before me with regard to noise disturbance at the appeal property. Further, the Environmental Health Specialist states that there have been no further complaints since.
6. The proposed increase from six to seven individuals at the appeal property may result in it being used more intensively. This could be through the use of the shared communal areas in addition to increased comings and goings at varying times. Nevertheless, there is limited evidence before me to demonstrate that such activities associated with an additional occupier within the appeal property, would exacerbate any previously experienced issues, giving rise to a discernible harmful increase in noise experienced by neighbouring occupiers.
7. As such, the proposal would not harm the living conditions of neighbouring occupiers with specific regard to noise. Therefore, the proposal would not conflict with Policies H7 and H10 of the Liverpool Local Plan 2013 – 2033 (2022). When read together these policies require development to protect the living conditions of neighbouring occupiers.

Other Matters

8. Interested parties have raised concerns including the proliferation of HMOs within the area, specifically their effect on waste, vermin, building works, parking, traffic levels, water pressure, antisocial behaviour, and the condition of properties. The proposal is not for the conversion of an existing dwelling to a HMO, but an additional occupant to an existing HMO. Given the presence of HMOs within the area, the addition of a single occupant to an existing HMO would have a limited effect on waste, vermin, building works, parking, traffic levels, water pressure, antisocial behaviour, and the condition of the property.

Conditions

9. In addition to the standard time limit condition, I have imposed a condition specifying the approved plans as this provides certainty. I have imposed a condition relating to materials to safeguard the character and appearance of the building and the area. I have re-worded the Council's suggested condition to matching materials as the submission of additional samples and details would have been onerous and unreasonable.
10. It is necessary to limit the number of residents to seven to regulate the overall effect of the proposal on the living conditions of neighbouring occupiers and future occupiers of the development.
11. Given the appeal property is currently used as a HMO and the proposal would result in a minor intensification of its existing use, it would be unreasonable to attach a condition relating to the submission of a HMO management plan.

12. Use of the appeal property for anything other than a HMO for up to seven people would require an application for planning permission and therefore a condition limiting its use as a HMO for up to seven people would be unnecessary.
13. The submitted plans include details of cycle parking and therefore a condition requiring the submission of these details would be unnecessary.

Conclusion

14. For the reasons given above the appeal should be allowed.

N Unwin

INSPECTOR

