



Appeal Decision

Site visit made on 20 January 2026

by K Mee BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 February 2026

Appeal Ref: APP/Z4310/W/25/3374987

Land to rear of 11 Greenbank Drive, Sefton Park, Liverpool L17 1AN

- 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 Jasper Bartlett against the decision of Liverpool City Council.
 - The application Ref is 25F/0930.
 - The development proposed is described as the “erection of single storey dwelling for the applicant’s brother in the rear garden of no 11 Greenbank Drive”
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the proposal differs from the application form to the decision notice. The above has been taken from the application form, which adequately describes the proposal.
3. As part of the appeal submission, the appellant put forward amended plans which include changes to the appeal site boundary. For clarity, I have proceeded to determine the appeal on the basis of the plans as submitted to the Council for their determination.

Main Issue

4. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Sefton Park Conservation Area.

Reasons

5. The appeal site is situated within the rear garden of 11 Greenbank Drive (No 11) and would be accessed from the existing driveway at 9 Greenbank Drive (No 9). It lies within the north-east corner of the Sefton Park Conservation Area (CA), which is defined by large villas set on substantial plots overlooking the centrally positioned park, forming a deliberate and important component of its planned setting. The generous plot sizes and spacing between buildings create a sense of spaciousness that is a defining characteristic of the CA. No 11 is a substantial semi-detached villa retaining original architectural features characteristic of neighbouring properties, and it makes a clear positive contribution to the character and appearance of the CA.
6. The proposed development comprises the subdivision of the existing garden and the erection of a single storey two-bedroom dwelling with associated garden and driveway, including the use of an existing garage.

7. I note the appellant's assertion that the appeal site is already visually separated from the remainder of the garden at No 11 due to the presence of a line of vegetation and trees. Also, the submitted evidence demonstrating that this section of garden has historically contained outbuildings/greenhouses. However, the use and small buildings were ancillary to the residential use of No 11 such that its defining character remained as a large villa within a substantial plot.
8. The villas contemporary with No 11 along this road, although now converted to flats, retain their original form, proportions and discernible plot layouts, including driveways and grounds and, with the exception of No 9, none of these grounds appear to have been subdivided. While the proposed dwelling would not be visible within the street scene, the subdivision of this substantial plot would erode the established pattern of development that is fundamental to the CA's distinctive character. References to higher density modern development in the surrounding area, does not demonstrate that subdivision is commonplace or that these forms of development have effectively changed the character of the CA. I therefore find that the proposal would result in a moderate degree of less than substantial harm to the character or appearance of the CA.
9. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to preserving or enhancing the character or appearance of conservation areas. In addition, the National Planning Policy Framework (the Framework) requires great weight to be given to the conservation of heritage assets. Paragraph 215 of the Framework states that where a development proposal would lead to less than substantial harm to the significance of heritage assets, that harm should be weighed against the public benefits of the proposal.
10. The provision of one additional dwelling would make a small but beneficial contribution to the supply of housing, as well as providing economic benefits during construction and after occupation. However, I find that these limited public benefits would be insufficient to outweigh the degree of harm I have identified to the asset.
11. For these reasons, I find that the development would not preserve or enhance the character or appearance of the CA. It would therefore conflict with Policies HD1, UD1, UD2, H13 of the Liverpool Local Plan 2013-2033 (January 2022), where they aim to resist backland development in residential gardens, conserve or enhance the historic environment and ensure that local distinctiveness is safeguarded or enhanced.

Other Matters

12. Whilst I note that the intended occupation of the proposed dwelling is by a family member of the appellant, I cannot be certain that this would be the case. Furthermore, there is no substantive evidence before me to demonstrate why the family member would need to live in this specific location or that there is no other suitable affordable accommodation in the wider area. Nevertheless, a personal permission would not be appropriate, nor would it be appropriate to condition this. I am mindful that planning is concerned with land use in the public interest, and it is probable that the proposed development would endure long after these personal circumstances cease to be relevant. Therefore, I find that this factor is not sufficient to outweigh the harm that would be caused.

13. The appellant contends that the proposed dwelling would be occupied by a single person such that activity arising from it would have no perceptible impact on the neighbourhood. However, the proposal would provide 2 bedrooms of a size capable of accommodating up to 3 occupants. I am not satisfied that any condition seeking to limit the occupancy would be enforceable. This consideration however does not outweigh the harm I have identified above.
14. The appellant refers to the existing garage block, to the rear of No 9, as evidence that such structures do not affect the openness of the rear gardens. I do not know the circumstances under which this building was constructed or its status with regards to planning permission. Nevertheless, I find that the proposed development would further erode the character of CA such that the presence of the garage block does not lead me to an alternative conclusion.
15. While no concerns have been raised with regard to highway safety, an absence of harm in this respect is a neutral factor.
16. I also acknowledge that the proposal has some support from neighbours with regard to the effective use of brownfield land, improved security and the provision of suitable accommodation for a vulnerable person. They also refer to the mode of construction being unlikely to cause substantial increased footfall or cause nuisance to neighbours and the upgrading of services which is likely to benefit more than proposed dwelling. I also note comments with regard to unacceptable behaviour towards, and harassment of, the appellant and their family by other occupiers of adjoining flats. However, these do not outweigh the concerns I have identified above.

Conclusion

17. For the reasons set out above, I conclude that the proposal conflicts with the development plan considered as a whole and there are no material considerations that indicate that the development should be determined otherwise than in accordance with it. Therefore, the appeal should be dismissed.

K Mee

INSPECTOR