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## Appeal Decision

Site visit made on 21 March 2017

**by Andrew McGlone BSc MCD MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 27 March 2017**

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**Appeal Ref: APP/Z4310/W/16/3165404**

**141 Salisbury Road, Wavertree, Liverpool L15 2HU**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Frank Campbell against the decision of Liverpool City Council.
  - The application Ref 16F/1160, dated 26 April 2016, was refused by notice dated 1 December 2016.
  - The development proposed is Demolish existing house and erect two houses.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. For clarity and completeness I have taken the appeal site's address from the appeal form rather than the application form which is not as precise.

### Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

### Reasons

4. The appeal site is part of a two storey semi-detached pairing situated near to the junction of Salisbury Road and Smithdown Road. Salisbury Road is characterised by two storey semi-detached properties of a similar age which have two storey high bay windows in the front elevation. Properties in Salisbury Road are finished in brick, painted brick or render with tile roofs. The site is near to Smithdown Road District Centre which contains a mix of facilities and services, including public transport connections.
  5. After demolishing the existing dwelling and part of the semi-detached pairing, two new dwellings would be erected. Although they would mimic the eaves and ridge height of the existing dwelling and 139 Salisbury Road, the proposed dwellings would be narrower and increase the width of the built form and change the characteristic semi-detached composition to a terrace. I recognise the site is at the end of Salisbury Road next to the three storey high 187 to 193 Smithdown Road which has been extended at the rear. However the character of Smithdown Road is very different, in that it is a busy thoroughfare lined by three storey properties with a mixture of commercial and residential uses. So, even with its location, I consider that the proposed dwellings would not reflect the uniform pattern of development in Salisbury Road. As such the
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proposal would significantly affect the cohesive physical and visual symmetry evident in the road. Moreover their footprint would infill most of the remaining space that exists between the existing flank elevation and the rear elevation of Nos 187 to 193.

6. I recognise some of the key architectural features have been included in the proposed designs and the scheme was revised to include bay windows. Also paragraph 60 of the National Planning Policy Framework (the Framework) explains that *planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.*
7. Even so, the bay windows would not extend above the ground floors of the proposed dwellings. Also the front dormer windows in particular would detract from the established character and appearance of Salisbury Road which contains no examples of dormer windows. Thus the proposal would as a whole be at odds with the local distinctiveness of properties in Salisbury Road, even if the bay windows would also serve the proposed basements.
8. I note the other modern housing developments in Alderson Road and Langton Road and their lower eaves and ridge lines. However, the examples cited have not included dormer windows to the front roof plane. Langton Road is also characterised by terraced properties and so properties here are not comparable to the appeal site.
9. I understand the appeal site is not a listed building or in a conservation area; matching materials would be used; the appellant runs a small building company who self-fund building projects and that the two proposed dwellings would be constructed to the latest thermal efficient standards and fitted with modern technology. Although the existing property would be replaced, I do not consider that these matters along with the limited provision of one additional family dwelling outweigh my concerns in terms of the proposal's harm to the balance of the semi-detached pairing and the character and appearance of Salisbury Road. Despite the appellant's willingness, I do not consider that this otherwise unacceptable development could be made acceptable through the use of any reasonable and appropriate planning conditions.
10. I acknowledge the appellant's points being made around the financial viability of the scheme, but I do not have any evidence before me in this regard and as the appellant points out there are other options available to them.
11. For these reasons, I therefore conclude that the proposed development would substantially harm the character and appearance of the area. The proposal would be contrary to Policies H5 and HD18 of The City of Liverpool Unitary Development Plan and paragraph 60 of the Framework; which together seek to, amongst other things, ensure new development respects the character of the surrounding area through its design, scale and layout so it includes characteristics that form its local distinctiveness.

#### *Other Matters*

12. I note the appellant's points around the Council's approach to redevelopment and subsidence issues, but I have considered this appeal on the basis of the

development applied for and I understand the appellant owns the site in question in any event.

13. I recognise the decision notice states that the application was made valid by the Council on 21 November 2016. However I note that the Council undertook public consultation between 25 May 2016 and 15 June 2016 and visited the site on 17 June 2016. This corroborates the date of 6 May 2016 stated by the appellant as to when the application was received by the Council.

**Conclusion**

14. For the reasons set out above, I conclude that the appeal should be dismissed.

*Andrew McGlone*

INSPECTOR