
Appeal Decision

Hearing Held on 11 September 2019

Site visit made on 11 September 2019

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 October 2019

Appeal Ref: APP/Z4310/W/18/3212388

Aigburth Peoples Hall, Aigburth Vale, Liverpool L17 0DG

- 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 APH Signature Construction Ltd against the decision of Liverpool City Council.
 - The application Ref 18F/0073, dated 8 January 2018, was refused by notice dated 21 June 2018.
 - The development proposed is described as 'erection of three storey apartment block (10 no apartments).
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area with particular regard to Aigburth Peoples Hall (APH), The Sefton Park Conservation Area (SPCA) and the registered Sefton Park.

Reasons

3. The appeal site is an area of currently overgrown lawn to the side elevation of APH. Used previously as a bowling green, it is enclosed by high sided mature hedges and a blockwork wall. APH is a late Victorian purpose built temperance hall. It is built in the Jacobean style and finished in brick and stone. It has a grand appearance and therefore obvious presence in both Aigburth Vale and Mossley Hill Drive. It is rear facing towards Sefton Park with its main entrance to Aigburth Vale.
4. The proposed development would be a detached three storey building with rooms in the roof space. It would be of a modern design and sited on the aforementioned lawn. The elevations would be parapet walls, mainly flush save for projecting window detail. The rooms in the roof space would be set in, contained inside a pitched roof structure in contrasting design and exterior material. The building's main entrance would be via Mossley Hill Drive where a car park would also be provided. A further pedestrian access would face Aigburth Vale.
5. APH was developed as a place to engage in activities as part of the growing temperance movement of the time. A place for people to make lifestyle

choices other than the consumption of alcohol. Having both political and religious drivers, the movement represented a marked change in attitude and social choice. The role of APH in not only advocating temperance but also providing facilities therefore was thus an important one to the area which was and remains connected to a densely populated major UK city. It was alluded to at the hearing that APH is unique to the area and one of a limited number of examples of purpose built temperance premises in the city.

6. Providing meeting places and recreational activities, APH has historically had very much a parkland setting in reference to the open land to both sides (the aforementioned lawned area and a children's play area) and Sefton Park onto which its rear elevation presents. Given the functional role of APH and how it would offer temperance activities it seems deliberate to my mind it was sited and faced in this way, offering views and access into the wider public park. For reasons of its historical function, siting, grounds and design, APH makes a positive contribution to the SPCA.
7. The evidence in submissions from both main parties is less than conclusive as to when the bowling green was established. According to the appellant, the earliest evidence of the appeal site being identified as a bowling green is a map of the area from the late 1930s. That said, it appears to be the case that the land on which the proposed development would be located always seems to have been part of the grounds to APH and given its temperance origins it is reasonable to surmise that it had some functional link with it. That aside, the grandness of the design, scale and presence of APH befits grounds of some substance. Substance which would be significantly and noticeably reduced by the appeal scheme.
8. Turning to the design of the building I am not averse to the use of contemporary features. They do have their place and in isolation, out of context, the proposed development is not a poor example. However, and in context, it lacks a clear identity. It is not immediately obvious where the front entrance is as the elevations bear similarities. There is also something modular and combination like of the blocks that make up the whole building. In addition, the roof storey would be a direct contrast with the building on which it would be sited resulting in an awkward and retrofitted appearance. I acknowledge that the proposed building would be on a slightly lower ground level and thus would not compete in height terms with APH but its scale, land take and situation would have something of a crowding effect on it.
9. The majority of large detached buildings set back from and facing Mossley Hill Drive were either built as or designed to emulate the villa style. Some have been built as or converted to flats. It is nonetheless clear that they are part of one and the same entity. I am aware that some of these buildings do have car parking to their frontages and the appeal scheme seeks to emulate this but other buildings, APH aside, have some centrality to their plot. The appeal scheme would site the building close to its rear boundary and thus lack the balance of other plots.
10. Whilst not competing in height terms with APH, the proposed building would nevertheless have a looming presence in Aigburth Vale given its scale, land take and how close it would be to its boundary at this point. It would therefore compete with APH in terms of how it presents as a standalone example of its type to Aigburth Vale.

11. I am mindful of the appellant's stance that APH may have become separated from its temperance origins over time. Noticeably, and somewhat ironically, it is now a licensed premise. Even so, this should not downplay its importance to a particular phase of the city's social history. Indeed, its current use as a venue for clubs, functions and recreational activities arguably carries some of its historic use forwards in any event.
12. Taking the above into account, the appeal scheme would substantially reduce the openness around APH and result in the direct loss of land important not only to its historical function but also a landscaped parkland setting. Furthermore, the design, scale and siting of the building would jar with the presentation of the hall and the street scene as it extends south from the site and as it faces Mossley Hill Drive. Harm would therefore arise in terms of APH itself, the wider SPCA and how APH relates to Sefton Park. Considering the setting of the park and the SPCA as a whole and the scale of the proposed development within them, I would suggest such harm would be less than substantial. As per paragraph 196 of the Framework¹, I am required to weigh it against the public benefits.
13. The appellant suggests that the proposed development would provide funds to enable works to APH. These would include roof repairs, restoration of the pavilion and the removal of the more modern blockwork to boundary walls amongst other things. In addition, previously underused parts of APH could come forward as new spaces available for activities or functions which could be beneficial for the viability of the business going forwards.
14. I am minded to attach some positive weight to these factors. Putting aside the mechanism best suited to secure such things however, I am not convinced that the works would not be carried out in the event the appeal scheme was not granted a planning permission. Indeed, it seemed to me from discussions at the hearing that APH as a business, venue and hub for social activities appears to be performing well and arguably capable of supporting ongoing maintenance to the premises. It is perhaps important here to also point out that I have seen or heard no compelling case to suggest that the business is in any sort of financial difficulty or its viability is threatened to the point that the new spaces provided are essential to its survival. I therefore ascribe these benefits only moderate weight.
15. The scheme would provide new housing which would clearly add to choice and mix locally. However, I am mindful of it being common ground that the Council is not in an undersupply situation and thus accordingly the weight I would attach to this benefit would be limited. There are a number of areas in which the appeal scheme would be acceptable. Such as the provision for car parking, the living conditions of occupiers and highway safety more generally. These matters however, both individually and cumulatively, would represent a lack of harm and consequently cannot be used to weigh against harm.
16. Paragraph 193 of the Framework sets out that great weight should be afforded to the conservation of a heritage asset. In this case those being APH (as a non designated one), the SPCA and Sefton Park. This is irrespective of the level of such harm. For the above reasons, the public benefits of the appeal scheme would not, when taken together, be sufficient to tip the balance sufficiently in favour of the appeal scheme to make it acceptable. As a consequence, the

¹ The National Planning Policy Framework 2019

proposed development would adversely affect the setting and significance of APH, its relationship with and presentation to Sefton Park and the character and appearance of the SPCA, accordingly falling to either preserve or enhance it.

17. For the same reasons as I have given, it would also conflict with Policies H5, HD11 and HD15 of the UDP². Between them, and amongst other things, these policies seek to ensure that new development respects the character of the surrounding area and, with regard to Conservation Areas and historic parks, resist development which fails to either preserve or enhance character and ensure the highest standard of design and materials.

Other Matters

18. I note the Council's substantive concerns over the resulting plot to APH and whilst I do not agree that its eventual size would be atypical (in the context of the variety of plot sizes in the SPCA) the reduction in the size of the plot when considering the role and setting of the hall would result in harm for the reasons I have set out above.
19. At the hearing, the appellant provided a plan which showed the originally intended design for Sefton Park by Hornblower and Andre in 1867. It was an enlarged version of the same shown in their written evidence. It shows an arrangement of villa type plots bordering the park with no clear indication of spaces or larger areas of land in between them as per the historic and current situation with APH. This, according to the appellant, suggests that there was never an intention for plots to have open land either side but be contained within their own single width plots. Be this as it may, the plan is not to modern scale and the base data is not the most accurate. Pinpointing the exact location of APH would therefore be an estimation at best. In any event, the design is not precise to how the plots around the park have evolved over time and what buildings/functions have been developed within and around them. It is this which has come to define the character and appearance of the area in terms of built form and space and thus to which I attach the most weight in identifying whether any harm would arise.

Conclusion

20. I have had regard to other matters that have been raised, including those by third parties, but it is for the reasons I have set out that the appeal is dismissed.

John Morrison

INSPECTOR

² The City of Liverpool Unitary Development Plan 2002

APPEARANCES

FOR THE APPELLANT:

Mr Richard Conlan	FCH Architects
Mr Peter Cranney	Director, APH Signature Construction
Mr John Hinchliffe	Heritage Consultant
Mr Richard Huston	Owner, Aigburth Peoples Hall
Mr David Owen	Forward Planning

FOR THE LOCAL PLANNING AUTHORITY:

Mr Tom Edwards	Urban Design, Liverpool City Council
Mrs Cerys Robinson	Heritage, Liverpool City Council
Mrs Sheridan Scott	Planning, Liverpool City Council

THIRD PARTIES:

Mr David Stewart	Local Resident
------------------	----------------

DOCUMENTS SUBMITTED AT THE HEARING

FOR THE APPELLANT:

- Budget costs for works to Aigburth Peoples Hall by SCAR Property Consultants
- Enlarged map extract from appeal documentation showing the intended design for Sefton Park by Hornblower and Andre

FOR THE LOCAL PLANNING AUTHORITY:

- Extract from Unitary Development Plan detailing additional policies relevant to the appeal