



Appeal Decision

Site visit made on 24 September 2019

by Jillian Rann BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 October 2019

Appeal Ref: APP/Z4310/D/19/3232894

39 Salisbury Road, Garston, Liverpool L19 0PH

- 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 Faris Safar against the decision of Liverpool City Council.
 - The application Ref 18H/3195, dated 29 November 2018, was refused by notice dated 17 May 2019.
 - The development proposed is described as: 'to replace damaged gate posts and install electronic metal gate. Replace asphalt and gravel surfaces with Yorkstone'.
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Decision

1. The appeal is allowed and planning permission is granted for sandstone gate posts, vehicular sliding gate and pedestrian gate and hardstanding at front at 39 Salisbury Road, Garston, Liverpool L19 0PH in accordance with the terms of the application, Ref 18H/3195, dated 29 November 2018, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: drawing no DS/SR181104.0 and drawing no DS/SR181102.2.

Preliminary Matters

2. At the time of my visit, some works had taken place at the site which appeared consistent with those shown on the proposed plans. Notwithstanding those works which have been carried out, I have determined the appeal on the basis of the proposal as shown on the submitted drawings, specifically drawing numbers DS/SR181104.0 and DS/SR181102.2.
3. There is some disagreement between the main parties regarding the appearance of the site as it existed before those works were carried out, particularly in relation to the amount of soft landscaping in the front garden. I have also noted reference from interested parties to the condition of the front garden before the works were carried out. The appellant has provided a photograph which, it states, shows the site prior to the appeal proposal works being carried out. However, that photograph shows only part of the front garden area, and thus represents only a partial record of its pre-existing condition. An undated aerial photograph submitted by the appellant is also of limited benefit as a detailed record, due to its scale and resolution.
4. Drawing numbers DS/SR181101.1 and DS/SR181103.0 were submitted to the Council as part of the application, and are labelled as a plan and elevation of

the front garden 'before new landscaping'. Those drawings show the full extent of the area to which the appeal relates, and the Council has not identified any reservations as to their accuracy as a representation of the pre-existing site layout. Therefore, for the avoidance of doubt and in the absence of a full photographic record of the site's previous condition, I have considered the appeal on the basis of the pre-existing situation as shown on those two drawings. Any subsequent reference in this decision to the pre-existing situation relates to the details shown therein.

5. The description in the banner heading above is taken from the application form. In my decision I have adopted the description from the Council's decision notice, which also includes the pedestrian gate and which accurately and succinctly describes the proposal.

Main Issue

6. The main issue is the effect of the development on the character and appearance of the appeal site and its surroundings, including Grassendale Park and Cressington Park Conservation Area.

Reasons

7. The appeal relates to a large, detached residential villa on Salisbury Road, within Grassendale Park and Cressington Park Conservation Area (the CA). In common with adjacent streets within the CA, Salisbury Road is formed principally of large, detached Victorian and Edwardian villas, set back from the street frontage behind deep front gardens. Those front gardens are generally enclosed by low walls with railings and/or hedges and, in the main, are characterised by soft landscaping, with many containing mature trees and shrub planting within and around their boundaries, although I also observed a number of properties on Salisbury Road with drives or parking areas to the front, interspersed with soft planting to varying degrees. Overall, those soft-landscaped front gardens create a highly attractive, spacious and verdant character to the CA's street scenes, and contribute to its significance.
8. The Council's Grassendale Park and Cressington Park Conservation Area Advisory Leaflet (the Advisory Leaflet) refers to the Arcadian quality of the area having been eroded when trees and shrubs have been removed from areas in front of the building lines and, amongst other things, advises that original driveways should not be expanded to provide car parking at the expense of planted front gardens.
9. On the basis of the submitted drawings showing the pre-existing situation, the majority of the appeal site's front garden was previously surfaced with brick paving, and gravel laid over a weed suppressing membrane, thus preventing the use of those areas for soft planting. Those drawings show that the garden previously had a number of areas available for soft planting. However, those beds appear to have been of relatively limited size and, on the basis of the evidence before me, I consider it likely that the front garden's contribution to the leafy, mature landscaped character of the area came principally from the hedge, shrub and tree planting around its front and side boundaries, rather than from those limited areas of soft planting.
10. Natural-coloured stone paving has replaced the previous brick paving and gravel surfacing, and is consistent with the acceptable finishes for driveways

set out in the Advisory Leaflet. Two areas of soft planting are retained to the front of the bay windows. At the time of my visit those areas were planted with grass and low hedging. However, they would provide scope for alternative planting in the future and, although reconfigured, those areas would be in a similar position, and would not be notably smaller in area overall, than the areas which were available for soft planting previously. They therefore maintain some soft planting to the front garden which, I observed, softens the building frontage and breaks up the areas of hard surfacing.

11. The hedges, trees and shrubs along the front and side boundaries of the front garden are to be retained, and further planting is proposed below the retained shrubs and trees alongside the boundary with No 37a. From Salisbury Road immediately to the front of the site, the hard-surfaced area to the front of the building can be glimpsed through the front hedge and the vehicle and pedestrian gates. However, such glimpses are limited and localised, and the areas of soft planting immediately to the front of the house are also visible in those views. In longer-distance views along Salisbury Avenue, the hard-surfaced area is not readily visible due to the screening provided by the retained boundary planting, which maintains the sense of a mature landscaped character to the front of the site. The effect of the proposed development on the wider street scene is thus very limited.
12. The replacement vehicle and pedestrian gates match the appearance and colour of the original front boundary railings. The new sandstone gateposts are of the same design and appearance and the original gateposts which they have replaced and which, I am advised, were damaged and had been painted. Overall therefore, I consider those works preserve, if not enhance, the appearance of the site's front boundary.
13. Compared with the general character of the CA, the appeal property's front garden would have a greater proportion of hard surfacing. However, on the basis of the evidence before me regarding the site's pre-existing layout and surfacing, the expansion of the property's original driveway has not taken place at the expense of a planted front garden in this instance. Having regard to that pre-existing situation, the enhancements to the front boundary as set out above, and the screening, softening, and sense of a mature landscaped character that would be maintained as a result of the retained boundary planting, in this instance I consider overall that the development would not harm the character and appearance of the CA, or its significance.
14. I therefore conclude that the proposed development would not harm the character or appearance of the appeal site or its surroundings, including the CA. The proposal would therefore not conflict with saved Policies HD10 or HD18 of the City of Liverpool Unitary Development Plan which, amongst other things, require external boundary and surface treatment to be of a design and materials which relate well to its surroundings and state that consent will not be granted for external alterations which adversely affect the overall character of a conservation area. Nor would the proposal conflict with the guidance in the Advisory Leaflet as set out above.

Other Matters

15. The Council has not identified any specific concerns with regard to surface water run-off or drainage. In the absence of any substantive evidence to the

contrary, I have no reason to conclude that the development would have significant implications in that respect.

Conditions

16. As it is common ground between the main parties that works have commenced on the appeal proposal, a condition requiring commencement within a specified period is not necessary. I attach a condition specifying the approved plans, for certainty.

Conclusion

17. For the reasons given, and having regard to all other matters raised, the appeal is allowed.

Jillian Rann
INSPECTOR