



Appeal Decision

Site visit made on 19 February 2020

by S R G Baird BA (Hons) MRTPI

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

Decision date: 27 February 2020

Appeal Ref: APP/M4320/D/19/3241867

24 Poplar Avenue, Crosby, L23 2SU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73A of the Town and Country Planning Act 1990 for the development of land carried out without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr S Bolger against the decision of Sefton Metropolitan Borough Council.
 - The application Ref DC/2019/01810, dated 25 September 2019, was refused by notice dated 15 November 2019.
 - The application sought planning permission for a single storey side and rear extensions, new dormers, enlarged porch, amended window positions and detailing, render to existing elevations, demolition of single storey plant room (part retrospective) without complying with a condition attached to planning permission Ref DC/2019/00668, dated 31 May 2019.
 - The condition in dispute is No 2 which states that: The development is hereby permitted in accordance with the following approved plans and documents: Site Outlined in red as shown on Drwg 1523 (003) 100 Rev 2 and Drwg No's 1523.003 105 Rev 1 and 1523.003 Rev 4 and email correspondence confirming elevational treatment as dashed render to be painted white with reclaimed Welsh slate to the roof.
 - The reason given for the condition is: For the avoidance of doubt.
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Decision

1. The appeal is dismissed

Main Issue

2. Whether condition No. 2 is reasonable and necessary to preserve the character or appearance of the Moor Park Conservation Area (CA).

Reasons

3. Most of the houses within this compact CA date from the end of the 19th and early 20th century. Their design and finish reflect a strong Arts and Crafts influence. The palette of materials, which contributes to the character and appearance of the area appears to be to be brick, white/off-white painted render and render with timber framing. The significance of the white/off-white colour palette to the character and appearance of this CA is reflected in the imposition of an Article 4 Direction. The Direction removes, amongst other things, the right to paint the exterior of any building where it fronts a highway. Moreover, the House Extensions Supplementary Planning Document, seeks to ensure that extensions and, by definition, their finish should be in keeping with the surrounding area.

4. The top part of the pink rendered side and front elevations are visible over and, in parts, through the boundary hedge and gate. Whilst the CA Appraisal identifies this property as having neutral interest in the CA, that does not reduce the importance of ensuring that finishes harmonise with and are sympathetic to the palette of materials and colours that contribute to the character and appearance of this CA. The vibrant pink render is at odds with the palette of colours that contribute to the character and appearance of this CA.
5. For the above reasons, the use of pink render fails to preserve the character and appearance of this CA and conflicts with Policy NH12 of the Sefton Local Plan, which requires that development preserves or enhances the character or appearance of a CA. Accordingly, I conclude that condition 2 is reasonable and necessary and having taken all other matters into consideration, the appeal is dismissed.

George Baird

Inspector