
Appeal Decision

Site visit made on 21 July 2020

by Jillian Rann BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 August 2020

Appeal Ref: APP/Z4310/W/20/3250099

133 Woolton Road, Wavertree, Liverpool L15 6TB

- 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 Maghull Developments (Blackburne House) Ltd against the decision of Liverpool City Council.
 - The application Ref 19F/2576, dated 18 September 2019, was refused by notice dated 31 January 2020.
 - The development proposed is described as: 'single storey upper extension to create one apartment with associated ground floor entrance'.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's decision was based on amended drawings submitted during the application, which included changes to the materials and to the profile of the top part of the extension around the edge of its roof. The Council has confirmed that those amended drawings were the subject of publicity. I have therefore considered the appeal on the basis of those amended drawings and am satisfied that no party would be prejudiced by my having done so.
3. The appellant has submitted further amended drawings as part of the appeal indicating changes to the design of the extension including a step in part of its roofline and a canopy above some of its windows and doors. However, the Planning Inspectorate's 'Procedural Guide: Planning Appeals – England' advises that the appeal process should not be used to evolve a scheme and that it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought. Accordingly, I have considered the appeal on the basis of the drawings that were submitted to and considered by the Council, as to do otherwise could prejudice those who may have wished to comment on the revised proposal.
4. Therefore, for the avoidance of doubt my decision is based on the following application drawings: Proposed First Floor Apartment drawing 10314 P16 revision D; Proposed Elevations drawing 10314 E04 revision D; Proposed First Floor Apartment Section A-A drawing 10314 S05 revision D; Proposed Ground Floor Access to First Floor Apartment drawing 10314 P15; Proposed Roof Plan Apartment drawing 10314 P19; and associated 3D visuals.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the appeal site and its surroundings.

Reasons

6. With its tapered corner facing the junction of Woolton Road and Moss Pits Lane and castellated parapets extending along each of those road frontages, the appeal building has a pleasant sense of rhythm and symmetry to its frontage and is a distinctive and attractive feature on this corner plot.
7. Whilst the building is single storey, its parapet gives it the appearance of a taller structure. Its front elevations are thus similar in height to the two storey commercial buildings which, despite slight variations in their eaves heights, generally step gradually uphill along the adjacent parade on Woolton Road, and to the houses on Moss Pits Lane which step gradually downhill away from the junction in the other direction.
8. Despite some variety in the appearance of surrounding buildings the appeal building therefore sits comfortably within its suburban context at present, reflecting the scale of nearby housing and the adjacent local shopping parade and marking the junction in a distinctive way without dominating it.
9. In contrast, the roof of the proposed extension would be taller than the highest parts of the existing parapet, than the flat roof of the neighbouring commercial building at 121 to 129 Woolton Road and than the roofs of the houses on Moss Pits Lane closest to the site. As a result of that height, together with its large footprint and its flat-roofed design, the extension would have a significant volume, massing and presence despite its lightweight frame and the use of glazed and reflective panels on its external elevations.
10. As much of it would be set back from the parapet, views of the extension may be somewhat limited from points close to the front of the building. Trees within the neighbouring school site also provide some screening when approaching the site on that same side of Woolton Road. However, it was evident from my own observations that, from slightly more distant vantage points on the opposite side of Woolton Road, the significant bulk and mass of the extension would be clearly visible through and above the existing parapet, and in the context of the wider parade and the houses on Moss Pits Lane.
11. As the appeal building is located some way forward of the houses on Moss Pits Lane I observed that it is prominent and visible from some distance away along Moss Pits Lane at present. Therefore, and as the development would extend up to the rear of the parapet for part of that frontage, it would also be highly prominent in views towards the site along that neighbouring residential street.
12. As a result of its significant height, scale and massing, the extension would comprise an uncharacteristically bulky addition which would unduly dominate the roof of the appeal building and disrupt the rhythm and regular form of its distinctive castellated parapet, to the detriment of its overall character and appearance.
13. The extension would be taller than the roofs of the buildings on either side of it. As a result of its flat-roofed design, it would also have a significantly greater massing and presence than the hipped or pitched roofs of other surrounding

buildings with which comparisons have been drawn, despite being similar to some of them in height. Consequently, the extension would unduly dominate the junction of this local shopping parade and residential side street, and would disrupt the gradually stepping rooflines which give a pleasing rhythm to those wider street scenes at present. It would therefore be out of scale and character with, and detract from, its wider suburban surroundings.

14. The extension would incorporate design features such as tall glazed panels which are seen in the ground floor shop fronts below. It would thus make some visual reference to the detailing of the existing building. However, neither those similarities in elements of its architectural detailing, nor the use of high quality materials to match those existing shop fronts, would outweigh the harm to character and appearance that would arise as a result of the extension's scale, height and massing. Nor does the appearance of other surrounding buildings, including the brightly coloured shop front of the adjacent unit, or the variety of other building forms nearby alter my finding regarding the harm that would arise as a result of the particular development before me.
15. The development would have an adverse effect on the character and appearance of the appeal building and its surroundings. It would therefore not accord with Policy HD18 of the City of Liverpool Unitary Development Plan (the UDP) which requires a high quality of design and that the scale, density and massing of a development relate well to its locality.
16. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires this appeal to be determined in accordance with the development plan unless material considerations indicate otherwise.
17. The National Planning Policy Framework (the Framework) states that existing policies should not be considered out-of-date simply because they were adopted prior to the publication of the Framework and that due weight should be given to them, according to their degree of consistency with the Framework. The requirements of Policy HD18 are consistent with the Framework, which requires developments to be sympathetic to local character and that upward extensions should be allowed where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene. Accordingly, despite its age I find that Policy HD18, which is most important for determining the application, is not out-of-date. I therefore afford substantial weight to that development plan policy and to the conflict with it.
18. The development would also conflict with Policy UD1 of the emerging Liverpool Local Plan 2013-2033, the aims of which are similar to those of UDP Policy HD18 in requiring development proposals to demonstrate that form, scale and proportion have been taken into account. However, as that policy remains subject to examination and possible amendment, I afford it limited weight.
19. The development would provide a new dwelling on an already-developed site in an accessible suburban location close to local shops and facilities, and would thus contribute to local housing supply. However, such benefits arising from the single dwelling proposed would be very modest and I afford them limited weight.
20. I have been referred to other upward extensions elsewhere in the city. However, from the very limited evidence before me I cannot be certain of the circumstances in which those structures referred to were built or that they

were directly comparable to those in the current appeal. In any event, I have determined this appeal on its own planning merits and the existence of permissions for other such extensions elsewhere does not alter or outweigh my conclusion regarding the particular harm I have identified in this case.

21. Taking those factors together, the policy which is most important for determining the application is not out-of-date and the benefits of the proposed development would not outweigh the harm to character and appearance that I have identified. Therefore, material considerations do not justify making a decision other than in accordance with the development plan in this case.
22. I have had regard to other matters raised by interested parties, including in relation to parking and living conditions. However, as I have found the development unacceptable for other reasons I have not needed to consider those matters further in this case.

Conclusion

23. For the reasons given, the appeal is dismissed.

Jillian Rann

INSPECTOR