

Appeal Decision

Site visit made on 13 January 2023

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2023

Appeal Ref: APP/Z4310/D/22/3311420

19 South Drive, Wavertree, Liverpool, L15 8JJ

- 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 Joshua Birch against the decision of Liverpool City Council.
 - The application Ref 21H/2142, dated 16 February 2022, was refused by notice dated 13 September 2022.
 - The development proposed is installation of a 16 panel solar PV system to the front/south facing roof pitch of property.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The date of the application is taken from the planning application form. The Council's decision notice states that the application was validated on 8 October 2021. This is prior to the date on the application form.
3. On the application form, the appellant states that the original application "seems to have slipped off the radar hence resubmission."

Main Issue

4. The main issue in this case is the effect of the proposed development on the character and appearance of the Wavertree Village Conservation Area.

Reasons

5. The appeal property is a tall, bay-fronted semi-detached period dwelling. It features attractive front dormers providing for living accommodation at roof level. The dwelling is faced with polychromatic brickwork and has a slate roof.
 6. It is situated within the Wavertree Village Conservation Area, which in this location is a residential area characterised by the predominant presence of tall and largely symmetrical pairs of semi-detached Victorian villas. These dwellings are brick-built with slate roofs and a host of period features, including ornate brickwork, bays, sash windows, decorative fenestration and tall chimneys.
 7. Further, dwellings tend to be uniformly set back behind original low stone walls and front gardens and/or driveways and this and the above features, along with
-

a notably uncluttered slate roofscape of largely original appearance, affords a rich sense of heritage and an attractive sense of uniformity.

8. The proposed development would comprise solar panels that would cover a large area of the uppermost part of the appeal property's front-facing roof. The panels would be different in colour and texture to the slate roof. As a result, I find that they would stand out from and jar with the appearance of the existing roof to the extent that they would draw attention to themselves as alien features.
9. During my site visit, I observed the roof of the appeal property from various locations and noted that the panels would appear prominently from various points along South Drive.
10. The roofscape of the period properties visible along South Drive contributes a significant and attractive sense of rhythm and uniformity and the proposed development would upset this rhythm and jar with this sense of uniformity.
11. Taking all of the above into account, I conclude that the proposed development would fail to conserve the appearance of Wavertree Village Conservation Area.
12. Having regard to paragraph 202 of the National Planning Policy Framework (the Framework) and to Planning Practice Guidance, I consider that the harm to the character and appearance of Wavertree Village Conservation Area would be less than substantial. This needs to be balanced against any public benefits the development may bring.
13. In this respect, I am mindful that the proposal would help to reduce energy costs and this is a factor in its favour. However, it is not something that amounts to such public benefits that they would outweigh the harm identified.
14. The proposal would fail to conserve the character and appearance of Wavertree Village Conservation Area contrary to the National Planning Policy Framework; to Local Plan¹ Policies UD1, H7, H8 and HD1; and to the Council's Supplementary Planning Guidance Note 1: House Extensions, which together amongst other things, seek to protect local character.

Other Matters

15. In support of the proposal, the appellant draws attention to a range of development styles and to unsympathetic developments within the surrounding area. However, I note above the predominant contribution made by Victorian villas and their characteristics to Wavertree Village Conservation Area.
16. The proposal would fail to conserve the character and appearance of Wavertree Conservation Area and this is not a matter mitigated or outweighed by the presence of other developments elsewhere.

¹ Reference: Liverpool Local Plan (2022).

Conclusion

17. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR