

Appeal Decision

Site visit made on 29 January 2024

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th February 2024

Appeal Ref: APP/M4320/W/23/3328064

Glenthorne House, 56 The Serpentine South, Blundellsands L23 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 Mr and Mrs Terry and Lynda Riley against the decision of Sefton Metropolitan Borough Council.
 - The application Ref DC/2023/00811, dated 17 May 2023, was refused by notice dated 20 July 2023.
 - The development proposed is the reinstatement of a dwellinghouse following demolition with alterations and extension, re-use of the existing vehicular access to The Serpentine South and construction of a garage with erection of boundary fencing and gates to the perimeter.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The original house here has been demolished and the site cleared. The description of the proposed development set out above is taken from the application form. At an early stage in the application process the appellants agreed to a change in the description of the proposed development as requested by the Council. That revised description similarly refers to the "*reinstatement of the dwellinghouse following demolition with alterations and extensions*". The appellants now indicate that these descriptions are not accurate, mainly in that they refer to the demolition, which is agreed already by a previous permission for a replacement house (Ref DC/2022/01009) and is said to not be part of the current proposal. The Council raises no objection to the demolition in any case, so this matter is not crucial to my decision.
3. On a more salient point of clarification, this proposal is for a wholly new house of a completely different design to the previously existing house, so the references to "*alterations and extension*" are misleading. I have considered this appeal on the basis that it is for the construction of a new house and garage plus associated development following on from the complete demolition of the house.
4. A revised version of the National Planning Policy Framework (the Framework) was published on 19 December 2023, during consideration of the appeal. The

main parties have been given an opportunity to comment on these changes and have not raised any new points.

Main Issue

5. The main issue is whether the proposal would preserve or enhance the character or appearance of the Blundellsands Park Conservation Area.

Reasons

6. The Council's Blundellsands Park Conservation Area Appraisal (CAA) advises that the conservation area is a planned housing area developed in the late 19th/early 20th Century with mainly large villas in spacious grounds. With its coastal location and railway connection, it provided wealthy businessmen with opportunities for fashionable seaside residences. Policy NH9 *Heritage Assets* of A Local Plan for Sefton (LP) refers to Blundellsands as one of the key elements contributing to the distinctive identity of Sefton, so that its safeguarding and enhancing is a strategic priority.
7. The CAA confirms that the predominating style here is Victorian Gothic although there are many variations and some houses lean more towards the Arts and Crafts movement or have Italianate features and more classical proportions. Newer, more modern developments, especially some blocks of flats, are said to be negative features that detract from the character of the area.
8. Glenthorne House was identified in the CAA as being a building that contributed to the character of the area. Photographs show that it was a substantial 2 to 3 storey house with elements of Victorian Gothic style. Its site is now cleared, forming a relatively level and open area in the middle of the plot, well below the level of The Serpentine South. The site is fringed by trees and to the rear is a partially closed off section of road (Park Drive) mainly used by pedestrians. It is easily visible from both streets. The site's heritage significance stems mainly from its role as one of the original plots and is prominent corner location. Given the importance of this position, a new house here would have a significant impact on local character and appearance.
9. The proposal is to build a new 2½ to 3½ storey house of a more classical form and style, in contrast to the previously existing house. The new house would have a box-like form, regular rows of tall windows, a low pitched Mansard type roof structure with short chimneys set back behind parapet walls and a columned portico and central pedimented projecting gable at the front, facing The Serpentine South. To the rear, facing Park Drive, the design would include extensive glazing at lower ground floor and upper ground floor levels. A single storey detached garage would be built near to one edge of the site and fencing would be added around the perimeter.
10. The height and bulk of the proposed house would be substantial, in line with the historical villa style development and the spacious plot. The buildings would fit comfortably onto the site without the need to remove any significant trees or detract from the spaciousness of the plot.
11. The Council expresses some concern that the proposed house may not be tall enough for this position. I find that its height is appropriately proportional to its design. This does, however, bring up an area of ambiguity about the proposal.

Although, the area of the site where the house would be built is relatively level, the plans show a split level design fitting onto a steeply sloping site. The only indication of proposed floor levels is a note on the plans saying that the south elevation would "*be of similar level as the existing demolished house*". No information has been provided to clarify that level or the proposed ground levels around the building. Without that information it is difficult to fully assess the actual impact of the building's height, as seen from surrounding streets.

12. The CAA describes some buildings in the area as having a *Suburban Italianate* style, with features such as stuccoed quoins, double bracketed eaves, tri-partite windows and classically inspired columns. The appellants argue that the proposal leans towards this style, while sitting comfortably within the overall Gothic style. Aside from the columns and the quoins, however, I see little reflection of the Italianate style in the proposal. The main example of such design referenced in the conservation area is at St Mary's College, the elevations of which are dominated by tri-partite windows and which has bracketed eaves and more traditional shallow pitched roofs - rather than the single width windows, parapet walls and Mansard style roofs of the appeal proposal. I see little reflection of the Gothic style in the proposal, which appears to be of more straightforward classical architecture. The proposed design would therefore appear to be fairly unique within the conservation area.
13. The wide spacing and the individual designs of the existing villas do allow for some flexibility of approach here. The proposal, however, seems to over-stretch this by seeking to establish an unprecedented architectural approach on a key site.
14. I also agree with the CAA that the quality of materials and detailing of new buildings is important if new buildings are not to become negative factors in the conservation area. I am left unconvinced that the proposed new house would include the quality of detailing required for such a substantial addition. The CAA, for example, laments the introduction of upvc windows with thicker frame sections and in many cases the removal of glazing bars. The appeal proposal is for upvc windows, with glazing bars on some windows and plain glazing on others, including in prominent situations on the eastern and western elevations. Other vague aspects of the proposal such as materials, finishes and levels could potentially be clarified by the use of conditions, but the absence of the clarity appropriate to a conservation area site of heritage importance does add to my concerns.
15. Taking all of this into consideration, I find that the proposal would harm the character and appearance of the conservation area. It conflicts with LP policies NH9, NH10, NH12 and NH15, the CAA and the Framework, which seek to protect the significance of heritage assets and secure high quality design in conservation areas.
16. This harm to the significance of a heritage asset would, in the terms of paragraph 205 of the Framework, be less than substantial. Such harm must, in line with Framework paragraph 208, be weighed against the public benefits of the proposal. In this case, the proposal would make use of this sustainably located site to help boost the supply of housing, in line with local and Framework objectives. In view of this proposal being for a single house, and due to the existence of an alternative permission for a house here, I attach moderate weight to these important but modest public benefits.

17. The Council has drawn my attention to another appeal decision relating to development in the conservation area¹, which was for a much different scheme of domestic extensions. I note that Inspector's conclusions but assess this case on its own merits.

Conclusion

18. As set out in paragraph 205 of the Framework great weight must be attributed to any harm to a heritage asset, even where this harm is less than substantial. This aligns with the duty under Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Taking all matters into account, I find no public benefits which would outweigh the significant harm that would be caused to the character and appearance of the conservation area.
19. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR

¹ APP/M4320/W/22/3307412