



Appeal Decision

Site visit made on 1 October 2024

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 October 2024

Appeal Ref: APP/Z4310/W/24/3344339

9 Alton Road, Liverpool L6 4BH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Paige Palmer against the decision of Liverpool City Council.
 - The application Ref is 23F/3195.
 - The development proposed is the change of use of an existing 7 bedroom dwelling (The Mansion House) to be subdivided into 3 flats.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of an existing 7 bedroom dwelling (The Mansion House) to be subdivided into 3 flats at 9 Alton Road, Liverpool L6 4BH in accordance with the terms of the application, Ref 23F/3195 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (dwg no: 312-EX-050), Site Plan (dwg no: 312-EX-051), Proposed Floor Plans (dwg no: 312-PL-100 rev: B) and Proposed Elevations (dwg no: 300-PL-200 rev: B).
 - 3) The external materials of the development hereby permitted shall match those used in the existing building.
 - 4) Any waste generated from the development hereby permitted to be discarded as refuse or recycled shall be kept within the curtilage of the premises and shall only be placed outside the premises on the appropriate refuse collection day.
 - 5) The development hereby permitted shall not be first occupied until a scheme for the provision of cycle parking has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to the first occupation of the development and retained thereafter.

Preliminary Matter

2. Amended plans were provided with the appeal which include internal alterations to the first floor flat to provide a two bedroom rather than a three-bedroom unit as well as a change to the location of the cycle storage at the rear. The Council has had an opportunity to comment and given the minor nature of the changes, I do not consider that any party to this appeal would be

prejudiced by its consideration. For clarity, I have dealt with the appeal based on the amended plans.

Main Issues

3. The main issues are:

- whether the development would result in the unacceptable loss of a family dwelling,
- whether the development would provide satisfactory accommodation for its future occupants, with regard to internal space standards and privacy, and;
- the effect of the development on the character and appearance of the host building and the area.

Reasons

Family dwelling

4. Policy H10 of the Liverpool Local Plan 2013-2033 (Local Plan) sets out, that planning permission will be granted for the conversion of buildings into self-contained flats provided, amongst other matters, development would not cause the loss of a dwelling that is suitable in size, design, layout and location for continued use as a family dwelling.
5. The appeal building is a 7-bedroom property which is located in an area that the Local Plan designates as a 'Primarily Residential Area'. It is situated on a modest plot, but has a large number of bedrooms, as well as a variety of other rooms. I acknowledge that family sizes do vary, and there is a recognised shortfall in larger family homes, but the size of the property with a large number of rooms, would make it much larger than a typical family dwelling, even one desired by a larger family.
6. Although there may be demand for family homes in the Alton Road area and alterations could be made to the appeal property, the marketing evidence provided by the appellant demonstrates that there was no interest in the property as a single-family home.
7. I therefore conclude that the proposal would not result in the unacceptable loss of a family dwelling and consequently, it would not conflict with Policy H10 of the Local Plan, which set out, amongst other matters, a criteria-based approach to the conversion of existing dwellings.

Living conditions

8. The amended plans demonstrate that the proposed first floor flat would meet the minimum space standards, in terms of the total internal floorspace set out in the Technical housing standards – nationally described space standards (NDSS). The Council has also acknowledged the appellant's measurements in relation to the second-floor flat's GIA¹ which are said to exceed the NDSS.
9. The amended plans which were considered by the Council during the course of the application subject of this appeal, included for two dormer windows on the

¹ Gross Internal Area

front elevation of the property. Given their size and position, they would provide adequate outlook for future occupants of the second floor flat.

10. The re-located proposed cycle store, adjacent to the bin storage area would enable the rear amenity space outside the proposed ground floor flat's living room window to be limited to the occupiers of this residential unit. The privacy of future occupants of the ground floor flat would not therefore be unduly impacted.
11. I therefore conclude that the proposed development would provide satisfactory accommodation for its future occupiers, having regard to internal space standards and privacy. As such, there would be no conflict with Local Plan Policies H7, UD2, UD7 and H10, Supplementary Planning Guidance Note 7 Conversion of Buildings into Flats and Bedsits and the NDSS which seek, amongst other matters, for good outlook and adequate privacy for the proposed development. Although reference is made to Local Plan Policy UD1, this is not directly relevant to the living conditions of future occupiers.

Character and appearance

12. The appeal property comprises of a semi-detached building situated on a road that contains similar closely spaced semi-detached properties and terraced rows. This close positioning, the small setback from the highway and the presence of bay windows provides a pleasant order and consistency to the character of the area.
13. The main parties have referenced Supplementary Planning Guidance Note 1 House Extensions (SPG1), which states that dormers should normally be confined to the rear. In this instance, the neighbouring properties to either side of the appeal property have dormer windows to the front, as do others on nearby properties on this stretch of Alton Road. Although the Council consider the dormers on neighbouring properties to be unsightly and have set out that they date from a period when there was a different policy framework, they nevertheless form part of the established streetscene.
14. The dormers proposed would, unlike those on properties on either side, have pitched roof forms and be broadly aligned with the windows on the elevation below. They would also retain an appreciable section of the existing roof plane around them. The scale and design of the dormers would not therefore be visually harmful on the host building.
15. I therefore conclude that the proposal would not have an unacceptable adverse impact on the character and appearance of the host building or the area. As such, it would comply with Local Plan Policy H8 and SPG1, which seek, amongst other matters, high quality design.

Other Matters

16. Concerns have been raised in relation to the lack of car parking but given the proposed flats would replace a large 7-bedroom dwelling, I do not consider that there would be any harmful impact in relation to parking.
17. I have taken account of other concerns raised in relation to the maintenance of the road, littering and inclusive design, but these matters do not have a bearing on my conclusions on the main issues.

18. The Council has set out the need for a commuted sum for the provision of trees to be planted off site as well as a monitoring fee. Reference has been made to Local Plan Policy GI 8 which identifies the need for new development to make provision for the planting of new trees. Whilst the requirements of this policy are clear, it has not been set out where the contribution would be spent to provide the trees or how the monitoring fee has been calculated. As such, it has not been clearly demonstrated that the off-site tree planting is directly related to the development and fairly and reasonably related in scale and kind. The absence of a planning contribution does not therefore weigh against the proposed development.

Conditions

19. I have considered the conditions suggested by the Council and a consultee, having regard to the six tests set out in the Framework. For the sake of clarity and enforceability, I have amended the suggested conditions as appropriate.
20. Conditions are required requiring external materials of the development to match the existing building and in relation to waste generated in the interests of the character and appearance of the building and the area. Although some details have been provided on cycle parking, a condition requiring full details of such provision is needed to encourage the use of a sustainable means of travel respectively.

Conclusion

21. The proposal would accord with the development plan as a whole, and there are no other considerations, including the Framework, that indicate that I should take a decision other than in accordance with this. I conclude that the appeal should be allowed.

F Rafiq

INSPECTOR