



Appeal Decision

Site visit made on 8 January 2025

by **H Senior BA (Hons) MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 March 2025

Appeal Ref: APP/Z4310/W/24/3351407

24 Grange Terrace, Wavertree, Liverpool L15 8HA

- 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 Mr Phil Jones (Plus Dane Housing) against the decision of Liverpool City Council.
 - The application Ref is 24F/1749.
 - The development proposed is “The works include the change of use of a 2-storey dwelling into two separate flats, ground and first floor. Standard refurbishment works include strip out and replacement of kitchens and bathrooms and alteration to internal partitions and removal of an internal staircase. External alterations include removal of existing door entrances and windows and the installation of new windows. Additionally, external works including fencing relocation, new access gates and creation of new car parking spaces is proposed”.
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Decision

1. The appeal is allowed and planning permission is granted for change use from 1no. dwelling to 2no. flats at ground floor and first floor levels, with associated internal alterations and refurbishment including partitions and removal of existing staircase; to carry out external works including windows/doors, boundary fence, new access gates and to create new vehicular parking spaces at 24 Grange Terrace, Wavertree Liverpool, L15 8HA in accordance with the terms of the application, Ref 24F/1749, subject to the conditions in the attached schedule.

Preliminary Matters

2. Prior to the determination of this appeal, a new version of the National Planning Policy Framework (the Framework) has been published. The substantive matters of the case before me are not however affected by the changes. I do not therefore feel any of the main parties’ cases would be prejudiced by me proceeding without further consultation thereon.
3. In the decision above I have used the description of development from the Decision Notice as it more accurately reflects the development considered and consulted on by the Council.

Main Issues

4. The main issues are:
 - the effect of the proposal on the character of the area with particular regard to the retention of family housing; and
 - whether the proposal would secure an appropriate contribution towards the provision of trees.

Reasons

Family Housing

5. Policy H10 of the Liverpool Local Plan 2022 (Local Plan) concerns the conversion of dwellings and buildings. It outlines, amongst other things, that the conversion, or sub-division of dwellings will be permitted where it would not cause the loss of a dwelling that is suitable in size, design, layout and location for continued use as a family dwelling.
6. The proposal concerns the conversion of a dwelling that was previously used as the wardens flat within a complex of flats for residents over 55 and forms part of the sheltered housing scheme and is within a secure boundary. From the evidence before me it is clear that the premises has not previously been in use as a family dwelling.
7. The current layout of the premises indicates that it is a three bedroomed dwelling, which could be a suitable size for a family, of which there is evidence to suggest that there is a need for in the area. However, due to the location and access arrangements through the car park of the sheltered accommodation, its use as a family dwelling would not be an appropriate use for the building.
8. The proposal would not harm the character of the area with particular regard to the retention of family housing. It would comply with Policy H10 of the Local Plan which amongst other matters seeks to prevent the loss of a dwelling that is suitable for continued use as a family dwelling.

Tree Planting

9. Whilst the appellant has indicated that there may be an opportunity to plant a tree, as required by Policy GI8 of the Local Plan, within the communal gardens of the flat complex, no details of the size or type of tree have been provided. However, this matter could be dealt with through a suitably worded condition requiring details of the proposed tree. Such a condition has been attached to this decision to ensure that the Local Plan requirement is met and that the proposal contributes to the landscape character of the site.
10. I conclude that the proposal would secure an appropriate contribution towards the provision of trees subject to the inclusion of a suitably worded condition. It would therefore comply with Policy GI8 of the Local Plan which amongst other matters seeks to ensure that development makes provision on site for the planting and successful growth of new trees.

Other Matters

11. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving or enhancing the character or appearance of the Wavertree Village Conservation Area (CA). The significance of which derives in part from traditional Victorian and Edwardian properties in the area. The Council do not consider that the proposal would detrimentally impact the character or appearance of the CA subject to appropriate window, door and fence details, including the use of timber. From my observations and having regard to the scale and location of the proposed development within the above context, I have no reason to disagree.

Conditions

12. I have considered the conditions suggested by the Council. To provide certainty I have included the standard time limit condition and specified that the development should be carried out in accordance with the approved plans.
13. The conditions relating to the doors and windows and fence are necessary to protect the character and appearance of the area including preserving or enhancing the character or appearance of the CA. The condition requiring the provision of cycle storage is necessary to encourage other non-car modes of transport and the condition relating to tree planting is necessary to ensure that the proposal contributes to the landscape character of the site.

Conclusion

14. For the reasons given above the appeal should be allowed.

H Senior

INSPECTOR

SCHEDULE OF 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 drawing nos External Location Plan; Ground Floor Demolition Plan; First Floor Demolition Plan; External Boundary Fence- Existing and Proposed; Front Elevation- Existing and Proposed Plan; Right Elevation- Existing and Proposed Plan; Ground Floor Proposed Plan Option 3; First Floor Proposed Plan Option 3; External Window Detail & Section; External Existing & Proposed Site Plan.
- 3) The proposed new window or doors shall be timber with a colour that closely matches that of existing windows and shall be retained as such thereafter.
- 4) Prior to the occupation of the dwelling details of any stain for the fence shall be submitted to and approved in writing by the local planning. The development shall be carried out in accordance with the approved sample details and shall be retained as such thereafter.
- 5) Prior to the occupation of the dwelling a scheme for the provision of cycle parking in accordance with the Council's current standards shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved before any part of the development is occupied and shall be retained as such thereafter.
- 6)
 - a) Within three months from the date of the decision, a tree planting scheme shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the new tree shall be of a planting size not less than 12- 14cm girth
 - b) The approved tree planting scheme shall be completed either: not later than the first planting season following first occupation of the development; or

during the appropriate planting season progressively as the development proceeds, in accordance with a programme to be agreed in writing with the local planning authority.

c) All works must be carried out to BS 8545:2014 Trees: from nursery to independence in the landscape and BS 4428: 1989 Code of Practice for General Landscape Operations.

d) Should the tree die, become diseased, damaged or be removed within 5 years of planting it shall be replaced with a tree of similar sizes and species or as may otherwise be agreed with the local planning authority in the first available planting season thereafter.

END OF SCHEDULE