



Appeal Decision

Site visit made on 13 May 2025

by **C Mayes CMLI**

an Inspector appointed by the Secretary of State

Decision date: 20 June 2025

Appeal Ref: APP/Z4310/W/25/3359887

83 Eaton Road North, Liverpool L12 7JN

- 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 Neil Riley against the decision of Liverpool City Council.
 - The application Ref is 24F/1453.
 - The development is use of property as a dog grooming parlour.
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Decision

1. The appeal is allowed and planning permission is granted for the use of the property as a dog grooming parlour at 83 Eaton Road North, Liverpool L12 7JN in accordance with the terms of the application, Ref 24F/1453, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with drawings: Site Plan (adj 83 Eaton Road North); Floor Plan of Inside; and, Front Elevation.
 - 2) The use hereby permitted shall only take place as follows:
 - be open for customers between the following hours: 0900 - 1800 Mondays - Saturdays.
 - the maximum number of appointments in one day shall not exceed 4.

Preliminary Matters

2. The appeal development is complete and at my site visit I saw that the premises are in use as a dog grooming parlour as described on the application form and accompanying plans. I have dealt with the appeal on that basis and have altered the description accordingly.

Main Issue

3. The main issue is the effect of the appeal development on the character and appearance of the area.

Reasons

4. The appeal site is within an area of predominantly two-storey brick terraced houses with occasional detached and semi-detached houses. The area has a dense pattern of development with most houses served by modest back gardens or walled yards. Houses are variously painted, rendered or with exposed brickwork. The area has an overall residential character.

5. The appeal site is the end unit of a single-storey, flat roof structure that is divided evenly into 3 units. The structure occupies the corner of Eaton Road North and Bryon Avenue and fronts onto Byron Avenue which is a short, narrow street linking Eaton Road North with Sommer Avenue. The structure is red painted brick and is immediately adjacent to the two-storey, blank, end gable wall of No 83 Eaton Road North. As no houses front onto Byron Avenue, the garage units and predominantly blank gable and yard walls define the character of the street.
6. The previous use of the units is not known. However, they were likely to have been built as garages for use by nearby houses. While the original intended use may have been domestic, the units are visibly divorced from any individual dwelling. Garages are not a commonplace or repeated element within the area and not a defining characteristic. The appearance of the garage units integrates with the residential character of the area with regards to materials. However, the scale and form of the garage units is somewhat at odds with the predominant pattern of two-storey terraced houses.
7. The appeal development is for the commercial use of the property and includes a part-glazed shop front. The shop front is set behind a roller-shutter door when the premises are closed. Of the other 2 units in the row, the adjacent unit has a similar roller-shutter door and the corresponding opening in the third unit has been bricked-up.
8. The commercial use of the property is a change from the probable intended use of the unit as a domestic garage. The shop front element is modest in appearance and recessed into the front of the unit. As such, it does not have an explicit presence in the street scene of Byron Avenue and is only glimpsed obliquely from Eaton Road North. Furthermore, the appeal development does not result in a marked change in the character of Byron Avenue, which has a distinct character within the wider residential area. While commercial use of the appeal site is a departure from domestic use it has a negligible effect on the predominant residential character of the area.
9. I have considered the argument that the grant of planning permission would set a precedent for other similar commercial developments. However, other than the units adjacent to the appeal site, I observed no comparable sites within the area and no other sites to which this might apply have been put before me. In any case, in respect of the adjacent units, and any other sites that may come forward, each application and appeal must be determined on its individual merits, and a generalised concern of this nature does not justify withholding permission in this instance.
10. Taking the above into account, I conclude that the appeal development does not result in harm to the character and appearance of the area. Hence, it accords with Policy H7 of the Liverpool Local Plan, January 2022, which seeks, among other things, to ensure that business development will be permitted where there will be no detrimental effect on the amenities and character of a primarily residential area.

Conditions

11. In the interests of certainty and precision, I have imposed a condition that requires the development to be carried out in accordance with the submitted drawings.

12. Conditions have also been imposed that specify the operation of the dog grooming use to ensure adverse effects from noise and customer vehicle movements on the health and quality of life of neighbouring occupants are avoided. These restrict the operating days, times and capacity of the business.

Conclusion

13. The development accords with the development plan, when taken as a whole, and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above I conclude that the appeal is allowed.

C Mayes

INSPECTOR