

Appeal Decision

Site visit made on 29 January 2024

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13.02.2024

Appeal Ref: APP/M4320/D/23/3334511

10 Chestnut Avenue, Crosby, Sefton L23 2SZ

- 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 William Sheils against the decision of Sefton Metropolitan Borough Council.
 - The application Ref DC/2023/01664, dated 22 September 2023, was refused by notice dated 14 November 2023.
 - The development proposed is replacement roof covering (retrospective).
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Decision

1. The appeal is dismissed.

Preliminary matter

2. A revised version of the National Planning Policy Framework (the Framework) was published on 19 December 2023, during consideration of the appeal. Having regard to the changes in the Framework and to the comparatively minor scale and nature of this appeal proposal, I consider that further consultation on this matter is not necessary.

Main Issue

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

Reasons

4. Chestnut Avenue is part of a leafy, late 19th Century/early 20th Century housing estate characterised by large, individually designed houses set back on medium to large sized plots behind trees and hedges. No 10 is a semi-detached house, apparently one of the earliest on the estate – in place at least by 1908. Like many of the houses here, it is of Arts and Crafts architectural form and style, with a projecting gable and an intricate roofscape. Its previous roof covering of small format plain clay tiles, as still exists on the other half of the pair of semis (No 8), has been replaced with flat profile, large format red concrete tiles.
5. The appeal seeks approval for the existing tiles, so that they can be retained. The replacement of roof tiles like this would not normally require express planning approval as it would be permitted development under the terms of

Schedule 2 Part 1 Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015. Those permitted development rights have, however, been restricted in the conservation area by a Direction under Article 4 of that Order.

6. The Council's 2008 Moor Park Conservation Area Appraisal (CAA) advises that roofs play a critical role in the character of the conservation area, particularly in longer streetscape views, visually linking similar building types. I find that the roofscapes and roof coverings of the houses here have substantial significance to the heritage value of the conservation area, helping to unify the varying design of the houses. The CAA records that one of the covenants controlling the design of the original houses required roofing materials to be grey slate or red tiles, which at that time would presumably have meant plain clay tiles. The CAA confirms that plain clay tiles are still the predominant roof covering within the estate.
7. The CAA identifies a change to concrete roof tiles as being detrimental to the character of the buildings and the area as a whole, noting a richness and variety of tone within the clay tile and natural slate finishes. The 2010 Article 4 Direction presumably followed on from the CAA's analysis, to give a degree of control over roof coverings with the conservation area. Although there are some houses in the area with large format concrete tiles, many of these appear to be more modern infill buildings with simpler forms, such as can be seen at 6 Chestnut Avenue nearby. I note that the Council has allowed some concrete tiles in the conservation area, but have no details of those cases and they do not affect the overall character of the area enough to significantly affect my assessment in this case.
8. The new tiles at No 10 are of good quality and a good match in colour. They would become weathered and more variegated over time. They would likely always, however, display a greater degree of uniformity than small clay tiles. Their larger size and thicker edges furthermore give the roof a coarser look which sits uncomfortably with the more finely detailed Arts and Crafts style of the house. Their use on just half of the pair of semis also draws attention to this contrast, detracting from the building as a whole and from its group value in the street scene.
9. I conclude that the proposal harms the character and the appearance of the conservation area. It conflicts with policies NH9 and NH12 of A Local Plan for Sefton and the Framework, which seek to protect the significance of heritage assets and secure high quality design in conservation areas.
10. This harm to the significance of a heritage asset is, in the terms of paragraph 205 of the Framework, 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 previous tiles were no doubt in poor condition and in need of replacement. I have seen nothing to show, however, that replacement with large concrete tiles was necessary for the long term future of the building.
11. 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 outweigh the relatively minor but still significant harm caused to the character and appearance of the conservation area.

12. 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