



Appeal Decision

Site visit made on 11 November 2024

by K Winnard Solicitor LL.B Hons

an Inspector appointed by the Secretary of State

Decision date: 25 November 2024

Appeal Ref: APP/Z4310/D/24/3353147

102 Allerton Road, Woolton, Liverpool L25 7RQ

- 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 Claire Rainford against the decision of Liverpool City Council.
 - The application Ref is 24H/1784.
 - The development is described as the retention of a window on the rear elevation (alternative to 22H/3529).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The window, the subject of the appeal, has already been installed. Accordingly, the development is retrospective and I have determined the appeal on this basis.

Main Issue

3. The main issue in the appeal is the effect of the development on the character of the area, having regard to its conservation area status.

Reasons

4. The appeal property, No 102 Allerton Road, is situated within the Woolton Village Conservation Area (WVCA), where there is a statutory duty to pay special attention to the desirability of preserving or enhancing the character and appearance of the area. In addition, the National Planning Policy Framework (the Framework) states that great weight should be attached to the conservation of designated heritage assets, in this case the WVCA.
5. No conservation area analysis is before me but based on my own observations and the information before me the significance of the WVCA arises from the compact street pattern, large villas and terraced properties on Allerton Road reflecting the historic development of Woolton. The appeal property is not statutorily listed but is subject to an Article 4 Direction covering all elevations to the property. Its significance derives from its age and Georgian architectural style reflecting the history of the WVCA.
6. The Council does not object to the principle of the replacement of windows within the appeal property and amendments to its fenestration were approved

- in 2018¹. Approval was given to the replacement of a smaller white timber casement window with a large aperture 16 paned, black painted aluminium framed Crittal style window. A subsequent approval² gave permission for amendments to the fenestration including the replacement of the window with a 8 paned black painted aluminium framed Crittal style window.
7. The large modern picture window which has been installed however lacks any subdivision and this lack of detailing together with its size detract from the appearance of the appeal property. Further, it results in a jarring feature with the Crittal style door and windows installed at the lower ground level of the rear elevation and the smaller first floor casement windows. Consequently the different styles and shapes of windows within the rear elevation create an incoherent appearance at odds with the traditional character of the appeal property.
 8. In reaching the above findings, I have taken into account that the appeal property has a number of casement style white painted timber windows. However whilst these windows may be of the same material as the one now installed these windows are all of a smaller size, with opening lights and as such do not have the same harmful visual effect as that of the largely plain window as installed. Nor is this window, given its size and lack of detailing, comparable nor read with the casement window within the side elevation of the appeal property.
 9. I accept that there has already been a degree of change to the rear of the properties in this area and that the window is not visible from Allerton Road. However, it is seen in more limited views from elsewhere within the WVCA and in private views from the rear of properties on Allerton Road. Whilst the latter may not be public views, they nonetheless form part of the surroundings in which the heritage asset is experienced.
 10. I note too that approval has been given for contemporary style windows within the neighbouring property, No 104 Allerton Road which is a listed building. However, there is limited information before me in respect of the circumstances that applied in respect of this development, which appears to relate to a glazed link as part of a scheme for a single storey extension. As such, and notwithstanding its proximity to the appeal property, I am unable to draw any direct parallels with the scheme before me. In any event I have determined the appeal on its own merits.
 11. Therefore, for the reasons given above, I conclude that the appeal scheme fails to preserve or enhance the WVCA and is harmful to its significance. Consequently I give this harm considerable importance and weight in the planning balance of this appeal. Given the size and scale of the appeal scheme as a whole, the harm is localised and as a result is less than substantial within the meaning of the Framework. Under such circumstances, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the scheme. In this case no public benefits have been put forward that outweigh this harm. Accordingly the appeal scheme would fail to comply with national policy.

¹ Application Ref. 18H/0808

² Application Ref. 22H/3529

12. I conclude that the scheme does not preserve or enhance the character and appearance of the WVCA. It would also cause unacceptable harm to the character and appearance of the area. It would therefore conflict with Policies H8, UD1, UD7 and HD1 of the Liverpool Local Plan 2013-2033. Together these policies, seek to ensure, amongst other things, that proposals which affect a designated heritage asset and setting should seek to conserve the asset and that development should compliment the style of the dwelling and the area.

Conclusion

13. For the reasons set out above, I dismiss the appeal.

K Winnard

INSPECTOR