



Appeal Decision

Site visit made on 25 November 2024

by Gareth Wildgoose BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 November 2024

Appeal Ref: APP/Z4310/D/24/3347158

54 High Street, Woolton, Liverpool L25 7TF

- 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 Elaine Cunningham against the decision of Liverpool City Council.
 - The application Ref is 24H/0047.
 - The development proposed is to retain existing windows.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the area, including whether the proposal preserves or enhances the significance of the Woolton Conservation Area (CA).

Reasons

3. The appeal property comprises a Victorian two-storey mid-terrace house that is within the Woolton CA. The CA covers a large area of Woolton village and its significance is derived from the mix and pattern of historic buildings, architectural styles and detailing. This includes the original Victorian development which represented a key period of expansion of Woolton village, prior to it being absorbed within the south Liverpool suburbs.
4. The house forms part of the Victorian development on High Street (B5171) that forms part of the demarcation in the CA of the built-up area of Woolton village from the different character of Woolton Wood and Camp Hill to the south. To my mind, the architectural and historic interest of the appeal property arises in part from its simple design, traditional materials comprising brown brick walls and slate roof, and fenestration with sandstone window heads and cills. It forms part of a rhythmic series of similar properties with large headed tripartite windows at upper floors, large bay windows at ground floors and round-headed doorways. The prevailing character along the terrace remains despite the addition of a smaller upper floor window of a different proportion and style to the property and elsewhere in the terrace, and limited alterations along the terrace to facing materials, doorways, the roof of bay windows and the colour and style of timber framed windows. Consequently, the appeal building adds to the character, appearance and significance of the CA, as seen and experienced along High Street at the front of the site.
5. The replacement uPVC windows to the front elevation of the appeal property that are subject of this appeal were in place at the time of my visit. However,

based on the evidence, those previously installed in the tripartite and bay windows appear to have been timber framed sliding sash windows with slender frames, glazing bars and meeting rails. Those style of windows remain a predominant feature of the remainder of the terrace and have an elegant appearance, and as such they have an important role in the aesthetic character and rhythmic quality of the properties and make a positive contribution to the significance of the CA.

6. In contrast, the new replacement windows consist of uPVC sliding sashes to the larger windows in the front elevation and a top-hung casement to the smaller upper floor window. When compared with the existing timber framed windows of properties in the surrounding terrace, the frames, glazing bars and meeting rails of the replacement windows have noticeably thicker sections. As such, they do not replicate nor harmonise with the slimmer frame profiles of the timber framed windows nearby. Consequently, the windows subject of this appeal are conspicuous features that draw the eye due to the visual contrast of the change in their overall composition as particularly reflected in the different proportion of window frame to glazing. The incongruity of the windows is further emphasised by the inclusion of imitation decorative horns and the smooth engineered finish, which noticeably differ from the less even appearance of timber frames to other properties in the terrace and the rougher texture of the brick walls. Moreover, the discernible visual contrast of the uPVC framed windows to the appeal property is further highlighted by the top-opening component of the smaller upper floor window which has an incompatible appearance by virtue of it projecting forward of the main frame. It follows that the proposal has a harmful effect on the character and appearance of the appeal property and therefore, fails to preserve the contribution that it previously made to the significance of the CA.
7. During the site visit, I observed that uPVC replacement windows have been used elsewhere in the CA, including nearby at the Woolton Grange Care Home that lies beyond the terrace. However, I have not been provided with the details of the circumstances which led to each of those examples and any related planning permissions. In any case, to my mind, the examples of uPVC windows in the CA only serve to demonstrate the harm that insensitive or unsympathetic replacement windows can cause. The most attractive buildings are those that have retained their original features, including timber framed windows. It is these buildings that make the greatest contribution to heritage significance and thus timber framed windows should be preserved.
8. In reaching the above findings, I have taken into account that with recent technological advances, the uPVC framed windows as proposed and installed are of better design quality than many examples that have been installed elsewhere in the CA. Nonetheless, this is not sufficient reason to accept the harmful loss of the previous timber framed windows, which were influential features on the appeal building's character. Despite the presence of uPVC replacement windows close to the site, traditional timber framed windows remain a common characteristic of many buildings within the CA. They are, therefore, an important part of its special architectural and historic interest.
9. As the site is in a CA, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area. Rather than achieving the preservation or enhancement of the historic

environment as desired by Policy HD1 of the Liverpool Local Plan (LP), adopted January 2022, and the National Planning Policy Framework (the Framework), the proposal is harmful. The Framework indicates that when considering the impact of a proposal on the significance of designated heritage assets, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

10. The harm caused is significant in terms of the effect upon the character and appearance of No 54 High Street (No 54) and its immediate surroundings. However, the harm is localised to limited public viewpoints and therefore, is less than substantial to the significance of the CA as a whole. In such circumstances, Policy HD1 of the LP and the Framework require that the less than substantial harm be weighed against the public benefits.
11. The public benefits identified in the evidence are perceived enhancements to the appearance of the property and the longevity of uPVC windows when compared with timber framed windows, together with improvements to the condition and energy efficiency of the windows previously installed. In those respects, I have already addressed matters relating to the effect on the appearance of the property and have found harm in that regard. There are limited public benefits in terms of the improved condition and energy efficiency of windows at No 54 when compared with those that they replaced, including with respect to the living environment for occupiers of the property. However, taken together, the public benefits are not sufficient to outweigh the great weight to be given to the less than substantial harm to the significance of the CA that I have identified.
12. I conclude that the development is harmful to the character and appearance of the area and consequently fails to preserve or enhance the significance of the Woolton CA. The proposal, therefore, conflicts with Policy HD1 of the LP.

Other Matters

13. The appellant has raised concerns with respect to the approach of the Council when dealing with the application and other decisions it has made in Woolton, together with works the Council has undertaken elsewhere to the historic environment in Liverpool. However, those matters are not influential on the outcome of the appeal as the proposal is necessarily considered on its merits.

Conclusion

14. I have considered the public benefits of the development in assessing the proposal against the main issue. The public benefits identified are not sufficient to outweigh the harm to the character and appearance of the area, including the less than substantial harm to the significance of the Woolton Conservation Area. The proposal, thereby, conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
15. For the reasons given above the appeal should be dismissed.

Gareth Wildgoose

INSPECTOR