



Appeal Decision

Site visit made on 28 August 2025

by S Brook BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 September 2025

Appeal Ref: APP/W4325/W/25/3362406

4 Courtenay Road, Hoylake, Wirral, CH47 1HD

- 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 Bernadette and Declan Clarke against the decision of Wirral Metropolitan Borough Council.
 - The application reference is APPH/24/01156.
 - The development proposed is Installation of patio doors into existing bay window and side door replaced with window (retrospective).
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Decision

1. The appeal is allowed and planning permission is granted for Installation of patio doors into existing bay window and side door replaced with window at 4 Courtenay Road, Hoylake, Wirral, CH47 1HD, in accordance with the terms of the application, reference APPH/24/01156, and the plans submitted with it: Location Plan, Proposed Drawing – PL.002.

Preliminary Matters

2. The development has been undertaken and planning permission is sought retrospectively. However, I have removed the word retrospective from the description in my decision at paragraph 1, as this does not describe an act of development.
3. The description of development applied for includes the replacement of a side door with a window, albeit details of this are not shown on the submitted plans. Photographs of this window have been provided and I have considered this alteration as part of my decision.
4. Since the application was determined by the Council, the Wirral Local Plan 2022 – 2040, (LP), was adopted in March 2025. It replaces the Wirral Unitary Development Plan (Including Minerals and Waste Policies), February 2000, (UDP). The Council's reason for refusal referred to saved policies of the UDP, as well as relevant policies of the emerging LP. It is mandatory for me to take account of the most relevant and up to date information in reaching a decision. I have therefore assessed the appeal against the relevant policies in the LP. Submissions have been received from both the main and interested parties which postdate the adoption of the LP and so I am satisfied that no parties would be prejudiced by this approach.

Main Issue

5. The main issue is the effect of the development upon the character and appearance of the area, which includes the Kings Gap Conservation Area (CA).

Reasons

6. The appeal site comprises a large, detached dwelling, which is subdivided into flats. The building is an attractive one, with a notable feature being two symmetrical, double height, curved bay windows to its front elevation. These bay features align with two dormer windows within the roof, and there are tall chimney stacks to both sides. The design is very similar to the dwelling on the adjacent site, 2 Courtenay Road. While there are similarities with other dwellings along this part of Courtenay Road, these similarities stem from the set-back position from the road, height and size, materials, and front boundary treatments, rather than any further repetition in design.
7. As the appeal site lies within the CA, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA, as required by section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
8. I have been provided with a copy of the Kings Gap Conservation Area Appraisal and Management Plan, dated January 2025, (CAA), which explains that the Kings Gap evolved into an affluent seaside suburb in the 19th and 20th centuries, with the area demonstrating a built form of fine residential dwellings and streets, which exhibits a range of classic, gothic, and vernacular revival as well as Arts and Crafts detailing, on mature plots set against the landscape backdrop of the coast and the Royal Liverpool Golf Course. As an attractive building, No 4 makes a positive contribution to the quality of this residential area and therefore to the CA's significance.
9. No concerns have been raised with the replacement of a door to the side of the building with a window at ground floor level, and from the available information, I have no reason to disagree. The window aligns with an existing one at first floor level and is of a similar size. The glazing pattern and material reflects those used elsewhere in the building. While no plans have been provided for this window, given that it is in situ and it is acceptable, I see no reason to impose a condition requiring plans to be provided.
10. The CAA expresses concern with a cumulative loss of detail within the CA, and seeks to ensure that future replacement of windows, doors, roofing materials and decorative details should conform to traditional designs and materials appropriate to the character of the building. I am not convinced from the evidence before me that patio doors to the front of this property would conform to the traditional design of this building.
11. Nevertheless, the installation of these patio doors has resulted in only a limited change to the character and appearance of the building when viewed from the public domain. While glazing to this bay now extends partly to the floor and the proportions of the glazing has changed somewhat, these alterations are not particularly visible given the presence of a high boundary wall and fence. While the symmetry of the openings within the bays at No 4 itself, have altered because of this proposal, the patio doors mirror similar doors inserted into the ground floor of a bay at No 2, which I have identified as sharing a consistent design with No 4,

unlike other properties on Courtenay Road. As such, it would not be an alien feature in the locality. The overall size and form of the dwelling is retained, along with its imposing bays and roof features that contribute to its attractive appearance. It would be unaltered in terms of its position, materials and boundary treatments. Consequently, the positive contribution the building presently makes to the significance of the CA would not be harmed.

12. The Council indicates that, albeit planning permission was granted for the patio doors at No 2, they were considered harmful to the character and appearance of the CA, and were only supported due to public benefits relating to accessibility. Whether the appeal scheme offers similar benefits is a disputed matter. Nevertheless, the patio doors at No 2 are an established feature of that property and given the similar design of No's 2 and 4, it is material to my considerations.
13. For the foregoing reasons, the development does not have a harmful effect upon the character and appearance of the building itself or the area. The positive contribution the building presently makes to the significance of the CA would not be harmed and so it would preserve the character and appearance of the CA. Consequently, there is no conflict with LP policies WS6 and WS7, which collectively and amongst other matters, require well designed and visually attractive development which positively enhances the character, appearance, distinctiveness and setting of the surrounding area, and conserves, sustains and enhances the character, integrity and setting of the historic environment. Nor is there any conflict with LP policy WD2, which supports proposals that preserve or enhance the character or appearance of Wirral's Conservation Areas.
14. While the Council's decision notice references LP policy WD5 and Supplementary Planning Guidance 11, these are specific to residential extensions. The appeal scheme does not involve a residential extension, only alterations.
15. As I have not identified any harm to the character or appearance of the CA, it is not necessary for me to go on and consider any public benefits of the development, including those submissions relating to accessibility of the building.

Other Matters

16. While concerns have been raised with noise emanating from the opening and closing of the patio doors, there is no substantive evidence before me to suggest that this is giving rise to unacceptable noise levels. Any requirements for construction standards are managed under building regulations and any requirements for Freeholder approval would be a private legal matter. As such, these are not matters for this decision.

Conclusion

17. For the reasons outlined above, having had regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be allowed.

S Brook

INSPECTOR