

Planning Committee

26 November 2015

Reference: N/A	Area Team: North Team	Case Officer: Mrs J Malpas	Ward: Bromborough
Location:	PORT SUNLIGHT VILLAGE CONSERVATION AREA		
Proposal:	PROPOSED ADOPTION FOR THE LOCAL LISTED BUILDING CONSENT ORDER FOR RESIDENTIAL HOUSE THAT ARE GRADE II LISTED IN PORT SUNLIGHT VILLAGE CONSERVATION AREA		
Applicant:	N/A		
Agent :	N/A		

REPORT SUMMARY

This is an update to the Report of the Strategic Director of Regeneration and Environment, presented to the Planning Committee on 17th September 2015 which sought permission to consult on a proposed Local Listed Building Consent Order (LLBCO) for the Port Sunlight Conservation Area. That report provided a full background and justification for the proposed LLBCO which can be viewed in attachment 1.

This report advises Members about the consultation process and the outcome with the intention to adopt the LLBCO for Port Sunlight Conservation Area.

BACKGROUND

In brief, Local Listed Building Consent Orders (LLBCOs) were introduced through the Enterprise and Regulatory Reform Act 2013 (ERRA 2014) which gave Local Planning Authorities powers to make Legal Orders granting general Listed Building Consent for certain alterations (but not demolitions) to specified listed buildings. These measures are intended to simplify the development and management of listed buildings and came into force in April 2014. The Council has been working with Port Sunlight Village Trust (PSVT) with the support of Historic England to develop the LLBCO for specific buildings in the Port Sunlight Conservation Areas. This LLBCO is the second Order of its kind brought into use in England under the new measures.

The purpose of this LLBCO is to:

- i. streamline and clarify the consent process for the most common listed building consent applications for owners in Port Sunlight Village;
- ii. provide clear and reliable information to empower property owners to address enforcement issues.
- iii. reduce capacity issues on the Council by reducing time spent on reviewing repetitive listed building consent applications.

The statistics gathered for Port Sunlight Village over the past 13 years demonstrate the most common Listed Building Consent applications were the:

- replacement of rear windows (141 consent applications, including 6 refusals);
- replacement of rear doors (120 consent applications); and
- installation of a satellite dish (53 consent applications, including 6 refusals and 1 retrospective approval).

Additionally, enforcement issues or other threats to the heritage value of the Village were assessed for inclusion in this Order. These issues included replacement of yard gates, without consent, with inappropriately designed gates. Replacement of yard gates is therefore included in the Order to address the gradual loss of this once ubiquitous heritage feature.

It is hoped that the simplified process of the LLBCO will encourage owners with deteriorated or inappropriate rear windows, rear doors and/or yard gates to re-instate them, to enhance and preserve

the listed building's distinctive character within the surrounding of Port Sunlight Village Conservation Area.

With regard to installation of a satellite dish under the LLBCO and its conditions, it is hoped that the approved consent will encourage residents to remove a poorly sited dish (unauthorised or where it visually affects the historic fabric) and/or erect new a new dish in a location that is at a low level, not visible from the public eye or any other viewpoints or the highway and does not detract from its architectural composition of the building.

The consents given under this Order would not go beyond those which might normally be expected to be approved through the conventional Listed Building Consent process. The Council considers that through the adoption of this Order, it will be possible to preserve and enhance the special character of the listed buildings of the Port Sunlight Conservation Area, protecting them from the risk of dilapidation and gradual erosion of the heritage character of the village by encouraging and pro-actively guiding works to enable their restoration or re-instatement, while protecting the features of special interest which contribute to the strong aesthetic and historic character of the area.

EXCLUSIONS

Notices submitted under this LLBCO that are deemed by the Local Planning Authority to constitute substantial harm to the special architectural or historic interest of the building (its significance and component heritage values of a listed building or buildings) will fall outside the provisions of this LLBCO. Applicants will be advised to submit a Listed Building Consent application in such cases.

ENGAGEMENT & CONSULTATION PROCESS

Following the authorisation to proceed to consultation, work began on compiling a list of postal addresses within the boundary of the proposed Order and on 18th September 2015, consultation letters were sent out. At the same time ten Site Notices were posted on lampposts within the area and additional site notices were posted in village bulletin boards and the Port Sunlight Village Trust office. Formal consultations were sent out via email to Historic England and Port Sunlight Village Trustees. LLBCO documents were available on the Council website, on the Port Sunlight Village Trust's website and hard copies at the Bebington Central Library and Council Office (Development Management). All were invited to make comments by writing via email or post.

Two consultation events were held in Port Sunlight village; the first on 7th October from 1:30 – 3:30 pm and the second on 22nd October from 5:30 – 7:30 pm. A total of twenty-five residents attended the drop-in consultation sessions and overall the feedback was positive and supportive for the initiative. Comments from the consultation events and from written communication are summarised below.

CONSULTATION OUTCOME

Name	Summary of response	Action
Historic England	<p>Welcomes and fully supports the proposal for the LLBCO. Also had the following minor comments:</p> <p>Revise the draft order to include a "Statement of Reasons" to explain the LLBCO and describe how the duty to pay "special regard to the special interest of the historic buildings" has been dealt with.</p> <p>Clarify the link (conditions for use of the Order) between the Order and the schedules (particularly Schedules 3-6).</p>	<p>LLBCO was revised to take account of 'Statement of Reasons' as suggested by Historic England.</p>
Port Sunlight Village Trustees	<p>Clarify where the LLBCO (and its associated appendices and forms) will be located on the</p>	<p>Publicise web content (on-line press release) and provide 'way finding' to the LLBCO on the</p>

	Council's website.	Planning Home page for the council.
Port Sunlight Resident: Mark Cleave	<p>Was concerned that the window details illustrated in the drawings in Appendix 4 would not be appropriate for his house (regarding cill detail). JM and HA explained that the window drawings were schematic (unlike the door and yard gate drawings, which are, saving overall height, width and thickness, construction drawings). He understood, but asked that the point be clarified.</p>	<p>Add a note to each window drawing in Appendix 3, explaining that window drawings are schematic, to show approved construction and materials. All details of original windows, including cill details, need to be replicated in kind to qualify for work under the Order.</p>
Port Sunlight Resident: Bill Bowers	<p>Thinks the new Draft Order sounds like a good idea. I know from personal experience that the existing system of obtaining planning permission, can be a drawn out and expensive procedure. Anything to reduce the cost and simplify the procedure has to be a good thing!</p> <p>I am sure this would encourage more residents in the Village who own their property to have necessary repairs/replacements carried out, who may currently be put off by the cost and possible complexity of the current process. Obviously this would also be advantageous for the architectural integrity and proper conservation of the Village. So it would seem to be a win, win situation for all concerned.</p> <p>I hope the measures go through, and that if prove to be a success, then the scheme could be expanded to cover other areas of maintenance, etc. from the rather restricted range currently up for debate. (I know you have to start somewhere!)</p>	
Port Sunlight Resident: Mr & Mr Ashworth	<p>Concerned and object to designation of leaded light windows for the ground floor of their property. Made a formal objection to this designation.</p>	<p>Wirral Council and Port Sunlight Village Trust will review all properties that are 'not in the Order,' including ones assigned leaded light windows (which are presently excluded from the Order) to verify accuracy and consistency. Review and any necessary revisions to the Order will be completed prior to final</p>

		submission of the Order to the Planning Committee.
Port Sunlight Resident: Bill and Michelle Akers	Asked if uPVC windows (designed to match the configuration of the original wood windows) could be included as appropriate replacement windows under the Order.	No action. UPVC replacement windows are not appropriate for listed houses in Port Sunlight Village.
Port Sunlight Resident: Richard Carribine	Supports the LLBCO and should be implemented ASAP. To ensure that the consented work is implemented correctly the project needs be supervised, inspected and passed by the Council.	Applicants will not be able to implement the work until the Notice has been approved by the Council.

Following public consultation there were only very minor alterations to the LLBCO and appendices 3 and 4.

MONITORING

It is a requirement that the proposed Order is subject to continuous monitoring to assess its effectiveness. The LLBCO process requires close liaison with the Council's Conservation Officer and they will assist in monitoring the success of the Order.

The Council will consider the annual reports on the progress of the LLBCO. The Council may vary the Order, on consideration of a report, in relation to the following matters:

- The buildings included within it, or excluded from it.
- Where sufficient evidence merits revision to the original document, revisions to the window types, grouping or operation specified for a property in the Order.
- The Conditions appertaining to the Order.
- The duration of the Order.
- The Council will keep a publicly accessible record of all documents in relation to this Order, and in relation to specific buildings where Consent is exercised under this Order

ADOPTION

The adoption route for the LLBCO is governed by Schedule 2A of the Enterprise and Regulatory Reform Act 2013 which notes that an LLBCO 'is of no effect unless it is adopted by resolution of the local planning authority'. It is therefore within the powers of the Strategic Director of the Council to adopt this proposed LLBCO for Port Sunlight Conservation Area.

Any alterations beyond those allowed by the proposed LLBCO would still require planning permission, listed building consent, advertisement consent where necessary, as well as building regulations approval.

FINANCIAL IMPLICATIONS

It is noted that the LLBCO is unlikely to result in any direct financial repercussions as no fee is payable for Listed Building Consent applications.

LEGAL IMPLICATIONS

There are no direct legal implications arising directly from this report.

RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

Resource requirements associated with confirming compliance with the LLBCO and subsequent monitoring can be accommodated within existing staffing resources.

RECOMMENDATION

That Planning Committee resolve that the Local Listed Building Consent Order for Port Sunlight is

adopted for a period of ten years.

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Attachment 1: The proposed Local Listed Building Consent Order (LLBCO) for the Port Sunlight Conservation Area - Planning Committee on 17th September 2015

APPENDICES

Port Sunlight Local Listed Building Consent Order (Revised after public consultation 11/11/15)

- Appendix 1 - Site Plan
- Appendix 2 - Addresses & Descriptions
- Appendix 3 - Schedule of rear windows
- Appendix 4 - Schematic Rear Window Drawings and Specifications
- Appendix 5 - Rear Door Drawings and Specifications
- Appendix 6 - Yard gate drawing & specifications
- Appendix 7 - Guidance & Procedure
- Appendix 8 - LLBCO Notice Form