

## **PORT SUNLIGHT VILLAGE LOCAL LISTED BUILDING CONSENT ORDER 2015**

This order is made pursuant to the Listed Building Act 1990; the Enterprise and Regulatory Reform Act 2013; the Planning (Local Listed Building Consent Order)( Procedures) Regulations 2014 ; the Planning (Listed Building and Conservation Areas)(Heritage Partnership Agreements) Regulations 2014; the Planning (Listed Buildings) (Certificates of Lawfulness of Proposed Works) Regulations 2014 and the Enterprise and Regulatory Reform Act 2013 (Listed Buildings Certificates of Lawfulness) (Hearings and Inquiries Procedures) (Consequential Amendments) (England) Order 2014

THE PORT SUNLIGHT VILLAGE LOCAL LISTED BUILDING CONSENT ORDER is made on the day of 2015.

### **1. Listed Buildings Covered by this Order**

1.1 All grade II Listed terrace, semi-detached or detached houses in the Port Sunlight Conservation Area are covered by the Local Listed Building Consent Order (LLBCO or Order). These properties are shown on a Site Plan (Appendix 1).

1.2 Applications 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 may choose to submit a Listed Building Consent application in such cases.)

### **2. Summary of Significance of Properties in Port Sunlight Village**

Port Sunlight was founded in 1888 by William Hesketh Lever (later the first Lord Leverhulme) for the employees of his Lever Brothers soap works. He wanted to provide a place where they could live in above average conditions and at a rent they could afford.

Today Port Sunlight is considered to be one of the finest surviving examples of early urban planning in the United Kingdom. Nearly every period of British architectural history is represented here as a revival style domestic design. Over 30 different architects were involved in the creation of the workers' cottages, public buildings, monuments and memorials, which are set in 130 acres of parkland and gardens.

The village has remained largely intact since its foundation 125 years ago. It became a Designated Conservation Area in 1978 and is the largest of the 26 Conservation Areas on Wirral. Most of the 900 houses and public buildings in the Village were Grade II Listed in 1965. Christ Church (Church Drive) is listed as grade II\* and the post war Church Hall (Bridge Street) is not listed. Two sections of the landscape are included in English Heritage's Register of Parks and Gardens of Special Historic Interest and the War Memorial is Grade I listed.

While the fronts of the houses were designed to impress in a wide variety of revival style architectural designs, utilising a rich assortment of traditional building materials, the backs of the houses were notably more uniform in both design and material palette. Their defining

architectural characteristics are this consistency and repetition of key features such as the back doors, rear windows, yards and outbuildings. Although more uniform in overall appearance, the details and profiles of the features at the backs of the houses reflect the overall character of each block.

See Appendix 2 for a list of addresses included in the LLBCO with their descriptions.

### **3. Description of the Consented Works under this Order**

Wirral Council hereby grants consent for the following alterations/ works to the properties which are covered by this Order.

Consent is granted for alterations or works as specified below (3.1 – 3.4) and subject to the Conditions set out within this Order and its appendices

3.1. Installation of a satellite dish, which works may include relocation of an unauthorised satellite dish.

3.2 Replacement of deteriorated or inappropriate rear windows, these works may include replacement of: -

(a) severely deteriorated rear windows, including:

- Timber casement, double-hung and/or Yorkshire sliding windows without leaded lights

(b) inappropriate rear windows including

- uPVC or aluminium windows
- picture windows
- windows with 'false' glazing bars
- mass-produced 'heritage' style windows that bear no relation to the character of the listed building

3.3. Replacement of severely deteriorated or inappropriate rear doors. These works may include replacement of inappropriate rear doors, including:

- uPVC or aluminium doors
- patio doors or French doors installed without Listed Building Consent
- mass-produced 'heritage' style doors that bear no relation to the character of the listed building

3.4. Replacement of severely deteriorated or inappropriate yard gates.

Definitions with regards to the above consents:

“Deteriorated” shall mean beyond economic repair and more than three fifths (3/5th) beyond repair.

“Inappropriate” shall mean detrimental to the character of the listed property.

#### **4. General Conditions**

The following General Conditions should be complied with in full. Work Specific and Prescriptive Conditions can be found in Appendices 2-6, inclusive. Guidance on the procedure relating to Notice of works under this Order can be found at Appendix 7.

- a) Prior to the implementation of works permitted under this Order, a Local Listed Building Consent Order Notice Form shall be submitted to and approved in writing by Wirral Council.
- b) The LLBCO Notice Form shall contain the applicant's (and where relevant the agent's or contractor's) contact details, the address of the building to which the works relate, and nature and scope of the works to be undertaken.

#### **5. Specific Conditions**

This section sets out specific conditions for alterations / works carried out in relation to this Order

##### **5.1. Relocation or Installation of a Satellite Dish**

5.1.1 To qualify for consent under this Order either

- a) the replacement or new dish must be located at the back of the property and positioned at a low level so as not to be visible from the highway or access roads, or
- b) where low level installation to the back of the property is not possible (for satellite reception), the dish may be installed or replaced on a chimney, positioned below the ridge of the roof and not visible from the front of the property and the highway.

5.1.2 Once location for the relocated or new satellite dish is determined, then ALL of the following conditions must be satisfied:

- a) The dish must be as small as possible and in no instance larger than 90 centimetres in any linear dimension
- b) The colour of the dish shall harmonise with the fabric of the building.
- c) Installation shall not harm or destroy character-defining features.
- d) A maximum of two cable runs is permitted at the exterior.
- e) Redundant satellite dish(es) must be permanently removed from the property.

##### **5.2 Replacement of Rear Windows**

5.2.1 To qualify for consent under this Order, the rear windows to be replaced must satisfy one of the following conditions:

**A:** More than 3/5th of the original rear window (frame, stiles, rails and glass) is deteriorated beyond repair or

**B:** The rear window is inappropriate and not of historic interest.

5.2.2 If the replacement relies on Condition 'A' above (Deterioration) replacement windows will be approved subject to ALL of the following conditions being met:

- a) The replacement rear window matches the window **TYPE** specified in Appendix 3: Rear Window Schedule and the existing original window in all details; profiles and

dimensions, configuration, operation, position, location and exterior finish paint or coating.

- b) The submitted replacement rear window scale drawing must comply with the specifications, materials and construction details of the schematic drawings in Appendix 4. For further information refer to Appendix 7 for Procedure and the Guidance Notes for Completing a LLBCO Notice Form.

5.2.3 If the replacement relies on Condition 'B' above (Inappropriateness) then, replacement windows will be approved subject to ALL of the following conditions being met:

- a) The replacement rear window matches the window **TYPE** specified in Appendix 3: Rear Window Schedule and the existing original window in all details; profiles and dimensions, configuration, operation, position, location and exterior finish paint or coating.
- b) The submitted replacement rear window scale drawing must comply with the specifications, materials and construction details of the schematic drawings in Appendix 4. For further information refer to Appendix 7 for Procedure and the Guidance Notes for Completing a LLBCO Notice Form
- c) The details (dimensions, profiles and sections) of the replacement windows must match original extant windows found at either:
  - (i) The rear of your property, or
  - (ii) If no original windows remain at the rear, then the replacement windows must match the profiles and dimensions of original, comparable windows found elsewhere in your property.
- d) If there are no appropriate comparable windows this Order must not be relied upon for the replacement of rear windows.

### **5.3. Replacement of Rear Doors and Yard Gates.**

5.3.1 To qualify for consent under this Order the rear doors and/or yard gates **must** satisfy at least one of the following conditions:

**A:** More than 3/5th of the existing rear door (frame, stiles, rails and glass) and/or yard gate should be deteriorated beyond repair.

**B:** The existing rear door and/or yard gate is inappropriate and not of historic interest.

5.3.2 If condition A or B applies, then only the approved replacement doors and yard gate drawn and specified in Appendices 5 and 6 can be used under this Order.

## **6. Statement of Reasons for the Consented Works**

### 6.1 Satellite Dishes

Whilst the satellite dish is not a traditional feature it is reasonably considered that such additions would be expected with residential occupancy of a building. A satellite dish approved under the Order would be discretely positioned at the rear of the property at a low level and not visible from the wider area. Where this is not possible the satellite dish would be attached to the chimney stack below the ridge and not visible from the highway or any other view point. The siting and size described as conditions for using the Order to install a satellite dish are appropriate to minimising the adverse impact to the character of the listed building, as such complies with UDP Policy CH1. It has been demonstrated that adequate

provision has been made for the preservation of the special architectural or historic features of the building.

### 6.2 Rear Doors, Yard Gates and Rear Window

The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out a clear presumption that gives considerable importance and weight to the desirability of preserving a heritage asset and its setting. Section 16.2 states that:

“In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”.

The government’s guidance in the NPPF states that “when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation”. Any development should therefore seek to conserve and enhance the special qualities of the historic asset. This approach is also taken by policies CH1 and CH9 of the Wirral’s UDP which “promote the enhancement of the built environment through the use of high standards of design, sustainable materials; and adequate provision is made for the preservation of the special architectural or historic features of the building or structure.”

Therefore the main issue to be considered is the impact of the alterations on the visual appearance and character of the listed building, and its setting in the Port Sunlight Conservation Area. While the fronts of the houses were designed to impress in a wide variety of revival style architectural designs, utilising a rich assortment of traditional building materials, the backs of the houses were notably more uniform in both design and material palette. Their defining architectural characteristics are consistency and repetition of key features such as the back doors, rear windows, yards and outbuildings. Although more uniform in overall appearance, the details and profiles of the features at the backs of the houses reflect the overall character of each block. When considering building conservation, retention of historic fabric is an important aspect to consider.

Windows are often a key element of a building’s significance. Their character, including the style of framing, framing materials, and the glazing itself, contributes enormously to the overall appearance and character of historic designated assets especially where the fabric is original or of historic interest. The alteration of windows can cause serious harm to the character and appearance and the special interest of the listed building.

Rear Windows: where it can be demonstrated that the original, historic rear window is in a poor condition and more than three fifths beyond repair, a replacement is acceptable provided that the details are copied like for like in terms of profiles, architraves, and number of panes, operation and configuration. This complies with the NPPF Section 12, Para 132 states that the development should take account of the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.

In the worst case where significance has been harmed or lost through alteration with the installation of inappropriate windows, for example uPVC, aluminium or the wrong configuration, for example picture windows instead of double hung windows, these elements are unsympathetic to the historic character of the property. The proposal to re-instate the correct window configuration and material using original profiles taken from original windows elsewhere in the property is acceptable. Overall, the external changes proposed to the building would improve its heritage character and appearance.

All new windows will be fitted with slim double-glazed units. Slim-profile double glazing systems allow either retention of the existing frame or a new frame with the same dimensions as the original. By using slim-profile double glazing in timber frames there is minimal or no alteration to the profiles or sight lines of the windows and therefore minimal adverse impact to the historic building. The use of slim-line double glazing represents an opportunity for thermal improvement without compromising historic fabric. The justification for the choice of double-glazing is to achieve a significant increase in the thermal performance, an objective in accordance with national policy to achieve greater degrees of energy efficiency to address climate change, and an objective also recognised in paragraph 93 of NPPF; in this context, as a public benefit, the proposals should be afforded significant weight.

Doors & Yard Gates: Where it can be demonstrated that the original, historic rear door or yard gate is severely deteriorated, or is an inappropriate replacement, these features would adversely affect the heritage character and appearance of the listed house. The installation of one of the approved five rear door designs illustrated and specified in Appendix 5 or the approved yard gate design, illustrated and specified in Appendix 6, is acceptable provided that the details are copied like for like in terms of profiles, architraves, number of panes, operation and configuration, subject to existing dimensions of openings.

## **7. Purpose of the Order**

7.1 The purpose of this Order is to:

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

7.2 Statistics gathered for the Village over the past 13 years demonstrate the most common Listed Building Consent applications in Port Sunlight village to be:

- 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).

7.3 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.

**8. Term of the Order**

8.1 This Order shall be effective from     and to     (a period of no more than 10 years from the starting date of the Order).

8.2 Works begun under this Order during the term of this Order may be completed subsequent to the termination of this Order

**THE COMMON SEAL** of

**WIRRAL BOROUGH COUNCIL**

was hereunto affixed

in the presence of

Authorised Signatory