

## **Conservation Area Rules Meeting 25/03/13 between Liverpool City Council and The Avenues Neighbourhood Network (TANN)**

### **Present**

- Graham Arnold, retired Conservation Officer, consultant to TANN, and Sefton Park Conservation Area resident
- Rob Burns, Urban Design and Heritage Manager, City Council
- Grant Butterworth, Divisional Manager - Planning, City Council
- Samantha Campbell, Senior Urban Design and Heritage Officer, City Council
- John Garrett, TANN
- Brenda Henley, TANN
- Mike Hogan, TANN
- Malcolm Kennedy, Cabinet Member for Regeneration, City Council

### **Apologies**

- Laura Robinson-Collins, TANN and also Greenbank ward councillor.

### **Events since the previous meeting on 22 October 2012**

- Service review of the Planning Department recently carried out, resulting in a reduction by 50% in the number of Conservation Enforcement Officers.
- Work load has not reduced proportionally. There are lots of breaches to investigate, ranging from opening hours for Smithdown Road takeaways (15-20 cases raised by Laura Robertson-Collins have resulted in enforcement notices) to satellite TV aerials in the Canning Street area.
- Team is responding to issues all the time.
- Planning Dept has to prioritise its work, and has to let go of some of the more minor issues, such as enforcing controls on rear elevations.
- Two recent and relevant Planning Dept decisions on Conservation Areas have been challenged in court. The council won one, but lost the other. The one they lost was a window replacement challenge in Newsham Park just over a week ago. They are currently assessing the implications of the court decisions, which they find somewhat contradictory.
- Another case they lost in a Conservation Area was related to parking in the newly designated Hartleys Village area, which cost the council a lot of money in legal fees.
- The actions to be undertaken by the Planning Dept described in items 3-4 of the previous meeting on 22/10/12 had not yet taken place, namely:
  - (item 3) Grant Butterworth/Steve Corbett – to address Laura Robinson-Collin's concerns that landlords' unauthorised work is not enforced against (whilst residents' improvements are subject to full planning control).
  - (item 4) GB/SC will consider ways in which the planning system can assist the residents of Toxteth Park and Avenues meet their aspirations, and table these for the next meeting.
- The Planning Department was now operating under the Localism Act, which tends to be much more pro-development than previous government legislation.

- Work was underway to produce a local plan to replace the Unitary Development Plan. The council did not have the resources, however, to do separate plans for each of the 38 Conservation Areas.
- A new set of windows' guidelines had been agreed, however, with the Wavertree Society for the Wavertree Conservation Area. These guidelines specify measurements and details (including specifications of glazing bars) for windows so that any manufacturer, provided they meet the spec, can make frames.
- There had been an interesting conference between the various councils in the City Region some 4-5 months ago, in which planning policy in relation to the Green Deal was discussed. Registered Social Landlords often get large sums of money for energy efficiency improvements such as External Wall Insulation (EWI) to their properties, and in many cases, these are nodded through. Some councils favoured turning a blind eye to the need for planning permissions in those cases. Liverpool, however, did not take this view.
- The Planning Department was investigating whether it was possible legally for them to register as Green Deal Assessors themselves.

### **Agreed between the parties**

- The council would not allow planning blockages to get in the way of the Green Deal.
- TANN residents wanted to stay under Article 4 direction within a Conservation Area (although they favoured relaxation in a number of areas).
- Dialogue between the council and residents' groups was very important. It was vital that all Conservation Areas had active residents' groups like TANN.
- TANN representatives will join a joint committee consisting of the Planning Department, Christine Darbyshire (Senior Environmental Development Manager) and a Green Deal assessor who will look at energy saving and ventilation options for a couple of representative but unimproved properties in the TANN area (unimproved as far as the building fabric is concerned). The committee's recommendations for the TANN area will then be used to guide recommendations for other areas.
- Green Deal building enhancements should be appropriate and consistent down the length of a street, with no 'pepper potting' whereby houses with EWI are next to houses without, resulting in an uneven and complex façade, creating difficulties with rainwater goods and the supply of services such as phones, and generally producing an ugly effect.

### **Not agreed**

- There was no agreement on the request of TANN residents to relax the requirement for sash windows, and allow 'look-alike' casements.
- However, in view of the additional cost of double glazed and draught-proofed timber sash windows (£9,650 for Mike Hogan's front elevation) compared with his comparable quote for uPVC casements (£3,400) Grant Butterworth committed to taking a window specification out to the market to get the best price and selecting preferred suppliers for both timber and uPVC sash windows.

### **Not discussed** (*through lack of time*)

- Simplified planning application procedures.

### **Additional points raised by TANN**

- Any solution had to be affordable.
- Non-traditional materials should be re-evaluated in view of scarcity and cost of traditional ones (e.g. Welsh slates).
- Discussion should not get stuck on the subject of windows. It was doors, not windows, that TANN residents felt were the most important to preserve, and artwork in all its forms was also very important.
- Enforcement should be consistent, so that those going through the proper procedures were not penalised over those who 'just did it anyway'.
- The Windows Advisory leaflet was now very out-of-date and should at the very least be re-written to include target u-values and draught elimination advice.
- 'Hybrid' forms of insulation for solid wall houses should be considered in Liverpool as it had been in some other local authorities, i.e. external on the rear, side and outrigger elevations and internal on the front elevation, with insulation wrapped around inside the front rooms to reduce cold bridging.
- Suggestion that the two house types for the TANN area be a large semi and a small terrace.
- Council officers were asked what contribution other residents could make in promoting adherence to an agreed set of rules, now that the Planning Dept had less capacity than before. It was accepted they could not produce legal enforcement notices.

### **Actions**

- Investigate what had happened to the alert given to the Planning Department more than a year ago regarding unsuitable work to bay windows of York Avenue properties (GB).
- Appoint Green Deal advisor (RB).
- Set up joint committee (RB).
- Agree window specification and send out to potential manufacturers (GB).

JG. 28/3/13