
Appeal Decision

Site visit made on 25 June 2019

by R Cooper BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 July 2019

Appeal Ref: APP/W4325/W/19/3226719

28 Pinetree Court, Flat 1, Wallasey Village CH44 2DH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Lenny Waters against the decision of Wirral Metropolitan Borough Council.
 - The application Ref APP/18/00770, dated 7 June 2018, was refused by notice dated 18 October 2018.
 - The development proposed is a new build 2 bedroom bungalow.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed bungalow on 1) the character and appearance of the area; and 2) the living conditions of future occupants of the bungalow.

Procedural matter

3. I note the appellant's planning application form referred to the description of development as a new build 2 bedroom bungalow. However, the appellant's submitted plans show a 1 bedroom bungalow. The Council's decision notice and the appellant's statement of case both refer to the proposed development as the erection of bungalow. As there is no dispute, I have adopted this description and based my decision on the submitted plans.

Reasons

Character and Appearance

4. The appeal site consists of a row of three attached garages and associated hard standing, accessed by a steep driveway from Pinetree Court. Pinetree Court is a small residential street, its prevailing character consisting of two storey buildings, traditional in design and appearance, with pitched gabled roofs. The varying land levels in the area means that Pinetree Court is significantly raised above Wallasey Village, and the topography of Pinetree Court creates a stepped appearance.
5. The proposed bungalow would be positioned partially over the footprint of the existing garages and part over the associated hard surfacing. The front of the bungalow would be significantly set back from the front of Nos 15 to 20 Pinetree Court adjacent, thus not respecting the building lines to the front or

rear. Furthermore, all the buildings on Pinetree Court are two storeys, whereas this proposal is for a single storey dwelling. The bungalow would also differ in appearance as it would have a pitched roof with gables front to back, whereas the main roofs of the existing buildings have gables to the sides. As a result of the differing appearance and setback, the bungalow would appear as an incongruous feature, out of kilter with the existing properties on Pinetree Court.

6. The submitted plans show the bungalow would be positioned close to the boundaries either side, the wedged shape of the site means it narrows towards the front, so when viewed from the carriageway of Pinetree Court the site would appear cramped. Due to land level differences there is an embankment running along the north western boundary where the land rises up towards Folly Lane. This embankment would be very close to the side of the bungalow and would require some degree of cutting into to accommodate the development. This would increase the sense that the building would be squeezed into the site. Furthermore, the rear elevation would be significantly closer to the rear boundary than the adjacent properties of 15 to 20 Pinetree Close, resulting in an unusually shorter rear garden length not in keeping with the garden depths of neighbouring properties.
7. I conclude that the appearance of the proposed bungalow would not relate well to its surroundings and its positioning in relation to adjacent properties would resultant in a cramped appearance. It would be an unacceptable form of development that would harm the character and appearance of the area. The proposal does not accord with policy HS4 of the Wirral Unitary Development Plan and paragraph 127 of the Framework which promote high quality design to reflect the character and distinctiveness of an area.

Living Conditions

8. The habitable room windows of the bungalow including the kitchen, living / dinning room would be located on the front and rear elevations, with only the bathroom being served by a window on the side. With regards to light and outlook, the open plan living / dining room would be served by windows to the front and by-folding doors to the rear. Whilst the rear window would have a limited outlook due to the high level boundary, the front window would have an outlook onto Pinetree Court, and would be south facing allowing for enough light, as would the proposed bedroom.
9. The Council have submitted that there is insufficient private amenity space for future residents of the bungalow, and that the proposal is contrary to policy HS4 of the Wirral Unitary Development Plan. I have been provided a copy of the HS4 and note that the criteria do not provide any quantitative size standards, but it does require the provision of adequate individual private or communal garden space to each dwelling.
10. In the absence of any adopted standards or guidance on this matter, I have considered whether there would be enough external space to meet the day to day needs of future residents, and that the one bed bungalow would likely cater for one or two adults.
11. The area to the rear of proposed bungalow would be relatively small and irregularly shaped. However, it could still be landscaped and would provide enough space for a washing line, and a seating area. The area to the front would be larger and of a more regular shape. This could be landscaped and

provide a pleasant area for sitting out. I conclude that the private area to the rear complimented by the front garden would provide acceptable garden space for the proposed bungalow.

12. For the above reasons I find no harm to the living conditions of future residents, and the proposed bungalow accords with the criteria set out in policy HS4 of the Wirral Unitary Development Plan, which seeks acceptable access to garden space and a quality of life for residents.

Other Matters

13. I appreciate that the proposal was recommended for approval by Council officers, but that was rejected by elected members. However, the planning system is based on a democratic process and in this case, I have agreed with the view that the scheme would harm the character and appearance of the area. I also acknowledge that the site is in a sustainable location and it would add to housing supply in an area where there is apparently a demand for one-bedroom accommodation. However, these matters do not outweigh my earlier findings.

Conclusion

14. Although I have found no harm from the proposal on the living conditions of the future occupiers of the bungalow, I have found there would be harm to the character and appearance of the area. That is the prevailing consideration. Therefore, having had regard to all matters raised, I conclude that the appeal should be dismissed.

R Cooper

Inspector