



Appeal Decision

Site visit made on 22 May 2019

by Julie Dale Clark BA (Hons) DipTP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 August 2019

Appeal Ref: APP/W4325/W/19/3222657

42 Market Street, Hoylake CH47 2AF

- 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 Mrs Beaumont against the decision of Wirral Metropolitan Borough Council.
 - The application Ref APP/18/01389, dated 22 October 2018, was refused by notice dated 20 December 2018.
 - The development proposed is erection of semi detached dwelling houses to the rear of 42 Market Street.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mrs Beaumont against Wirral Metropolitan Borough Council. This application is the subject of a separate decision.

Main Issues

3. I consider that the main issues are the effect of the proposed dwellings on:-
 - the vitality of Hoylake Town Centre; and
 - the living conditions of the occupiers of neighbouring properties and future occupiers of the proposed dwellings.

Reasons

Hoylake Town Centre

4. No 42 Market Street includes a retail unit fronting Market Street; a cafe. No 42 includes additional elements facing Charles Road to the rear of the cafe. The proposal would involve demolishing these rear elements and erecting a pair of semi-detached houses. They would be separated from the commercial frontage element of No 42 by courtyards and bin stores and front Charles Road. They would be two-storey with two bedrooms each.
5. The appeal site is located within Hoylake Town Centre and whilst the proposed dwelling would not affect the commercial street frontage of Market Street, it would affect Charles Road. This comprises a mix of buildings with various accesses onto Charles Road. The application form describes the appeal site as workshops and retail unit. The Council indicate that a relatively recent approval

has been granted to use the building as offices¹. The submitted plans indicate existing ground and first floor offices.

6. I consider that the appeal site, to both the front and rear has more affinity to commercial uses than residential. Although it is not unreasonable, and in many ways desirable, to incorporate some residential accommodation into a town centre, the introduction of a pair of semi-detached houses in this location would be out of character and discordant with the commercial priority that the town centre designation carries.
7. UDP² Policy SH1 seeks to protect the vitality and viability of town centres; Hoylake is listed as a town centre in the policy. SH1 identifies the uses that the Council expect to see in a town centre. The National Planning Framework³ indicates that planning policies and decisions should support the role that town centres play at the heart of local communities. This can be achieved by taking a positive approach to their growth, management and adaptation. The Framework recognises that town centres should be allowed to grow and diversify with a suitable mix of uses. The Framework recognises that housing can be included in this mix.
8. The proposal involves development to the rear of the Market Street frontage so the retail character of this section of Market Street would not be affected by the proposal. However, the proposal would represent an erosion of the commercial uses in the area. Whilst in itself I do not consider that the proposal would unduly harm the vitality of Hoylake Town Centre, such cumulative erosions would. In this context, the proposal would not be consistent with the objectives of UDP Policy SH1 or the Framework.

Living Conditions

9. The rear elevation of the proposed houses would be close to the nearest properties on Market Street and whilst specific rooms to existing properties have not been identified the close proximity of buildings and windows could be oppressive and thereby harmful to outlook.
10. Notwithstanding the above, I am particularly concerned about the living conditions of the occupiers of the proposed dwellings. The proximity of brick buildings and windows could have a harmful effect on outlook and appear oppressive at ground and first floor level. Their frontage would also face the rear of properties in Grosvenor Road. Although these are not so close, I do not consider that this arrangement is a satisfactory one.
11. UDP Policy HS4 is quoted on the decision notice but relates to primarily residential areas although it is useful in that it sets out general criteria for new residential development including, amongst other things, the relationship between new development and surrounding properties and the character of the area. I do not consider that the proposal relates well to this town centre location but would be out of character with the surrounding mix of commercial uses.

¹ Council Ref: APP/18/00513

² Wirral Unitary Development Plan (including minerals and waste policies) Written Statement Adopted February 2000.

³ Ministry of Housing, Communities & Local Government National Planning Policy Framework, July 2018 (the Framework).

Other Matters and Conclusion

12. The appeal documents indicate that there is a shortage in the supply of housing land in Wirral which is inconsistent with an objective of the Framework to deliver a sufficient supply of homes. Whilst I do not discount this consideration, I do not consider that the proposal, in this location, would make a contribution to the supply of housing land sufficiently to overcome the potential impact on Hoylake Town Centre or the adverse effect on living conditions that the proposal would create.
13. I have considered all other matters raised but they do not alter my conclusion. I conclude that the proposal could contribute to an adverse effect on the vitality of Hoylake Town Centre and the proposal could lead to poor living conditions for the occupiers of nearby properties and the future occupiers of these houses. The proposal would conflict with the objectives of the policies referred to and therefore the appeal fails.

J D Clark

INSPECTOR