
Appeal Decision

Site visit made on 28 October 2019 by Hannah Ellison BSc (Hons) MSc

Decision by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 December 2019

Appeal Ref: APP/W4325/19/3235945

125 Rock Lane West, Rock Ferry, CH42 4NZ

- 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 Bryson against the decision of Wirral Metropolitan Borough Council.
 - The application Ref APP/19/00894, dated 13 June 2019, was refused by notice dated 15 August 2019.
 - The development proposed is the erection of single storey dwelling on land to side of existing dwelling.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue in this case is the effect of the proposal on the character and appearance of the area.

Reasons

Character and Appearance

4. The appeal site, which is located at the junction of Rock Lane West and Ravenswood Avenue, comprises a two-storey semi-detached dwelling and a detached single storey outbuilding set within a generous plot. This proposal seeks permission to erect a single storey detached dwelling on land within the plot, to the side of the house, following the demolition of the outbuilding.
5. The immediate area is predominantly characterised by two storey semi-detached dwellings, although there is a mix of property types and plot sizes nearby. No 125 and the properties on the opposite corner of Ravenswood Avenue are set back from the highway behind generous garden space thus creating a spacious feel to this visually prominent corner. That space makes a significant positive contribution to the character and appearance of the area.

6. The proposal would introduce built form of a significant mass to the side of No 125. Whilst the proposed dwelling would be single storey and would respect the established building line along Ravenswood Avenue, its presence would still be readily apparent in the street scene. Further, the proposed dwelling would be constructed almost up to the rear boundary of its plot leaving little space to off-set its mass. In addition, the amount of space between the proposed development and No 125 would be significantly restricted, and indeed would be so close that it would require the blocking up of a window serving the lounge of No 125. Therefore, this proposal would result in an unduly cramped form of development which would erode the spacious character of this part of the area.
7. To prevent the site becoming further overdeveloped, the appellant has suggested the removal of permitted development rights. However, this would not address the effect the proposed dwelling would have on the spaciousness of the area as noted above. I acknowledge that the resultant plot size would be reflective of other nearby sites. Whilst plot sizes do vary locally, the appeal site occupies a corner position which are generally more spacious, and more prominent than the surrounding examples.
8. My attention has been drawn to an appeal decision¹ in which the sub-division of a plot, for the erection of two dwellings, was considered acceptable despite an increase in density. Based on the evidence before me, it appears that the resultant plot sizes in that case would be reflective of adjoining sites and would not therefore appear at odds with the character of the area. As such, I do not consider it to be directly comparable to this appeal proposal. Moreover, this appeal has been determined on its own merits in the light of the context of the site.
9. Consequently, taking all the above into consideration, the proposed dwelling would have a harmful effect on the character and appearance of the area and is therefore contrary to policy HS4 of the Wirral Unitary Development Plan, 2000 (the UDP), which seeks to ensure, amongst other things, that proposals for new housing are of a scale which relate well to surrounding property, in particular with regard to the form of development, and they do not result in a detrimental change in the character of the area. It would also conflict with paragraph 127 of the National Planning Policy Framework (the Framework) which seeks to ensure developments are sympathetic to local character.

Other Considerations and the Planning Balance

10. The appellant has provided a Secretary of State's letter, dated January 2019, indicating that at that time there was a housing land supply of 1.7-2.6 years. The Council have not updated, disputed or provided comment in this regard. Therefore, on the basis that the Council cannot demonstrate a five-year housing land supply, the relevant policies of the UDP are considered to be out-of-date. Accordingly, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole, planning permission should be granted for the appeal development.
11. I acknowledge that the proposed development would provide an additional dwelling within close proximity to local services and facilities. It would also see the development of a small windfall site and would make optimal use of the site

¹ APP/W4325/W/19/3222383

- by increasing its density. My attention has also been drawn to other local housing issues, including the need for two-bedroom properties in the Borough and the potential extensive release of Green Belt land to meet housing need.
12. There would be economic benefits from the investment in the construction of the dwelling, subsequent occupation and spending associated with future residents. The delivery of a new dwelling would also make a contribution to the social dimension of sustainable development.
13. However, the nature of these social and economic benefits would be limited due to the small scale of the proposal. In terms of addressing the Council's housing land supply shortfall, the proposal would only have a very limited impact. Moreover, good design is a key aspect of sustainable development as recognised by the Framework. As noted above, the proposed development would harm the character and appearance of the area and would therefore fail to meet the environmental dimension of the Framework.
14. Therefore, taking into account all these matters, the adverse impacts of the development would significantly and demonstrably outweigh the benefits. Consequently, the proposed development would not constitute sustainable development, for which there is a presumption in favour.

Conclusion and Recommendation

15. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hannah Ellison

Appeal Planning Officer

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Susan Ashworth

INSPECTOR