



Appeal Decision

Site visit made on 20 October 2020

by R Walker BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 October 2020

Appeal Ref: APP/W4325/W/20/3248623

2 West Grove, Heswall CH60 0DR

- 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 Ben Patterson against the decision of Wirral Metropolitan Borough Council.
 - The application Ref APP/19/01679, dated 4 November 2019, was refused by notice dated 27 January 2020.
 - The development proposed is removal of a section of the front wall to provide access for one vehicle to park outside the property. The garden ground/earth will be removed to make the driveway finish level with the access road. A wall built to edge the driveway up to the house and along the side pathway using the removed sandstone from the original wall to face the wall, with fencing above. Handrail to entrance.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. In Part E of the appeal form it is stated that the description of the development has not changed. However, the wording from the Council's decision notice has been entered rather than that from the application form. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the Council's decision notice rather than the longer wording given on the application form.

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Heswall Lower Village Conservation Area (CA).

Reasons

4. Although there are some alternative boundary treatments, there is a high prevalence of stone walling along West Grove which is a feature of this part of the CA. This, along with its narrowness, gives this part of the byway a pleasant, intimate character. The appeal property has a stone wall along its frontage broken only by a pedestrian access. Due to the length, height and its continuous run linking with the wall at the neighbouring property, it makes a positive contribution to this part of the CA.
5. The proposal would result in the removal of a large section of wall. Although this would increase views of the host property, the wall itself is an important

- feature within the CA. Even though the stone would be reused to face a retaining wall around the parking area it would alter the historic alignment of the wall, opening up the frontage and eroding the intimate character of this part of West Grove. Thus, the proposal would result in an undesirable change that would harm the overall character and appearance of this part of the CA.
6. The appellant has referred me to other examples of development within the CA, including a new dwelling along West Grove. However, I do not have the full details of the circumstances that led to these proposals being accepted. In any case, I have determined the appeal on its own merits against the specific characteristics of the appeal site. In this regard, I do not consider that these examples should justify a further erosion of the character of West Grove that would arise from the appeal proposal.
 7. I accept that the appellant is seeking to make an effective use of the site and would provide off street parking, improving access to the property and reducing the pressure for parking nearby. Although the wall may need repairing and it would provide additional natural light to the basement, there is no evidence before me that other options would not also achieve these objectives. As such, the overall benefits to the public would be limited.
 8. Heritage assets are irreplaceable and great weight should be given to their conservation. Therefore, as set out in paragraph 196 of the National Planning Policy Framework (the Framework), there are no public benefits that outweigh the less than substantial harm that would occur in this case.
 9. Accordingly, the proposal would conflict with the objectives of the Heswall Lower Village – Conservation Area Appraisal & Management Plan, the requirements of the Framework and Policies CH2 and CH14 of the adopted Wirral Unitary Development Plan. These seek, amongst other things, to retain unifying features such as stone walls and the character of narrow lanes such as West Grove.

Other Matters

10. Concerns regarding the processing of the application, including matters such as communication and a lack of negotiation, are not issues that I can assess as part of this appeal. The validity or not of such matters do not affect the planning merits or effects of the proposals before me. Moreover, I am only able to make my decision taking into account the plans that were before the Council when they made their decision.

Conclusion

11. I have taken account of all the other matters raised including the benefits of the proposal. However, none changes the balance of these findings and the harm I have identified to the character of this part of the CA.
12. For the reasons given above, the appeal is dismissed.

Robert Walker

INSPECTOR