
Appeal Decision

Site visit made on 3 November 2020

by Mark Dakeyne BA (Hons) MRTPI

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

Decision date: 10 November 2020

Appeal Ref: APP/W4325/W/20/3255525

36 Greenbank Road, Tranmere CH42 7JT

- 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 Burchill against the decision of Wirral Metropolitan Borough Council.
 - The application Ref APP/20/00477, dated 27 March 2020, was refused by notice dated 1 July 2020.
 - The development proposed is conversion of dwelling house to 3 self-contained apartments.
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Decision

1. The appeal is dismissed.

Reasons

2. The main issue is the effect on the housing mix and character of the area.
3. Greenbank Road and the surrounding grid of streets, known as Devonshire Park, are dominated by large semi-detached Victorian and Edwardian Villas. In Greenbank Road I saw that most of the houses seemed to be occupied by single households, although a few appeared to be in use as Houses in Multiple Occupation (HMO) or had been converted into self-contained flats. Most of the properties in the street are in a good state of upkeep, although a pair of HMOs centrally located within Greenbank Road are in a poor condition.
4. The Devonshire Park Neighbourhood Plan 2014-2030 (DPNP) made in December 2015 includes Policy 2 – Controlling the Concentration of Multiple Occupation which indicates that applications for additional flats, including those created from converted houses, will only be permitted where certain criteria are met. The justification to the policy indicates that the community supports the preservation of the current stock of family housing to encourage families into the area and preserve the residential family balance.
5. The DPNP refers to the household structure of Devonshire Park derived from the 2011 Census and a property count in the same year which showed a significantly higher proportion of converted flats in Devonshire Park compared to Wirral as a whole.
6. In view of the objectives of the DPNP and taking into account those figures, the first criterion of Policy 2 requires that a clear local need within Devonshire Park is demonstrated for further small flatted accommodation. The appellant has referred to the 2020 Strategic Housing Market Assessment (SHMA) produced

as part of the evidence base for the emerging Wirral Local Plan. The SHMA shows a high number of households in need of housing in the Birkenhead Suburban Area. The SHMA also shows for Wirral as a whole a shortage of 2 and 3 bed flats and an oversupply of properties with 4 or more bedrooms. However, the only evidence that is before me on the more localised area of Devonshire Park is that from the DPNP. There is nothing to indicate that the proportion of flats has changed significantly since 2011 or that there is a clear local need for more flats in Devonshire Park itself. Therefore, the proposal does not meet the first criterion of the policy.

7. The conversion of a single property into flats would not significantly alter the character of Devonshire Park as a whole. In the case of the appeal, the specific proposals to provide small gabled dormers to the front roof slope, a larger dormer to the rear and the other elevational changes would be of acceptable appearance and would not change separation distances or materially affect privacy. Similarly, the use of the existing hard surfaced forecourt for limited parking behind the small front boundary wall would not be harmful. The proposal would therefore comply with criteria (2) and (4) of Policy 2 relating to design and living conditions.
8. However, although unlikely to result in much specific harm itself, the proposal would contribute to an erosion in the character of Devonshire Park by being part of a gradual shift away from family dwellings to properties in multiple occupancy. Permission in this case would make it more difficult to resist similar proposals elsewhere in Devonshire Park. Properties in multiple occupancy are less likely to be maintained to the same standard as those occupied by one household. Greater activity and comings and goings and the different type of occupant often associated with flat properties can also affect the quiet residential character of a neighbourhood and make it less attractive to families.
9. Self-contained flats can provide homes for smaller families. However, they are less likely to do so than larger dwellings. Moreover, of the flats proposed in this case, only one provides two reasonably sized bedrooms and a living area that would be suitable for family occupation. The plans do not show private gardens, albeit that the larger flat formed from the basement and ground floor would have direct access to the rear.
10. The development would increase densities and would be an efficient use of a vacant property in a location close to amenities and well served by public transport. Increasing densities in the urban areas of Wirral would reduce the pressures on Green Belt land. However, the location is one that is also sustainable for family living. The property has only been vacant for about 15 months. Although providing space for up to 6 bedrooms, the building does not appear to be any larger than most of the houses nearby. There is nothing to suggest that use as a single dwelling could not reoccur. Paragraph 68 of the National Planning Policy Framework (the Framework) which relates to small and medium sized housing sites is not directly applicable to this proposal.
11. I conclude that the proposal would be harmful to the housing mix and character of the area. As a result, there would be conflict with criteria (1) and (3) of Policy 2 of the DPNP as there is no clear need for the accommodation and the proposal would detract from the unique character of the Villa Estate. Policy HS13 of the Wirral Unitary Development Plan (UDP) also relates to self-

contained flats. The detailed criteria within the policy are met by the proposal but criterion (xi) requires compliance with Policy HS4. In resulting in a detrimental change to the character of the area, I find non-compliance with Policies HS4 and HS13 of the UDP.

12. The UDP was adopted in 2000 and had an end date of 2001. However, despite the plan's age, Policy HS13 includes criteria predominantly relating to living conditions which are consistent with the Framework's objectives of achieving a high standard of amenity. Moderate weight should be attached to Policy HS13. But, in view of the shortfall in housing supply and the constraints that it places on housing development in the Borough as a whole, I give Policy HS4 limited weight.
13. The DPNP was made after the introduction of the 2012 Framework. Policy 2 is the development plan policy most relevant to the small part of the Borough where the appeal site lies and this type of proposal. Although related to the provision of housing, the policy does not affect housing supply in the vast majority of the Council area. I consider that Policy 2 is the most important policy for determining the appeal and is reasonably consistent with the Framework. I therefore attach considerable weight to the conflict with Policy 2.
14. Wirral is unable to demonstrate a five-year supply of housing. Indeed, there is a significant shortfall in supply and there has been persistent under delivery of homes over many years. The failure to adopt an up-to-date plan has contributed to poor housing delivery. The Covid 19 pandemic is likely to further affect delivery. The proposal would be able to deliver new flats quickly.
15. Moreover, as the proposal involves the provision of housing and there is no five-year supply, paragraph 11 b) ii. of the Framework applies. However, in this case the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole. In particular the development would compromise the social objectives of the Framework in supporting strong communities and providing homes for families which would significantly and demonstrably outweigh the economic and social benefits of providing the flats with their modest contribution to housing supply.
16. Material considerations, including the benefits derived from the delivery of two additional homes, do not indicate that the appeal should be determined otherwise than in accordance with the development plan.
17. For the above reasons the appeal should be dismissed.

Mark Dakeyne

INSPECTOR