
Appeal Decision

Site visit made on 9 February 2021

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 April 2021

Appeal Ref: APP/W4325/W/20/3263433
28 Boundary Lane, Gayton CH60 5RR

- 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 David Plant against the decision of Wirral Metropolitan Borough Council.
 - The application Ref APP/20/00208, dated 12 February 2020, was refused by notice dated 15 October 2020.
 - The development proposed is described as: Demolition of outbuildings in conjunction with refurbishment and extension of existing property to create a single detached dwelling, with associated access, parking and landscaping.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council amended the description of proposed development. The appellant did not agree to the change. Consequently, in the header I have used the description of development provided on the planning application form.
3. I understand the building was originally a pair of semi-detached properties. However, the appellant accepts that the original 2 properties have merged, via a link internally, and the building has been used as a single dwelling. Consequently, both parties indicate that the existing use is a single dwelling. I have no reason to doubt this and I have therefore made my decision on this basis. The proposal would result in their still being a single dwelling on site; no additional dwellings would be created, and none would be lost.
4. I therefore consider that Policy HS11 of the Wirral Unitary Development Plan (2000), (UDP), is the key policy against which the proposal should be assessed, as this relates to house extensions; as opposed to Policy HS4 of the UDP, as suggested by the appellant, which relates to new housing development.
5. The appellant contends that the Council can only demonstrate a 3.1-year supply of housing land and therefore suggests that the UDP and the most important policies for determining the application are out of date for the purposes of decision taking. This proposition is based on the appellant's view that the proposal is for new housing development. However, as outlined above, the proposed development would not result in the creation of any additional dwellings over and above the one that exists. As such, the extent of the Council's supply of housing land is not a relevant matter.

6. With regard to Policy HS11, the justification explains that it seeks to ensure house extensions are designed to be in keeping with the appearance of the existing property, to not adversely affect the character or appearance of the area and to not adversely affect the living conditions of occupiers of existing properties. I consider the broad aims and objectives of the policy to be consistent with those of section 12 of the National Planning Policy Framework (the Framework).
7. The appellant amended plans during the planning application; primarily reducing the height of the extension to two storeys from two and a half and removing a glazed link between the existing building and the proposed extension off the southern facing elevation of the existing property.
8. I observed during my site visit that substantial works to the building have recently been carried out. It was not clear to me from the stage at which the works had reached, whether these relate to the appeal proposal or if they were being carried out under permitted development rights. Consequently, I have made my decision of the basis that the proposal is not retrospective.

Main Issues

9. The main issues are:
 - the effect of the proposal on the existing dwelling, a non-designated heritage asset, and
 - the effect of the proposal on the character or appearance of the area.

Reasons

Effect on non-designated heritage asset

10. Paragraph 184 of the Framework advises that heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance, to contribute to the quality of life of existing and future generations.
11. As the appeal building is a non-designated heritage asset paragraph 197 of the Framework applies. This requires the effect of development on the significance of a non-designated heritage asset to be considered in determining applications. It also advises that in weighing development that directly or indirectly affects non-designated heritage assets, a balanced judgement will be required, having regard to the scale of any harm or loss and the significance of the heritage asset.
12. As noted above, the building originally comprised of 2 semi-detached cottages, which were subsequently linked internally to form a single dwelling. The building dates to around mid-19th Century. Although the building is two-storey its height is relatively low; and, even with the extension that has been added to its northern facing elevation the building is quite small. It is constructed of rough sandstone under a slate roof; some elevations were apparently subsequently rendered, though most of the render had been removed when I visited the site. The windows are mainly horizontal sash. The building is oriented such that its principal elevation faces south, angled away from the road. The property derives its significance primarily from its age, having been

constructed using materials from the local/surrounding area and being a surviving example of small cottages of the time.

13. The proposal includes extensions to the southern and eastern facing elevations which I consider to be substantial in scale relative to the size of the existing building. The footprint and floor areas of the building would be almost tripled; as such, the increase in volume and mass would be substantial. The extensions would have ridge and eaves heights higher than the ridge and eaves heights of the existing building.
14. The principal elevation of the existing building, which gives an indication of the building's original use as 2 dwellings due to the 2 door openings and arrangement of fenestration, would be totally covered and lost. The existing fenestration on the western facing gable elevation would be enclosed and 3 windows with a vertical emphasis would be inserted. A door opening would be inserted between the 2 existing windows on the northern facing elevation. The fenestration and glazed door openings in the proposed extensions would have a vertical emphasis and, apart from a small section of elevation at ground-floor level, the elevations would be rendered; the roof would be covered in a modern grey tile.
15. Overall, very little evidence of the existing building would remain; furthermore, the proposed extensions would overwhelm the existing building. I therefore consider the proposed development to significantly harm the heritage significance of the building.

Effect on character and appearance of the area

16. I acknowledge that the area is a residential suburb characterised by mainly two-storey dwellings of various designs and sizes, detached and semi-detached, constructed with a mixed pallet of external materials. In this context, the proposed extensions in themselves are in keeping with the character and appearance of the area. However, it is the relationship of the proposed extensions with the existing, non-designated heritage asset that causes harm. I consider the harm I have found to the heritage asset would have a detrimental effect on the street scene, and I consider the harm to the street scene would harm the appearance of the area.
17. Bearing all the above in mind, the proposal does not accord with Policy HS11 of the UDP or design and heritage policies in the Framework, in particular paragraphs 124, 127, 184 and 192. Collectively, and among other things, these policies require development to achieve good design, for house extensions not to dominate the existing building, for eaves and roof lines to match or complement those of the existing building, to be sympathetic to local character and history and to conserve heritage assets in a manner appropriate to their significance.

Other considerations

18. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires me to determine the proposal in accordance with the development plan unless material considerations indicate otherwise.
19. I accept that the proposal seeks to retain the non-designated heritage asset and bring it back into residential use from its uninhabitable state, which would include bringing the property up to present building regulations standards.

However, I have found that this would be at a significant cost to the heritage significance of the property. I therefore attach limited weight to this factor.

20. I acknowledge that bringing the site back into use would increase natural surveillance of the area and that this may help reduce the fear of crime and/or deter crime. However, I consider the degree of such improvement would be small and therefore I attach limited weight to this matter.
21. I note that the proposed alterations to the access and boundary treatment would result in an improvement over the existing arrangement in respect of highway safety. However, I have not been provided with any evidence of accidents having occurred due to the existing access arrangements. As such, I attach limited weight to this aspect.
22. I acknowledge that the biodiversity value of the site could be improved, providing opportunities for bat roosts and breeding birds. However, sub paragraphs 174 (b) and 175 (d) of the Framework seek net gains for biodiversity. As such, I consider this to be a neutral factor.
23. The proposal would generate minor economic benefits, mainly during the construction phase. Again, as these would be small-scale, I attach limited weight to this benefit.

Other Matters

24. I note that the appellant questions the logic of the Council's Officer regarding demolition of the existing building compared with retaining and extending it. As the scheme before me does not comprise demolition of the building it is not a matter that I need to address. The appellant may wish to approach the Council to obtain clarification regarding the matter of demolition of the existing and proposal of a replacement dwelling.

Planning Balance & Conclusion

25. I have found that the proposal would conflict with the development plan. I consider that the benefits as outlined above would not overcome the significant harm I have identified in relation to the non-designated heritage asset and the appearance of the area. I consider that there are no other considerations, including the provisions of the Framework, which indicate that my decision should not be taken other than in accordance with the development plan. For the reasons outlined, I therefore conclude that the appeal is dismissed.

J Williamson

INSPECTOR