



Appeal Decision

Site visit made on 1 March 2022

by R Hitchcock BSc(Hons) DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 March 2022

Appeal Ref: APP/W4325/W/21/3287522

The Stirrup, Arrowe Park Road, Woodchurch CH49 5PB

- 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 Magenta Living against the decision of Wirral Metropolitan Borough Council.
 - The application Ref APP/20/01888, dated 9 December 2020, was refused by notice dated 12 August 2021.
 - The development proposed is a new development of three and two storey apartment block for retirement living/extra care, comprising of 46 no. bed flats with associated facilities.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the course of the Council's consideration of the planning application some amendments were made to the proposed design of the building. These were the plans on which the Council made its decision and I have considered the appeal on the same basis. The relevant plans are: 19006-02; 19006-115; 19006-132-G; 19006-133-G; 19006-134-G; 19006-136-H; 19006-137-H; 19006-138-C; 19006-139-A; 19006-140-A; 102/20/D100 Rev. G; and 633.01.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the locality.

Reasons

4. The land is a roughly rectangular plot formerly accommodating a public house with associated parking and landscaped areas. The site has a wide frontage adjacent to a layby on Arrowe Park Road, a busy road skirting a predominantly residential area to the east. The plot lies opposite a woodland belt with open grassed fields beyond providing a sense of transition between built-up and undeveloped areas.
5. The land is bordered on 3 sides by residential development of varying ages and styles. On Arrowe Park Drive the site is flanked by a traditional terrace and a pair of semi-detached dwellings. To the south and east are detached modern houses on Fletcher Close, a residential cul-de-sac.
6. The proposal includes a largely 3-storey building with an 'L' plan form and reduced height elements towards the rear of the site. The principal elevation

would be set back from the pavement behind a landscaping strip and sited close to the southern boundary to facilitate a new vehicular and pedestrian access to the north of the building. Parking and servicing access would be provided in this area.

7. A lower 2-storey flat-roofed element would reduce the building height close to the eastern boundary. A single storey plant and services wing would partially enclose a large outdoor amenity space set within the angle of the building. Ancillary scooter and bin stores are also proposed.
8. The main public appreciation of the building would be from the Arrowe Park Road frontage. Here the building would be seen in the context of modest scaled 2-storey domestic houses and the terrace. The 3-storey height of the building would be significant in comparison to those of the existing neighbouring buildings. Furthermore, the perception of scale would be substantially increased due to the long front elevation and high eaves line resulting in an expansive façade. The subsequent sense of massing of the building would be considerable.
9. I recognise that significant effort has been made to seek to break up the massing through the incorporation of blocked sections finished in different materials and the use of individual design elements which would add visual interest. The main frontage would be faced in brick to second floor level and incorporate 3 projecting bays overlapping on to the pitched roof slope. These would be metal framed with a contrasting light grey colour finish. As prominent features of the principal elevation they introduce a degree of articulation and interrupt the horizontal uniformity to prevent a monotonous façade. However, the effect is somewhat limited by the lateral continuity of materials, particularly on the upper parts of the bays which serve to emphasise verticality in the scale of the building.
10. The corner elements elongate the frontage and there is little coherence between the different heights and form of the flanking flat-roofed elements. The roof of the pronounced corner junction breaks the line of the adjacent roof verges of the main pitched roofs. It relates poorly to the height of the main eaves and ridge lines, or the projecting bays of the central section. The resultant multiple-element roof, together with the deep vertical bands of cladding across the upper part of the frontage, would serve to draw focus to the overall height of the building and emphasise its scale.
11. Despite being slightly lower and recessed behind the line of the main frontages, the corner element close to the new access would be prominent. Moreover, it would maintain a visual continuity and linkage between the significant scale of the north and west elevations. As elements that would be visible together, particularly travelling south along the road, it would do little to moderate the sense of scale and considerable massing of the building.
12. Notwithstanding the measures aimed at limiting the perception of the scale, including the minor articulation, detailing and variation in external finishes, the building would appear bulky. Even accounting for the set back position and potential for frontage landscaping, or the effects of the spacing derived from the access road, the development would dominate the local streetscene by virtue of the uncharacteristically large scaling and massing.

13. The stark contrast with the scale and distribution of the surrounding development would cause significant harm to the prevailing character and appearance of development.
14. In support of the proposed height, the appellant refers to the scale of the previous public house on the site. However, that building had a limited footprint such that, like others elsewhere on Arrowe Park Road, it benefitted from the moderating effect of a high degree of spaciousness about the building. Buildings on the hospital campus and a line of consecutive flat blocks some distance to the south of the site have a significantly different context to the appeal site. Those areas do not demonstrate the finer grain of the scale and distribution of development about the appeal site. They are not therefore comparable to the circumstances of the case before me, a case I have considered on its own merits.
15. For the above reasons, I find that the building would cause significant harm to the character and appearance of the locality. It would conflict with Policy HS4 of the Wirral Unitary Development Plan [2000] as it requires new development to be of a scale which relates well to surrounding property, in particular with regard to the existing densities and form of development, and without a detrimental change to the character of the area. It would also conflict with the National Planning Policy Framework (the Framework) as it seeks those aims through well-designed places and developments that are sympathetic to local character and that maintain a strong sense of place.

Planning Balance

16. According to the appellant, the Council is unable to demonstrate a 5-year housing land supply, which is estimated as 3.1 years. This is not contested by the Council. Consequently, footnote 8 of the Framework applies which engages Paragraph 11 d). In the circumstances of the case there are no policies in the Framework that protect areas or assets of particular importance and which provide a clear reason for refusing the development as set out in para 11d) i). Therefore, consideration must be had as to whether the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole (para 11 d) ii of the Framework).
17. As set out above, I have found harm to the character and appearance of the locality. Given buildings are designed to last tens of years, I afford this harm substantial weight.
18. The proposal would provide the benefit of 46 units of accommodation on a site identified for residential development. This would provide affordable rented housing for people over the age of 55 and contribute to housing delivery in the borough. It would meet the need of groups with specific housing requirements. In the context of the shortfall of housing land supply, it would make a relatively small contribution in helping to address the housing delivery shortfall. Nevertheless, these matters constitute a benefit of significant weight.
19. The proposal would assist in sustaining existing construction and service jobs and create new opportunities for employment in association with the proposed use of the site. Prospective residents would contribute to the local economy through local spend. They could sustain local services, including public transport, and a proposal to upgrade local bus stops would enhance

accessibility to them. Furthermore, the scheme would make effective use of vacant land and, as a single build, the homes could be delivered to the market relatively quickly. These are benefits of moderate weight in favour of the proposal.

20. I acknowledge that the site is within reach of shops and services, including access to the public transport network. The proposal could be delivered without risk of flooding and come with appropriate levels of car parking and landscaping. It could provide security and high standards of living for residents. The development could also take place without adverse impacts on highway safety, ecological interests or neighbouring amenity. As requirements of the development plan and the Framework, these matters, and the absence of objections from statutory consultees, are not benefits of the development.
21. I acknowledge a statement made by Magenta Living which indicates that a reduction in the number of units on the site would fail to achieve a positive Net Present Value. However, there is little evidence to support that claim. Moreover, there is little to suggest an alternative design of accommodation could not achieve the same aim. Accordingly, this is a matter of negligible weight in the planning balance.
22. Taking all of the above matters together, I find that the significant adverse impact of granting planning permission on the character and appearance of the locality would significantly and demonstrably outweigh the benefits. The presumption in favour of sustainable development does not therefore apply.

Other Matters

23. The appellant's willingness to work with the Council in the run up and during the submission of the planning application and the supporting recommendation to its Planning Committee are noted. Nevertheless, it is open to a Council to determine the planning application on its individual merits against the development plan and with regard to any relevant material considerations. Accordingly, these are neutral matters in the determination of this appeal.
24. I note the representations submitted by third parties raising a number of other concerns. However, pursuant to my finding on the main issue, my decision does not turn on those matters.

Conclusion

25. The proposal would harm the character and appearance of the area and would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not be allowed.

R Hitchcock

INSPECTOR