



Appeal Decision

Site visit made on 30 August 2022

by David Jones BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 October 2022

Appeal Ref: APP/W4325/W/22/3296364

Amulree, 13 Quarry Road West, Heswall CH60 6RE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr George Tytherleigh against the decision of Wirral Metropolitan Borough Council.
 - The application Ref OUT/21/01907, dated 24 September 2021, was refused by notice dated 4 January 2022.
 - The development proposed is the erection of detached dwelling house with access onto Laurel Banks.
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Decision

1. The appeal is allowed and outline planning permission is granted for the erection of detached dwelling house with access onto Laurel Banks at Amulree, 13 Quarry Road West, Heswall CH60 6RE in accordance with the terms of the application, Ref OUT/21/01907, dated 24 September 2021, subject to the conditions in the attached schedule.

Procedural Matters

2. The application is made in outline with all matters reserved for future consideration. I have therefore dealt with the appeal on this basis, treating the submitted plans detailing potential site layout, floor plans, and elevations as indicative.

Main Issue

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

Reasons

4. The appeal site forms part of the rear garden of Amulree, 13 Quarry Road West. The surrounding area is residential in character comprising a mixture of house types, with more modern detached bungalows located on Laurel Banks and larger two-storey detached and semi-detached houses on Quarry Road West and Oldfield Way.
5. The appeal proposal would see the erection of a detached dwelling, with access being provided from Laurel Banks. Indicative plans detailing site layout, floor plans and elevations show a broadly square shaped dormer bungalow positioned in the centre of the site. As the application is made in outline, details of the access, appearance, landscaping, scale and layout would be determined at reserved matters stage, should outline planning permission be granted.

6. Although properties on Quarry Road West and Oldfield Way are predominately large detached or semi-detached properties sat within generously sized plots, Laurel Banks is characterised by detached bungalows which sit within relatively modest sized plots. Given its location, views of the appeal site from Quarry Road West would be fleeting and the proposed development would share a greater visual relationship with the existing development on Laurel Banks.
7. Whilst acknowledging that matters such as scale and layout are reserved, it is apparent from both the indicative site layout and from my site visit that a detached dwelling of modest size would be able to be accommodated within the appeal site without appearing cramped. Furthermore, the size of the plot would be comparable to other existing plots on Laurel Banks, and the provision of a suitably designed modest detached dwelling with a relatively small private garden area would reflect the neighbouring form of development and be in-keeping with the character and appearance of the area.
8. I therefore conclude that the proposed development could be accommodated on the site without causing undue harm to the character and appearance of the area. I have found no conflict with Policy HS4 of the Wirral Unitary Development Plan (Adopted February 2000) (UDP) which seeks, among other matters, to ensure that new housing developments are of a scale which relates well to surrounding property, in particular with regard to existing densities and form of development.

Other Matters

9. Representations have been received from residents expressing concern that the proposed development would result in a loss of privacy to occupiers of neighbouring properties. In particular, these concerns relate to the separation distances between windows and elevations failing to meet the minimum set out in the Council's *Supplementary Planning Guidance House Extensions (SPG)*. Although the SPG relates to the extension of existing dwellings and not new builds, Policy HS4 of the UDP does require that proposals whose main elevations are parallel, or nearly so, to retain an adequate distance between habitable rooms in separate dwellings. Additionally, adequate separation should also be achieved where the gable end of one property fronts onto the rear of another.
10. Given the size and location of the site, I am satisfied that at reserved matters stage an appropriately designed and positioned detached dwelling could be achieved on the site which would avoid any overlooking issues whilst providing adequate distances between habitable rooms in separate dwellings so to ensure the proposed development would not have a detrimental effect on the privacy of occupiers of neighbouring residential properties.
11. Some residents have also raised concerns about disturbance, and the parking of vehicles and general disruption during construction. This is a likely and inevitable consequence of most development but is generally short-term and is not a reason to withhold planning permission. Furthermore, other departments of the Council should have the necessary powers to deal with any reported statutory nuisance arising such as noise. I also note that the Council's Highways Team did not object to the proposal, nor did they raise any concerns with regards to parking during the construction phase, and I see no compelling reason for me to disagree.

Conditions

12. I have imposed conditions relating to the commencement of development, the submission of reserved matters and the time limits associated with this to provide certainty of the outline planning permission granted. I have also included a condition specifying the relevant plan as this provides certainty as to the extent of the development site. I have however not included the illustrative plans titled Block Plan and Details which detail floor plans, elevations and layout, as all matters are reserved. The Council also suggested including a condition which required the submission of details of the materials to be used in the development. I have however not imposed this condition as it can be adequately dealt with during any subsequent application for the approval of reserved matters.

Conclusion

13. For the reasons given above I conclude that the appeal should be allowed.

David Jones

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) Details of the access, appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this decision.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plan: Key Plan, dated April 2019.