



Appeal Decision

Site visit made on 11 January 2023

by R Morgan BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 February 2023

Appeal Ref: APP/W4325/W/22/3301716

Revolver, 2 New Chester Road, BIRKENHEAD, CH41 9AY

- 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 Mrs Ward against the decision of Wirral Metropolitan Borough Council.
 - The application Ref OUT/22/00169, dated 4 February 2022, was refused by notice dated 25 May 2022.
 - The development proposed is demolition of existing hotel and construction of new hotel building and associated parking.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was made in outline. Matters of access, landscaping and layout were included in the proposal, with scale and appearance reserved for future consideration. Submitted drawing no. 2021 105 004 includes elevational details, which relate to matters of appearance and scale. I have treated the elevational drawings as being indicative.
3. The appeal site is close to the Grade II listed Cattle Lairages and Grade II listed Drinking Fountain. In accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have had special regard to the desirability of preserving the setting of these listed buildings in the determination of this appeal.
4. The Council considers the appeal building to be a non-designated heritage asset. It has not explained what process has been used to come to this conclusion, or what criteria have been used to evaluate the significance of the site. Nonetheless, the close links between the site and Wirral's ship building heritage are undisputed. The former hotel forms part of the industrial history of the area, and the building is also of some architectural interest in its own right. The appellant has not disagreed that the building should be treated as a non-designated heritage asset, and I find that there are compelling grounds to do so. I have determined the appeal on that basis.
5. The Council has indicated that the site falls within the Hind Street and St Werburgh's Regeneration Area, as identified in the emerging Wirral Local Plan. Draft Local Plan Policy RA5 provides for a new low carbon urban village, and draft Policy WS6.3 requires that development proposals within this area be in conformity with a Masterplan endorsed by the Council. I have not been

provided with any Masterplan, and as the emerging Local Plan is still at examination stage, and its policies may be subject to change, I have given limited weight to draft Policies WS6.3 and RA5 in this appeal.

6. The site also falls within the area covered by the draft Birkenhead 2040 Regeneration Framework, which has been endorsed by the Council as the interim regeneration strategy for the area. The Council has not explained what the implications of the Regeneration Framework would be for this site, and has not provided a copy. Consequently, I have not taken it into account.

Main Issue

7. The main issue is the effect of the proposed development on the character and appearance of the area, having particular regard to the host building as a non-designated heritage asset, and the settings of the Grade II listed Cattle Lairages and Drinking Fountain.

Reasons

Former Royal Castle hotel, non-designated heritage asset

8. The appeal concerns the former Royal Castle Hotel, most recently occupied by Revolver. The substantial red brick building dates from the late nineteenth century, and sits within a large plot, with evidence of former car parking and planting. The site is now on an island between the divided carriageways of the New Chester Road (A41), separated from surrounding land uses.
9. The Royal Castle Hotel provided accommodation and refreshments for workers of local industries, notably Cammell Lairds Shipbuilders, the entrance to which is immediately opposite. After the hotel closed, the appeal building continued as a drinking establishment in various guises, until it eventually closed in late 2018. The site is now vacant.
10. The former hotel building is of a distinctive design, with decorative stone gables and banding around the windows, a large balcony, and a prominent tower feature to one side. Since its closure, the building has fallen into decline, and has suffered from arson and vandalism. There is extensive damage to parts of the roof, many windows are broken, and vegetation is taking hold. However, despite being partially derelict, there is still clear evidence of what was, in its heyday, a high-status establishment.
11. Owing to its siting and distinctive appearance, the former hotel building is a prominent feature in the local area. It dominates the view from the entrance to the Cammell Lairds site, and forms a backdrop to the adjacent retail park. The building is also highly visible from the A41, which provides one of the main routes through Wirral, and, via the nearby Mersey Tunnel, to Liverpool.
12. From the immediately surrounding area, the appeal building is viewed in the context of the large buildings of the Cammell Lairds site, whose workers it once served. There are also strong visual links between the materials used in the construction of the hotel, and the high, red brick boundary wall on the other side of the road. This long wall, which incorporates the Grade II listed Drinking Fountain and gabled ranges of the Grade II listed Cattle Lairages, contributes to the setting of the former hotel.

13. As a non-designated heritage asset, the significance of the appeal building derives from its position and spatial relationship with the Cammell Lairds site and other local industries, past and present. Its close functional association with the area's industrial history affords social and communal value, and the architecture of the former hotel gives it aesthetic value too.

Listed buildings

14. The high boundary wall of the, now closed, Tranmere Abattoir, is just across the road from the appeal site, and incorporates part of the listed Cattle Lairages. According to the listing, the Abattoir is believed to have been one of the earliest civic slaughterhouses in the country. A decorative Drinking Fountain, erected to mark its opening in around 1886, is set within the wall, very close to the appeal site. The listed Cattle Lairages and Drinking Fountain provide evidence of the nature and scale of past industrial activity in the area, and have historical, communal and evidential significance.
15. The former Royal Castle Hotel, which was constructed at around the same time as the Abattoir, is seen in the context of these listed buildings. Visually, they contribute to each others' settings, and given their close proximity, there could also be functional linkages between the former industrial and hotel uses.
16. Further away, but also visible from the appeal site, are the listed Monument to the Construction of the Mersey Tunnel, and the spire of the Grade I listed Birkenhead Priory. I have no evidence of close historical links between these listed buildings and the appeal site, and given the degree of physical separation between them, I am unable to conclude that the appeal site forms part of their setting.

Effect of proposals

17. The proposed outline application would see the complete redevelopment of the site, with the existing building demolished. A new hotel is proposed, with a larger floorspace, incorporating a retail unit on the ground floor.
18. The demolition of the existing building would result in the complete loss of the non-designated heritage asset. Furthermore, the proposed removal of the former hotel, with its clear visual and likely functional links to the listed Cattle Lairages and Drinking Fountain, would diminish their setting, leading to a loss of significance of those designated heritage assets.
19. In the context of paragraph 202 of the National Planning Policy Framework (the Framework), the harm to the designated heritage assets would be less than substantial.
20. The indicative elevations show the former hotel would be replaced with a contemporary style building. If it could be demonstrated that the existing building could not be saved, and that demolition was the only realistic option, then its replacement with a building of a very different design may well be acceptable. However, given the visual prominence of the existing building; its significance as a non-designated heritage asset, and its contribution to the setting of the nearby listed structures, any replacement would need to be carefully considered, and of a high quality design.
21. From the indicative drawings provided, there appears to have been little consideration given to the existing site and its wider setting. I note the

Council's comment that it does not consider the appearance of the proposed replacement to be appropriate. This raises doubt about the success of any future reserved matters application. If I were to allow the appeal, there would be considerable uncertainty as to what the replacement hotel building would look like, and how it would relate to its wider historic context. The full effect of the proposals on the significance of the listed Cattle Lairages and Drinking Fountain is therefore unknown.

22. In light of the above, I find that the proposed development would cause harm to the character and appearance of the area. The proposed demolition of the existing building would result in the loss of a non-designated heritage asset. It would also diminish the setting of the listed Cattle Lairages and Drinking Fountain. Depending on the final development on the site, there could be additional harm to the setting of the listed buildings, which could further erode their significance.
23. As a consequence, the proposal would conflict with Policy CH1 of the Wirral Unitary Development Plan 2000, which requires that proposals are of a nature and scale which retain the character of the listed buildings and their settings. There would be further conflict with section 66(1) of the Act, and with Framework paragraph 197, which requires account to be taken of the desirability of sustaining and enhancing the significance of heritage assets.

Heritage balance

24. Framework paragraph 202 requires that the harm to the significance of the designated heritage assets must be weighed against the public benefits of the proposal, including, where appropriate, securing its optimal use. In relation to the non-designated heritage asset, Framework Paragraph 203 advises that the effect of the application on its significance should be taken into account, with a balanced judgement required.
25. It is obvious from casual inspection that the building is now in a poor condition, and without intervention, will deteriorate further. This would impact negatively on the appearance of the building, as well as increasing risks to the health and safety of those having to deal with the site, including Merseyside Fire and Rescue staff.
26. The proposed development would bring the site back into active use, and would contribute positively to the local economy. The replacement hotel would provide accommodation which could be used by visiting employees of nearby businesses. In this way, the functional association between the site and the surrounding industries would be retained.
27. These would be benefits of the scheme, but the proposed demolition of the building would result in the permanent loss of the former hotel, and would diminish the setting of the nearby listed structures. The appellant has provided no structural surveys or other evidence to support their assertion that saving the building would be financially unviable. Without such a survey, the full extent of the damage is unknown. Even if the building as a whole could not be saved, it may be possible to retain part, but no such alternative options appear to have been explored.
28. Given the heritage significance of the building itself, and the contribution it makes to the setting of the listed Cattle Lairages and Drinking Fountain, further

information is required to demonstrate that complete redevelopment is the only viable option.

29. Framework paragraph 204 says that the loss of the whole or part of a heritage asset should not be permitted without taking all reasonable steps to ensure the new development will proceed after the loss has occurred. If I were to allow the current appeal for the demolition of the former hotel, significant uncertainty would remain as to what would replace it, in particular, whether or not an acceptable design could be achieved. On the basis of the scheme before me, the provisions of paragraph 204 would not be met.
30. In light of the above considerations, I am unable to conclude that the public benefits of the scheme would outweigh the harm to the heritage assets.

Conclusion

31. I have found that the proposal would cause harm to the character and appearance of the area, and would result in a loss of significance of designated and non-designated heritage assets. It would conflict with the development plan, the Framework and section 66(1) of the Act.
32. On the basis of the evidence provided, there are no material considerations which would outweigh this harm. Consequently, the appeal is dismissed.

R Morgan

INSPECTOR