



Appeal Decision

Site visit made on 27 August 2025

by **J Smith MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2nd September 2025

Appeal Ref: APP/W4325/W/25/3364191

13 Quarry Road West, Heswall, Wirral CH60 6RE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
- The appeal is made by Mr George Tytherleigh against the decision of Wirral Metropolitan Borough Council.
- The application Ref DLS/24/01804 sought approval of details pursuant to condition No 1 of planning permission Ref OUT/21/01907, granted on 4 October 2022.
- The application was refused by notice dated 11 March 2025.
- The development proposed is reserved matters detail for the erection of detached dwelling house with access onto Laurel Banks.
- The details for which approval is sought are: access, appearance, landscaping and layout.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Wirral Local Plan (WLP) was adopted on the 31st March 2025 and now constitutes the adopted development plan for Wirral Metropolitan Borough Council. I have therefore given full weight to the relevant policies of this development plan in my decision.

Main Issues

3. The main issues are:
 - the effect of the proposed development on the character and appearance of the area;
 - the effect on the living conditions of neighbouring occupiers with particular regard to outlook and privacy; and,
 - whether it would provide acceptable living conditions for the future occupiers of the development, with particular regard to outlook and amenity space.

Reasons

Character and appearance

4. The appeal site comprises an area of the rear garden of the property known as Amulree, located at 13 Quarry Road West. Access to the proposal would be provided from Laurel Banks. Whilst the proposal would be located within a garden space to a property which fronts onto Quarry Road West, given its location and

access position, it would have a stronger relationship with the buildings located on Laurel Banks.

5. The existing dwellings on Laurel Banks are separated from Quarry Road West by the gardens of 11 and 13 Quarry Road West. Laurel Banks is located in an area of land which sits lower than the properties along Telegraph Road and Oldfield Way. The dwellings on Laurel Banks are characterised by contemporary, detached bungalows with gabled roof forms within modest sized plots. Quarry Road West and Oldfield Way are defined by larger two-storey detached and semi-detached dwellings. As such, there is a gentle transition from two storey to single storey heights.
6. The proposal would provide accommodation across two floors with a mansard roof design. As such, it would be of a design and appearance which would be at odds with the prevailing single storey and gabled roof character of Laurel Banks. Given its location at the entrance point into Laurel Banks, the proposal would appear as a prominent, incohesive development which would not fit into its immediate surroundings.
7. To conclude, the proposed development would conflict with Policies WS 6 and WS 7 of the WLP. Collectively, these policies seek for development proposals to enhance and compliment the character of the area and acknowledge its local context, amongst other things.

Living conditions of neighbouring occupiers

8. 2 Oldfield Way is situated to the rear of the appeal site and is host to rear windows and an area of rear garden patio space. Similarly, the rear garden patio space which serves the host dwelling, 13 Quarry Road West, would be located to the side of the proposed dwelling. Patio spaces are an important feature of many properties due to the benefits they provide to the well-being of the users of that space.
9. There is a notable drop in land levels between the appeal site and 2 Oldfield Way and a slight drop in height between the appeal site and 13 Quarry Road West. When viewed from these rear garden patio spaces, the combination of the rise in land levels, the height of the proposed development and its close distance to each patio area, this proposal would create an oppressive outlook for these properties. This would be significant to the occupiers of 2 Oldfield Way in particular, who would look up to a blank two storey elevation.
10. The proposed development would include two bedrooms which would be located to the front of the property. These would be habitable rooms where the occupants of them would spend a considerable amount of time. Directly opposite these windows would be the private patio area which serves 11 Quarry Road West. Owing to the height and the position of these windows within the proposed building, and its close distance from this space, this would allow for direct visibility onto the private patio space of 11 Quarry Road West. Thus, this would reduce the privacy enjoyed by the occupants of this neighbouring property.
11. To conclude on this main issue, the proposed development would therefore conflict with Policies WS 6 and WS 7 of the WLP. These policies, amongst other things, seek for development proposals to provide a high standard of amenity for

existing occupiers whilst following an established set of placemaking principles in the local context.

Living conditions of future occupiers

12. The proposal would contain a ground floor window which would serve the living room and kitchen space of the development. Whilst I note that a set of patio doors would be provided to the side elevation, owing to its position within the building, this window would be the main ground floor outlook. This window would also be of a notable width. However, it would look out onto the existing sandstone wall which runs along the boundary with Laurel Banks at a close distance from it. As such, the ground floor area of the dwelling would not benefit from an appropriate outlook. This would be at a detriment to the future occupiers of the proposal.
13. The private amenity space to serve the occupants of the proposed building would be limited to a small 'L' shaped configuration to the rear. This would run along the full boundary to 2 Oldfield Way, yet would be limited in its overall depth. The use of this area as a functional private amenity space for everyday outdoor activities would be limited due to this short depth. Therefore, this would not provide an appropriate private amenity space for the benefit of any future occupier.
14. To conclude, the proposed development would therefore conflict with Policies WS 6 and WS 7 of the WLP. These policies, amongst other things, seek for development proposals to provide a high standard of amenity for future occupiers whilst following an established set of placemaking principles in the local context.

Other Matters

15. Throughout their evidence, the appellant has discussed a previous appeal decision (APP/W4325/W/22/3296364) at the appeal site. The Inspectors decision in that appeal has been provided for my consideration. This decision granted outline planning permission, with all matters reserved for a single dwelling. Hence, the submission of this application and the appeal before me. The Inspector in this decision notes that the plans before them were indicative and that they were to consider whether a building could be sited in this plot. Therefore, they were not in a position to consider whether the plans were acceptable in the matters reserved for future approval. Therefore, as indicative plans, they are not binding on this Inspectors decision, or the decision of any future decision maker in the assessment of these reserved matters.
16. It is further contended that several developments have been approved and completed since this previous appeal. Nevertheless, the information on these developments is limited. Therefore, I cannot ascertain the similarities between these sites and the appeal proposal.
17. The applicant is adamant that a site visit was not undertaken. This is refuted by the Council who note that a visit was made on the 27 February 2025. Whilst access into the site was not requested, this is not wholly necessary for all planning applications. There is no convincing evidence before me to suggest that a site visit did not take place, nor is there a definitive statutory requirement for a Council to undertake a site visit.

Conclusion

18. The principle of residential development on this site has been established as acceptable. However, the effect of the scheme before me at this reserved matters stage would appear as an incongruous development within Laurel Banks. It would have a negative effect upon the living conditions of 2 Oldfield Way and upon 11 and 13 Quarry Road West with regard to outlook and privacy. It would also harm the living conditions of the future occupants of the proposed development with regard to outlook and private amenity space.
19. The appeal proposal therefore conflicts with the development plan. No material considerations before me indicate that a decision other than in accordance with it should be taken. Accordingly, the appeal is dismissed.

J Smith

INSPECTOR