



Appeal Decision

Site visit made on 9 October 2025

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 January 2026

Appeal Ref: APP/W4325/W/25/3370171

14 Redhouse Bank, West Kirby, Wirral CH48 5EH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Steve Richardson and Mrs Sue Richardson against the decision of Wirral Metropolitan Borough Council.
 - The application reference is APP/24/01346.
 - The development proposed is the erection of 1 new build detached 'coach house' style dwelling in the existing garden space of no. 14 Redhouse Bank with associated parking and landscaping; the existing parking and boundaries to number 14 will be altered as part of the proposals as well as a new oriel window to the existing property.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. On 31 March 2025, after the planning application had been determined, the Council adopted a new Wirral Local Plan ("the WLP"). The policies of the WLP replaced the saved policies of the 2000 Wirral Unitary Development Plan which had been referred to in the decision notice. The officer report had referred to the then-emerging policies of the WLP, and all the appeal submissions were made in the light of the new plan. It has not therefore been necessary to seek separate comments on this matter. I have referred only to the current development plan policies, those of the WLP, in my reasons below.

Main Issues

3. The decision notice gave four reasons for which planning permission had been refused. The first two both addressed matters relating to the effect of the proposed development on the character and appearance of the area, and I have therefore dealt with them together as the first main issue. The other main issues are:
 - The effect of the proposed development on living conditions for occupiers of neighbouring properties, with particular regard to loss of outlook or loss of privacy; and
 - Whether the proposed development would make appropriate provision in respect of biodiversity net gain ("BNG").

Reasons

Character and appearance

4. The appeal relates to No 14 Redhouse Bank, a two-storey detached dwelling, and its associated garden space. Redhouse Bank is a group of thirteen houses¹ arranged around a narrow cobbled cul-de-sac. The buildings are of brick with slate hipped roofs, and their appearance suggests they probably originated as a council housing development in the inter-war period. The surrounding area is predominantly residential, with dwellings of a variety of ages and styles. Broadly, there are terraces of older houses to the west and south, and semi-detached houses of a similar age or newer to the north and east, though that pattern is not universal – for example, there is a small group of modern detached houses on Anglesey Road alongside the entrance to Redhouse Lane close to the appeal site.
5. Within Redhouse Bank, Nos 1 and 2 on the north side of the close, and No 14 on the south side, are detached houses, while others are arranged in semi-detached pairs, with one group of four. Several of the properties have evidently been altered over the years – some have been extended, and a couple have had their slate roofs replaced with tiles – but the street retains a strong coherence of form and style.
6. No 1 and No 14 Redhouse Bank are essentially mirror images of one another so, notwithstanding one or two obvious differences (the front of No 14 has been rendered and painted, and there are signs of a ground-floor window opening which would have served the kitchen having been filled in), they form a unified “gateway” to the street. Although its dwellings are modest in scale, Redhouse Bank has a smart and dignified appearance; the consistent form of the houses set on the cobbled close gives the street an interesting and distinctive character. The street makes a positive contribution to the character and appearance of the wider area.
7. The proposed development is the erection of a new two-storey detached dwelling in the garden space to the west of the existing dwelling, along with the laying out of parking and landscaping. The scheme would also include an alteration to the west-facing living room window of the existing dwelling. The proposed dwelling has, the Design and Access Statement (“the DAS”) says, been “inspired by the traditional style of coach houses, which provided a small dwelling house at the entrance to a larger property”.
8. The new dwelling would have a gable roof, which would set it at odds with its neighbours in Redhouse Bank. I recognise that there are many examples of gables on houses in the surrounding area (including at No 46 Orrysdale Road and No 44 Anglesey Road either side of the entrance to Redhouse Lane). However, the proposed dwelling would be seen almost entirely in the context of Redhouse Bank. Its siting in front of No 14 would make it a visually prominent feature at the entrance to the street, where it would disrupt the existing balanced composition of Nos 1 and 14. The design and siting of the dwelling would undermine the coherence of Redhouse Bank, such that it would appear as an incongruous and intrusive addition to the street scene.
9. The Council is of the view that, in its own right, the proposed dwelling could be considered to be of an attractive design. I do not disagree with that assessment

¹ There is not a No 13.

but, of course, the development could not exist merely in its own right; it would be part of – and decidedly different from – the distinctive and otherwise unified Redhouse Bank. Given the likely origins of the other houses on Redhouse Bank it would jar with the street’s established character; I am not persuaded that the use of “traditional” coach house stylings for the dwelling would lead to it looking “as though it has always been there” as was suggested in the DAS, though it is an interesting attempt to create a narrative for the proposal.

10. Materials would be in keeping with those elsewhere in the street, but this would not mitigate the harm I have found. Similarly, although the fence which currently encloses the lower part of the garden of No 14 does not make an especially positive contribution to the streetscape at the entrance to Redhouse Bank, it does not provide a strong justification for allowing a harmful development.
11. I conclude that the design and siting of the proposed dwelling would cause unacceptable harm to the character and appearance of the area. It would therefore conflict with Policies WS 6, WS 7 and WD 10 of the WLP. Among other things, these policies seek to ensure that development complements and enhances the character and distinctiveness of existing settlements, including in respect of its siting and other design features.

Living conditions

12. In order to avoid new development being overbearing or leading to a loss of outlook for neighbouring properties, the Council’s *House Extensions* Supplementary Planning Guidance (“the SPG”) advises that, where a sole window to a main habitable room faces a blank wall they must be minimum of 14m apart. While the appeal proposal is not an extension, the SPG nevertheless sets out an appropriate rule of thumb for assessing impacts on living conditions.
13. The SPG advises that “greater distances will be required where there are differences in land levels”. In this case, the blank wall of the proposed house would be at a lower ground level than the affected window of the existing house. Taking into account the site circumstances, I consider that a slightly lower minimum separation distance may in fact be acceptable.
14. Here, the (essentially blank) eastern elevation of the proposed house would be around 8.9m from the principal elevation of the existing dwelling at No 14 (by the Council’s measurement, though this has not been disputed by the appellant). The only window serving bedroom 2 within No 14 would look out onto that wall. The bedroom window would be at approximately the same level as the eaves of the new dwelling, and so would look onto the roof slope as well as the side wall. Given the limited separation distance, which would be well below, rather than slightly lower than, the recommended minimum I consider that there would be a harmful loss of outlook.
15. The Council’s concerns in respect of privacy centred on views from the south-facing Juliet balcony in first-floor bedroom of the new dwelling. From what I saw on my site visit the area immediately to the south of the dwelling is occupied by a garage or workshop-type block and hardstanding at the rear of (and separated by a narrow lane from) houses on Orrysdale Road rather than a garden, and there would be unlikely to be any harmful loss of privacy in respect of that space. Some views over gardens to either side would still be possible, but these would mostly be at oblique angles, and did not strike me as being radically different from what

might normally be expected in a suburban area. I am satisfied that there would be no harmful loss of privacy, although this does not negate my finding in respect of outlook.

16. I conclude that, because of a loss of outlook, the proposed development would have an adverse effect on living conditions for occupiers of No 14. It would therefore conflict with Policies WS 7, WD 10 and WD 23 of the WLP which together, and among other things, seek to ensure that development is of a high standard which does not harm amenity of neighbouring residents, including by causing a harmful loss of outlook.

BNG

17. Based on the information available, the proposal is subject to statutory Biodiversity Net Gain ("BNG"). This placed a requirement on the planning application to be accompanied by minimum information requirements established by the relevant statutory BNG-related legislation. These minimum information requirements include the submission of the pre-development biodiversity value of the site and the related completed metric calculation tool, and a plan of the existing habitats.
18. The Council validated and processed the planning application, and so was presumably satisfied that the minimum information requirements had been met. However, on reviewing the submitted information they considered that it was inaccurate, primarily because a mature tree which had recently been removed had not been taken into account in calculating the site's baseline biodiversity units – that is, its pre-development condition.
19. The Planning Practice Guidance ("the PPG") sets out that the statutory BNG requirement has been principally designed as a post-permission matter. Compliance involves the discharge of the Biodiversity Gain Condition ("BGC") following the grant of planning permission to ensure the objective of at least 10% net gain will be met by a development proposal. The determination of the Biodiversity Gain Plan ("BGP") under this condition is the mechanism to confirm whether the development would meet the biodiversity gain objective, and the development may not commence until the BGP is approved. Given this, the PPG is clear that it is generally inappropriate for decision makers to refuse a proposal on the grounds that the biodiversity gain objective will not be met².
20. From the evidence before me, I see no reason why the mandatory 10% BNG could not be delivered either on site or, if it came to it, through purchasing off-site credits, though I note the appellant is also of the view that an on-site solution would be deliverable. Had I been minded to allow this appeal, the grant of planning permission would have been subject to the discharge of the statutory BGC which would require the achievement of a minimum 10% BNG.
21. I am therefore satisfied that the proposed development would make appropriate provision in respect of BNG. As such, it would comply with Policy WS 5 of the WLP which, among other things, seeks the delivery of a minimum 10% BNG from all applicable development.

² Paragraph: 019 Reference ID: 74-019-20240214

Other Matters

22. The appeal scheme would provide a single additional dwelling and would make a small, though still valuable, contribution to the supply of housing in the area. It would provide employment during the construction phase, and the occupiers would be likely to support local businesses and services. Given the small scale of the scheme, these social and economic benefits would be limited.

Planning Balance and Conclusion

23. I have found that the proposed development would make appropriate provision in respect of BNG. However, it would cause significant harm to the character and appearance of the area, and to neighbours' living conditions. While I have taken into account the benefits of the proposal which have been put to me, they do not outweigh the harm I have found.
24. The proposal conflicts with the development plan taken as a whole. There are no material considerations, including those of the National Planning Policy Framework, that indicate the proposal should be determined other than in accordance with the development plan.
25. I therefore conclude that the appeal should be dismissed.

M Cryan

Inspector