
Appeal Decision

Site visit made on 19 November 2023

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th December 2023

Appeal Ref: APP/W4325/D/23/3330008

1 Malmesbury Close, Greasby, Wirral CH49 2QP

- 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 Mr J Lloyd against the decision of Wirral Council.
 - The application Ref APPH/22/01136, dated 29 June 2022, was refused by notice dated 3 July 2023.
 - The development proposed is a first floor to existing converted attached garage to contain bedroom; new porch in place of existing; and addition of small brick shed building attached to side of existing house.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor to existing converted attached garage to contain bedroom; new porch in place of existing; and addition of small brick shed building attached to side of existing house at 1 Malmesbury Close, Greasby, Wirral in accordance with the terms of the application, Ref APPH/22/01136, dated 29 June 2022, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: CH492 001-A, 005-B and 006-B.

Main Issue

2. The main issue is the effect on the character and appearance of the area.

Reasons

3. The council's concern is that the first floor side extension would have a negative impact on the openness of this corner plot which would harm the character of the street-scene. The new works would extend closer to the side boundary with Cirencester Avenue at two storey height. This boundary currently has a high fence along it which would be retained. The area of the two storey proposal already has single storey development in this location.
 4. The building line of this corner plot does not correspond with the houses behind on Cirencester Avenue. The side of the property is already enclosed by the high fence and includes the single storey development just beyond the fence. It
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does not therefore appear as an open corner. Open corners at junctions within the vicinity are not particularly common features of this housing area in any event. The extensions would be subservient in form and complementary in style and materials to the existing dwelling. The new works would not be overly dominant or overbearing in this corner location and would generally be in keeping with the character and appearance of the area.

5. Given the above, there would be no conflict with policy HS11 (House Extensions) of the Unitary Development Plan (2000). The proposal would also satisfy the design requirements of the *National Planning Policy Framework*. Reference is made to Supplementary Planning Guidance 11 (House Extensions). Whilst the proposal meets many of its requirements and the council accept that there would be no impact on the character of the property, they consider that it would fail to address the advice with regard to corner plots. The conflict with the guidance overall, would be limited and would not result in harm to the character of the area. It would not therefore be at odds with the main design objectives of the guidance. I am mindful of the emerging Local Plan which is at a stage whereby weight can be attached to its policies. However, its requirements with regard to design do not differ significantly from those of the existing development plan policy and would not lead me towards a different conclusion.
6. Overall, the proposal would not detract from the appearance of the dwelling and would sit comfortably within the street scene. It would not result in unacceptable harm to the character or appearance of the area. As there are no other matters that weigh significantly against the proposal, I allow the appeal.
7. I have imposed conditions relating to the commencement of development and the details of the approved plans for the avoidance of doubt and in the interests of proper planning. The plans indicate that the materials would match and therefore, no further conditions are necessary.

Peter Eggleton

INSPECTOR