



# Appeal Decision

Site visit made on 16 April 2024

**By A Berry MTCP (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2<sup>nd</sup> May 2024

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**Appeal Ref: APP/W4325/W/23/3330584**

**17 Marfords Avenue, Bromborough, Wirral CH63 0JH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
  - The appeal is made by Mr Stephen Mills against Wirral Metropolitan Borough Council.
  - The application Ref is APPH/23/00438.
  - The development proposed is a two-storey extension to the front and side of the house with a single storey extension to the rear.
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## Decision

1. The appeal is allowed, and planning permission is granted for a two-storey extension to the front and side of the house with a single storey extension to the rear at 17 Marfords Avenue, Bromborough, Wirral CH63 0JH in accordance with the terms of the application, Ref APPH/23/00438, and subject to the conditions in the schedule below.

## Preliminary Matters

2. Following the submission of the appeal against non-determination, the Council has clarified its position if it had had the opportunity to make the decision. The appellant has had the opportunity to comment upon this information and has therefore not been prejudiced. I have determined the appeal on this basis.
3. Since the appeal was lodged, a revised National Planning Policy Framework has been published. This has not raised any new matters which are determinative to the outcome of this appeal.

## Main Issue

4. The Council has clarified that they raise no objection to the single storey rear extension. Consequently, the main issue is the effect of the two-storey side/front extension on the character and appearance of the surrounding area.

## Reasons

5. Marfords Avenue is a residential street that predominantly consists of two-storey detached and link-detached dwellings that are mixed in their appearance as many have been extended/altered in different ways. It is proposed to demolish the host dwelling's attached garage and construct a two-storey side extension that would project forward of the dwelling's front elevation in a similar manner as the garage. The Council's Supplementary Planning Guidance 11 House Extensions ('SPG') provides guidance for two-storey side extensions and states that to maintain a visual break and to ensure the extension respects

the character and scale of the original house, it should be set back from the front of the dwelling by 1m and have a lower ridge height.

6. The proposed two-storey extension would reduce the gap between the host dwelling and 19 Marfords Avenue, particularly at first floor level and would have a ridge height that would match the original dwelling. However, a visual break would be maintained between the proposed extension and No 19, and the proposed extension's forward projection would prevent the creation of a terracing effect. While the proposed extension would not be subservient in scale, it would respect the character of the host dwelling and enhance its appearance. During my site visit I noted examples of two-storey side/front extensions constructed at other properties along Marfords Avenue that had a similar appearance to the appeal proposal. Therefore, the proposed extension would not appear incongruous when viewed from the road. Furthermore, the information before me suggests that these extensions were approved by the Council and there have been no material changes to the development plan.
7. In reference to the main issue, the proposal would not harm the character or appearance of the surrounding area. It would comply with Policy HS11 of the Wirral Unitary Development Plan (including Minerals and Waste Policies) Written Statement, adopted 2000, which amongst other things, seeks to ensure that house extensions do not dominate the existing building. Although the proposed extension would not adhere to the SPG's guidelines in respect of a set back and lower ridge height, the SPG is guidance and the inclusion of '*should be*' within the text suggests that its requirements do not need to be followed in every case.

### **Conditions**

8. The Council state there are no conditions they would recommend should I be minded to allow the appeal as the proposed materials are clearly detailed on the submitted drawings. However, I must impose the standard condition which relates to the commencement of development, and I have specified the approved plans for the avoidance of doubt and in the interests of proper planning.

### **Conclusion**

9. For the reasons given above, having regard to the development plan as a whole and all other material considerations, I conclude that the appeal should be allowed.

*A Berry*

INSPECTOR

### **Schedule of Conditions**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, W03 – Proposed Ground and Floor Plan, W04 – Proposed First Floor Plan, W05 – Proposed Elevations.

**\*\*\*End of Conditions\*\*\***