



Appeal Decision

Site visit made on 16 July 2024

by N Bromley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th August 2024

Appeal Ref: APP/W4325/D/24/3339440

3 Kilburn Avenue, Eastham, Wirral CH62 8BQ

- 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 Isabelle Langton against the decision of Wirral Metropolitan Borough Council.
 - The application Ref is APPH/23/01329.
 - The development proposed is two-storey side and single-storey rear extensions including render of dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for two-storey side and single-storey rear extensions including render of dwelling at 3 Kilburn Avenue, Wirral, CH62 8BQ, in accordance with the terms of the application, Ref APPH/23/01329, subject to the following 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; '2023 036 001 Revision 01' and '2023 036 002 Revision 03'.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building or those specified on the approved plans.

Preliminary Matters

2. The description of development in the fourth bullet point of the above header was agreed by the parties before the determination of the planning application. I have therefore determined the appeal on the basis of the revised description.
3. The main parties refer to policies from the emerging Wirral Local Plan (eLP), which has been submitted for examination. However, there is no clear evidence as to whether there are unresolved objections to the policies. Accordingly, the policies of the eLP carry limited weight.
4. The Council's reason for refusal clearly relates to the two-storey side extension and no concerns are raised with the single-storey rear extension or the addition of render to the existing dwellinghouse. I have no reason to come to a different conclusion on those elements of the proposals and have determined the appeal on that basis.

Main Issue

5. The main issue raised by this appeal is the effect of the proposed two-storey side extension on the character and appearance of the area and neighbouring properties.

Reasons

6. The appeal property is a two-storey semi-detached dwelling, set within a linear row of residential properties that extend along both sides of Kilburn Avenue. The street scene is comprised of a mix of two storey detached and semi-detached properties, largely of a non-uniform appearance due to the varied design features and use of facing materials.
7. Saved Policy HS11 of the Wirral Unitary Development Plan (Including Minerals and Waste Policies), 2000 (UDP) sets out that proposals for house extensions will be permitted subject to certain criteria, this includes (viii), which states that in order to avoid the effect of 'terracing', where two storey side extensions are added to the sides of semi-detached houses of similar style with a consistent building line and ground level, the first floor of a two storey side extension should be set back at least 1.5 metres from the common boundary; or at least 1.0 metre from the front elevation and 1.0 metre from the common boundary; or at least 2.0 metres from the front elevation. The Wirral Metropolitan Borough Council Supplementary Planning Guidance, House Extensions, 2004 (SPG), also advises that two-storey side extensions should be set back from the front of the dwelling by 1 metre and should have a lower ridge height.
8. The proposed two storey side extension would not achieve a set back from the front of the dwelling by 1 metre or be at least 1.5 metres from the common boundary. However, the extension would be set off the boundary and achieve a noticeable set back at first floor. In addition, 1 Kilburn Avenue (No 1) is a detached dwelling and is also set off the common boundary with the appeal property. No 1 also has a markedly different appearance to the appeal property and the other semi-detached properties in the row of dwellings on this side of the road. Therefore, whilst the proposed set back is not 1 metre, the proposed extension achieves a noticeable set back and break in the ridgeline with the main dwelling. Taken together, these factors would ensure that the proposal would avoid a future terracing effect within this part of the street scene.
9. Additionally, the forward projection at ground floor would not be excessive or stark in the context of the street scene, which includes a number of other neighbouring properties that have single storey extensions or large porches that project forward of the front wall.
10. Overall, the proposed two storey side extension, would not be overly dominant within the street scene and the proposed set back would be of a sufficient amount to ensure that it would have a subordinate design. The hipped roof and lower ridge height of the proposal, as well as the appropriate facing materials, would also complement and respect the design of the main dwelling, as well as other properties within the street scene.
11. My attention has been drawn to other existing two-storey side extensions along Kilburn Avenue that are set back by 1 metre, which I observed during my site visit. However, they were in a different part of the street scene and primarily

set amongst a row of semi-detached properties. The appeal scheme is set within a different context, adjacent to a single detached dwelling. Given this, I have determined the case before me on its own merits.

12. For the reasons given above, I conclude that the proposed two-storey side extension would not create a terracing effect and it would not be unacceptably harmful to the character and appearance of the area and neighbouring properties. Accordingly, whilst the proposal is not aligned with some technical aspects of Policy HS11 of the UDP, it accords with the provisions of the Policy as a whole, as well as the design guidance and objectives of the SPG and the National Planning Policy Framework, which seeks to achieve well-designed places.

Conditions

13. I have had regard to conditions suggested by the Council, as well as to the Framework and national Planning Practice Guidance. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty. A condition to secure that external materials are those specified on the approved plans, would also be necessary in the interests of safeguarding the character and appearance of the host property and surrounding area.

Conclusion

14. 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.

N Bromley

INSPECTOR