



Appeal Decision

Site visit made on 20 February 2025

by **J D Westbrook BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25th February 2025

Appeal Ref: APP/W4325/D/24/3356683

41 Kirket Lane, Bebington, Wirral, CH63 3BU

- 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 Ms Jen Jones against the decision of Wirral Council.
 - The application Ref is APP/21/01478.
 - The development proposed is a loft conversion with rear dormer, and a single-storey rear and side extension.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The proposed development is already in place and so the application is of a retrospective nature.
3. There would appear to be some confusion as to which plans are relevant to this appeal. However, it would appear that the Council determined the application on the basis of those plans which showed the roof alterations and dormer 'as built', and the appellant's grounds of appeal statement also appears to have been written on this basis. This is the basis, therefore, on which I have determined this appeal.

Main Issue

4. The Council raises no objection to the rear and side extensions and I concur with their view on this matter. The main issue is, therefore, the effect of the loft conversion with rear dormer on the character and appearance of the area around Kirket Lane.

Reasons

5. The appeal property is a semi-detached house situated on the southern side of Kirket Lane. It has a small single-storey extension to the side/rear and a large dormer extension across the rear roof slope. The dormer projects some 200mm above the level of the roof ridge.
6. Policy HS11 of the Council's Adopted Unitary Development Plan (UDP) relates to house extensions and indicates that rear dormers should not project above the ridge or occupy the full width of the roof. The Council's Supplementary Planning Guidance on House Extensions (SPG) notes that roof alterations and dormer

extensions can have a detrimental effect on the character of an area. In order that a dormer extension should not appear obtrusive in the street scene, they should be set in by at least 0.5 metres from the gable of the property and should be lower than the ridge height of the dwelling.

7. In this case, the dormer extension projects some 200mm above the roof ridge and extends across almost the whole width of the rear roof slope such that it is readily visible in the street scene. It appears as an uncharacteristic and incongruous feature in the context of both the host property and the wider surroundings along Kirket Lane. There would appear to be few other large rear dormer extensions in the area, and I note that the nearest example, at No 51 Kirket Lane, does not project above the roof ridge of the house and, consequently, does not appear as an incongruous or dominant feature in its surroundings.
8. On the basis of the above, I find that the rear dormer extension is a prominent and incongruous feature in the street scene along Kirket Lane, harmful to the character and appearance of both the host property and the wider surrounding area.

Other Matters

9. The appellant contends that the increase in height of the dormer from that originally planned was in order to meet building regulations requirements and was constructed by the contractor in good faith. That may well be the case, but this does not alter the fact that the dormer conflicts with adopted development plan policy and guidance in the SPG
10. The appellant also notes that both she and her son have health issues and that the alterations were made in order to provide better facilities for them. I have sympathy with the circumstances of the appellant, but I have no details relating to health matters or the specific need for the alterations as built, and I cannot, therefore, be convinced as to whether an extension constructed in accordance with planning policy would not equally meet her needs. I acknowledge that to modify the existing dormer would be disruptive and expensive, but this is not reason to allow a development that is harmful to the character and appearance of the area.
11. The appellant notes that a large rear dormer has been approved at Penby, a few miles away, and that this dormer projects above the roof ridge of the house. I have few details of this example, but I note that it projects only some 75mm above the ridge and is not as visually prominent or harmful to the street scene as with this current case. In any event, I have dealt with this case on its own merits and within its own context.

Conclusion

12. I find that the rear dormer extension is harmful to the character and appearance of the area around Kirket Lane. It conflicts with Policy HS11 of the UDP and with guidance in the SPG and, accordingly, I dismiss this appeal.

J D Westbrook

INSPECTOR