



Appeal Decision

Site visit made on 27 May 2025

by R Major BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd June 2025

Appeal Ref: APP/W4325/D/24/3358108

Heather Lea, 3 Centurion Drive, Meols, Wirral CH47 7AL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mrs Bernadine Stevenson and Mr Paul Curry against the decision of Wirral Council.
 - The application Ref is RESX/24/01056.
 - The development proposed is single storey rear extension that extends 5.1m beyond the rear wall.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO), planning permission is granted for the enlargement of a dwellinghouse subject to limitations and conditions.
3. Where an application is made for a determination as to whether prior approval is required for development which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g) to Part 1, paragraph A.4(3) provides that the local planning authority may refuse the application where it considers that the proposed development does not comply with the conditions, limitations or restrictions that are applicable to such permitted development.

Main Issue

4. The main issue is whether the proposed extension would be permitted under Article 3(1) and Schedule 2, Part 1, Class A of the GPDO.

Reasons

5. The appeal relates to a two-storey semi-detached dwelling within a residential area. To the rear of the property is a single-storey outrigger, with a hipped roof. Similar rear outriggers are found on other properties within this row of semi-detached dwellings and this outrigger is considered to be an original feature of the dwelling. This matter is not contested by the appellant.
6. Development is not permitted by Schedule 2, Part 1, Class A (j) (iii) of the GPDO if the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse and would have a width greater than half the width of the original dwellinghouse.

7. The proposed extension would extend beyond the side wall of the outrigger, which as mentioned above forms part of the original dwellinghouse, and would replace the existing hipped roof with a flat roof that spans across the full width of the extension. From the plans before me, the width of the proposed extension would be greater than half the width of the original house (measured at the widest point).
8. Consequently, the proposal would fail to meet the specific requirement outlined in Schedule 2, Part 1, Class A, paragraph A.1.(j) (iii) of the GPDO and would not therefore constitute permitted development. I note that this matter is not disputed by the appellant, who has confirmed that they concur with the Council's reason for refusal.

Other Matters

9. The appellant has drawn my attention to three applications¹ in the same road for similar extensions for which the Council has granted prior approval. The appellant therefore asserts that the Council is demonstrating a lack of consistency in determining applications of this nature and has referred to case law² in respect of the importance of consistent decisions.
10. I agree that consistency of decision making is important to the parties and to ensure public confidence. However, whilst I do have sympathy for the appellant in relation to this matter, it is not my role as part of this appeal to determine whether these other applications were assessed correctly by the Council. In any event, the determination of this appeal turns on whether the proposal before me meets the conditions, limitations and restrictions of Schedule 2, Part 1, Class A of the GPDO and these other decisions cannot have any bearing on my consideration of this matter.

Conclusion

11. For the reasons given above, the appeal is dismissed.

R Major

INSPECTOR

¹ LPA refs: RESX/16/00137; RESX/21/00352 and RESX/22/01966

² North Wiltshire DC v SSE & Clover [1992] JPL 955, (1993) 65 P&CR 137