The Planning Inspectorate

Appeal Decision

Site Visit made on 12 May 2021

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 June 2021

Appeal Ref: APP/Y1110/D/21/3270045
85 Newcourt Road, Topsham EX3 0BU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3, Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO).
- The appeal is made by Mr John Parry against the decision of Exeter City Council.
- The application Ref 20/1379/PDA, dated 13 October 2020, was refused by notice dated 16 February 2021.
- The development proposed is described as "erection of additional storey to an existing single storey detached dwelling. The extension will be erected on the same footprint as the existing external walls of the dwelling and will be constructed of timber frame with external cladding of similar appearance to the cladding currently used on the existing bungalow. The roof pitch and materials will be similar to the existing roof pitch of the bungalow".

Decision

1. The appeal is dismissed.

Background and Main Issue

2. Subject to a number of qualifying criteria, paragraph AA of Part 1 of Schedule 2 of the GPDO grants planning permission for the enlargement of a one storey dwellinghouse consisting of the construction of one additional storey, immediately above the topmost storey of the dwellinghouse, together with any engineering operations reasonably necessary for the purpose of that construction. Paragraph AA.1 sets out the circumstances in which development is not permitted by Class AA. The council does not dispute that the proposal would be permitted development against the criteria in AA.1.

3. Paragraph AA.2 requires developers to apply to the local planning authority for prior approval as to a range of matters in (3) (a) (i) to (iv). Although not clearly stated on the decision notice, the council's reason for refusal indicates that it refused prior approval solely under the matter described in (3) (a) (ii), which is the external appearance of the dwellinghouse, including the design and architectural features of the principal elevation of the dwellinghouse, and any side elevation of the dwellinghouse that fronts a highway.

4. Therefore, the main issue in this appeal is the effect of the development on the external appearance of the dwellinghouse.

Reasons

5. 85 Newcourt Road is a detached bungalow with a hipped roof. It lies towards the centre of a row of similar detached bungalows, nearly all of which have hipped roofs, with roof planes sloping up away from the road. Although there is

some difference in their configuration, there is little variation in the overall ridge heights of the dwellings. The roofslopes are all covered in similar plain tiles and are largely unbroken, apart from two small dormers at Nos 75 and 77. As the buildings are set on a rigid building line, there is a distinct rhythm to the street scene and, combined with the high degree of visual consistency between the dwellings, this gives the row a coherent character and appearance.

6. The additional storey would result in the dwelling being significantly higher than the neighbouring bungalows. It would, therefore, be markedly out of character with the row of single storey buildings to either side. Although it would not be remodelled in the same way as the proposal that was previously dismissed on appeal[1], it would, nevertheless, result in a two-storey building that would be incongruous in the otherwise coherent street scene.

7. I acknowledge that, unlike the appeal scheme, the proposal does not involve the provision of a gabled extension over the flat-roofed garage to the side of the bungalow. Consequently, the existing gap between Nos 83 and 85 would be maintained. However, there would be a marked step in eaves and ridge heights between the two buildings. Whilst the hipped roof would be similar to the common roof form along the row, it would be set at a much higher level, with the eaves a full storey above that of the other bungalows. It would, therefore, be a visually disruptive feature, and the external appearance of the resultant dwelling would not assimilate comfortably into the surrounding built environment.

8. It is contended that the proposal overcomes the concerns raised by the previous Inspector regarding the introduction of windows at roof level. However, there would be a large window at first floor level in the principal elevation, which would be at a similar height to that proposed under the appeal scheme. Although there is two-storey development further along the road to the north, there are no first-floor windows in the bungalows that provide the context for the appeal site. The prominent first-floor window would, therefore, serve to accentuate the uncharacteristic two-storey appearance of the resultant dwelling, which would visually set it apart from the single-storey bungalows to either side.

9. The cladding proposed for the first floor would not be a typical material of the locality, and would further contribute to the uncharacteristic external appearance of the resultant dwelling. This is a matter that could be addressed by condition. However, a more suitable material would not disguise the inappropriate height and mass of the building, and the visually disruptive impact it would have on the existing consistency of the street scene.

10. The appellant has drawn my attention to a recent planning permission for a first-floor extension at No 95. Although I have not been provided with any details, I saw that the development appeared to have been largely implemented. I also saw that No 93 is already two-storey, with a large dormer window on its front roof slope. This dwelling and No 95 lie beyond the largely uniform row of hipped roofed bungalows that contains the appeal site. The context is, therefore, different, so this permission does not alter my conclusion that the external appearance of the development would be out of keeping with the character of its immediate surroundings.

[1] Planning Inspectorate Ref: APP/Y1110/D/19/3240792

11. The appellant also draws attention to paragraph 118 of the National Planning Policy Framework (the Framework), which, in encouraging the effective use of land, supports the use of airspace above existing residential buildings for new homes. In this case, however, the proposal would not provide new homes, so does not derive support from this paragraph. In any event, paragraph 118 goes on to identify that upward extensions should be allowed "*where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene".* As already set out, I have found that the proposal would not meet these criteria.

12. For the above reasons, I conclude that the proposal would result in the dwelling having an external appearance that, by reason of its height and design, would be incongruous in a row of visually coherent bungalows. The proposal would not, therefore, be sympathetic to local character, and would not improve the quality of the area. Consequently, it would conflict with the advice in Section 12 of the Framework, which seeks to achieve well-designed places.

Conclusion

13. For the reasons given above, I conclude that the appeal should be dismissed.

Nick Davies

INSPECTOR