



Appeal Decision

Site visit made on 13 April 2021

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 July 2021

Appeal Ref: APP/M1710/W/21/3266609
23 Greenfields Avenue, Alton GU34 2ED

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Rigel Jenman against the decision of East Hampshire District Council.
 - The application Ref 58996, dated 6 November 2020, was refused by notice dated 4 January 2021.
 - The development proposed is additional storey and enlarge current window opening on the front elevation.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the heading above is taken from the application form. I have shortened it so that it succinctly describes the development proposed.

Main Issue

3. The main issue is whether the proposal would be permitted under the requirements of Schedule 2, Part 1, Class AA of the GPDO.

Reasons

4. Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) enables, as permitted development, the enlargement of a dwellinghouse by the construction of additional storeys. This is subject to a number of criteria listed in paragraph AA.1, and various conditions listed in paragraphs AA.2 (2) and (3).
5. The Council's first reason for refusal relates to condition AA.2(3)(a), which requires the developer, before beginning the development, to apply to the local planning authority for prior approval for matters which include (ii) the external appearance of the dwellinghouse, including the design and architectural features of: (aa) the principle elevation of the dwellinghouse, and (bb) any side elevation of the dwellinghouse that fronts a highway.

6. The appeal site lies on the south side of Greenfields Avenue, within a suburban residential area. Detached and semi-detached single storey and chalet-style dwellings are the prevalent form of development within the road, including within the stretch which includes the appeal site. The appeal property is a modest detached bungalow with brick facing walls under a tiled pitched roof. It is the central property of 3 bungalows which have a similar design and building orientation in relation to the street. These dwellings are clearly visible within the townscape in views from the public realm.
7. The proposed additional storey would significantly add to the height of the building, and would introduce a full two-storey building into a part of the street which is characterised by bungalows and chalet properties. The resulting scale and massing of the building would be at odds with the modest scale of the surrounding properties.
8. The proposal would appear particularly incongruous in relation to the neighbouring properties to each side, as the resultant eaves and ridge heights would obtrusively project above those of the two neighbouring bungalows, and the half-hipped roof form would be out of keeping with the neighbouring gable-ended roofs. The introduction of weatherboarding on the first-floor element of the front elevation would also add to the discordant appearance of the proposal, serving to further draw attention to the height and visual prominence of the building within the street scene.
9. Accordingly, the proposal would unacceptably harm the character and appearance of the area, and it would conflict with the general advice contained in Section 12 of the *National Planning Policy Framework 2021* which promotes the creation of high quality buildings and places. As such, prior approval should be refused.
10. Paragraph Class AA.3(3) applies where an application to the local planning authority of prior approval is required by paragraph AA.2(3)(a). It confirms that a local planning authority may refuse an application for prior approval where, in its opinion, the proposal does not comply with, or the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with any conditions, limitations or restrictions specified in paragraphs AA.1 and AA.2.
11. Paragraph AA.1 (h) states that the internally measured floor to ceiling height of any additional storey should not exceed the lower of: (i) 3 metres, or, (ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing dwellinghouse. Although the application form states that the proposal would comply, the drawing submitted with the planning application does not include a section drawing, and fails to satisfactorily demonstrate that the proposal would meet these requirements. As such, the Council is entitled to refuse the prior approval application due to failure to satisfy this paragraph of the GPDO.
12. Condition AA.2(2)(a) requires the materials used in any exterior work to be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse; and condition AA.2(2)(c) requires the roof pitch of the principal part of the dwellinghouse following the development to be the same as the roof pitch of the existing dwellinghouse. The planning application drawing indicates the introduction of weatherboarding at first floor level to the existing brick finished building, and a half-hipped roof to replace the existing

gable ended pitched roof. As such, the proposal would fail to meet these requirements. Accordingly, the prior approval application should also be refused due a failure to comply with these conditions of Class AA of the GPDO.

Conclusion

13. For the above reasons, I therefore conclude that, based on the evidence before me, the proposal would not be permitted under the requirements of Schedule 2, Part 1, Class AA of the GPDO. Consequently, it is development for which an application for planning permission would be required. This would be a matter for the local planning authority to consider in the first instance, and cannot be addressed through prior approval provisions set out under Schedule 2, Part 1, Class AA of the GPDO.
14. The appeal is, therefore, dismissed.

S Leonard

INSPECTOR