The Planning Inspectorate

Appeal Decision

Site Visit made on 28 June 2021 by B Phillips BSc MSc MRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 August 2021

Appeal Ref: APP/K0425/D/21/3271339
Quoins, The Close, Bourne End, SL8 5PE

- 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(1) and Schedule 2, Part 1, Class AA, of the Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015 (as amended).
- The appeal is made by Mr J Jones against the decision of Buckinghamshire Council - West Area (Wycombe).
- The application Ref 20/08375/PAHAS, dated 15 December 2020, was refused by notice dated 9 February 2021.
- The development proposed is the erection of an additional storey to existing dwellinghouse.

Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for an additional storey on the existing dwellinghouse at Quoins, The Close, Bourne End, SL8 5PE in accordance with the application ref: 20/08375/PAHAS, made on 15 December 2020 and the details submitted with it including plan numbers PL-20 and PL-21, pursuant to Article 3(1) and Schedule 2, Part 1, Class AA.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. Under Article 3(1) and Schedule 2, Part 1, Class AA 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 consisting of the construction of one additional storey subject to limitations and conditions.

4. Paragraph AA.2.(3)(a) requires that before beginning the development, the developer must apply to the Council for prior approval in relation to certain matters. In this case the Council considered that the proposal met the limitations and restrictions of Class AA and it's reason for refusal relates only to paragraph AA.2.(3)(a)(ii), the prior approval matter of the external appearance of the dwellinghouse. Based on the evidence before me, I am also satisfied that the proposal would not fall under any of the limitations and restrictions in

paragraphs AA.1.(a) to (k) or result in adverse impacts in respect of the other prior approval matters. I have therefore confined my reasoning to the prior approval matter of external appearance.

5. The GPDO requires that when determining an application under Class AA, the local planning authority must have regard to the National Planning Policy Framework (the Framework) so far as relevant to the subject matter of the prior approval, as if the application were a planning application. The Council's decision makes reference to the 2019 Framework and also to development plan policies. Development plan policies may be relevant in prior approval cases, but only insofar as they relate to the prior approval matters, and only as evidence rather than being the basis of the planning judgment to be made.

6. The Government published a revised version of the Framework on 20 July 2021. Accordingly, the parties have been provided with a further opportunity to make submissions in respect of the publication. Any comments which have been received have been addressed within the appeal decision.

Main Issue

7. Therefore, the main issue is the impact of the development on the character and appearance of the property.

Reasons for the Recommendation

8. The existing dwelling is a large detached two-storey property set along a short cul de sac. The appeal scheme seeks to create additional residential accommodation at second floor level. As a result, it would increase the overall height, bulk and scale of the main property on each elevation, including the principal front elevation and side elevation which face the highway. However, the height would not be disproportionate to the scale of the substantial existing dwelling and would not result in a visually unbalanced property.

9. The proposal includes two small front and rear dormers. Whilst they would break the eaves line, by virtue of their scale, they would appear proportionate, sit comfortably in the context of the extended roof and their visual impact would be limited.

10. The roof of the existing central projection on the principal front elevation would also be altered from a pitched roof to a truncated hip. Whilst this, along with the dormers, would alter the appearance of the principal elevation, there is some inevitable impact on the appearance of the dwelling by virtue of the additional storey. The visual impact of the truncated hip would be insufficient to substantially compromise the existing simple character and vertical rhythm of the principal elevation.

11. Given the above, the development would therefore accord with the provisions of Schedule 2, Part 1, Class AA. I am satisfied that the proposal would not conflict with the Framework requirement to achieve high quality design or the similar aim of Policy DM35 of the Wycombe District Local Plan (2019).

Conditions

12. The GDPO grants planning permission subject to several conditions including a date for completion, compliance with the details submitted and the materials to be used. It also requires a report of the management of construction of the

development to be submitted before the development begins, including hours of operation and mitigation of the adverse impacts of pollution on neighbours.

13. The GPDO allows for prior approval to be granted unconditionally or subject to conditions reasonably relates to the subject matter of the prior approval. However, in this case the conditions in Class AA are sufficient to address the potential impacts of the proposal on neighbours and as such no additional conditions are necessary.

Conclusion and Recommendation

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed, and prior approval should be granted.

B Phillips

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and agree with the recommendation. On that basis the appeal is allowed and prior approval is granted subject to the conditions set out above.

L McKay

INSPECTOR