



Appeal Decision

Site visit made on 15 September 2021

by Mrs H Nicholls FdA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 September 2021

Appeal Ref: APP/B1740/D/21/3276669

232 Everton Road, Hordle, Lymington SO41 0HE

- 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 and 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 Mrs Hannah Finch against the decision of New Forest District Council.
 - The application Ref 21/10423, dated 23 March 2021, was refused by notice dated 18 May 2021.
 - The development proposed is additional storey (Prior Approval).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the appeal application form omits a description of the proposed works, referring instead to the submitted plans, the description in the banner heading above is taken from the Council's decision notice.
3. Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO), permits development consisting of the enlargement of a dwellinghouse by construction of up to two additional storeys, where the existing dwellinghouse comprises two or more storeys, together with any reasonably necessary engineering operations.
4. Development is permitted under Class AA subject to limitations and conditions and a requirement that the developer applies for prior approval to the local planning authority. The Council regards that the proposal is eligible to be considered under the other criteria of Class AA and I have no reason to reach an alternative conclusion.
5. The National Planning Policy Framework (the Framework) and Development Plan policies, including supplementary guidance, can be considered relevant in prior approval cases but only insofar as they relate to the development and prior approval matters. I have proceeded on this basis.
6. In July 2021, a revised version of the Framework was published by the Government. Accordingly, and in light of the reference made to the previous iteration of the Framework within the submitted evidence, the parties have been provided with a further opportunity to make submissions in respect of the publication. I have taken into account the comments received in reaching my decision.

Main Issue

7. The main issue is whether prior approval should be granted for the proposed works, having regard to the effects on the external appearance of the dwellinghouse as set out in Paragraph AA.2.(3)(a)(ii).

Reasons

8. The appeal property is a chalet-style bungalow which is positioned within a linear row of dwellings on the south-western side of Everton Road. Its appearance is distinct from others in the surroundings owing to alterations, including the addition of timber cladding on all external elevations. Despite some variety in their form and design, the dwellings on this section of Everton Road have a degree more cohesion than those elsewhere further north-west due to their modest scale, with most being either single or one-and-a-half storeys high. Despite the degree of difference the appeal property has when compared to others in the streetscene, it is an attractive dwelling and the area as a whole has a pleasant and well-maintained appearance.
9. Paragraph AA.2.(3)(a)(ii) of Class AA requires prior approval to be sought for *'the external appearance of the dwellinghouse, including the design and architectural features of (aa) the principal elevation of the dwellinghouse, and (bb) any side elevation of the dwellinghouse that fronts a highway.'* The use of the word 'including' means that the lists that follow are not exhaustive and that other factors could affect the external appearance of the dwellinghouse. Furthermore, the wording of (aa) and (bb) suggests that some assessment should be made of how the dwellinghouse would appear in the street scene, as otherwise alterations could be made to the design and architectural features that could be considerably at odds with the surrounding area.
10. The proposal seeks to add a partial first floor extension, above the mid-section/principal part of the dwelling where the ridge height of the dwelling is already at its highest, albeit only marginally higher than the forwardmost section of the building. The general roof pitch and arrangement with the stepped heights would be similar to how it currently appears, though the proportions and heights would appear more markedly different.
11. Due to the significant difference in the height between the ridge and eaves of the upwards extension of approximately 2.4 metres compared with the unchanged elements of the dwelling, it would appear bulky, unbalanced and disproportionately at odds with the existing simple form of the dwelling. Even if taking the narrow view about the effect on the principal elevation, given that neither side elevation fronts a highway, I consider that the extension would overwhelm the scale of the existing dwelling and the principal elevation would appear too disjointed, with a domestically-scaled element and the extended section appearing more commercial or agricultural in scale, bulk and design, with its timber cladding, minimal detailing and single window opening doing little to domesticate its appearance.
12. Whilst the elevation plans are unlikely to accurately portray how the stepped height arrangement would appear in reality, these are the submitted details on which to base my decision that do not indicate that the scale, design or architectural features of the extension would be harmonious with the existing dwelling. Similarly, though the appellant alleges that the proposal would not be out of place in the street scene should that be considered a relevant matter, I

consider that it would be, particularly considering the degree of difference the existing dwelling has with neighbouring dwellings before any disjointedly high mid-section were added.

13. Consequently, I find that the appearance of the dwelling would not be acceptable and the proposal would not accord with the requirements of paragraphs AA.2.(3)(a)(ii) of Class AA. I have taken account of the requirements of the Framework insofar as they relate to the subject matter of prior approval and the proposal would also be in conflict therewith.

Conclusion

14. For the reasons given above the proposal would not conform to the requirements and criteria of Schedule 2, Part 1, Class AA of the GPDO or satisfy the aims of the Framework, insofar as they relate to the character and appearance of the original property and the surrounding area.

Hollie Nicholls

INSPECTOR