
Appeal Decision

Site visit made on 22 March 2022

by Martin Chandler BSc, MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 April 2022

Appeal Ref: APP/N1920/D/21/3280752

26 Melbourne Road, Bushey, Hertfordshire WD23 3LN

- 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 Adam Warden against the decision of Hertsmere Borough Council.
 - The application Ref 21/0714/PD56AD, dated 31 March 2021, was refused by notice dated 19 May 2021.
 - The development proposed was originally described as: 'The proposal is to add one additional storey to the principal part of the building, which is an end property in a terrace of 3. All external materials will match the existing building. There will be no windows in the side elevation. The front and rear windows would result in no overlooking to other properties.'
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal represents permitted development by virtue of Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the 2015 GPDO).

Reasons

3. Schedule 2, Part 1, Class AA of the 2015 GPDO provides a permitted development right for the enlargement of a dwellinghouse consisting of the construction of (a) up to two additional storeys, where the existing dwellinghouse consists of two or more storeys; or (b) one additional storey, where the existing dwellinghouse consists of one storey, immediately above the topmost storey of the dwellinghouse, together with any engineering operations reasonably necessary for the purposes of that construction.
4. Paragraph AA.2 of the 2015 GPDO establishes the conditions to which the permitted development is subject to, and sub-paragraph (3)(a) confirms that before beginning the development, the developer must apply to the local planning authority for prior approval as to (ii) 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.

5. The appeal site is an end of terrace, two storey dwelling. It is a short terrace of dwellings of a consistent form and appearance. The properties have pitched tiled roofs, and the principal elevation is faced in brick at ground floor level and render at first floor. Fenestration is traditional in appearance.
6. The proposal would seek to replicate the rendered appearance of the existing top storey. It would also replicate the form of the pitched roof. However, due to the additional storey, the rendered section of the dwelling would become demonstrably more dominant than the existing scenario. This would provide the building with a top-heavy appearance which would harm the well-considered and modest architectural features of the existing property.
7. I note the comments from the appellant that the dwelling should be considered in isolation. However, the three terraced houses represent an architectural set-piece. They are consistent in form and appearance and although they represent separate planning units, the external appearance and the architectural features ensure that the composition should be read both individually and as a group. When assessed as a group, the proposal would cause substantial harm to the terrace. It would interrupt the continuous roofslope and fundamentally alter the rhythm and symmetry of the building.
8. Consequently, when considered in isolation or as part of a broader terrace of three, the proposal would cause demonstrable harm to the external appearance of the dwellinghouse, including its design and architectural features. Accordingly, I conclude that the proposal would not represent permitted development by virtue of the 2015 GPDO.

Conclusion

9. For the reasons identified above, the appeal should be dismissed.

Martin Chandler

INSPECTOR