
Appeal Decision

Site visit made on 17 May 2022 by A Coombes

Decision by Andrew Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 May 2022

Appeal Ref: APP/X0415/D/22/3290485

Bryndale, Rawlings Lane, Seer Green, Beaconsfield HP9 2RQ

- 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 2015 (as amended) (GPDO).
 - The appeal is made by Mr T Conaghan against the decision of Buckinghamshire Council.
 - The application Ref PL/21/4123/PAHAS, dated 20 October 2021, was refused by notice dated 20 December 2021.
 - The development proposed is additional storey to bungalow to form two storey dwelling house with hipped roof.
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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 additional storey to bungalow to form two storey dwelling house with hipped roof at Bryndale, Rawlings Lane, Seer Green, Beaconsfield HP9 2RQ, in accordance with the application Ref PL/21/4123/PAHAS, dated 20 October 2021 and the details submitted with it, including plan nos. 2020/1146/24, 2020/1146/1, 2020/1146/2, 2020/1146/21A and 2020/1146/22A, pursuant to Article 3(1) and Schedule 2, Part 1, Class AA, Paragraph AA.3 (2) and subject to the conditions set out in section AA.2.

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. Schedule 2, Part 1, Class AA of the GPDO allows for the enlargement of a dwellinghouse by construction of additional storeys, subject to limitations and conditions set out under Class AA.1 and Class AA.2. The Council's concerns relate only to condition AA.2(3)(a)(ii) and prior approval has been refused on this basis. This condition requires consideration of the external appearance of the dwellinghouse, including the principal elevation and any side elevation that fronts a highway.

Main Issue

4. The main issue is whether prior approval should be granted for the proposal having regard to the external appearance of the dwellinghouse.

Reasons for the Recommendation

5. The appeal site is a detached bungalow, set within a rectangular plot in a rural area on the outskirts of Seer Green. The dwelling is constructed in brick with a tiled hipped roof. To one side, the site abuts the curtilage of listed buildings, Newbarn, and to the other it abuts the curtilage of neighbouring Carpathian. The application seeks prior approval for the upwards extension of the principal part of the dwelling.
6. The proposal details the use of a hipped roof form that replicates the existing, and proposes that matching materials will also be utilised, to accord with the requirements of the GPDO. Windows would be introduced to the front and rear elevations, as is necessary for habitable rooms, and the proposed height increase would not be excessive or disproportionate. Therefore, it is not considered that the development would cause undue harm to the external appearance of the dwelling.
7. The surrounding area is characterised by predominantly detached properties within a spacious, verdant setting. Though there are other bungalows, there are also examples of two-storey buildings such as the neighbouring property at Newbarn. As such, there is no defined character or pattern of development. Though Bryndale and its neighbour, Carpathian, may have been constructed at a similar time and in a similar style, both properties have since been extended, which has resulted in differing appearances. It is acknowledged that the introduction of an additional storey at Bryndale would project above the roof of Carpathian, and this would alter the relationship of the two properties. However, due to the lack of a consistent character or prevailing height in the surrounding area, it is not considered that the development would appear incongruous or out of context within the locality.
8. The neighbouring property at Newbarn and its associated agricultural buildings are all Grade II listed buildings dating from the 18th Century. Their significance mainly stems from their age and their appearance as a collective group of traditional agricultural buildings, and so their setting is mainly informed by the agricultural fields and openness generally to the east. The existing dwelling at Bryndale, therefore, has little impact on the setting of the listed buildings and the provision of the additional storey, due to its relatively small scale, would not have any materially greater effect on the setting of the listed buildings. Therefore the external appearance of the dwelling would preserve the significance of the listed buildings.
9. For the reasons given above the proposal would conform to the requirements and criteria of Schedule 2, Part 1, Class AA of the GPDO. Furthermore, the proposal would satisfy the aims of the National Planning Policy Framework insofar as it relates to the need for development to be sympathetic to local character.

Other Matters

10. Concerns have been raised by the occupants of Carpathian, relating to the impact on living conditions with regard to overlooking into the curtilage and associated outbuilding. The development would have windows at a higher level than currently exists at the appeal site. However, they would not be positioned on the side of Bryndale, and a sufficient distance would be retained between the rear elevation of the proposal and the neighbouring outbuilding. Therefore,

the development would not harmfully increase overlooking or loss of privacy. The occupants are also concerned about the loss of natural light. However, given the flank-to-flank orientation of the development and the neighbouring property and the modest increase in height, the development would not cause any unacceptable loss of light to this neighbouring property.

Conclusion and Recommendation

11. For the reasons given above the proposal would conform to the requirements and criteria of Schedule 2, Part 1, Class AA of the GPDO. Therefore, having had regard to all other matters raised, I recommend that the appeal should be allowed.

April Coombes

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Andrew Owen

INSPECTOR