



Appeal Decision

Site visit made on 23 August 2022 by Ms S Maur BA (Hons)

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 October 2022

Appeal Ref: APP/X0360/D/22/3294672

4 Oak House, Douglas Grange, Hurst, Wokingham, Berkshire RG10 0TT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a development order.
 - The appeal is made by Mr and Mrs. Luthra against the decision of Wokingham Borough Council.
 - The application Ref 213760, dated 8 November 2021, was refused by notice dated 14 January 2022.
 - The development proposed is the construction of upwards 1 storey extension (maximum height of 12.5metres) above the existing detached dwellinghouse.
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Decision

1. The appeal is dismissed.

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 Town and Country Planning (General Permitted Development) (England) Order 2015 (the GDPO) 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 refused prior approval on this basis. This requires consideration of the external appearance of the dwellinghouse.
4. The appellant and the Council were given the opportunity to comment on the recent CAB Housing Ltd Judgement¹. I have taken account of the comments received in reaching this recommendation.

Main Issue

5. The main issue is whether prior approval should be granted for the proposal, having regard to the external appearance of the dwelling house.

Reasons for the Recommendation

6. The appellant had originally stated that the wording of AA.2(3)(a)(ii)(aa) should limit an assessment of the proposal's external appearance to the front elevation only, and not empower the decision-maker to assess the development in its wider context. A number of appeal decisions have been

¹ CAB Housing Ltd and others v SSLUHC and others [2022] EWHC 208 (Admin).

provided where this narrow approach was taken. However, the CAB Housing Ltd Judgement has clarified that for Class AA proposals, the control of the external appearance of the dwelling is not only limited to the impact on the subject property itself, but also includes the impact on neighbouring premises and the locality.

7. The appeal property is a spacious two-storey detached dwelling within a cul-de-sac of six properties. There is some variation in the external appearance of the properties such as through fenestration and roof types, however the properties generally share similar external brickwork, Tudor boarding and ridge and eaves height and are overall similar in character. The host dwelling sits diagonal to the road and can be seen as the centre point when viewed from the southwest of Douglas Grange where this enclave of properties starts.
8. Prior approval is sought for the addition of a one storey extension above the entire existing detached dwelling. The extension would be finished in matching external materials and finishes. Although the permitted development order allows for upward extensions, it does require an assessment with regard to the impact of the host dwelling. The CAB judgement has clarified that the assessment should have regard to the neighbouring properties and locality.
9. The properties are individually designed and there are relatively large spaces between the properties. However, the dwellings share similar characteristics in the enclave and the proposed third storey would be overly large in scale and appear as dominant and of keeping in the context of the neighbouring properties. Even though the width of the house would remain greater than its height, the development would still appear as adding considerable bulk to the top of the property.
10. General reference has been made to examples of other three storey developments permitted in Wokingham and planning appeals for additional stories through prior approval. However, these relate to a different context, and, in any event, each case must be considered on its own merits.
11. The development would result in harm to the external appearance of the dwellinghouse. This would be contrary to the requirements of the National Planning Policy Framework which seeks to ensure that development is visually attractive and sympathetic to local character.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Ms S Maur

APPEAL PLANNING OFFICER

Inspector's Decision

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

K Taylor

INSPECTOR