



Appeal Decision

Site visit made on 27 March 2023

by J Reid BA(Hons) BArch(Hons) RIBA

an Inspector appointed by the Secretary of State

Decision date: 3 April 2023

Appeal Ref: APP/C3810/D/22/3309557

48 Lane End Road, Middleton-On-Sea PO22 6LT

- 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 GPDO).
 - The appeal is made by Ms Jane Cutts against the decision of Arun District Council.
 - The application Ref M/48/22/PD, dated 6 May 2022, was refused by notice dated 1 August 2022.
 - The development proposed is "Remove existing roof. Construct additional storey in matching materials including bay feature on the principle elevation. Reconstruct roof to match original design, material and pitch. Relocate main entrance to principle elevation, to allow the position of the internal staircase. Construct new canopy over relocated entrance."
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Decision

1. The appeal is dismissed.

Preliminary matters and main issue

2. The description of the development proposed given on the application form has been used in the banner heading above. It includes 'Construct new canopy over relocated entrance', but there is no canopy shown on the application plans.
3. Under GPDO Article 3(1) and Schedule 2, Part 1, Class AA, planning permission is granted for 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 purpose of that construction subject to conditions and limitations including the requirement to submit an application to the Council for prior approval. The Council says that the proposal would satisfy all matters other than that relating to the external appearance of the appeal dwelling. I see no reason to disagree.
4. The main issue is the effect that the external appearance of the proposed development would have on the character and appearance of the surrounding area.

Reasons

5. The condition in GPDO paragraph AA.2.(3)(a) states 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. The use of 'including' in the GPDO means that this matter is not

part of a closed list. As prior approval is required, the decision maker would be expected to exercise planning judgment, and that could reasonably include considering the effect of the proposal on nearby dwellings and the locality.

6. The appeal dwelling is one 'half' of a handed pair of mostly single storey semidetached dwellings, which are situated on the roughly east side of the long broadly straight north stretch of Lane End Road. The nearby street scene is mainly characterised by hipped roofed detached and semidetached bungalows, some of which have rooms in their roofs. Their modest scale and low-key forms contribute positively to the street scene and to the sense of place. Whilst the character differs a little in the sinuous south part of the road, where there are some taller chalet style dwellings with similarly low eaves, the street scene in the north part of Lane End Road has a consistent open character.
7. The proposed development would include a first floor extension over the principal part of the existing bungalow under a hipped roof of the same pitch as the existing roof. It would be built in matching materials, and there would be no windows in its sides.
8. The scale and height of the proposal would give the appeal dwelling an external appearance that might be acceptable, say, in a street where there are dwellings in a range of types and styles, or in an area of mixed development. However, as the proposed extension would be dominant, bulky, and intrusive, it would harmfully erode the important consistency and openness in the nearby Lane End Road street scene. Moreover, because the proposal would be unacceptably at odds with the pattern of development and local character, it would be incongruous in its surroundings, including the views from the junction of Lane End Road with Kingsmead Road, and from the backs of the nearby mostly low-key chalet style dwellings in The Layne.
9. The dormer style extensions to some nearby dwellings, including at 45 and 46 Lane End Road, look to be no taller than the dwellings' ridges, so they provide little support for the scheme. The proposal in my colleague's appeal decision, ref APP/T1410/W/20/3263486, had some similarity with an extant scheme that had been found acceptable by another Council in a different townscape context, so its circumstances differ from those of the detrimental proposal before me.
10. Therefore, I consider that the external appearance of the proposed development would harm the character and appearance of the surrounding area. It would be contrary to the National Planning Policy Framework which seeks the creation of high quality, beautiful and sustainable buildings and places.

Other matters

11. The proposal would not increase the supply of homes. It is possible that the appellant's personal circumstances could be met in a less damaging way, but that may need to be subject to an application for planning permission.

Conclusion

12. For the reasons given, the appeal should be dismissed.

J Reid

INSPECTOR