



---

# Appeal Decision

Site visit made on 4 April 2023

**by David Murray BA (Hons) DMS MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 11 April 2023**

---

**Appeal Ref: APP/J0405/D/22/3308692**

**20 Bushmead Road, Whitchurch, AYLESBURY, HP22 4LG**

- 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 Simon Parkes Poole against the decision of Buckinghamshire Council - North Area (Aylesbury).
  - The application Ref 22/02568/PAHAS, dated 14 July 2022, was refused by notice dated 29 September 2022. The development proposed is: Prior approval for a proposed additional storey to single storey (bungalow) dwelling.
- 

## Decision

1. The appeal is allowed and prior approval is granted under the development Order for a proposed additional storey to single storey (bungalow) dwelling, at 20 Bushmead Road, AYLESBURY, HP22 4LG in accordance with the terms of the application, Ref 22/02568/PAHAS, dated 18 July 2022, and the plans submitted with it, (other than the proposed ground floor single storey projection on the side elevation) subject to the conditions in the attached Schedule.

## Main Issue

2. The main issue is the effect of the proposed additional storey to the existing bungalow on the character and appearance of the host building and local area.

## Reasons

3. The GPDO<sup>1</sup> grants a general permission for various types of development and the relevant part in this case is Class AA(b) which allows the enlargement of a dwellinghouse by construction of an additional storey where the existing dwelling house consists of one storey. The provisions also set out circumstances where development is not permitted and impose conditions (in paragraph AA.2) including the Prior Notification procedure.
4. The appeal site comprises a detached single storey bungalow which lies on the edge of the village of Whitchurch. The property is set back from the road and there is a front garden with trees and landscaping along the frontage,
5. The Council is concerned about the visual impact of a two storey property but most of the properties in the local part of Bushmead Road are of this height and scale. I acknowledge that the immediately adjoining properties are a single storey bungalow and a 'chalet bungalow' but the additional floor on the host bungalow would not make the relationship with these other properties incongruous. The group of bungalows is not prominent or visually important to

---

<sup>1</sup> Schedule 2, Part 1, of the Town and Country Planning (General Permitted Development) (England) Order 1995, as amended

the character of the street and there is a variety of roof forms locally including gable and hipped roofs. I find that the additional storey and increase in building bulk would not make the enlarged property appear out of place in the general street scene or spoil the architectural design and form of the host property itself. The proposal would therefore not harm the character and appearance of the area.

6. In concluding on this issue I have taken account of the representations made by the occupier of No.22, an adjoining property, who supports the proposal and judges that it is entirely appropriate for the site.
7. The Council says that that there is insufficient information presented to ensure that condition AA.2 (a) is complied with. This requires that the materials of any exterior work must be of a similar appearance to those used in the construction of the existing dwellinghouse. However, the appellant is clearly aware of this restriction and it appears to me that the submitted plans show walls of brickwork and a tiled new roof which are consistent with the form of the existing dwelling. If any doubt remains a condition can be imposed requiring matching external materials in the new addition.
8. The Council also intimates that the proposal involves a ground floor side extension which would not be 'immediately above the topmost storey' of the existing dwellinghouse and therefore falls outside the provisions of Class AA. However, in the interest of clarity, the formal decision can make it clear that such an addition beyond the footprint of the present bungalow is not part of the permitted scheme under Class AA.

#### *Conditions*

9. The Council recommends that nine conditions are imposed on any approval which I will consider under the same numbering. Conditions 1 and 2 are necessary to define the approval and to avoid doubt and I will impose them. No's 3, 4, 5, 7 and 8 mirror conditions already set out in the GPDO and duplication should be avoided. Condition No.6 on a construction management report is reasonable and necessary given the close proximity of other residential properties which may experience some form of disturbance from construction work and I will impose this one. Finally, a condition on requiring a parking scheme is not necessary as the site can accommodate the necessary parking for an enlarged dwelling without resulting in pressure for parking on the highway.

#### **Conclusion**

10. For the reasons given above I conclude that Prior Approval should be granted.

*David Murray*

INSPECTOR

### **Schedule of conditions**

- 1) The development hereby permitted shall be carried out with external materials which are of a similar appearance to those used on the existing dwelling house.
- 2) Notwithstanding the extensions and fenestration alterations shown on the approved drawings, the following plans are approved solely in so far as they relate to the additional storey hereby permitted:
  - PPA 20 0004 A00 *Elevations* Proposed
  - PPA 20 0005 A00 Elevations with context Proposed
  - PPA 20 0003 A00 Plans Roof, Block and Location Proposed
- 3) Before beginning the development, the developer must provide the Local Planning Authority with a report for the management of the construction of the development, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on adjoining owners or occupiers will be mitigated.