



Appeal Decision

Site visit made on 28 September 2023 by Max Webb BA(Hons) MSc

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 November 2023

Appeal Ref: APP/V3120/D/23/3317462

208 Upper Road, Kennington, Oxford, Oxfordshire OX1 5LR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant prior 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 N Miah against the decision of Vale of White Horse District Council.
 - The application Ref P22/V2559/PDS, dated 26 October 2022, was refused by notice dated 21 December 2022.
 - The development proposed is described as, "Add 1No. additional storey to the existing dwelling, with roof form, pitch and materials to match those existing."
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector 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 it refused prior approval on this basis. This condition requires consideration of the external appearance of the dwellinghouse, including the design and architectural features of the principal elevation and any side elevation that fronts a highway.
4. The Government published on 5 September 2023 a revised version of the National Planning Policy Framework (Framework). Whilst I have had regard to the revised national policy as a relevant factor, in this instance, the issues most relevant to this appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issue

5. 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

6. The appeal property is a detached bungalow on a relatively narrow plot. On either side of the appeal site are two chalet bungalows, both in relatively close proximity to the appeal dwelling. Surrounding properties are mainly detached houses and bungalows, including chalet bungalows. Plots vary in spaciousness, with some properties enjoying reasonable separation and others in much closer proximity to neighbouring properties. Roof and eaves heights, as well as roofline orientation, are varied in the surrounding area, with the variation exacerbated by the slightly sloping gradient of the street. The surrounding character is therefore diverse, with no consistent style, scale or size of plot or dwelling. Most of the two-storey dwellings are however found on the opposite side of the road to the appeal site.
7. The appeal property is seen in conjunction with its immediate neighbours. Both are larger than the appeal property, with slightly higher ridges. Although the proposal would be slightly below the height permitted by the GPDO for this type of extension, the roof pitch and eaves height of the proposed upward extension would lead to the roof of the host dwelling sitting well above those of either neighbour, with the eaves being at the level of the existing ridge. The sloping ground levels would only slightly reduce the difference in the relative heights. Overall, the proposed roof form would result in the dwelling appearing intrusively tall in comparison with the chalet bungalows either side.
8. Whilst the proposed development may sit within the height range of properties in the wider area, other tall two-storey properties in the vicinity, including No 214, are generally next to similarly tall properties or are set on wider plots. This leaves a greater visual gap between properties with significant height differences. Due to its proximity to the lower chalet bungalows immediately adjacent, the height of the proposal would therefore be significantly more noticeable than other height differences between dwellings in the area. There are large trees in the surrounding area and other visually dominant properties with gable end frontages, which break up the street scene and offer some variety. However, these would not make the height difference between the appeal property and its immediate neighbours significantly less noticeable or harmful. Consequently, the proposal would result in a conspicuous addition to the street scene which would not be sympathetic to local character or the surrounding built environment.
9. The proposal would maintain adequate space between the neighbouring properties, and the elevation design and materials proposed would not be inappropriate within the varied character of the area. However, these factors would not reduce the harm resulting from the height of the proposed development. Therefore, the proposed development would harm the external appearance of the dwellinghouse and would not be the high-quality design required by the Framework.
10. The appellant has referred to a fallback option of a hip-to-gable roof extension. While this would increase the roof bulk it would not increase its overall height, so would be substantially lower than the proposed additional storey. Therefore, it would result in less harm than the appeal proposal and does not weigh in favour of the proposed development.
11. Consequently, the proposal would harm the external appearance of the dwellinghouse having regard to condition AA.2(3)(a)(ii) of the GPDO, and prior

approval should be refused. I have given consideration to the Framework only insofar as it is relevant to the subject matter of the prior approval.

Other Matters

12. The appellant has referred to the Council planning officer's advice that a scaled down version of the proposal would not be accepted. This does not change the planning matters I have considered in this appeal nor justify the harm I have identified.

Conclusion and Recommendation

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

Max Webb

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and my representative's recommendation and agree with the reasoning and conclusion set out above. On that basis the appeal is dismissed.

L McKay

INSPECTOR