



Appeal Decision

Site visit made on 28 November 2023

by K Savage BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th December 2023

Appeal Ref: APP/N3020/D/23/3325322

15 Paddock Close, Calverton, Nottinghamshire NG14 6GJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a 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 Mr Nathan Hinson against the decision of Gedling Borough Council.
 - The application Ref 2023/0270, dated 22 March 2023, was refused by notice dated 26 May 2023.
 - The development proposed is one additional storey.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. Schedule 2, Part 1, Class AA of the GPDO permits development involving the enlargement of a dwellinghouse by construction of additional storeys, subject to specified limitations and conditions. The Council accepts that the proposal would meet with the limitations set out under Paragraph AA.1.(a) to (k) and the conditions set out under Paragraph AA.2.(2).
3. Paragraph AA.2.(3)(a) then sets out the matters for which prior approval must be sought, with sub-paragraph (i) referring to the impact on the amenity of any adjoining premises, including overlooking, privacy and loss of light, and (ii) referring to the external appearance of the dwellinghouse, including the design and architectural features of (aa) the principal elevation of the dwellinghouse, and (bb) any side elevation of the dwellinghouse that fronts a highway.
4. The Council's reason for refusal cites conflict with Paragraph AA.2.(3)(a)(ii).

Main Issue

5. Therefore, the main issue in this case is whether prior approval should be granted having regard to the external appearance of the dwellinghouse.

Reasons

6. The appeal site occupies a corner position at the junction of Paddock Close and Oakland Grove. Paddock Close is characterised by bungalows along its entire length, with the group from No 15 to 47 having particularly strong uniformity of scale and design. Oakland Grove has a limited number of two-storey dwellings fronting the street to the south of the appeal site, with the street otherwise bordered by the side boundaries and rear gardens of dwellings on Paddock Close and Crookdole Lane to the north.

7. In the assessment of 'the external appearance of the dwellinghouse' under Paragraph AA.2.(3)(a)(ii) it is a matter of planning judgement as to whether consideration is given to the effect in terms of the building's intrinsic design and/or to the effect in terms of the building's relationship with adjoining or nearby properties.
8. In this case, the Council has not identified adverse effects with respect to the building's intrinsic design, which would use matching materials, replicate the existing roof form and continue the existing front and rear fenestration pattern. I see no reason to disagree with this assessment.
9. However, the proposal would result in the appeal property having the only two storey dwellinghouse on Paddock Close. It would represent an isolated, anomalous development that, due to its obviously greater height and bulk, would severely detract from the strong uniformity of scale and form which characterises dwellings in the street and contributes positively to its appearance. Moreover, its prominent position at the junction with Oakland Grove would allow its increased scale to be seen in vistas along both streets, exacerbating its incongruous presence.
10. I accept that, from certain points along Oakland Grove, the enlarged dwelling at No 15 would be seen in the same views as two storey dwellings on Crookdole Lane and Oakland Grove. However, these dwellings form distinct groups which are physically separated from Paddock Grove by rear gardens. As such, the enlarged dwelling would appear detached from this other built form and not as part of a consistent street scene on Oakland Grove. In any event, the dwelling would front Paddock Close and it would be seen primarily as part of that street. Thus, any compatibility the dwelling may have with the scale of dwellings on Crookdole Lane or Oakland Grove would not mitigate for the significant harm it would cause to the Paddock Close street scene.
11. For these reasons, I conclude that the effect of the proposal on the external appearance of the dwellinghouse would significantly harm the character and appearance of the area. The Council has not referred to any development plan policies, but so far as it is relevant as a material consideration, there would be conflict with the National Planning Policy Framework which states that good design is a key aspect of sustainable development.

Other Matter

12. The appellant refers to the need to provide additional accommodation for a growing family and that the request is proportionate to their needs. However, these considerations are not relevant to my assessment, which is limited to the specific prior approval matters set out under Paragraph AA.2.(3)(a).

Conclusion

13. For the reasons given, the proposal is not acceptable in respect of prior approval matter (ii) of Paragraph AA.2.(3)(a) of Schedule 2, Part 1, Class AA of the GPDO. Therefore, I conclude that the appeal should be dismissed.

K Savage

INSPECTOR