



Appeal Decision

Site visit made on 2 January 2024

by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 08 February 2024

Appeal Ref: APP/K0235/D/23/3325796

68 Hookhams Lane, Renhold, Bedford MK41 0JX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant 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).
- The appeal is made by Mr M Salim against the decision of Bedford Borough Council.
- The application Ref 23/00837/HPU, dated 15 March 2023, was refused by notice dated 25 May 2023.
- The development proposed is the enlargement of a dwellinghouse by construction of an additional storey.

Decision

1. The appeal is allowed, and prior approval is granted under the provisions of 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) for the enlargement of a dwellinghouse by construction of an additional storey at 68 Hookhams Lane, Renhold, Bedford MK41 0JX in accordance with the terms of the application Ref 23/00837/HPU, dated 15 March 2023, and the plans submitted with it, subject to the conditions set out in sub-paragraphs AA.2(2) and AA.2(3) of the GPDO.

Preliminary Matter

2. There are two appeals at the same address¹, however the proposed development and the appellant differs. Whilst I conducted the site visit for both appeals simultaneously, I have considered each proposal individually on their own merits.

Background and Main Issue

3. Under Article 3(1) and Class AA of Part 1 of Schedule 2 of the GPDO, planning permission is granted for the enlargement of a dwellinghouse by construction of additional storeys. Development is permitted under Class AA subject to limitations and conditions and a requirement that the developer applies for prior approval to the local planning authority.
4. 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. The

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Council's concerns primarily relate to the effect of the proposal on the external appearance of the dwellinghouse and the living conditions of the occupiers of Nos 66A and 70 Hookhams Lane, with regard to privacy.

5. Therefore, the main issues are whether prior approval should be granted under Class AA of Part 1 of Schedule 2 of the GPDO considering the effect of the proposal on:
 - the external appearance of the dwellinghouse, including impacts on neighbouring premises and the locality; and
 - the living conditions of the occupiers of Nos 66A and 70 Hookhams Lane with regard to overlooking and privacy.

Reasons

External Appearance

6. The appeal property is a bungalow within a large plot of land, set back from the adjoining highways by a significant distance. This portion of Hookhams Lane generally slopes downwards from north to south. Whilst the properties immediately surrounding the appeal site are all single storey in height, the area is mixed. The designs of properties, including the position of the dwellings within the plots, the angle between the plots and the separation distances vary significantly.
7. The introduction of an additional storey would increase the scale and mass of the host property. That said, the increase in height would be minimised by the additional storey being built into the eaves. When viewed in relation to the existing slope, the proposal would appear larger than No 70 Hookhams Lane to the south and of a similar height to No 66A in the north. However, given the property's distance from the highway, the position of No 70 forward in its plot and the varied character of the area, the proposal would not appear as a prominent or incongruous feature within the street scene.
8. Therefore, I conclude that the proposal would not cause harm to the external appearance of the host property or its immediate surroundings. As such, it would accord with paragraph AA.2 (3)(a) (ii) of the GPDO.

Amenity of Nos 66A and 70 Hookhams Lane

9. The proposal would introduce first floor accommodation with two rear facing bedroom windows. Although these windows would introduce higher vantage points, the primary outlook would be towards the bottom of the rear garden and the open field beyond.
10. Whilst the garden of No 70 would be visible at an oblique angle, No 66A benefits from mature boundary planting which would prevent any overlooking or loss of privacy. Although there are no existing first floor windows within the immediate surroundings, a certain level of overlooking is already possible from the appeal site into the rear garden of No 70 and is not unusual within a suburban location.
11. Consequently, the proposal would not unduly harm the amenity of the occupiers of Nos 66A and 70 Hookhams Lane with regard to overlooking and privacy. Accordingly, it would accord with paragraph AA.2 (3)(a) (i) of the GPDO.

Other Matters

12. Interested parties have raised further concerns regarding living conditions, including loss of light and outlook. However due to the slope of the land, the relative position of the surrounding properties in relation to one another and the limited increase in height, I am satisfied that the proposal would not result in a harmful loss of light internally or externally nor would it appear overbearing when viewed from windows or gardens.
13. I note the other matters raised by interested parties. However, issues relating to flooding and drainage as well as light pollution are outside the terms of the Class AA procedure. I am therefore unable to give weight to these matters.
14. The council has raised concerns regarding inaccuracies within the submitted drawings. However, when combined with the site visit, the submitted drawings provide enough detail to understand the proposal and any prior approval granted will be limited by the restrictions and conditions as set out in Class AA of the GPDO.

Conditions

15. Prior approval under Class AA is subject to conditions specified in paragraphs AA.2.(2) and AA.2.(3). The Council has not suggested any additional conditions and I see no reason to disagree.

Conclusion

16. For the above reasons, I conclude that the appeal should be allowed, and prior approval granted.

K Allen

INSPECTOR