

Appeal Decision

Site visit made on 29 February 2024

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 April 2024

Appeal Ref: APP/R1845/D/23/3325454

34 Broad Street, Worcestershire, Kidderminster DY10 2LZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) 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) ('GPDO').
 - The appeal is made by Ms Shuhena Begum against the decision of Wyre Forest District Council.
 - The application Ref is 23/0098/PNH.
 - The development is a proposed additional storey.
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. 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 storey(s). This is subject to certain limitations and conditions.
3. The Council has concluded that the submitted scheme complies with the eligibility requirement of Paragraph AA.1 of Part 1 of Schedule 2 of Class AA of the GPDO. I have also considered this and have no reason to disagree.
4. One of the relevant conditions is that before beginning the development, the developer must apply to the local planning authority for prior approval of certain matters. This includes GPDO paragraph AA.2.(3)(a)(ii) 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.
5. In accordance with caselaw, the control of the external appearance of the dwellinghouse is not limited to the host property itself, but also includes impact on the locality.
6. Accordingly, the main issue is the effect of the proposal on the external appearance of the dwellinghouse and locality.

Reasons

7. The character of the wider street scene along Broad Street is evolving, this includes some diversity in appearance, scale and the number of storeys. However, within the vicinity of the appeal site, dwellings are predominantly of a two storey scale.

8. In particular, the host property comprises a two storey semi-detached dwelling. This is similar in form and appearance to the adjoining semi-detached dwelling. Most notably, this pair of semi-detached dwellings are flanked by similar pairs of dwellings with regard to scale, form and appearance.
9. Furthermore, these properties benefit from a stepped and distinctive roof line, which reflect the topography of Broad Street. Therefore, as a consequence of their similar two-storey forms and stepped roof line, these properties contribute to a cohesive street scene, which positively contributes to the appearance and the character of the locality.
10. Notwithstanding that the proposed extension would be rendered to match the existing and neighbouring properties, the proposal to create an additional floor to the appeal property, would in effect create a 3-storey dwelling. This would clearly disrupt the symmetry and arrangement of the pair of semi-detached dwellings that this is a part of.
11. Although the extended ridge height of the appeal property would match the height of the neighbouring property at 32 Broad Street, this would disrupt the stepped arrangement of the roof line associated with the three pairs of semi-detached dwellings. Moreover, the resultant shallower roof form of the appeal property, would not reflect the architectural design and proportions of the appeal property and the adjoining and neighbouring semi-detached dwellings. Therefore, this arrangement would appear contrived and notably conspicuous.
12. Accordingly, the proposal would unacceptably undermine the external appearance of the appeal property and the character and appearance of the locality.

Other Matters

13. The appellant has drawn my attention to an example of an end terrace property at Stourbridge Road, which incorporates an additional storey. Whilst I do not have the full details of this development, based on my observations, this is an end-terrace dwelling with space to the side which absorbs the increased scale of this property. Also, this property acts as a bookend to development along this road and is complemented by newer developments nearby, which also incorporate taller bookend buildings. Because of its different context, the property at Stourbridge Road, does not lend support to the appeal scheme before me.
14. I accept that the provisions of Class AA of the GPDO also relate to semi-detached dwellings. Even so, one of the matters for prior approval is external appearance and for the above reasons, the proposal would harm this and the locality.

Conclusion

15. For the above reasons, prior approval for the matter identified under paragraph AA.2.(3)(a) (ii) of the GPDO, is not given and therefore the appeal should be dismissed.

M Aqbal

INSPECTOR