



Appeal Decision

Site visit made on 24 January 2024 by M Long MSc MRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 April 2024

Appeal Ref: APP/D0121/D/23/3330849

38 Wrington Road, Congresbury, North Somerset BS40 5AB.

- 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 GPDO).
 - The appeal is made by Mr Will Harraway against the decision of North Somerset Council.
 - The application Ref 23/P/1682/H2PA, dated 3 August 2023, was refused by notice dated 25 September 2023.
 - The development is an application for prior approval (Class AA) in respect of the proposed enlargement of a dwelling house by construction of an additional storey.
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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 GPDO for an application for prior approval (Class AA) in respect of the enlargement of a dwelling house by construction of an additional storey at 38 Wrington Road, Congresbury, North Somerset BS40 5AB in accordance with the application Ref 23/P/1682/H2PA, dated 3 August 2023, and the details submitted with it including Drawing Nos PP010 – Proposed Plans, PP011 – Proposed Plans, PP012 – Proposed Elevation and 1566/OS – Site Location Plan, pursuant to Article 3(1) and Schedule 2, Part 1, Class AA of the GPDO.

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.

Procedural Matters

3. Under Article 3(1) and Schedule 2, Part 1, Class AA of the GPDO, planning permission is granted for the enlargement of a dwellinghouse by construction of additional storeys subject to limitations and conditions set out under Paragraphs AA.1 and AA.2. The Council's concerns relate only to condition AA.2(3)(a)(ii) and it refused prior approval on this basis. This requires consideration of the external appearance of the dwellinghouse, including the principal elevation and any side elevation that fronts a highway.
4. Paragraph AA.3(12)(b) of Schedule 2, Part 1, Class AA sets out that the local planning authority must, when determining an application, have regard to the National Planning Policy Framework (Framework) so far as relevant to the subject matter of the prior approval, as if the application were a planning application. On 19 December 2023 the Government published a revised version

of the Framework. In this instance, the issues most relevant to the 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 site is a mono-pitched dwelling of simple form set within a large plot that is bounded by tall fences and vegetation. There are limited public views of the appeal dwelling. The surrounding area has an open and rural character and contains a mix of agricultural and residential buildings. To the south of the site there are large farm buildings, including tall silos. There are also a number of two-storey dwellings sited sporadically across the wider area.
7. While the proposal would greatly increase the height and mass of the dwelling, it would maintain an appropriate scale within its large plot. The principal elevation would be largely obscured from public views but, when seen, would be viewed against the backdrop of tall silo structures. As there are existing two-storey dwellings in the wider area, the introduction of another in this location would not feature as a discordant addition.
8. The dwelling's existing character is boxy with a mono-pitched roof, which would be retained in the proposed scheme. While it was previously an agricultural building, it now has a more obvious residential appearance due to the number and size of windows, which have introduced a more contemporary design style in this rural location. The proposed fenestration, materials and roof form would reflect this existing style and so would be sufficiently in keeping with the dwelling's character.
9. The Council have raised concerns with the RDG Part 2¹, specifically an extract from Paragraph 3.2.2 which relates to flat roofs. The proposed roof, however, would be mono-pitched. The RDG Part 2 sets out that any proposed extension should have a roof that reflects the style of the existing building. As the proposed dwelling would retain the mono-pitched roof design, there would be no conflict with this guidance document.
10. For the above reasons, the proposal would not result in harm to the external appearance of the dwellinghouse. As such, there would be no conflict with the Framework which seeks planning decisions which ensure that developments are sympathetic to local character and history, including the built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

Conditions

11. The development permitted by this appeal is subject to the conditions set out in Schedule 2, Part 1, Class AA, Paragraph AA.2 of the GPDO.

¹ North Somerset Council, Residential Design Guide – section 2: Appearance and character of house extensions and alterations, Supplementary Planning Document (April 2014).

Conclusion and Recommendation

12. Based on the above, and having regard to all matters raised, I recommend that the appeal should be allowed and prior approval should be granted.

M Long

APPEAL PLANNING OFFICER

Inspector's Decision

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

L McKay

INSPECTOR