



Appeal Decision

Site visit made on 2 August 2024

by A Wright BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 August 2024

Appeal Ref: APP/D1265/D/24/3337458

Lormah, Harts Lane, Broomhill, Wimborne BH21 7DF

- 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 HCL Contractors Limited against the decision of Dorset Council.
 - The application Ref is P/PAED/2023/06674.
 - The development proposed is described as "enlargement of the dwellinghouse by construction of an additional storey under Schedule 2, Part 1, Class AA, of the General Permitted Development Order 2015 (as amended) as shown on drawing numbers P23-026-01-02-003, P23-026-01-02-006A, P23-026-01-03-003A, and P23-026-01-91-003."
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by HCL Contractors Limited against Dorset Council. This application is the subject of a separate decision.

Preliminary Matters

3. 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) permits an additional storey on an existing one storey dwellinghouse. This is subject to the limitations and conditions set out in paragraphs AA.1 and AA.2, which include matters in respect of which the developer must apply to the local planning authority for prior approval. The Council refused the prior approval on the basis of its external appearance. This relates to condition AA.2(3)(a)(ii).
4. Development plan policies and the National Planning Policy Framework (the Framework) can be considered relevant in prior approval cases, but only insofar as they relate to the prior approval matters. I have proceeded on this basis.
5. A draft National Planning Policy Framework was published in July 2024. The proposed changes would not materially affect the main issue in this case, so the parties were not invited to make further comments. As the draft document is currently subject to consultation, it carries very little weight.

Main Issue

6. The main issue in this appeal is the impact of the proposed development on the external appearance of the dwellinghouse.

Reasons

7. The appeal property comprises a detached chalet-style bungalow located within a substantially sized plot set back at an angle from Harts Lane. It lies in a rural area with few buildings and where roadside planting gives it a verdant character. The diminutive dwelling is tucked behind a well-established roadside boundary hedge. Behind it, further away from the road, lie other chalets Cartriffe and Sefa. Pixie's Holt, a grade II listed building, is sited immediately north, facing the lane. A nearby garden centre is visible in the distance from the site.
8. The proposed upward extension would increase the building's roof height from 4.75m to 7.25m, with the same materials, roof form and pitch as the existing bungalow. Due to the size of the proposed addition and the proximity of the dwelling to the road, the proposal would substantially add to the height and prominence of the appeal property.
9. Further, the long upper wall and roof lengths with little visual relief would give the structure a bulky and elongated appearance. The horizontal form of the extended structure would be emphasised by the large spaces between some windows and the long widths of many openings on the upper floor. Its scale and horizontal proportions would fail to reflect the size and massing of existing buildings in the locality.
10. I note the recent prior approvals for similarly designed additional storeys at Cartriffe and Sefa. However, as these are smaller houses located further away from the road, those additions would not be as dominant or sizeable as the appeal scheme.
11. In assessing the external appearance of the building, consideration must also be given to its context. In this case, the context of the site also includes the adjacent grade II listed Pixie's Holt, a designated heritage asset. The significance of this listed building, in so far as it relates to this appeal, is derived from it being a one storey and attic 17th century former farmhouse with a thatched roof, plastered timber framed walls and casement windows.
12. At my site visit, I observed that much of the appeal property is screened from the road by the boundary hedge. In northbound views from Harts Lane, the roof of the appeal property is seen adjacent to the thatched roof of Pixie's Holt. Looking southbound along the road, the listed building appears more prominent, with a large part of it visible through a gap in the hedge. From that direction, the appeal dwelling appears forward of Pixie's Holt but only part of its roof is evident above the hedge, and this appears at a much lower level than the roof of the listed building.
13. The proposal would render the appeal property more conspicuous in the setting of the listed building. It would visually compete with, and detract from, this designated heritage asset by appearing more intrusive and prominent than the current situation. Therefore, it would harm the setting and thus the significance of the listed Pixie's Holt, although this would be less than substantial.

14. The Framework states that less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposed development. I have not been directed to any public benefits in this case. Therefore, I conclude that the proposed development would conflict with the Framework.
15. The appellant refers to a previous application for three two storey dwellings on the appeal site¹. Whilst that decision did not refer to the impact of that proposal on the setting of the listed building, as planning permission was refused, albeit only due to Green Belt impacts, it does not carry weight in favour of the appeal proposal.
16. I note that there have been no public comments, but this does not alter the harm I have found in relation to the appearance of the proposed scheme.
17. Consequently, I conclude that the proposed development would harm the external appearance of the dwellinghouse. So far as relevant to this issue, the proposal would conflict with Policies HE1 and HE2 of the Christchurch and East Dorset Local Plan 2014 where they seek to protect the significance and settings of heritage assets and require development to reflect local distinctiveness. It would also be contrary to the Framework where it requires development to be sympathetic to local character and to conserve and enhance heritage assets.

Conclusion

18. For the reasons given above, I conclude that the appeal should be dismissed.

A Wright

INSPECTOR

¹ Application ref: 3/14/0180/FUL