



Appeal Decision

Site visit made on 5 March 2025

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 March 2025

Appeal Ref: APP/Z2260/D/24/3353126

99 Botany Road, Broadstairs, Kent CT10 3SB

- 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 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 Melissa Turner against the decision of Thanet District Council.
 - The application Ref is PN13/TH/24/0842.
 - The development proposed is the demolition of existing roof additional storey with new roof (no higher than 3.5m from existing ridge). Materials to match existing.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Schedule 2, Part 1, Class AA of the GPDO, permits development consisting of the enlargement of a dwellinghouse by the construction of one additional storey, where the existing dwellinghouse consists of one storey, together with any reasonably necessary engineering operations. This is subject to limitations and conditions set out in Paragraphs AA.1 and AA.2.
3. The proposal was refused solely on the basis of being contrary to Paragraph AA.2.(3)(a)(ii)(aa) and (bb), which require prior approval for the external appearance of the dwellinghouse, including the design and architectural features. In assessing such proposals, case law has established that this can also include impact on the locality.
4. The proposed development is said to comply with all the other requirements set out in Paragraphs AA.1 and AA.2. I have no reason to conclude otherwise.
5. The National Planning Policy Framework (the Framework) can be considered relevant in prior approval cases but only insofar as it relates to the development and prior approval matters. I have proceeded on this basis.

Main Issue

6. The main issue is therefore whether prior approval should be granted under Class AA of Part 1 of Schedule 2 of the GPDO, having particular regard to the effect of the external appearance of the dwellinghouse.

Reasons

7. This part of Botany Road is characterised by bungalows. Although there are differing styles and some have had extensions and alterations, the overriding

appearance is one of modest buildings with clay roof tiles and brick/render finishes. Together with the setback position of the properties within their plots and the spacing between the properties there is a strong sense of uniformity that contributes positively to the character and appearance of the area.

8. The proposal would add an additional storey to the appeal dwelling. It would be constructed from materials to match the existing building but despite this, the significant increase in the overall size and height of the dwelling would be evident from Botany Road. In the surrounding context of single storey dwellings, this would create a visually dominant dwelling whose bulk, scale and appearance would significantly contrast with that of the neighbouring buildings. The proposal would therefore appear out of keeping with its environment and this lack of integration would cause harm to the character and appearance of the area.
9. There are a number of other dwellings within the street scene which have had alterations, including to their roofs. However, these generally appear to assimilate acceptably in terms of their size and scale and do not, based on what I have seen, harm the character and appearance of the street scene in the same way the appeal proposal would do. Consequently, they do not justify the introduction of such a conspicuous addition to the appeal building.
10. Overall, I conclude that the proposal would appear out of keeping with, and result in visual harm to, the locality. Therefore, the proposal would not comply with Paragraph AA.2(3)(a)(ii)(aa) and (bb) of Class AA of Part 1 of Schedule 2 of the GPDO.
11. The proposal would be contrary to the Framework which supports upward extensions where development would be consistent with the prevailing character and the overall street scene. Furthermore, the proposal would fail to meet the Framework's expectations of good design and development that is visually attractive and sympathetic to local character.

Other Matters

12. The appellant notes that no objections have been received from neighbouring occupiers. However, this in itself does not mean that the current scheme is acceptable and does not in any event absolve me from making an assessment as to its effects in regard to the main issue of the case.

Conclusion

13. For the above reasons, I conclude that prior approval should not be granted having regard to the effect of the development on the external appearance of the dwelling. Therefore, the appeal is dismissed.

Stewart Glassar

INSPECTOR