



Appeal Decision

Site visit made on 22 October 2025

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd November 2025

Appeal Ref: APP/W2845/D/25/3367631

9a/9b Station Road, Lilbourne CV23 0SX

- 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).
 - The appeal is made by Dr Ian Whitcroft against the decision of West Northamptonshire Council.
 - The application Ref is 2025/0419/PA.
 - The development proposed is an additional 1.5 storeys at the site and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As no description of the development is provided on the application form, I have taken the description set out above from the planning application cover letter.

Preliminary Matters

3. Development is permitted under Article 3(1) and Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order as amended (the GPDO 2015), for the enlargement of a dwellinghouse by construction of additional storeys subject to limitations and conditions.
4. During my consideration of the appeal, I sought the views of the parties in relation to the wording of Class AA insofar as it specifies 'a dwellinghouse' and whether the proposed development would be for more than one dwellinghouse. Even though this is not an issue that has been raised by the Council, I am required to consider the matter because any planning permission granted by virtue of Article 3(1) of the GPDO 2015 only applies where relevant conditions and limitations are met. Prior approval cannot be granted for a development that falls outside those defined parameters. In such cases an application would need to be made to the Council to seek planning permission.
5. Where a proposal does comply with the relevant conditions and limitations, paragraph AA.2(3)(a) sets out that before beginning the development, the developer must apply to the local planning authority for prior approval as to certain matters. In this case, the Council, as local planning authority, has refused the application on matters which relate to the impact of the proposal on the amenity of any adjoining premises and the external appearance of the dwellinghouse.
6. Based on the above, the main issues in this appeal are whether the proposed development would be granted planning permission by Article 3, Schedule 2, Part

1, Class AA of the GPDO 2015; and, the impact of the proposed development on the amenity of adjoining premises, in respect of outlook and privacy, and the external appearance of the dwellinghouse.

Reasons

7. Part 1 of Schedule 2 of the GPDO 2015 relates specifically to development within the curtilage of 'a dwellinghouse' with Class AA granting planning permission for the 'enlargement of a dwellinghouse by construction of additional storeys'. Therefore, upward extensions which straddle the roof of adjoined properties could not be permitted development as such building operations would enlarge two dwellinghouses and go outside the curtilage of both.
8. The appellant has stated that the intention is to fully amalgamate the appeal properties, 9a and 9b Station Road, following the granting of a lawful development certificate for that purpose, and that early stages of that process are underway. However, on my site visit to the site I noted that the division between 9a and 9b remained in place and they were occupied as separate dwellinghouses.
9. I acknowledge the reasons as to why the amalgamation works has not yet taken place, namely, to avoid inconvenience to the current occupants of the properties. However, I am required to determine whether the proposed development would comply with the relevant limitations and conditions in respect of the building that exists at the date of this appeal decision. Whilst the intention is to amalgamate the properties at a future date, the development that is before me relates to a building that, at this time, is occupied by two dwellinghouses.
10. Accordingly, I find that as the proposed development would straddle two adjoined dwellinghouses it would not meet the relevant limitations and conditions and, thus, would not be granted planning permission by Article 3, Schedule 2, Part 1, Class AA of the GPDO 2015.
11. As the proposal does not meet the terms of Class AA, and therefore would not amount to permitted development, it is not necessary for me to consider the detailed assessment criteria in paragraph AA.2(3) with regard to the effect of the proposal on the amenity of any adjoining premises and the external appearance of the dwellinghouse.

Conclusion

12. For the reasons set out above, I conclude that the proposal would not be permitted development. Therefore, the appeal is dismissed.

Elaine Moulton

INSPECTOR