



Appeal Decision

Site visit made on 1 August 2017

by Siobhan Watson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10th August 2017

Appeal Ref: APP/A5270/D/17/3172430

8 Barnfield Road, London, W5 1QT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 .
 - The appeal is made by Mr Alexander Tighzer against the decision of the Council of the London Borough of Ealing.
 - The application Ref 166302PALHE, dated 6 December 2016, was refused by notice dated 16 January 2017.
 - The development proposed is an extension finished in brick to match the existing house with a frameless glass roof and bi-fold doors to the rear.
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Decision

1. The appeal is dismissed.

Main Issue

2. Whether or not the proposed extension is permitted under the above Order.

Reasons

3. Development is not permitted by Schedule 2, Part 1, Class A of the above Order if the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse *and* would have a width greater than half the width of the original dwellinghouse.
4. The proposed extension would extend beyond a wall forming a side elevation of the original dwelling. I accept that the original side wall is short and that the part of the extension that would extend beyond the original side wall would not have a width greater than half the width of the original dwellinghouse.
5. That said, the width restriction does not solely apply to the part of the extension extending beyond the side wall of the house. Limitation J excludes the *enlarged part* from being permitted if it extends beyond the side wall of the house *and* has a width greater than half the width of the house. The *whole* of the proposed rear extension must be considered and as this extension would be the full width of the house, it would not comply.
6. I therefore conclude that the proposed extension is not permitted under the above Order. As the proposal does not constitute permitted development I have no need to consider the amenity of the neighbours or to consider planning policy.

7. I note the appellant's reference to other extensions in the street but whether or not they comply with the above Order is not relevant to my determination of this particular case.
8. For the reasons given, the appeal is dismissed.

Siobhan Watson

INSPECTOR