



Appeal Decision

Site visit made on 2 July 2019

by David Murray BA (Hons) DMS MRTPI

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

Decision date: 25 July 2019

Appeal Ref: APP/W5780/D/19/3230877

32 Grasmere Gardens, Ilford, London, IG4 5LG.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a development order.
 - The appeal is made by Mr V Jeshram against the decision of the Council of the London Borough of Redbridge.
 - The application Ref. 0594/19, dated 8 February 2019, was refused by notice dated 21 March 2019.
 - The development proposed is the erection of a single storey rear extension with a depth of 6 metres.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. At my site visit I was not able to see into the rear garden of the property and the siting of the proposed single storey rear extension. However, the decision on this case has to be based on the size of the extension put forward, together with other extensions added to the original property, and I have been able to assess these aspects from the submitted documents.

Main Issue

3. The main issue is whether the proposal falls within the scope of 'permitted development' as set out in the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (GPDO).

Reasons

4. Part 1 of Schedule 2 of the GPDO sets out in Class A that the 'enlargement, improvement or other alteration of a dwellinghouse' is permitted development'. This is subject to section A.1 which lists aspects where development is not permitted. Section (g) of this, as amended, allows, in relevant locations, a single storey extension to a dwellinghouse that is not detached, provided that the extension does not exceed 6 metres from the rear wall of the original dwellinghouse or exceed 4 metres in height. The extension is also subject to the restriction (i) that if the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse the height of the eaves cannot exceed 3 metres. Eaves are where the walls of the building meet the roof.

5. While the proposed extension meets parts A.1 (f), (g) and (i) of Class A, the proposal conflicts with part (ja) in that the total enlargement of the original dwellinghouse, which includes the existing two storey extension which joins the proposed one, exceeds the height limit set out in (i) as the total extensions have eaves exceeding 3 metres in height and would be within 2 metres of the curtilage of the dwellinghouse.
6. The proposed extension therefore does not fall within the scope of 'permitted development' and express planning permission is required for the erection of a further extension through the submission of a planning application.
7. The appellant's grounds of appeal in the main relate to the extensions that been undertaken at No.34, including a single storey one. However, the relationship of the proposal to that side of the property with No.34 is not at issue and I have considered this appeal on the specific evidence submitted and the requirements of the GPDO.

Conclusion

8. For the reasons given above I conclude that the appeal must be dismissed as the work proposed is not permitted development.

David Murray

INSPECTOR