
Appeal Decision

Site visit made on 17 February 2020 by Elizabeth Davies BSc (Hons) PIEMA

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 March 2020

Appeal Ref: APP/J0350/D/19/3240415

30 Westlands Avenue, Taplow, Slough SL1 6AN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the 'GPDO').
 - The appeal is made by Mr Wilfried Yonkio against the decision of Slough Borough Council.
 - The application Ref Y/17765/002, undated but stated in the appeal form to be 17 July 2019, was refused by notice dated 22 August 2019.
 - The development proposed is a single storey (6 metre deep) rear extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is whether the proposed extension would constitute permitted development under Schedule 2, Part 1, Class A of the GPDO.

Reasons for the Recommendation

4. Paragraph (j) (iii) of Class A.1 sets out that development is not permitted 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. The GPDO defines "original" as a building existing on 1 July 1948 as it existed on that date, or a building built on or after 1 July 1948 as so built.
5. The appeal property is a two storey semi-detached dwelling which currently has a small rear extension that extends the living area and kitchen. The proposed development is for a 6m deep rear extension that would replace the existing extension.
6. The Council have provided a plan showing the layout of the original dwellinghouse, which appears to show a staggered rear elevation, prior to the construction of the existing rear extension. This staggered rear elevation included walls forming a side elevation of the original house. Whilst this plan is

undated and no evidence has been submitted to confirm when the existing rear extension was constructed, it is not contented by the appellant that the proposed extension would result in the house being extended beyond a wall forming a side elevation of the original dwellinghouse. Indeed, the appellant has submitted a hand drawn illustration of the dwelling, with the rear wall of the original house shown as being staggered, hence reflecting the Council's plan.

7. On this basis, and as the extension would be greater than half the width of the original house, I cannot conclude that the proposed extension would meet the criteria in paragraph A.1(j)(iii) of Schedule 2, Part 1, Class A of the GPDO and so would not constitute permitted development.

Other Matters

8. The appellant has drawn my attention to a previous proposal at the site and a similar proposal at No 18 Westlands Avenue (No 18). Whilst full details of the planning approval at No 18, or the previous proposal for the appeal site, have not been provided, when assessing whether a development meets the GPDO criteria, other cases do not have an influence on my consideration.
9. I appreciate that the extension would provide more living space for the appellant's family. However, this private benefit does not influence whether the proposed extension would constitute permitted development.

Conclusion and Recommendation

10. For the reasons given above, and having had regard to all other matters raised, I recommend that the appeal is dismissed.

Elizabeth Davies

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR