



Appeal Decision

Recommendation by C Brennan BAE (Hons) M.PLAN MIPI

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 May 2020

Appeal Ref: APP/E5330/D/20/3244594

50 Littlemede, Eltham SE9 3EB

- 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 appeal is made by Mr. Bhartendu Indal against the decision of the Council of the Royal Borough of Greenwich.
 - The application Ref 19/4140/PN1, dated 4 December 2019, was refused by notice dated 7 January 2020.
 - The proposed development is described by the appellant in the original application forms as a glass Edwardian conservatory with all glass panels and no brick walls on either side, measuring 3500mm x 4267mm.
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Decision

1. The appeal is dismissed.

Appeal Procedure

1. A recommendation by an Appeals Planning Officer is set out below, to which the Inspector has had regard before deciding the appeal.
2. In response to travel restrictions currently in place due to the COVID-19 pandemic I consider that this appeal can be determined without the need for a physical site visit. This is because I have been able to reach a decision based on the information already available. Both the appellant and the Council have been consulted on this approach and neither has objected to the appeal proceeding on this basis.

Main Issues

3. The main issue is whether the proposed development would comply with Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("the GPDO" hereafter).

Reasons for the Recommendation

4. Within the submitted application form, the appellant states that the proposed extension would have a depth of 4.26m. In the case of the appeal property, which is an end-of-terrace dwellinghouse, an extension of this depth would be permissible under paragraph A.1(g), Article 3, Schedule 2, Part 1, Class A of the GPDO, subject to the prior approval notification process outlined in paragraph A.4. However, on the submitted block plan, the depth of the proposed extension appears to be greater than 6m when measured using the
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scale included within the bottom left corner of the plan. An extension of this depth would be greater than that which may be permissible under paragraph A.1(g). There is therefore a marked inconsistency between how the proposal is described on the application form and how it is shown on the block plan.

5. In light of this inconsistency, it is not possible to conclusively state that the extension would fall within paragraph A.1(g). Paragraph A.4(3) states that prior approval may be refused where insufficient information has been provided to establish whether the proposed development complies with the conditions, limitations or restrictions applicable to development permitted by Class A.1(g).
6. For the above reasons, I cannot conclude that the proposed extension would comply with the conditions in Article 3, Schedule 2, Part 1, Class A of the GPDO and constitute permitted development.
7. The appellant states that consultation with neighbouring occupants had been accurately carried out and that none have objected. Notwithstanding this, this does not affect the assessment as to whether the development would meet the conditions set out in paragraph A.1(g) of the GPDO.
8. The appellant has stated that there are similar or larger extensions nearby, however other extensions have no bearing as to whether the proposal meets the criteria in the GPDO.

Conclusion and Recommendation

9. For the above reasons and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

C Brennan

APPEAL PLANNING OFFICER

Inspector's Decision

10. 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