



Appeal Decision

Site visit made on 10 November 2020

by K Savage BA MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 December 2020

Appeal Ref: APP/B5480/D/20/3245104

45 Lowshoe Lane, Romford, Essex RM5 2AA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant prior approval under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO).
 - The appeal is made by Mr Bill Bailey against the decision of the Council of the London Borough of Havering.
 - The application Ref Y0327.19, dated 23 October 2019, was refused by notice dated 5 December 2019.
 - The development proposed is single storey glazed lean-to roof extension, with rendered end blockwork walls and bi-fold doors to front.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are firstly, whether the proposal would amount to permitted development, and if so, whether prior approval should be granted having regard to the effect of the development on the amenity of any adjoining premises, with particular reference to outlook and light.

Reasons

Whether Permitted Development

3. Schedule 2, Part 1, Class A of the GPDO states that the enlargement, improvement or other alteration to a dwellinghouse is permitted development. Paragraph A.1.(g) permits the enlargement of a non-detached dwellinghouse by the erection of a single storey extension that extends no more than 6m from the rear of the original dwellinghouse, subject to certain conditions.
4. The Council's delegated report states the existing single storey rear extension to be 4.6 metres deep, to which the addition of a 1.7 metre extension, as notated on the plans, would result in a 6.3 metre extension, exceeding the limitations of Paragraph A.1.(g).
5. Conversely, the application form indicates the total depth of extension which would result would be 6.0 metres. I am also provided with the decision notice for an extension of 4.2 metres in depth granted prior approval in 2014 (Council Ref Y0246.14). The appellant indicates that this is the same extension as exists on site.

6. Given the differences in the measurements provided, and to eliminate uncertainty, I asked the parties to measure and agree on the depth of the existing extension and the depth of the proposed extension. The existing extension was confirmed to be 4.46 metres deep. The appellant confirmed the proposed extension would be 1.7 metres deep, for a total depth of 6.16 metres. This exceeds the 6 metre depth allowed under Paragraph A.1.(g).
7. Consequently, and notwithstanding that the proposal may comply with the other limitations of Paragraph A.1., the conflict with part (g) means the proposal would not satisfy the requirements of Schedule 2, Part 1, Class A of the GPDO, and therefore is not development permitted by it.

Prior Approval

8. Given my findings that the proposed extension would not be development permitted under Class A of the GPDO, there is no need for me to consider whether or not prior approval would be required or should be granted as it would not alter the outcome of the appeal.

Other Matter

9. I have had regard to evidence provided by the appellant of the depth of other rear extensions along Lowshoe Lane, and to the recent appeal decision on an application for planning permission for an extension at the same site. However, these have no bearing on the assessment of whether the proposal amounts to permitted development.

Conclusion

10. For the reasons given, I conclude that the proposal is not permitted development under Schedule 2, Part 1, Class A of the GPDO. The appeal is therefore dismissed.

K Savage

INSPECTOR