



Appeal Decision

Site visit made on 23 November 2020

by Euan FS Pearson BA(Hons) BTP FRGS MRICS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31/12/2020

Appeal Ref: APP/W5780/D/20/3250952

31 Brantwood Gardens, Ilford IG4 5LG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to grant approval required under Article 3(1) and Schedule 2, Part 1, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mrs Margret Seviar against the decision of London Borough of Redbridge.
 - The application Ref 0761/20, dated 4 March 2020, was refused by notice dated 7 April 2020.
 - The development proposed is described as ground floor rear extension of additional 3m to make total of 6m from the original house.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal constitutes permitted development under Article 3(1) and Schedule 2, Part 1, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, (the GPDO).

Reasons

3. The appeal property is a two-storey mid-terrace dwellinghouse. The dwellinghouse has previously been enlarged by virtue of a full width, part two-storey, extension to the rear. This extension projects beyond the original rear elevation by approximately 3 metres. It is proposed to construct a further full width, single storey extension, maximum height 4m, resulting in an overall depth of 6m from the rear elevation of the dwellinghouse.
4. Development is not permitted by Schedule 2, Part 1, Class A.1(ja) of the GPDO where a total enlargement of the dwellinghouse exceeds the limits set out in sub-paragraphs (e) to (j). Total enlargement means the proposed extension taken with the previously constructed extension. Amongst other limitations, sub-paragraph (h) requires that the enlargement must not extend beyond the rear wall of the original dwellinghouse by more than 3m, unless single-storey.

5. I note from my visit that the previous extension includes an upper floor. As such, the total enlargement will not be single-storey. Therefore, as the total enlargement will extend 6m beyond the rear wall of the original dwellinghouse, the proposal is not permitted development.
6. The appellant's agent refers to appeal decision APP/W5780/D/16/3155424. That relates to a different property at No.37 Brantwood Gardens. Planning decisions are taken on individual merit and I am not aware of the particular circumstances of that case, noting that it was determined in 2016.

Conclusion

7. For the reasons set out above it is concluded that the proposal is not permitted development under Article 3(1) and Schedule 2, Part 1, Class A of the GPDO. As the proposal is not permitted development the prior approval notification process does not apply. For the reasons given above, I conclude that the appeal should be dismissed.

Euan FS Pearson

INSPECTOR