



Appeal Decision

Site visit made on 14 December 2020

by S. Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 February 2021

Appeal Ref: APP/M5450/D/20/3257777

56 Hunters Grove, Harrow, London HA3 9AQ

- 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 (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Pravin Kumar Ratna Kara against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/2083/20/PRIOR, dated 17 June 2020, was refused by notice dated 15 August 2020.
 - The development proposed is the addition of a 3m single storey rear extension to an existing 3m rear extension.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The application for prior approval of a proposed larger home extension has been made under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO). The main issue is whether the proposed development would constitute permitted development under the terms of Schedule 2, Part 1, Class A.1 (g) of the GPDO.

Reasons

3. The appeal property is a two storey semi-detached dwelling located in a established residential area. The dwelling already has been extended in the past, with evidence of a side and rear extension. I have not been provided with full details of the historic planning applications, although the Council include details of an approved scheme for a single storey front and rear single and two storey side to rear extensions from 2005 (ref: P/2298/05/DFU). Indeed, from my observations it did appear that there had been a side extension of some sort, but I do not have the plans of what was approved/developed at this address.
4. The proposal is for a further extension to the rear of the house of 3m in depth and would extend the width of the property, including across what appears to be the existing side extension. As the rear extension would span the full rear width of the dwelling, this could be of greater width than the original dwellinghouse.

5. The GPDO does allow for 'larger home extensions' to include single storey additions which extend beyond the rear wall of the original dwellinghouse by up to 6m for semi-detached houses or terraced properties. However, as stated this is to extend from only the rear elevation of the original dwellinghouse, and not from the rear of any previous extensions.
6. Furthermore, the Council state that the proposed rear extension, in conjunction with the existing additions to the house, "would form a rear and side extension which has a width greater than half of the width of the original dwellinghouse." Without full details of the planning history of the house I am not in a position to confirm whether this is the case, but I also do not have the information to state that the proposed extension would not extend greater than half the width of the original dwellinghouse.
7. On the basis of the evidence before me and my observations at the site visit, I have insufficient information to enable me to establish whether the proposed development complies with, the conditions, limitations or restrictions applicable to development permitted by Class A, which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g). I am therefore not satisfied that the proposed development would be permitted development under the terms of Schedule 2, Part 1, Class A.1 (g) of the GPDO.
8. Since I cannot be satisfied that the proposal would be permitted development, it is not necessary to consider the effect on the amenity of the neighbouring occupiers in this case.

Conclusion

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

Steven Rennie

INSPECTOR