
Appeal Decision

Site Visit made on 13 September 2021

by Mark Ollerenshaw BSc (Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 September 2021

Appeal Ref: APP/C3430/D/21/3276100

Broadwell Cottage, Broadwell Lane, Pattingham WV6 7BP

- 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 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr R Wilson against the decision of South Staffordshire District Council.
 - The application Ref 20/01026/LHSHLD, dated 20 November 2020, was refused by notice dated 9 March 2021.
 - The development proposed is described as a 'single storey rear extension'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The submitted plans supporting the proposal indicate an existing side extension, to which the development proposed would be attached. However, at the time of my site visit that existing side extension was not present, and a new blockwork course was in the process of being constructed in that location (there is no definitive information before me as to whether the new works being undertaken would match the existing side extension shown on the supporting plans). For clarity, however, I have assessed the proposal based on the plans before me which show the existing side extension. Any discrepancy between those plans and what is ultimately constructed in this location is a matter for the main parties to resolve as necessary.

Main Issue

3. The main issue is whether or not the proposed development would extend beyond a wall which forms the principal elevation of the original dwellinghouse.

Reasons

4. Schedule 2, Part 1, Class A of the GPDO¹ sets out, amongst other things, allowances for extensions to dwellings without the need to apply for express planning permission. This is subject to certain exceptions. One being that they cannot involve an extension beyond a wall forming the principal elevation of the original dwelling. The Technical Guidance: Permitted Development Rights for Householders 2019 (the Guidance) states that, in most cases the principal elevation will be that part of the house which fronts (directly or at an angle) the main highway serving the house (the main highway will be the one that

¹ Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

sets the postcode for the house concerned). It will usually contain the main architectural features such as main bay windows or a porch serving the main entrance to the house. Usually, but not exclusively, the principal elevation will be what is understood to be the front of the house.

5. The Guidance further indicates that there will only be one principal elevation on a house and that where there are two elevations which may have the character of a principal elevation a view will need to be taken as to which of these forms the principal elevation.
6. The northern elevation of the appeal building fronts onto the end of Broadwell Lane which provides the only vehicular access to the property. However, from what I saw during my site visit, the main architectural features of the dwelling are on the southern elevation notwithstanding that this elevation faces towards the garden and not the highway. That elevation includes an entrance door alongside a bay window and consequently has the features of a principal elevation.
7. By comparison, the northern elevation is relatively plain without any substantive architectural features. This elevation comprises a two storey flat roof structure which is set well below the ridge of the pitched roof to the southern part of the building, which gives the northern part of the building the appearance of a rear outrigger. This elevation currently contains two windows, but no entrance door in the foremost part. Notwithstanding that the northern elevation fronts onto the lane, it therefore has the attributes of a rear elevation.
8. Based on the evidence before me and my observations on site, I find that the south facing elevation is the principal elevation of the dwellinghouse. Consequently, the proposed extension would extend beyond a wall which forms the principal elevation of the original dwellinghouse. Accordingly, the proposal would not comply with the description of permitted development under Schedule 2, Part 1, Class A of the GPDO. An objection was received in response to the neighbour consultation scheme. However, given my findings, there is no need for me to consider this matter further.

Other Matters

9. I note the appellant's concerns with the way the Council has handled the application. However, that is a procedural matter which does not impact on my assessment of how the scheme would comply with the provisions of the aforementioned legislation.

Conclusion

10. For the reasons given above, the appeal should be dismissed.

Mark Ollerenshaw

INSPECTOR