

---

# Appeal Decision

Site visit made on 26 April 2022

**by Alexander O'Doherty LLB (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 4 May 2022**

---

**Appeal Ref: APP/F5540/D/21/3285595**

**166 Ellerdine Road, Hounslow TW3 2PX**

- 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 Mrs Lucky Islam against the decision of the Council of the London Borough of Hounslow.
  - The application Ref 00391/166/PA3, received by the Council on 15 August 2021, was refused by notice dated 21 September 2021.
  - The development proposed is described as, "Single storey rear extension".
- 

## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. 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) (GPDO), planning permission is granted for the enlargement of a dwellinghouse subject to limitations and conditions.
3. Where an application is made for a determination as to whether prior approval is required for development which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g) to Part 1, paragraph A.4(3) provides that the Local Planning Authority may refuse the application where it considers that the proposed development does not comply with the conditions, limitations or restrictions that are applicable to such permitted development. The Council refused the application on this basis.

## Main Issue

4. The main issue in this appeal is whether the proposed development would be permitted development under Schedule 2, Part 1, Class A of the GPDO.

## Reasons

5. The appeal site comprises a semi-detached dwelling located in a residential area. An outrigger with a roof, situated to the rear of the dwelling, extends beyond part of the dwelling. Neither party has suggested that the outrigger does not form part of the original dwelling and therefore I have proceeded on the basis that the outrigger does form part of the original dwelling.
6. The wall on the left-hand side of the outrigger (when the dwelling is viewed from the rear) constitutes a wall forming a side elevation of the original

dwelling. The limitations found in paragraph A.1(j) of Class A are based on the original dwelling. Consequently, these limitations apply even if part of the original dwelling is removed.

7. Considering this, although the wall on the left-hand side of the outrigger would be demolished at ground-floor level as part of the proposed development, as the proposed extension would extend across the 'back room' (as shown on the Ground Floor Plan), the proposed extension would extend beyond the line of that wall. As the proposed extension as a whole would extend for the full-width of the dwelling, it would have a width greater than half the width of the dwelling.
8. Hence, the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would have a width greater than half the width of the original dwellinghouse, meaning that the proposal would conflict with paragraph A.1(j)(iii) of Class A.
9. Furthermore, although the appellant has stated that a location plan was submitted and acknowledged by the Council, a site plan has not been provided within the appeal documents. Accordingly, on the basis of the evidence and the documents before me, the lack of a site plan means that the proposal also conflicts with paragraph A.4(2)(b) of Class A.
10. For the reasons given above, the proposal would not comply with all of the requirements of paragraphs A.1 nor A.4. Thus, the proposed development would not be permitted development under Schedule 2, Part 1, Class A of the GPDO.

### **Other Matters**

11. The appellant has provided a list of nearby extensions which were approved as permitted development. However, as no plans have been provided relating to those examples, a meaningful comparison with the appeal proposal cannot be made. As such, those examples do not change my findings on the main issue in this appeal.

### **Conclusion**

12. For the reasons given above I conclude that the appeal should be dismissed.

*Alexander O'Doherty*

INSPECTOR