



Appeal Decision

Site visit made on 11 February 2025

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th February 2025

Appeal Ref: APP/T5720/D/24/3350274

8 Bayham Road, Morden, Merton SM4 5JQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) 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 & Mrs Bentley against the decision of the Council of the London Borough of Merton.
 - The application Ref is 24/P1601.
 - The development proposed is 6m single storey rear extension incorporating new patio doors, window and roof lights.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. At the time of my site visit, I observed that a single storey rear extension has been constructed up to eaves height. Both main parties have been invited to comment on this matter. The appellant has subsequently confirmed that works have commenced on a separate proposal submitted & approved via a different application. I have determined the appeal on this basis.

Main Issues

3. The main issue is whether the proposal is permitted development under the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).

Reasons

4. The layout of the extension constructed on site varies to that shown on the submitted plans, though the appellant maintains that they still have flexibility to implement features of the proposal. However, prior approval cannot be granted for development that has already begun, whether or not it is wholly or partially completed. The proposal is thus not permitted under Schedule 2, Part 1, Class A of the GPDO. I thus have no need to consider the amenity of adjoining premises.

Conclusion

5. For the reasons given above, I conclude that the appeal is dismissed.

Ryan Cowley

INSPECTOR