



Appeal Decision

Site visit made on 11 February 2025

by **P Terceiro BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 February 2025

Appeal Ref: APP/M3645/D/24/3348247

3 Meadway, Warlingham, Surrey CR6 9RW

- 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 S Patel against the decision of Tandridge District Council.
 - The application Ref is 2024/416/NH.
 - The development proposed is a single storey rear extension.
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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 (the 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.
4. I observed during my site visit that construction works were underway on site, and a single storey extension stretching across the full width of the rear elevation of the appeal dwelling has been constructed. This extension does not correspond with the submitted plans, which show a gap between the side boundary of the site and the proposed extension. For the avoidance of doubt, I have assessed the proposal based on the plans before me.

Main Issue

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

Reasons

6. In order to be permitted development under Class A, the proposal must meet all the limitations and conditions under this Class. Paragraph A.1(j) states that the development is not permitted by Class A if the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse

and would (i) exceed 4 metres in height, (ii) have more than a single storey, or (iii) have a width greater than half the width of the original dwellinghouse.

7. Paragraph A.1(ja) states that any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j).
8. The evidence indicates that the original dwelling was enlarged with a single storey side and rear extension comprising a garage, utility and enlarged kitchen. Since the proposed development would adjoin this extension, the total enlargement would be assessed in accordance with paragraph A.1(ja). As a consequence, the total enlargement, at its widest point, would have a width greater than half the width of the original dwellinghouse. Thus, the total enlargement would exceed the limit set out in A.1(j)(iii).
9. Accordingly, the proposal does not constitute permitted development under Schedule 2, Part 1, Class A of the GPDO.

Other Matters

10. The appellant suggests that the proposal would not cause harm to the living conditions of adjoining residents, and I no objections were raised in that regard. However, these matters have no bearing on my consideration as to whether the proposal meets the conditions of Class A.1.

Conclusion

11. For the reasons given above the appeal should be dismissed.

P Terceiro

INSPECTOR