



Appeal Decision

Site visit made on 1 April 2025

by **L J O'Brien BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 8th April 2025

Appeal Ref: APP/F5540/D/24/3354608

53 Hartham Road, Hounslow, Isleworth, TW7 5EY

- 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 [specify part], Class [specify class] of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Siobhan Lyons against the decision of the Council of the London Borough of Hounslow.
 - The application Ref is PA/2024/3138.
 - The development proposed is 6m deep single-storey rear extension
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, [Part 1, Class A, paragraph A.4] of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for 6m deep single-storey rear extension at 53 Hartham Road, Isleworth, TW7 5EY in accordance with the application Ref PA/2024/3138 made on 18 September 2024, and the details submitted with it [including plan numbers HR53_01 – Block and location plan, HR53_02 – Existing Plans, HR53_05 – Existing elevations, HR53_12 – Proposed plans, HR53_15 – Proposed elevation], pursuant to Article 3(1) and Schedule 2, [Part 1, Class A, paragraph A.4(2)] and subject to the following condition:
 - 1) The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was updated in December 2024, during the consideration of this appeal. Insofar as is directly relevant to the appeal, there are no substantive changes and no parties have been prejudiced as a result.

Main Issue

3. I consider that the main issue in this appeal is whether the proposed development would be granted planning permission by Article 3, Schedule 2, Part 1, Class A of the GPDO.

Reasons

4. Article 3, Schedule 2, Part 1, Class A, paragraph A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (GPDO) allows for the enlargement, improvement or other alteration of a dwellinghouse

subject to limitations and conditions. Schedule 2, Part 1, Class A, paragraph A.1(g) sets out that development is not permitted by Class A if the enlarged part of the dwelling house would have a single storey and would extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or exceed 4 metres in height.

5. The contested limitations and conditions relate to paragraph A.4(2)(a) which states that before beginning the development the developer must provide the local planning authority a written description of the proposed development including how far the enlarged part of the dwellinghouse extends beyond the rear wall of the original dwellinghouse, the maximum height of the enlarged part of the dwellinghouse and the height of the eaves of the enlarged part of the dwellinghouse.
6. The application form provided to the Council by the appellant indicated that the maximum height of the extension would be 3m and that the eaves height would also be 3m. However, the plans submitted, as required by Schedule 2, Part 1, Class A, paragraph A.4(2)(b), show that whilst the eaves would indeed be 3m, the highest part of the proposed extension would be 4m.
7. Schedule 2, Part 1, Class A, paragraph A.4(8) allows the local planning authority to require the developer to submit such further information regarding the proposed development as the authority may reasonably require in order to determine the application. However, in this instance the Council do not appear to have pursued this option and determined that the application should be refused due to the discrepancies.
8. The appellant's evidence at appeal stage is clear that a typographical error was made on the application form and the proposed maximum height would be 4m. Though I accept that the plans differ from the application form I am, nevertheless, satisfied that under Schedule 2, Part 1, Class A, paragraph A.4(3)(b) the developer has provided sufficient information to enable a decision to be made regarding 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).
9. Despite the discrepancies, the evidence before me is clear that the maximum height of the proposed extension would not exceed the 4m permitted by the GPDO. Consequently, I consider that the proposed development would be granted planning permission by Article 3, Schedule 2, Part 1, Class A of the GPDO.

Conditions

10. Article 3, Schedule 2, Part 1, Class A.3 of the GPDO sets out a series of conditions which should be applied to development which is permitted. In this case, in the interests of protecting the character and appearance of the host building and the wider area I have imposed a condition requiring the materials to be used to be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

Conclusion

11. For the reasons given above, I conclude that the appeal should be allowed and prior approval should be granted.

L J O'Brien

INSPECTOR