



Appeal Decision

Site visit made on 27 May 2025 by L Clark MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 June 2025

Appeal Ref: APP/W5780/D/24/3356680

23 Tulip Gardens, Ilford, Redbridge IG1 2JX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under 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 Rommel Dias against the decision of the Council of the London Borough of Redbridge.
 - The application Ref is 2903/24.
 - The development proposed is for a single storey rear extension with flat roof construction.
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Decision

1. The appeal is allowed and approval is granted under the provisions of Article 3(1) of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) for a single storey rear extension with flat roof construction at 23 Tulip Gardens, Ilford, Redbridge IG1 2JX in accordance with the terms of the application, Ref 2903/24 and subject to the standard conditions set out by paragraphs A.3(a) and A.4(11b) of the GPDO.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is whether or not the proposed development would extend beyond the curtilage of the dwellinghouse.

Reasons for the Recommendation

4. The crux of the matter is whether or not the curtilage to the rear of the appeal property is angled relative to its neighbours. Curtilage can be described as land which forms part and parcel with the house. Usually, it is the area of land within which the house sits or to which it is attached such as the garden in this case. Class A of the GPDO is only concerned with development within the curtilage of a dwellinghouse.
5. I have not been provided with any evidence to suggest that the rear boundaries have altered. The existing boundaries are constructed as per the HM land registry document provided and do not appear to be angled. If there is any slight angling to the boundaries, they are not obvious to the naked eye. I have no evidence before me to suggest that the existing fencing would not define the curtilage. Therefore, the proposed development would be within the confines of the existing boundary

fencing as per the other plans I have seen and thus, in the absence of anything compelling to the contrary, the curtilage of the dwellinghouse. There are therefore no reasons set out before me as to why prior approval should not be granted with all matters under the relevant class and for prior approval considered acceptable.

Conditions

6. Prior approval is granted subject to the conditions set out by paragraphs A.3(a) and A.4(11b) of the GPDO which are concerned with materials and the development being carried out in accordance with the approved details.

Conclusion and Recommendation

7. For the reasons set out above, the proposal would accord with the GPDO and comply with the description of permitted development. Subject to the aforementioned conditions, I recommend that the appeal should be allowed, and prior approval granted.

L Clark

APPEAL PLANNING OFFICER

Inspector's Decision

8. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed, in the terms set out above.

John Morrison

INSPECTOR