



Appeal Decision

Site visit made on 7 July 2025

by **C Housden BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25th July 2025

Appeal Ref: APP/L5240/D/25/3359130

19 Sunny Bank, South Norwood, Croydon, London SE25 4TQ

- 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 Desmond Ratray against the decision of the Council of the London Borough of Croydon.
 - The application ref is 24/03707/GPDO.
 - The development proposed is single storey rear extension, to enable the provision of a larger kitchen and dining area.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As part of the appeal the appellant has submitted an additional plan showing various measurements of the extension. Having regard to the appeal following the Householder Appeal Service (HAS) route, the appeal should be determined on the basis of the plans which were before the Council when it made its decision. Furthermore, given the HAS procedure does not allow the Council to comment upon this drawing, I am concerned that accepting this plan could prejudice the position of the Council. Therefore, I have based my decision on the plans which were before the Council when the application was determined.

Main Issue

3. The main issue is whether the proposed extension is permitted under the Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).

Reasons

4. The existing property has a rear extension which is to be demolished. The original property has a stepped rear elevation. Owing to the step in the rear elevation, there would be a wall forming a side elevation which the proposed development would extend beyond.
5. Development is not permitted by paragraph A.1(j)(iii) Schedule 2, Part 1, Class A of the GPDO if 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.

6. The appellant suggests that the Council should not have used the overall width of the extension and instead, the width measurement that limitation (j) of Class A refers to should only measure the width of the extension from the original side wall.
7. However, limitation (j) of Class A refers to 'the enlarged part of the dwellinghouse' rather than any individual part of the extension. Therefore, I have considered the enlarged part of the dwellinghouse, which spans almost the full width of the stepped rear elevation of the original building.
8. The appellant has referred to the diagram on page 23 of the Permitted development rights for householders - Technical Guidance (2019) to support their interpretation of limitation (j). However, this example is not directly comparable to the appeal proposal as it relates to an infill extension that does not extend past the rear building line of the example dwelling. In any case, the example provided in the technical guidance measures the entire width of the extension as I have done in this case.
9. The development would have a width greater than half the width of the original dwelling and it would extend from an original side wall. The proposed development would therefore not comply with limitation (j) of Schedule 2, Part 1, Class A and therefore would not be development permitted under the GPDO.
10. Whilst the evidence shows that prior approval was not triggered owing to no objections being received by neighbours, this does not alter the development not being permitted under the GPDO.

Conclusion

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

C Housden

INSPECTOR