



Appeal Decision

Site visit made on 16 September 2025

by A Hunter LLB (Hons) PG Dip MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 September 2025

Appeal Ref: APP/Q5300/D/25/3368546

31 Wilmer Way, Southgate, Enfield N14 7HT

- 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 Jason Halliday against the decision of the Council of the London Borough of Enfield.
 - The application Ref is 25/01861/PRH.
 - The development proposed is described as “the proposed single storey extension to the rear of dwelling house will project 4165mm from the rear elevation. Measured from the existing ground level at the rear elevation of the property the maximum height of the perimeter walls including the parapet will be 3280mm, the eaves height will be 3000mm. The overall width of the extension of 6065mm will sit within the width of the existing dwelling house. The current up and over door to the out building will be modified to facilitate the rear extension to the dwellinghouse.”
-

Decision

1. The appeal is allowed and prior approval is not required 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 a single storey rear extension 4.17m deep x 3.28m high (3m high to eaves), at 31 Wilmer Way, Southgate, Enfield N14 7HT in accordance with the terms of the application, Ref 25/01861/PRH and the details submitted with it, including drawing no's: 31WW_GA_005 Rev A; 31WW_EL_005 Rev A; 31WW_GA_006 Rev. A; and 31WW_EL_006 Rev. A.

Preliminary Matters

2. The description of development in the decision above is taken from the Council's notice of decision, as it most accurately describes the proposed development the subject of this notification.
3. 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. 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. In this case, the Council's notice of decision refers to the proposed development being contrary to criterion (i) of Schedule 2, Part 1, Class A of the

GPDO. No other conflict with any of the other limitations, conditions or restrictions have been identified, and I see no reason to disagree.

Main Issue

4. Accordingly, the main issue is whether the proposed development is permitted under Schedule 2, Part 1, Class A of the GPDO.

Reasons

5. Criterion (i) of Class A, Part 1, Schedule 2 of the GPDO states the height of the eaves of the enlarged part should not exceed 3 metres if the enlarged part of the dwellinghouse is within 2 metres of its curtilage.
6. The proposed rear extension would be within 2 metres of a boundary to an adjoining property. The proposed plans show that it would have a flat roof measuring 3 metres in height from most of the ground level adjoining it. Surrounding the flat roof is a parapet roof measuring some 0.28 metres higher than the flat roof part. Although, there would be 2 no. roof lights partly above the flat roof, as they would sit within it, I am content that they are not relevant when calculating the eaves height of the proposed extension.
7. Whilst there is no definition within this part of the GPDO as to how eaves height is calculated, the Permitted Development Rights for Householders: Technical Guidance, updated 10 September 2019 (HTG) helpfully states that when measuring the eaves height where the ground level is not uniform (for example if the ground is sloping), then the ground level is the highest part of the surface of the ground next to the building, which would be consistent with how the appellant has calculated the eaves height in this case. It further states that parapet walls should not be used in eaves height calculations. Moreover, the HTG provides an example, similar to the appellant's proposed drawing, that shows that eaves height is measured to the top of the flat roof part, with the parapet roof height excluded. The HTG is an important consideration, which shows that the eaves height is to be calculated to the top of the flat roof.
8. In the absence of any alternative method of calculating the eaves height in this case, I have no reason to take a different view to the guidance within the HTG, and the eaves height in this case would not exceed 3 metres.
9. Consequently, based on the evidence before me, I conclude that the proposal would be permitted development under Schedule 2, Part 1, Class A of the GPDO.

Conditions

10. Any planning permission granted under Article 3(1) and Schedule 2, Part 1, Class A is subject to the conditions in paragraphs A.3 and A.4. I consider that no further conditions are necessary.

Conclusion

11. For the reasons given above, I conclude that the appeal should be allowed, and prior approval is not required.

A Hunter

INSPECTOR