



Appeal Decision

Site visit made on 19 August 2025 by T Morris BA (Hons) MSc

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th October 2025

Appeal Ref: APP/Z5060/D/25/3365700

152 Park Avenue, Barking, Barking and Dagenham IG11 8QY

- 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, paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mansoor Ahmad against the decision of the Council of the London Borough of Barking and Dagenham.
 - The application reference is 25/00322/PRIEXT.
 - The development proposed is a single storey rear extension.
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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) (GPDO) for a single storey rear extension at 152 Park Avenue, Barking, Barking and Dagenham IG11 8QY, in accordance with application reference 25/00322/PRIEXT and the details submitted with it.

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.

Background and Main Issue

3. The GPDO permits the enlargement of a dwelling, a terraced one in the case of the appeal site, subject to limitations and conditions. One such is set out by paragraph A.1 (i) which explains development is not permitted where, amongst other things, the enlarged part would be within two metres of the boundary of the curtilage and the height of the eaves of the enlarged part would exceed three metres. The Council contend that the extension would have two eaves heights, with the flat roof section being in excess of the upper limit expressed. They have not objected to the scheme in any other regards. Therefore, and in terms of whether or not the appeal scheme would comply with the description of permitted development, the matter of the eaves height of the proposed extension forms the main issue of the appeal.

Reasons for the Recommendation

4. The side elevation of the extension as it is depicted in the submitted plans shows that even though the roof would have two different angles, both would be pitched, so the roof in totality would be pitched overall. The larger section of the roof would

be at a much shallower angle than the smaller steeper section, but it would not be flat. There is nothing before me to suggest that a pitched roof cannot have two different angles. The extension would not therefore have two eaves heights.

5. Guidance on permitted development for householders that was current on the date of the application advises that the eaves height for a pitched roof is measured from ground level at the base of the outside wall to the point where that wall would meet the upper surface of the roof slope. At this point, the eaves height of the extension would be less than three metres. The extension would therefore comply with the requirements of the GPDO, with particular regard to the above paragraph.
6. I do not have the full details of the two appeal decisions cited by the Council, but if the proposed extension in the case of this appeal before me had a flat roof and pitched roof sections, it would likely have two eaves heights. As I have explained, it would not. Consequently, these appeal decisions do not alter my findings. With this and the above in mind, the appeal scheme would comply with the description of permitted development as it is set out by Class A.
7. Paragraph A.7 of the GPDO sets out that where any owner or occupier of any adjoining premises objects to the proposed development, prior approval is required as to its impact on the amenity of any adjoining premises. The evidence before me indicates that no objections were received. Therefore, the impact of the proposal on the amenity of any adjoining premises is not a matter in dispute and thus, as I have explained, prior approval is not required.

Conditions

8. Any approval granted under the above mentioned legislative provisions is subject to the standard conditions in paragraphs A.3 and A.4. This includes binding the scheme to the submitted details and the use of similar materials to the existing dwelling. There is no requirement to set them out separately. A time limit condition is not required as any permission granted by the GPDO is continuous while it is enforced or re-enforced.

Conclusion and Recommendation

9. For the reasons given above, the appeal scheme would comply with the description of permitted development set out by Class A. I therefore recommend the appeal is allowed in the aforementioned circumstances and subject to the conditions and limitations thereof.

T Morris

APPEAL PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed.

John Morrison

INSPECTOR