
Appeal Decision

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

Decision by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2025

Appeal Ref: APP/W5780/D/25/3368023

8 Castlevue Gardens, Cranbrook, Redbridge, Ilford IG1 3QB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval 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 Yunus Ali against the decision of the Council of the London Borough of Redbridge.
 - The application reference is 1455/25.
 - The development proposed is a fast track single storey rear extension.
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Decision

1. The appeal is dismissed.

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.

Application for Costs

3. An application for costs has been made by the appellant. This is subject of a separate decision.

Preliminary Matters

4. There is a dispute amongst the main parties regarding whether or not the Council's decision was issued within the statutory time limit. While I have not been provided with a copy of it, the appellant refers to a letter from the Council dated 23 May 2025 which is said to have stated that if no decision was made by 15 June 2025, prior approval would not be required.
5. Article 7(a) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO), states that the statutory period for development under Schedule 2, Part 1 is 42 days. The evidence before me indicates that the application was received on the 19 May 2025. This is the validation date referred to in the Council's officer report. The Council's decision notice was issued on the 20 June 2025. This is within the 42-day statutory period. I must therefore accept that the decision notice was issued within the statutory period. Consequently, there are no grounds to allow the appeal on the basis that the Council did not issue the decision in the correct time period. A previous indication that prior approval would not be required if no decision was made by a certain date is not a formal decision of the Council.

6. In their submissions, the Council have identified an error on their decision notice. The wording on the decision notice reads that 'the proposal does not constitute permitted development by virtue of Schedule 2 Article 3, Part 1, Class A.1 sections (g)(ii), (i), j(i), j(ii), and (ja) of the Town and Country Planning (General Permitted Development) Order 2015. (as amended)'. However, the Council now state that reference to sections j(i)(ii) were erroneously included. I have no reason to form a different view and I have taken this into account in considering the appeal.

Background and Main Issue

7. The appeal site comprises an end-terraced dwellinghouse situated in a residential area. Schedule 2, Part 1, Class A of the GPDO permits the enlargement of a dwellinghouse subject to certain conditions, limitations and restrictions.
8. 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) of Schedule 2, Part 1, Class A of the GPDO, but is allowed by paragraph A.1(g) of the same section, paragraph A.4(3) provides that the local planning authority may refuse the application where it considers that the proposed development does not comply – or that the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with the conditions, limitations or restrictions that are applicable to such permitted development.
9. The Council's decision notice and officer report states that the proposed development would not comply with the limits of Schedule 2, Part 1, Class A of the GPDO. The Council argue that because the proposed single storey rear extension would be attached to a non-original extension to the dwellinghouse, it would exceed the limits set out in Schedule 2, Part 1, Class A.1.
10. Consequently, I consider that the main issue is whether or not the proposed single storey rear extension would be granted planning permission by Article 3, Schedule 2, Part 1 of Class A of the GPDO, having regard to the existing enlargements at the dwellinghouse.

Reasons for the Recommendation

11. Paragraph A.1(g) of Schedule 2, Part 1, Class A of the GPDO states that for a dwellinghouse not on article 2(3) land or on a site of special scientific interest, development is not permitted by Class A if the enlarged part of the dwellinghouse would have a single storey and:

 (i): 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,

 (ii): exceed 4 metres in height.
12. As is set out in paragraph A.1(i) of Schedule 2, Part 1, Class A of the GPDO, development is also not permitted if the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres.
13. Paragraph A.1(ja) of Schedule 2, Part 1, Class A states that development is not permitted if any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined)

exceeds or would exceed the limits set out in sub-paragraphs (e) to (j). This includes paragraphs A.1(g) and A.1 (i) as set out above.

14. Paragraph (ja) was introduced to the GDPO under a 2017 amendment¹. The accompanying Explanatory Memorandum outlines that the amendments to Class A remove from permitted development rights, for example, the ability to allow a single storey extension to be joined to an existing two storey extension (or vice versa) creating a total enlargement which would not have been permitted under Class A as a single extension.
15. The original dwellinghouse has already been extended with a part ground floor rear extension and a first-floor rear extension. The Council's evidence includes planning history which indicates that the extension was granted approval in 1986². The plans provided for the 1986 application seem to be consistent with my own observations from my site visit, where due to their different design and materials, the extensions did not appear to be original to the dwellinghouse. Therefore, as these are existing enlargements, they must be considered alongside the proposed development, in terms of assessing whether or not the totality of the proposal would comply with the limits set out in the GPDO.
16. Due to its location to the rear of the dwellinghouse, the proposed single-storey rear extension would be physically joined to the existing extensions. The height of the first-floor element of the existing extension is not annotated on the plans before me. However, while the proposed extension would be single storey with a height of 3 metres, the totality of the enlargements would be significantly taller when accounting for the existing first-floor extension which the proposal would be connected to. On the proposed elevations provided, the first-floor extension appears to be approximately twice the height of the 3-metre single storey rear extension. Therefore, it would inevitably be in excess of the 4-metre height limit and would fail to comply with paragraph A.1(g).
17. Furthermore, based on the plans before me and from my own observations on the site visit, the existing first floor extension is within 2 metres of the boundary of the curtilage of the dwellinghouse. For similar reasons to those I have already explained, the height of the eaves of the existing first-floor extension exceeds 3 metres. Consequently, the proposal also fails to comply with paragraph A.1 (i).
18. In summary, given that the proposed single storey rear extension would be physically connected to the existing extension, these enlargements taken together would exceed the height limit of 4 metres and would exceed the eaves height limit of 3 metres. Therefore, the proposal would not be permitted development under Schedule 2, Part 1 of Class A of the GPDO.

Other Matters

19. The appellant refers to appeal decision 3356680. However, I have not been provided with a copy of the formal decision for this appeal, or the plans associated with it. Therefore, there is insufficient evidence before me which explains the particular circumstances of that appeal and whether or not it is similar to the appeal before me. In the absence of such information, that appeal does not alter my findings on the appeal before me.

¹ The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2017

² Application reference PL/335/86

20. I have also seen the appellant's concerns regarding the conduct of the Council. Despite this, my recommendation has to be based on the evidence before me and focussed on the particular circumstances of the appeal, rather than on any concerns about the behaviour of the Council. I also note that the Council have provided a decision notice and officer report which explains the reasons why they have reached their conclusions, which are focussed on the specifics of the proposal and whether or not it would be permitted development.
21. The absence of objections from neighbouring properties is not a relevant factor in terms of the main issue in this appeal.

Conclusion and Recommendation

22. For the reasons given above, I recommend that the appeal should be dismissed.

T Morris

APPEAL PLANNING OFFICER

Inspector's Decision

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

A M Nilsson

INSPECTOR