
Appeal Decision

Site visit made on 28 October 2025 by E Street BSc (Hons) MSc

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 NOVEMBER 2025

Appeal Ref: APP/Z3635/D/25/3371782

7 The Pines, Sunbury on Thames, Surrey TW16 6HT

- 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 John Carey against the decision of Spelthorne Borough Council.
 - The application Ref is 25/00755/PDH.
 - The development proposed is a ground floor side/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 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for a ground floor side/rear extension at 7 The Pines, Sunbury on Thames, Surrey TW16 6HT in accordance with the application Ref 25/00755/PDH, and the details submitted with it, pursuant to Article 3(1) and Schedule 2 Part 1 Class A, Paragraph A.4(2).

Appeal Procedure, Preliminary Matters, & Main Issue

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. The description on the application form differs to the decision notice. I am however satisfied that it accurately describes the proposal so the main parties would not be prejudiced by me using it for the appeal scheme.
3. Under the above mentioned legislation (the GPDO), planning permission is granted for the enlargement of a dwellinghouse subject to limitations and conditions. The Council has refused the proposal on the basis that the extension would not constitute permitted development. They have not explicitly stated which limitation it would conflict with. No representations were received and therefore an assessment based on Paragraph A.4 (7) is not required. Therefore, the main issue is whether the proposed development would comply with the description of permitted development under Article 3, Schedule 2, Part 1, Class A of the GPDO.

Reasons for the Recommendation

4. The proposed extension is to be sited to the rear of the property and would be attached to an existing single storey addition. Resultantly, it would be both to the rear and the side of the original dwelling. The Council's position is that the property has already been extended to the side and as the proposal would extend therefrom, it would not extend beyond the rear wall of the original dwelling. The proposal would mirror the existing single storey element in width and total height.

5. The appeal proposal, whilst not attached to the original rear wall, would clearly extend beyond the rear wall of the original dwelling, this is notwithstanding being attached to an existing extension. Moreover, the Householder Technical Guidance 2019 states that where a new extension is joined to an existing extension under paragraph (ja) it is subject to the limits set out in sub-paragraphs (e) to (j). This is regardless of whether it was following a planning application or under permitted development. The total cumulative length of the rear projection would be no more than eight metres and therefore not exceeding the requirements of paragraph (g)(i) as the dwelling is detached and it would be less than four metres in height (ii).
6. As the appeal proposal is also considered part of the side elevation, it is required to also meet the limitations of paragraph (j). I agree that the enlarged part would extend beyond a wall forming a side elevation of the original dwellinghouse. However, it is also clear that it would meet the height of the existing side extension and would not exceed four metres in height (i), would not have more than a single storey (ii) and would not have a width greater than half the width of the original dwellinghouse (iii).
7. The appeal proposal would comply with the limitations set out in both paragraphs (g) and (j) in terms of a larger rear extension and a side extension and resultantly paragraph (ja). The Council has not explicitly confirmed that the proposal would be development permitted under the other limitations. However, as their reason for refusal has not translated to any other non-compliance with the order, I have no reason to find that it would not be compliant with the description of permitted development. The proposal would therefore comply with the limitations set out in Schedule 2, Part 1, Class A.1 of the GPDO.

Conditions

8. The Council has suggested conditions specifying the approved plans and matching materials. Any planning permission granted under Article 3(1) and Schedule 2, Part 1, Class A is subject to the conditions in sections A.3 and A.4. This includes the submitted details with the application and the use of similar materials to the exterior of the existing dwelling house. As they are set out in the legislation it is therefore unnecessary to repeat them. No other conditions are required.

Conclusion and Recommendation

9. For the reasons given above, I recommend that the appeal should be allowed. Prior approval is not required.

E Street

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, and prior approval is not required.

John Morrison

INSPECTOR