



Appeal Decision

by John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2025

Appeal Ref: APP/K0425/X/24/3350709

14A Green Crescent, Flackwell Heath, High Wycombe HP10 9JQ

- The appeal is made under section 195 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant a certificate of lawful use or development (LDC).
 - The appeal is made by KJR Architectural Consultants Ltd against the decision of Buckinghamshire Council - West Area (Wycombe).
 - The application ref 24/06366/CLP, dated 11 June 2024, was refused by notice dated 6 August 2024.
 - The application was made under section 192(1)(b) of the Town and Country Planning Act 1990 (as amended).
 - The development for which an LDC is sought is single storey side extension.
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Decision

1. The appeal is dismissed

Preliminary Matters

2. Determination of the appeal requires an assessment of the proposed development against the provisions of The Town and Country Planning (General Permitted Development)(England) Order 2015 (the GPDO). The proposed development is shown on drawings submitted with the application. In these circumstances visiting the site is unnecessary. The appeal has been determined without undertaking a site visit.

Reasons

3. 14A Green Crescent is a two-storey detached dwelling with a single storey garage attached to its east elevation. The proposed development includes the demolition of the garage and its replacement by a single storey extension. Class A of Part 1 of Schedule 2 of the GPDO states that the enlargement of a dwellinghouse is permitted development. Development is not permitted under Class A, as set out in paragraph A.1 if, amongst other things, (j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse and would, amongst other things, have a width greater than half the width of the original dwellinghouse.

4. The parties agree that, for the purposes of applying the limitations of Class A, the garage is part of the original dwelling house, which has a width of about 8.6 metres. The crucial factor in this case is that the dwelling has two east facing side walls; the east side wall of the dwelling and the east side wall of the garage. The Government has published Technical Guidance to Part 1 of Schedule 2 of the GPDO. This guidance confirms that "Where an extension is beyond any side wall, the restrictions in (j) will apply" (emphasis added). The proposed extension would extend beyond the east side wall of the dwelling and would, at its widest, be about 5 metres wide, whereas half the width of the original dwellinghouse is about 4.3 metres.

5. 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. The proposed extension would not satisfy the limitation of paragraph A.1(j) and would not thus be development permitted under Class A of Part 1 of Schedule 2 of the GPDO.

6. For the reasons given above, and on all the evidence now available, the Council's refusal to grant an LDC for single storey side extension at 14A Green Crescent, Flackwell Heath, High Wycombe was well-founded and the appeal fails. The powers transferred under section 195(2) of the 1990 Act as amended have been exercised accordingly.

John Braithwaite

Inspector