



Appeal Decision

Site visit made on 18 November 2025

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th December 2025

Appeal Ref: APP/F1040/D/25/3371382

18 Clayton Gardens, Hatton, Derby, Derbyshire DE65 5EB

- 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 Mrs Joanne Arnold against the decision of South Derbyshire District Council.
 - The application Ref is DMPN/2025/0672.
 - The development proposed is described as 'the single storey extension to the rear of the property will provide our property with additional living space housing a larger dining area and a snug area'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. 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.
3. The application, which is the subject of this appeal, was made under paragraph A.4 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.

Main Issues

4. The main issue in this appeal is whether the proposed development would be granted planning permission by Article 3, Schedule 2, Part 1, Class A, paragraph A.1(g), of the GPDO.

Reasons

5. Paragraph A.1(g)(i) allows semi-detached dwellinghouses, where not on article 2(3) land nor on a site of special scientific interest as in this case, to extend beyond the rear wall of the original dwellinghouse by up to 6 metres.
6. The Ministry of Housing, Communities and Local Government has produced 'Permitted development rights for householders: technical guidance' (September 2019) (the Guidance) to assist in the understanding of the rights to improve and

extend homes without the need for planning permission. The Guidance sets out that the rear wall or walls of the house will be those which are directly opposite the front of the house. Thus, whilst I have had regard to the appellant's evidence as to what is the principal elevation, it is the front of the house that is the determinative factor in establishing what is the rear elevation. Although the Guidance states that the principal elevation will usually be what is understood to be the front of the house, it recognises that is not always the case.

7. The appeal property is one of a pair of semi-detached dwellings and is on a corner plot. It has an elevation that fronts onto a road with pavements and street lighting, so could reasonably be considered a main highway. Another elevation faces onto a shared drive, which, while in private ownership is, nonetheless, a highway for the purposes of the GPDO as stated in the Guidance.
8. The elevation which fronts onto the main highway is relatively narrow in width, and simple in its design, containing two windows at ground floor and two above. In comparison, the elevation that adjoins the shared drive is much wider and contains a doorway with a storm porch, two wide windows at ground floor and a further three windows on the first floor, the outer two of which are beneath small gables. It is this elevation that contains the main entrance into the dwellinghouse and its main architectural features. For these reasons, and notwithstanding that it does not adjoin the main highway, I find it to be the front of the house.
9. The proposed enlargement would, therefore, extend beyond a wall that is at right angles to, and not opposite, the front of the house. Consequently, the proposed enlargement would not comply with the limitations set out at A.1(g)(i), as it would not extend beyond the rear wall of the original dwellinghouse.
10. The appellant has referred to dwellings on Scropton Road to illustrate that not all properties have doors on the front, or principal, elevation. However, as they are not on corner plots, they are not directly comparable to the appeal property and do not, therefore, alter my findings in respect of the appeal before me.
11. For these reasons, I consider that as the proposed development would not extend beyond the rear wall of the original dwellinghouse, it would not be granted permission by Article 3, Schedule 2, Part 1, Class A, paragraph A.1(g) of the GPDO.

Other Matters

12. The appellant raises concerns that the Council did not advise that it considered that the wrong application had been submitted. However, such matters are not relevant to my findings on this appeal and, therefore, fall outside of the remit of this decision.

Conclusion

13. For the reasons given above, I conclude that the appeal should be dismissed.

Elaine Moulton

INSPECTOR