Appeal Decision
Site visit made on 10 October 2018

by W Johnson  BA(Hons) DipTP DipUDR MRTPi
an Inspector appointed by the Secretary of State

Decision date: 7 January 2019

Appeal Ref: APP/Z5060/D/18/3205749
23 Southwold Drive, Barking IG11 9AT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 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) (GPDO).
- The appeal is made by Mr Dipankar Sarker against the decision of the Council of the London Borough of Barking & Dagenham.
- The application Ref 18/00393/PRIOR6, dated 3 March 2018, was refused by notice dated 6 April 2018.
- The development proposed is a single storey ground floor rear extension.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The Revised National Planning Policy Framework (the Framework) was published in July 2018, after the appeal was lodged. I have had regard to the Revised Framework in reaching my decision.

Main Issue

3. The main issue in this appeal is whether the proposal would comply with Schedule 2, Part 1, Class A of the GPDO.

Reasons

4. The appeal property is an end terraced dwelling of brick construction with a tiled hipped roof. The appeal relates to the erection of a single storey rear extension, with an approximate depth of 5 metres, with an eaves height of around 3 metres and a maximum height of approximately 3.2 metres.

5. The Council’s reason for refusal sets out that the proposal would result in the enlarged part of the dwellinghouse extending beyond a wall forming a side elevation of the original dwellinghouse and which would have a width greater than half the width of the original dwellinghouse. This would be contrary to the provisions of Schedule 2, Part 1, Class A, Paragraph A.1 (j) (iii) of the GPDO.

6. The proposal would involve the demolition of a small single storey outrigger on the rear elevation, which currently comprises an internal store accessed through the kitchen. In respect of the original dwellinghouse, I noted when viewing the rear elevation of the host dwelling from its rear garden that a neighbouring property on the terrace to the left of the appeal site, possesses a similar outrigger arrangement to the appeal site. On the basis of what I have
seen and read, these outriggers appear to be part of the original dwellings on these terraces, including the appeal property. The evidence therefore suggests that the outrigger, albeit modest in size, is part of the original dwellinghouse, and thus its walls facing the Nos 21 and 25 form part of the original side elevation of the dwelling.

7. The appeal proposal would extend beyond the side wall of the outrigger and would therefore extend beyond a wall forming a side elevation of the original dwellinghouse. Furthermore, the proposal would have a width greater than half the width of the original dwellinghouse, given that it would span the full width of the rear of the building. Consequently, the proposal would fail to comply with Schedule 2, Part 1, Class A, Paragraph A.1 (j) (iii) of the GPDO.

Conclusion

8. For the reasons given above, and having regard to all other matters raised, the proposed scheme could not benefit from deemed permission under Schedule 2, Part 1, Class A of the GPDO. I therefore conclude that the appeal is dismissed.

Wayne Johnson
INSPECTOR