



Appeal Decision

Site visit made on 9 November 2021

by Thomas Hatfield BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th November 2021

Appeal Ref: APP/L3245/D/21/3277475

5 The Furlongs, Bicton Heath, Shrewsbury, SY3 5FU

- 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).
 - The appeal is made by Mr Ian Chaffey against the decision of Shropshire Council.
 - The application Ref 21/01890/HHE, dated 9 April 2021, was refused by notice dated 24 May 2021.
 - The development proposed is erection of a rear single storey extension to detached dwelling, dimensions 5.50 metres beyond rear wall, 2.90 metres maximum height, 2.90 metres high to eaves.
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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 the erection of a rear single storey extension to detached dwelling, dimensions 5.50 metres beyond rear wall, 2.90 metres maximum height, 2.90 metres high to eaves at land at 5 The Furlongs, Bicton Heath, Shrewsbury, SY3 5FU in accordance with the terms of the application Ref 21/01890/HHE, dated 9 April 2021, and the plans submitted with it.

Procedural Matters

2. The description of development given above is taken from the Decision Notice and the appeal form, rather than the planning application form, as this provides a more concise description of the proposal.
3. The Council's Development Management Report states that no objections were received from any of the adjoining occupiers. Accordingly, prior approval is not required in respect of the impact of the development on the amenity of adjoining premises.

Main Issue

4. The main issue is whether the proposal is permitted development 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') with regard to its external dimensions.

Reasons

5. Class A of the GPDO enables the enlargement, improvement or other alteration of a dwellinghouse, provided certain criteria are met. In this case, the development would extend beyond the rear wall of the original dwellinghouse, and beyond a wall forming a side elevation of the original dwellinghouse. Accordingly, the requirements of paragraphs A.1.(j) and A.1.(g) of the GPDO are both of relevance.
6. Paragraph A.1.(j) states that in order to constitute permitted development, side extensions must not exceed 4 metres in height, have more than a single storey, or have a width greater than half the width of the original dwellinghouse. In this case, each of these criteria would be met, including in relation to width (the extension would be 3.9 metres wide, compared to a dwelling width of 7.9 metres). The Class A requirements for side extensions would therefore be met.
7. Paragraph A.1.(g) states that in order to constitute permitted development, rear extensions must not extend beyond the rear wall of the original dwellinghouse by more than 8 metres (in the case of a detached dwellinghouse), or exceed 4 metres in height. Again, both of these criteria would be met. Moreover, there would be no cumulative exceedance of the limits set out in sub-paragraphs (e) to (j), as required by paragraph A.1.(ja).
8. For the above reasons, I conclude that the proposal is permitted development 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) with regard to its external dimensions.

Other Matter

9. Paragraph A.3. of the GPDO requires that the materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwelling. A further condition relating to external materials is therefore unnecessary.

Conclusion

10. For the reasons given above, I conclude that the appeal should be allowed.

Thomas Hatfield

INSPECTOR