
Appeal Decision

Site visit made on 25 April 2023

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 May 2023

Appeal Ref: APP/R5510/D/22/3309453

21 Colbrook Avenue, Hayes UB3 1TG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under 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 Sadullah Alam against the decision of London Borough of Hillingdon.
 - The application Ref 30330/APP/2022/2442, dated 2 August 2022, was refused by notice dated 12 September 2022.
 - The development proposed is Single Storey Ground Floor Rear Extension.
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Decision

1. The appeal is allowed and approval granted under the provisions of Schedule 2, Part 1, Paragraph A4 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) for a rear single storey ground floor extension at 21 Colbrook Avenue, Hayes UB3 1TG in accordance with the details submitted pursuant to Schedule 2, Part 1, Paragraph A4 (2) of the GPDO.

Main Issue

2. The main issue is whether or not the development is permitted development under Schedule 2, Part 1, Class A of the GPDO.

Reasons

3. Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO), permits development consisting of the enlargement of a dwellinghouse by construction of a single storey rear extension up to a specific size for both detached and semi-detached dwellings. However, development is permitted under Class A subject to limitations and conditions as set out in the Schedule.
4. Paragraph A.4 requires that before beginning the development, the developer must apply to the Council for prior approval in relation to certain matters. The Council find that the proposal is not within the limitations of the GPDO and therefore refused the proposal. They consider this is because the extension would extend beyond a wall forming the side of the original dwellinghouse.
5. I could see from my inspection on site and agree with the Council that it would be reasonable to come to the view that the double height walk-in bay windows do form part of the original dwelling as this corresponds with the attached dwelling and adjacent houses. This bay extends across approximately half the

width of the dwelling with the remaining part of the dwelling flat in its appearance.

6. The chamfered edge to the bay is set in off the party boundary and has a limited projection from the back wall of the dwelling. As a matter of fact and degree, this projection does not convince me to agree with the Council's assertion that this serves to be considered as a wall forming a side elevation of the original dwellinghouse. Therefore, based on my own assessment of the facts on the ground, I am persuaded in favour of the appellant.
7. In granting approval, the Appellant should note that the GPDO requires the materials used in any exterior work to be of similar appearance to those used for the existing dwelling house. No further condition to this effect is therefore necessary.

Conclusion

8. For the reasons given above, I conclude that the appeal should be allowed and approval granted.

Alison Scott

INSPECTOR

