Planning Inspectorate

Appeal Decision

Site visit made on 16 June 2025

by J Pearce MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2025

Appeal Ref: APP/Z3825/D/25/3363946
Sir Roberts Farm, Goose Green Lane, Goose Green, West Sussex RH20 2LW

- 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 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- The appeal is made by Mr Michael Isherwood against the decision of Horsham District Council.
- The application Ref is DC/25/0270.
- The development proposed is the erection of a single storey rear larger home extension, which would project 8.00m from the rear elevation, comprising a maximum height of 4.00m and eaves height of 2.50m.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Under Article 3(1) and Class A of Part 1 of Schedule 2 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. Where an application is made 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.

4. I have amended the description of development in the banner heading to remove reference to ‘prior approval’ as this is not an act of development under Section 55 of the Town and Country Planning Act 1990.

Main Issue

5. The main issue is whether the proposed development would be permitted development under Class A of Part 1 of Schedule 2 of the GPDO.

Reasons

6. The appeal site includes a detached single-storey dwelling, finished with a hipped roof. The proposal is for a single-storey enlargement to the rear elevation of the existing dwelling. To be permitted development under Class A, the proposal must meet all the limitations and conditions.

7. There is no dispute that the enlargement would extend 8 metres from the rear elevation and would have an overall height of 4 metres with an eaves height of 2.5 metres. However, the plans indicate that the upper part of the proposed enlargement would be attached to a first floor enlargement, permitted following the grant of prior approval under application reference DC/24/1312.

8. Sub-paragraph A.1 (ja) states that development is not permitted by Class A if any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j). The first floor addition would be an enlargement of the original dwellinghouse, and as the proposed extension would be attached to this enlargement, it is necessary to consider whether the total enlargement would exceed the limits set out in sub- paragraphs (e) to (j).

9. Sub-paragraph A.1 (h) states that development is not permitted by Class A if the enlarged part of the dwellinghouse would have more than a single storey and (h)(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres. While the proposal would enlarge the ground floor of the dwelling, the plans indicate that the extension would be joined to the approved first floor enlargement. Consequently, given the requirements of sub-paragraph A.1 (ja). the total enlargement comprising the proposed extension and the approved first floor enlargement, would fail to accord with sub-paragraph A.1 (h) of the GPDO.

10. Nonetheless, the approved first floor enlargement has not been constructed. The submitted plans do not show the proposed extension in relation to the existing single-storey building. However, the plans state that the highest part of the existing building is 3.75 metres. The proposed rear extension would have a ridge height of 4 metres, which would be in excess of the height of the existing building. Consequently, the proposal would fail to comply with sub-paragraph A.1 (c), which states that development is not permitted if the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse.

11. Accordingly, the proposal does not constitute permitted development under Class A of Part 1 of Schedule 2 of the GPDO.

Conclusion

12. For the reasons given above the appeal should be dismissed.

J Pearce

INSPECTOR