

BURGHFIELD 11/00385/CERTP Pins Ref 2154714	36 Pine Ridge Road, Burghfield Common Mr J Weller	Extend the existing porch to provide a toilet and wash hand basin	Delegated Refusal	Dismissed 19.10.11
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The appeal was made against the refusal of a Certificate of Lawfulness to extend the existing porch to provide toilet and wash hand basin under Class D of The Town and Country Planning (General Permitted Development) Order 1995.

The Council considered that the ground area of the porch when measured externally, this includes the existing and proposed porch when taken together, would exceed 3 square metres. The Inspector found the Council's approach in assessing the porch against Class D, D.1 which states that development is not permitted by Class D if the structure when measured externally would exceed 3 square metres to be correct. Stating that if this approach was not correct extensions of 3 square metres or less could be added to a porch time and again.

Furthermore the Inspector considered that the proposal cannot be permitted under Class D, as did the Council, because

- a) the proposal is not for the construction of a porch – it is for the construction of a cloakroom, and
- b) even if it was a porch, and I do not think that it is, the porch is ***not outside the external door*** (my emphasis) of No. 36.

The Inspector agreed with the Council's further assessment of the proposal as an extension in light of the above and therefore its accordance with Class A, as an enlargement, improvement or other alteration to a dwelling-house. The Inspector agreed with the Council's findings that the proposal was also not permitted development under Class A as the enlarged part of the dwellinghouse would extend beyond a wall which fronts a highway and forms the principal elevation of the original dwelling-house.

The Inspector dismissed the appeal