



Appeal Statement of Case

Woodfold Park Stud, Woodfold Park, Mellor, BB2 7QA

Prior notification of proposed larger home extensions

Project No: 21/L/061

Client: Mr Chris Ellison

Version: APP.1.0

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1. Introduction

- 1.1 This Appeal Statement has been prepared by JWPC Chartered Town Planners in support of a Written Representations appeal by Mr Chris Ellison following the decision of Ribble Valley Borough Council (the Local Planning Authority) to refuse permission at Woodfold Park Stud, Woodfold Park, Mellor, BB2 7QA (Application Reference: 3/2025/0899).
- 1.2 The appellant submitted a prior notification on 13th November 2025. The description of development was: *'Prior notification for proposed single-storey rear extension under Part 1 Class A of the GDPO 8m long, 3.76m to ridge and 3.67 to eaves'*. Following consideration, the Local Planning Authority issued its decision to refuse for one reason on the 4th February 2026.
- 1.3 The application was refused for the following reason:
- The proposal does not satisfy criteria (g)(i) and (j)(iii) of Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and therefore is not defined as permitted development.*
- 1.4 This Appeal Statement of Case will address the above reason for refusal, setting out the appellants position on why the appeal should be allowed.

2. Appeal Context

- 2.1 The appeal relates to an existing detached property known as Woodfold Park Stud. Through previous consents at the property, it has been determined that the property has benefit of permitted development rights under Class A and a recent appeal (APP/T2350/X/24/3340642) allowed a Lawful Development Certificate for a rear extension, detailed below.
- 2.2 The prior notification for larger home extensions was required to be submitted to the LPA under Class A due to the extension of the property being proposed to the rear beyond the 4 metres limit, and no more than 8 metres.
- 2.3 Importantly, the prior notification process for longer single-storey extensions requires that details of adjoining premises are provided to the Local Planning Authority (LPA) who then inform those residents and consider any objections made. In the officer's delegated report the LPA agreed with the appellant that there are no adjoining premises that were required to be informed of the proposal and no prior approval assessment was required.
- 2.4 However, the LPA determined that the proposal does not satisfy criteria within Class A of the GDPO and therefore issued a refusal. This forms the basis of this appeal.

3. Grounds of Appeal

3.1 The reason for refusal states the proposals do not satisfy two of the criteria within Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). This will be referred to as the GPDO within the rest of this Statement of Case. These two criteria are set out below.

Criteria (g) - the enlarged part of the dwellinghouse would have a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse.

3.2 The appellant developed the proposed plans so that no new rear wall extends more than 8 metres beyond the original rear wall from which that part of the extension projects.

Criteria (j) - the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would -

(iii) have a width greater than half the width of the original dwellinghouse.

3.3 The appellant developed the plans so that the width of the stepped portions of the rear extension to which this criteria is relevant are not greater than half the width of the original dwelling.

3.4 The appellant notes that the officer's delegated report confirms that there are no adjacent residents that are required to be informed of the proposal and no prior approval assessment is required. Although there were no properties to inform of the proposals, the requirement under the regulations has been complied with by the appellant by notifying the LPA through the prior notification. Therefore, should the Inspector determine that the proposal meets the above criteria, the appeal should be allowed.

3.5 Under the Regulations, the relevant date for prior notification was triggered at submission on the 13th November 2025.

Local Development Certificate

3.6 A Local Development Certificate (APP/T2350/X/24/3340642) for this property established the approach to a permitted development Class A compliant rear elevation on this property, providing for

a stepped extension of up to 4 metres from each rear stepped section of the dwelling across the entire rear elevation (Copy provided within Appeal documentation).

- 3.7 This also included proposals for a first floor extension of up to 3 metres projection to the rear of the existing first storey of the central section of the original dwellinghouse, which is two storey.
- 3.8 It is important to state that at the time of the prior notification for this appeal, the original dwellinghouse had not been extended or altered since its construction in the 2000's, and so the decision was based on extensions to the 'original dwellinghouse'.

Delegated Report

- 3.9 The LPAs commentary of the above criteria within the delegated report is shown below *in italics*, with rebuttal provided below that on behalf of the appellant.

Criteria (g)(i)

The proposed single storey extension would extend beyond the rear wall of the original detached dwellinghouse by more than 8 metres and would measure 3.76 metres in height to the ridge. Whilst the 8m can be staggered in line with the rear projections, however, measurements of the extension beyond the rear wall should be made from the base of the rear wall of the original house to the outer edge of the wall of the extension. Where the original rear wall is stepped, then each of these walls will form 'the rear wall of the original dwellinghouse'. In such cases, the limits apply to any of the rear walls being extended beyond.

In this case the proposed plans show an 8m rearward projection from the central rear wall of the dwellinghouse as well as an 8m projection from the eastern and western rear walls. However, the extension will not extend beyond the central rear wall of the original dwelling, with the intention being to demolish this section of original wall and infill the area between that wall and the proposed extension with a two-storey extension. Therefore as the proposed extension would not extend beyond the original wall at this point then this wall cannot be used to define the 8m projection. Instead, the proposed extension would extend beyond the western rear wall of the original dwelling, and the LPA's view is that this is the rear wall where the projection should be calculated, and the projection would exceed 8m. Therefore, the proposal fails to meet criteria (g)(i)

- 3.10 The above statement falsely claims that the extension will not extend beyond the central rear wall of the original dwelling. It suggests that the intention is to demolish this section of original wall and infill the area between that wall and the proposed extension with a two-storey extension.
- 3.11 The LPA is referring to the fact that the dwelling has an approved Local Development Certificate (LDC) for a 4 metre stepped extension across the whole rear elevation of the dwelling that includes a 3 metre extension at the first floor on the central section of the dwelling. These proposals are accepted as Permitted Development under Class A and an LDC was allowed on appeal. However, any changes that could be made under permitted development or through a planning application do not impact at all on what was the 'original' rear elevation of the dwellinghouse under which the criteria is to be assessed. Had any extension been granted and then built out on a property, this would still not alter what is considered to be the original dwellinghouse. This is a clearly established fact of the property, and is one considered by the LPA and the appeal Inspector in determining the LDC for this property previously.
- 3.12 The LPAs approach would mean that removing a rear wall to extend a dwelling, which is generally how rear extensions are built, means that the wall removed is no longer considered to be the position of the original rear wall of the dwelling from which assessments of permitted development criteria are made. This is clearly incorrect.

Criteria (j)(iii)

Due to the staggered rear elevation, the original dwellinghouse has a number of side walls as set out in the National Planning Technical Guidance. The proposed extension would extend beyond a side wall of the original dwelling situated between the central and western rear elevation. Therefore, for the proposed extension to be permitted it would need be limited to a width no greater than half the width of the original dwellinghouse. In this case the extension would extend the full width of the property and therefore fails to meet criteria (j)(iii).

- 3.13 Within the approved LDC for this property, the LPA and Inspector accepted the principle of a stepped rear extension along the entire width of this property, by taking projecting measurements on each section of the elevation from where the wall projects outwards from. In effect, this recreates the stepped rear elevation of the dwelling outwards by up to 4 metres, and was accepted as permitted development under Class A of the GDPO.

- 3.14 The prior notification subject to this appeal was submitted on the basis the proposals sought to extend that principle of extensions across the rear elevation beyond the 4 metre limit, going from 4 metres at ground floor from each section of the rear elevation up to 8 metres, as per the conditions of Class A requiring notification of the LPA and any adjoining premises. The LPA has confirmed that there are no adjoining premises and no prior approval assessment is required on that basis.
- 3.15 However, the LPA now considers that as the proposed extension would extend beyond a side wall of the original dwelling it should be limited to a width no greater than half the width of the original dwellinghouse. The LPA concludes its assessment to state that, as the extension would extend the full width of the property, it would fail to meet criteria (j)(iii). As explained above, the Lawful Development Certificate for up to 4 metre ground floor extension to the rear of this property extends to the rear the full width of the property, and the proposal subject to this appeal follows the same principle.
- 3.16 The LPA refer to the dwelling having a number of side walls, referencing the National Planning Technical Guidance. Page 22 of the guidance shows an example of walls forming a side elevation on a property and how to measure the width of the property to determine the half width under criteria j.
- 3.17 The guidance is just that, guidance, and it is notable that none of the proposed examples for acceptable or unacceptable development under permitted development match with the proposals subject to this appeal. The closest example is on page 19 of the guidance, which explains the principle of approach to measuring rear elevations on an existing stepped rear elevation. This example does show a full width extension to the property that also projects from what would be considered side walls, but the guidance considers that it does not meet the criteria as the extension at 'B' goes beyond the measurement from the rear wall, not because of the width of the extension. It makes it clear that the projection of the stepped elevation are considered rear elevations. It makes no reference to it being a full width extension that includes side walls, but notably does not project beyond the main side wall of the property, similar to the appeal proposal.
- 3.18 The appeal therefore presents a stepped rear extension that, as set out above, does not extend beyond 8 metres from the rear elevation of the wall from which each section projects (assuming the Inspector agrees with the appellants arguments in relation to (g)(i) above. The LPA's approach to (j)(iii) adds width measurements for the proposals that are, in effect, sectional rear elevations from a stepped rear wall. No extension is proposed to the side of the original dwellinghouse. All of the examples in the guidance that are considered unacceptable project sideways beyond the side elevation of the dwellinghouse, even where they are also measured as rear extensions. The proposal subject to this

appeal does not extend sideways from the main side elevations of the property and therefore presents as three sections of rear elevations of up to 8 metres from the existing rear elevation across the dwelling.

3.19 Importantly, the central section of the proposed rear extension does not project beyond any side elevation of the property and is therefore solely a rear elevation. The two sections of extensions to the left and right of that central section do project sideways from the existing side wall elevation of the existing central section, however, the width of these side projections measured from each side wall elevation both measure less than half the width of the original dwellinghouse. This would be the same as a detached dwelling that could benefit from permitted development for side extensions on either side of the property, that together may add up to more than half the width, but when measured from the side elevation that they project from they are less than half the width.

3.20 In conclusion, the appellant considers that the proposals comply with the two criteria set out in the reason for refusal and meet all other criteria and conditions of Class A of the GPDO, and respectfully request that the Inspector allow the appeal.



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